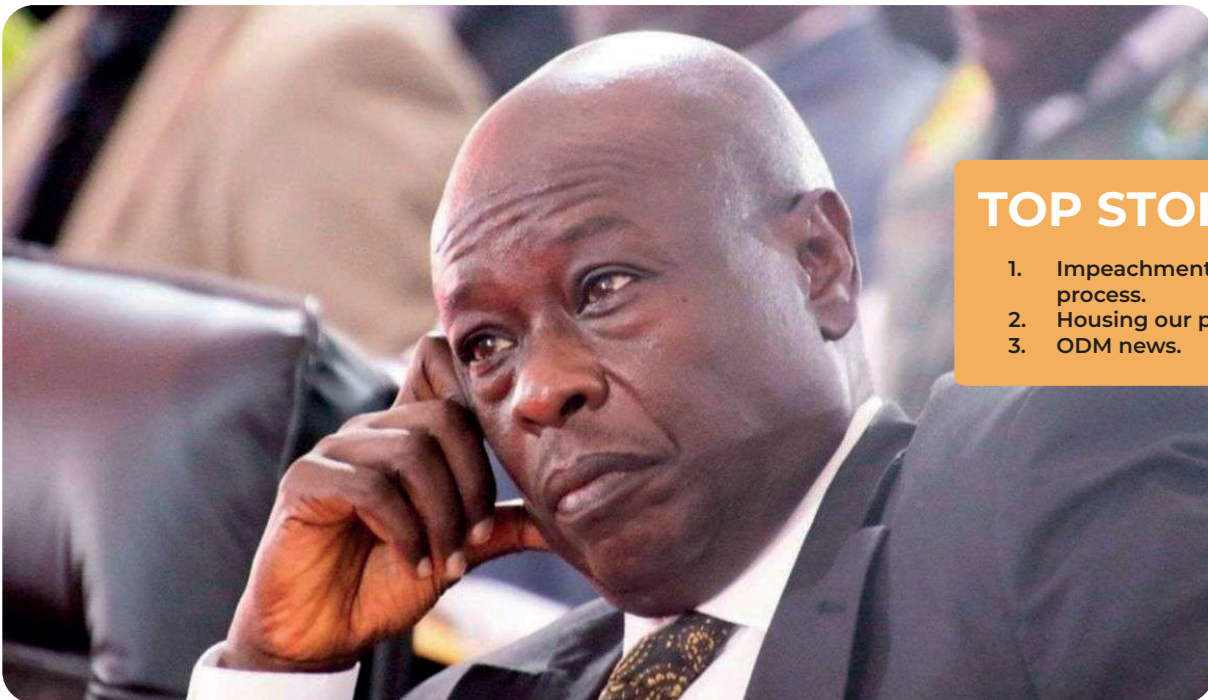


# The ORANGE

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## NEWSLETTER OF THE ORANGE DEMOCRATIC MOVEMENT PARTY OF KENYA



### TOP STORIES

1. Impeachment is a political process.
2. Housing our people.
3. ODM news.

### Impeachment: Politics by Other Means

Kenya is at a cross roads. We appear to be on the brink of a full scale constitutional and political crisis as a result the use of impeachment. Article 73 (1) of the Constitution of Kenya 2010 declares that: Authority assigned to a State officer: (a) Is a public trust to be exercised in a manner that: (i) is consistent with the purposes and objects of this Constitution; (ii) demonstrates respect for the people; (iii) brings honour to the nation and dignity to the office; and (iv) promotes public confidence in the integrity of the office; and (b) vests in the State officer the responsibility to serve the people, rather than the power to rule them. >> Pg2



### ODM NEWS

ODM Members head to the polls next month to elect new office bearers to steer the party for the next five years. Already, members of the National Elections Coordinating Committee (NECC) formerly the National Elections Board (NEB) are burning the midnight oil and working on the timetable of the exercise whose dates will be announced soon. >> Pg 10

# Impeachment: Politics by Other Means



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- (ii) demonstrates respect for the people;
- (iii) brings honour to the nation and dignity to the office; and
- (iv) promotes public confidence in the integrity of the office; and

**(b) vests in the State officer the responsibility to serve the people, rather than the power to rule them.**

Notwithstanding these explicit requirements once in office there is temptation to abuse the immense power especially in the presidency and the governor. Such abuses can be tackled via the criminal justice system. However parliament and County Assemblies are vested with the power to impeach and remove them from office essentially for loss of confidence and trust.

Impeachment by the National Assembly and removal from office by the Senate of Geoffrey Rigathi Gachagua as the Deputy President of the Republic of Kenya is one such removal that has raised interesting questions about the place of the judiciary and the courts in the impeachment and process for the removal from office of the President and the Deputy President.



*Impeachment is the process of bringing charges against the president or any other high-ranking official. It is the first stage in removing a person from political office. In order to remove a president or a deputy President from office, they must first be impeached by the National Assembly.*

**Impeachment and Parliamentary Oversighting**

Oversighting is one of the most important functions of the legislative bodies over the executive in presidential systems of democracy such as the one we adopted in the Constitution of Kenya 2010 (CoK 2010). Removal from office by impeachment is the most powerful political tool for oversighting and keeping in check the executive available to the people and their representatives in parliament to whom they have delegated authority and power to oversight the executive.

Previously we have only experienced removal of the county governors and their deputies as provided for in article 181 of the CoK 2010. In some of the cases governors successfully removed from office by the Senate have continued to serve courtesy of court orders such as was the case of the former governor of former Embu Governor Wambora who served a full term as his matter slowly navigated it's way through the courts. At the tail end the Supreme Court finally ruled that after all he was properly removed and should have not served that term.

Presently the Governor of Meru who was successfully removed from office by the Senate is back in office pending the hearing and determination of the matter.

**What is Impeachment ?**

Impeachment is the process of bringing charges against the president or any other high-ranking official. It is the first stage in removing a person from political office. In order to remove a president or a deputy President from office, they must first be impeached by the National Assembly. If the Assembly votes to impeach, then a trial is held in the Senate to determine if the President or Deputy President is to be removed from office.

**Origin of Impeachment**

The United States imported impeachment from England where it had been used by parliament to reduce the power of monarchy. The process was one in which Parliament tried to exercise control over Crown officials in the absence of alternative constitutional means. There were few other tools to take on all the King's men.

**Comparing Impeachment to Votes of No Confidence.**

Both a impeachment and vote of no confidence are political tools for holding executives in check

A vote of no confidence is a vote in a legislature as to whether an officer is deemed fit to continue to occupy their office. In parliamentary system of government such a vote against a Prime Minister in the United Kingdom would normally lead to the resignation of the Prime Minister and the cabinet.

The vote of no confidence gives people more say and if a PM was to lose the vote of no confidence they would have to resign whereas in the United States of America two thirds of congress would have to agree to impeach a president and this is much harder to achieve in comparison to a vote of confidence.

The impeachment and removal of a president is more limited as getting a president impeached is much more difficult compared to having a vote of no confidence in parliament.

Removal by impeachment is also more devastating as the consequences are normally a lifetime ban from public office.



**Impeachment and Votes of No Confidence in South Africa**

The South African case is interesting because it has removal of a president similar to impeachment as well as removal of the President and the cabinet through votes of no confidence.as shown below:

**Removal Of President (Impeachment):**

(1) The National Assembly, by a resolution adopted with a supporting vote of at least two thirds of its members, may remove the President from office only on the grounds of:-

- (a) a serious violation of the Constitution or the law;
- (b) serious misconduct; or
- (c) inability to perform the functions of office.

(2) Anyone who has been removed from the office of President in terms of subsection (1)(a) or (b) may not receive any benefits of that office, and may not serve in any public office.

**Motions of no confidence**

(1) If the National Assembly, by a vote supported by a majority of its members, passes a motion of no confidence in the cabinet excluding the president, the president must reconstitute the cabinet.

(2) If the National Assembly, by a vote supported by a majority of its members, passes a motion of no confidence in the president, the president and the other members of the cabinet and any deputy ministers must resign.

Removal of the President from Office.  
Key differences between Section 89 and Section 102

**Both provisions deal with removal from office.**

The voting thresholds are prescribed in each of the two provisions.

Section 89 deals only with the removal of the President whereas section 102 (1) deals with the removal of the Cabinet excluding the President and 102 (2) deals with the removal of the President.

If the vote of no confidence is only against the cabinet, in terms of 102 (1) the President is directed to reconstitute the Cabinet.

If the vote of no confidence is in terms of 102 (2) the President, Deputy Presidents and other members of the Cabinet are all directed by the Constitution to resign.

**Consequences of removal by impeachment and by Vote of No confidence**

If the President is removed in terms of section 89 (1) (a) and (b) the President will not receive any benefits of that office and may not serve in any public office.

Therefore, in terms of 89 (2) any President who has been removed from office can never work for government again.

In other words, the consequence of section 102 is the same as a resignation/resignations.

Section 89 is tantamount to dismissal as per labour terms and is commonly referred to as "impeachment

**Grounds and Process of Impeachment of President in Kenya**

Article 145 of the Constitution of Kenya 2010 provides the grounds and procedure for impeachment of a president as outlined below:

**Grounds of Impeachment**

1) A member of the National Assembly, supported by at least a third of all the members, may move a motion for the impeachment of the President--

- (a) on the ground of a gross violation of a provision of this Constitution or of any other law;
- (b) where there are serious reasons for believing that the President has committed a crime under national or international law; or
- (c) for gross misconduct.

**Process of Impeachment and Removal from Office**

(2) If a motion under clause (1) is supported by at least two-thirds of all the members of the National Assembly --  
(a) the Speaker shall inform the Speaker of the Senate of that resolution within two days; and



(b) the President shall continue to perform the functions of the office pending the outcome of the proceedings required by this Article.

(3) Within seven days after receiving notice of a resolution from the Speaker of the National Assembly—

(a) the Speaker of the Senate shall convene a meeting of the senate to hear charges against the President; and

(b) the Senate, by resolution, may appoint a special committee comprising eleven of its members to investigate the matter.

(4) A special committee appointed under clause (3) (b) shall --

(a) investigate the matter; and  
 (b) report to the Senate within ten days whether it finds the particulars of the allegations against the President to have been substantiated.

(5) The President shall have the right to appear and be represented before the special committee during its investigations.

(6) If the special committee reports that the particulars of any allegation against the President –

(a) have not been substantiated, further proceedings shall not be taken under this Article in respect of that allegation; or

(b) have been substantiated, the Senate shall, after accorded the President an opportunity to be heard, vote on the impeachment charges.



*The present case of the removal from office of Rigathi Gachagua by the Senate as contemplated in Article 145(7) and subsequent orders by the High Court as well as previous cases of Wambora and Kawira raise intriguing questions about individual rights and loss of trust in public office.*

**Removal from Office**

(7) If at least two-thirds of all the members of the Senate vote to uphold any impeachment charge, the President shall cease to hold office.

**Removal by Impeachment and Reinstatement by Courts?**

The present case of the removal from office of Rigathi Gachagua by the Senate as contemplated in Article 145(7) and subsequent orders by the High Court as well as previous cases of Wambora and Kawira raise intriguing questions about individual rights and loss of trust in public office. If the President was to be impeached and removed



from office as outlined in Article 145 would he/she approach courts to keep him/her in office and then for how long?

**Can The President and His Deputy be Impeached Jointly?**

The Constitution doesn't contemplate joint impeachment. Impeachment is personal. It is not the government being impeached.

In fact, impeachment was crafted in presidential systems to deal with the president, who typically like monarchs can not be tried while in office.

Impeachment was, therefore, essentially meant for the removal of a president who was suspected to have committed offences so that they may be tried thereafter like any other ordinary citizens.

**Dangers Of Misuse of Impeachment**

Impeachment is a unique and useful tool for democratic accountability and control that like any other political tool can be used

well for the public good. It can also be misused and abused.

French scholar Alexis de Tocqueville remarked in 1835 that "when the American republics begin to degenerate it will be easy to verify the truth of this observation, by remarking where the number of political impeachments augments." This sentiment has more recently been echoed by political scientists Steven Levitsky and Daniel Ziblatt, who argue that a democracy's decline often results from the excess use of institutional powers no longer restrained by informal or historic norms.

That is, the breakdown of democracy can come about through the use of tools that are perfectly within an institutional officer's authority. It does not require a breaking of process to signal a degrading of institutions

Impeachment is an important provision of this Constitution which may be applied to remove the President and Deputy President when there is loss of trust and confidence in them. It should be effected in the line with the constitution of Kenya.

# Housing and Urbanization



Kenya Housing and Urbanization

Basic needs are basic rights. Among the most fundamental of these is shelter. Housing is not merely a necessity for survival but a core human right recognized by international law. The Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights both acknowledge the importance of housing, enshrining it as a basic human right. Kenya's Constitution, too, safeguards this right, with Article 43(b) stating explicitly: "Every person has the right to accessible and adequate housing and to reasonable standards of sanitation."

Yet, despite these legal guarantees, the reality for millions of Kenyans, especially in urban centers, tells a different story. The pace of urbanization, driven largely by rural-urban migration and population growth, has caused housing demand to skyrocket. This influx of new residents has far outpaced the supply of housing and essential services, leading to the proliferation of informal settlements and increasing pressure on social, recreational, and commercial amenities.

Urbanization presents Kenya with both challenges and opportunities. Addressing the housing deficit and ensuring sustainable urbanization is not just a moral imperative but a practical one as well. The failure to provide adequate, affordable housing directly affects social stability, economic growth, and the quality of life for millions. Therefore, there is an urgent need for a deliberate and sustainable approach toward urbanization and housing.



*Affordable, decent housing improves the quality of life, promotes social cohesion, and provides families with a stable foundation from which to pursue education, work, and other opportunities.*

## The Economic Significance of Affordable Housing

Beyond its importance as a human right, affordable housing is central to human development and economic prosperity. Housing investment is a powerful economic driver, creating forward and backward linkages across various sectors. The construction industry, in particular, generates jobs for young people and fuels demand for local materials such as cement, steel, and wood. By stimulating industries like transportation and manufacturing, housing investments contribute significantly to national income and economic growth.

Moreover, housing has a profound social impact. Affordable, decent housing improves the quality of life, promotes social cohesion, and provides families with a stable foundation from which to pursue education, work, and other opportunities. As such, it is essential for the Kenyan government to prioritize affordable housing not just as a policy goal

but as a cornerstone of its broader development strategy.

## KK Administration's Mismanagement of Affordable Housing

When President William Ruto took office in 2022, affordable housing was identified as one of the six foundational pillars of his administration. His government set an ambitious target: to deliver 200,000 housing units per year, aiming to complete one million units within five years. Projects such as Shauri Moyo A, Kings Boma Estate, and developments in Gichugu, Bahati, and Milimani were launched with great fanfare.

However, concerns about the viability and inclusivity of these projects quickly emerged. While these housing developments were ostensibly designed for low- and middle-income earners, the cost of the units—3.15 million Kenyan shillings for a two-bedroom unit (64 sqm) and 4.25 million for a three-bedroom unit (85 sqm)—is prohibitive for many Kenyans. The prices reflect a fundamental



disconnect between the government's claims of targeting the lower-income bracket and the reality on the ground, where a significant portion of the population lives below the poverty line.

Kenya's housing crisis extends beyond just a lack of homes; it is about access. Urban housing has become increasingly commercialized, with private developers and wealthy individuals often benefitting more than those in dire need of affordable housing. In Nairobi, for example, up to 60% of the population lives in informal settlements, where they lack basic services such as clean water, sanitation, and security of tenure. The government's current approach, with its reliance on private partnerships and profit-driven models, has failed to address the needs of the most vulnerable.

**The Growing Challenge of Urbanization and Informal Settlements**

Rapid urbanization is one of the most pressing challenges facing developing countries today, and Kenya is no exception. The 2019 population census estimated that 19.5 million people in Kenya live below the poverty line, with 5.5 million residing in urban areas. Of these, an alarming 60% live in slums and informal settlements. These areas are characterized by overcrowding, inadequate access to clean water and sanitation, poor structural quality of homes, and insecure land tenure.

As more people move to cities in search of work, urban areas are struggling to keep pace. The unplanned and unregulated expansion of cities has exacerbated the housing crisis, leading to the spread of informal settlements. These settlements, often built on marginal or hazardous land, are not only a symptom of housing inadequacy but also a significant public health and safety risk.

The rapid urbanization of Kenya's cities underscores the need for a comprehensive approach to housing and urban planning. Cities must be equipped with the infrastructure, services, and governance systems necessary to accommodate growing populations. Without this, the urbanization process will continue to generate more informal settlements, worsening poverty and social inequality.



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**The Sustainable Development Goals and Housing**

Globally, the challenge of providing adequate, affordable housing has been recognized as a key priority within the United Nations' Sustainable Development Goals (SDGs). SDG 11 calls for making cities and human settlements inclusive, safe, resilient, and sustainable. The target is to significantly reduce the number of people living in inadequate housing by 2030.

Those who understand the political economy of capitalism had no illusions that an imperialist client state like Kenya could address people's housing needs. Friedrich Engels reminds us that:

*"It is perfectly clear that the existing state is neither able*

*nor willing to do anything to remedy the housing difficulty. The state is nothing but the organised collective power of the possessing classes, the landowners and the capitalists as against the exploited classes, the peasants and the workers. What the individual capitalists (and it is here only a question of these because in this matter the landowner who is also concerned acts primarily as a capitalist) do not want, their state also does not want."*

Achieving this goal requires governments to adopt housing policies that prioritize the needs of the poorest and most vulnerable. The Kenyan government must ensure that its housing strategy aligns with these global objectives, with a particular focus on inclusivity and sustainability.

## Addressing Kenya's Housing Crisis: A Way Forward

Kenya's affordable housing crisis is not insurmountable, but it requires a fundamental shift in policy, planning, and execution. The following are key recommendations for addressing this crisis:

### 1. Systematic Implementation of National Spatial Planning:

A coherent and enforced national spatial plan, aligned with the National Land Use Policy, is essential for orderly development. This will prevent the unchecked expansion of informal settlements and ensure that land is used efficiently and sustainably.

### 2. Supporting County Governments in Urban Planning:

County governments must be empowered to develop and implement integrated spatial and land-use plans. Collaboration between the national and county governments is critical to managing urbanization and ensuring that infrastructure and services are adequately provided.

### 3. Improving Infrastructure in Informal Settlements:

The government must invest in upgrading infrastructure and services in informal settlements. Social housing, sanitation, clean

water, and secure tenure are key to improving the quality of life in these areas.

### 4. Innovative Financing Solutions:

Affordable housing requires innovative financing mechanisms. The government should explore public-private partnerships, structured affordable credit for developers, and long-term tenant purchase schemes (TPS) for low-income earners. Additionally, establishing a Housing Fund to facilitate home purchases and providing affordable loans to first-time buyers and MSMEs would increase access to housing.

### 5. Promoting Low-Cost Housing Technologies:

To lower the cost of construction, the government should encourage the use of modern, innovative building technologies and promote the local manufacture of construction materials. These measures would reduce the overall cost of housing and make it more accessible to low-income families.

### 6. Strengthening Urban Governance:

Good governance and accountability in urban planning and development are essential for ensuring that resources are used effectively and that housing projects serve their intended beneficiaries.



## Conclusion

Kenya's housing crisis is both a symptom of wider socio-economic inequalities and a potential avenue for development. By prioritizing affordable housing and ensuring sustainable urbanization, the Kenyan government can lay the foundation for inclusive growth and improved quality of life for its citizens. The failure to address the housing deficit risks further entrenching poverty and social division, while success would set the stage for a more prosperous, equitable future. It is time for a new approach—one that puts people at the center of housing policy, recognizes the right to shelter, and makes affordable housing a reality for all.

# REMARKS OF RT. HON RAILA ODINGA AT ODM NEC RETREAT OCTOBER 12, 2024.



Let me start by saying thank you, indeed a very big thank you, to all of you, for making time for this most important meeting of our party that marks a beginning and a continuation all at once.

Today, in line with a recent decision of the Central Committee, I formally task our founding Secretary General Professor Anyang Nyong'o, to step in and provide leadership to our great party to enable me immerse myself fully into the final and more intricate phase of my campaign for chairmanship of the African Union Commission.

The Central Committee of our party made this decision a few weeks ago, picking a man who has been central in giving direction and firm foundation to our party since inception.

We are therefore assured of ideological continuity and clarity that have been the hallmarks of our party.

I want to thank you our members, our supporters for the work you have done over the years.

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***The Kenyan people are looking to us for leadership that helps translate stability into a more equitable, humane, caring and listening society and where the fruits of prosperity are more broadly and fairly shared among the population.***

Thank you for the distance we have walked together, the challenges we have overcome together, and the distance we are just about to embark on together as a party and a country.

You are aware that we are living in defining moments, not only for our party but also for our country Kenya. The choices we make in these times will shape the future of our nation for a very long time.

They will also redefine our place in the history and politics of this nation.

At our last meeting, a cloud of uncertainty and doom hang over Kenya. We faced two tough options: allow our country to continue with its descent into chaos and statelessness, or rise above populist considerations and provide leadership for the sake of Kenya's future.

In so doing, we put the Party at the service of the country. We responded to the worries and fears of Kenyans that our country could resolve even its most protracted problems and political differences without having to lose a nation.

We chose Kenya, and because of that – political and economic challenges notwithstanding – we have a stable nation. We have a country.

These developments have occurred at a time ODM is gearing up to celebrate twenty years of existence. ODM finds itself in the spotlight.

The Kenyan people are looking to us for leadership-leadership that helps translate stability into a more equitable, humane, caring and listening society and where the fruits of prosperity are more broadly and fairly shared among the population. We must not run away from that expectation or responsibility. Instead we must use all tools at our disposal to ensure these wishes of the people are not only heard but are also reflected in policy formulation by the government.

Other than helping to secure Kenya, we have other feathers in our cap to be proud of. Last week, the Auditor General revealed that ODM is the only political party in Kenya operating within the law, everyone else is masquerading, claiming legitimacy while falling short of legal requirements. This revelation further affirms the integrity and commitment of our Party to the rule of law and the tenets of democracy. It is a record we must protect at all costs.

Today, we are also welcoming a new leadership to the helm of





our Party—men and women who have consistently demonstrated their commitment to ODM's ideals, their loyalty to our cause, and their leadership in our nation. The leaders they are succeeding have been called to help steer Kenya through turbulent times and towards a future of shared prosperity, hope, and good governance. We are proud of them and wish them success.

We are proud of ODM being a breeding ground for leaders who are in touch with the feelings and dreams of our citizens and who can be called upon to reassure our people that their cries have been heard.

These developments however demand that we reassure the country as a whole that ODM has not and will not lose focus of what matters most to the people at this moment in time. As a party, ODM remains steadfast in pursuit of good governance, accountability, and the rule of law.

We remain singularly focused on using all avenues available to us to push for job creation as a means of helping young people thrive.

We remain singularly focused on the need for social security protection programs to cushion people who have been ravaged by high cost of living and we will

use all avenues available to us to push for assistance to all Kenyan households living in absolute poverty. We remain committed to combating corruption in public life.

We recognise that these goals are only realizable by confronting the challenges – not running away or being cynical.

This retreat is therefore an opportunity for deep reflection, ideological renewal, and to strategically chart the way forward for our Party and our nation.

We must restate and internalize our social democratic identity, and it is time to review, strengthen, and retool our formations in our countrywide branches, in the Women's League, Youth League, and Disability League.

As you are all aware, we will hold our grassroots elections next month. These elections are crucial to reactivating our Party in every village and neighbourhood. Let this exercise be one that strengthens our unity, rather than sowing seeds of division and hatred.

Let us plan them in a way that they help build a unified Party with a strong platform for the one thing we are best known for, which is changing Kenya for the better.

At this moment therefore, I wish

to urge you not to dwell so much on what we have achieved in the past, important as that is, but what we can achieve for ourselves and Kenya in future.

From where I stand, it is brilliantly clear that the scale of the challenges now and into the future dwarf what we faced in the past as a party and as a country. Let us wear new lenses, envisage new political terrains and prepare accordingly.

Everything we face now and in the days ahead will require leadership. As a party, we must refuse to retreat to the sidelines, to sit at some comfort zone and to hope that things will work by us doing nothing.

We must rediscover our confidence and self-belief. We must be able to spot where tough decision are required and take those tough decisions instead of shrinking from them. In other words, this party and its leaders must lead, not lament, nor wish for things, but lead. That

is the ODM I have known over the years. It is the ODM I expect to see in the years ahead.

As we prepare to mark our 20th anniversary in the coming months, this retreat is the perfect time to reflect on our future as a party and on the future of our nation.

ODM has always demonstrated its ability to tackle multiple challenges simultaneously. As we continue to strengthen our Party, we must not shy away from our responsibility to lead this nation.

Let us engage in robust discussions, anchored in the values that have guided us over the past two decades, and plan together for the future.

Whatever you do, ladies and gentlemen, be assured that I'm always with you, wherever I am, whatever I do, I will be with you in mind and spirit.

***I wish you very well.***

# Let's Exercise Civility during Grassroots Elections, Raila to ODM Members



ODM Members head to the polls next month to elect new office bearers to steer the party for the next five years. Already, members of the National Elections Coordinating Committee (NECC) formerly the National Elections Board (NEB) are burning the midnight oil and working on the timetable of the exercise whose dates will be announced soon.

Speaking in Mombasa during the Coast ODM Delegates Conference at the Pride Inn Resort, Party Leader Mr. Raila Odinga said elections give a chance to members to elect new leaders who inject fresh blood and energy into the party.

He said the party needs to have the elections as soon as possible and in accordance with the constitution and the law so as to prepare it for the next general election.

"This is an opportunity for members to exercise their democratic right as members of our movement to

“***We are ODM and our identity is the Orange Colour. We shall continue painting all corners of the country Orange and our members should know that we are not in government” he said.***

elect new leaders who will steer our party to posterity”, he said.

He cautioned members against using violence during the exercise saying they need to show maturity at all times. “Party elections should not be a matter of life and death. We must show maturity and civility during the exercise for us to continue being the strongest party in Kenya”, he added.

The Party Leader said the party continues to attract new members because of its organizational structures, which have made it the only party that is compliant with the law. “You saw the other day the Registrar of Political Parties saying that it is only ODM that is operating legally and that the rest of the political parties have not complied with the requirements of the law”, he said.

Mr. Odinga urged party members to continue with the recruitment drive in their branches to strengthen the party and make it a formidable force in the country.

Deputy Party Leader Mr. Simba Arati said party indiscipline was a contributor to the deteriorating standards of political parties in the country saying that ODM should remain a formidable force. “We shall instill discipline in rogue members of the party. We have to make sure members are disciplined and stick to the ideology of the party”,

said the Governor of Kisii County.

The Governor of Mombasa Mr. Abdulswamad Sherrir Nassir who is also a Deputy Party Leader said ODM will maintain its identity even as some of its members work in the broad-based government as Cabinet Secretaries.

“We are ODM and our identity is the Orange Colour. We shall continue painting all corners of the country Orange and our members should know that we are not in government” he said.

Party National Chairperson Ms. Gladys Wangari, who is also the Governor of Kisii County, said she will crisscross the country with other party leaders to popularize the party and reach out to as many people as possible to join it.

She said, “I will personally meet you (members) to discuss how best we can improve our party and make it stronger.”

# Resolutions of the National Executive Committee (NEC) of the Orange Democratic Movement (ODM), October 11-13, 2024, in Mombasa



## 1. Adoption of Central Committee Report

The NEC received, considered, and adopted the report of the Central Committee to establish an additional position of Deputy Party Leader.

## 2. Ratification of Nominations

The NEC ratified the following nominations:

- H.E. Prof. Anyang' Nyong'o as acting Party Leader
- Deputy Party Leaders: H.E. Abdulsamad Shariff Nassir, H.E. Simba Arati, and Hon. Senator Geoffrey Osotsi
- H.E. Gladys Wanga as National Chairperson

Senator Hamida Kibwana as a Member of the National Elections Committee

## 3. Recommitment to Party Ideology

The NEC reaffirmed its commitment to the party's ideology of social democracy and pledged to continue the struggle for social justice.

## 4. Withdrawal of Criminal Cases and Compensation

The NEC demanded the withdrawal of all criminal cases related to protests filed against Kenyans who exercised their democratic right to peaceful participation. The NEC also called for compensation for those injured during the protests and the families of persons killed by police.

## 5. Accountability for State Brutalities

The NEC urged that state officials responsible for brutalities, abductions, and murders of innocent Kenyans be brought to justice.

## 6. Condemnation of Governor Dhadho Godana's Arrest

The NEC condemned the arrest of Tana River Governor, H.E. Dhadho Godana, and insisted on adherence to the rule of law and the use of humane methods of investigation and law enforcement.

## 7. Celebration of ODM's 20th Anniversary

The NEC resolved to initiate a programme to enhance party activities in celebration of ODM's 20th anniversary.



# ODM NEC Ratifies Appointment of New Party Officials

The National Executive Committee (NEC) of the ODM party on Saturday (12th October 2024) ratified the appointment of the new party officials whose names were forwarded by the Central Management Committee (CMC) for ratification. In September this year, the Central Management Committee (CMC) proposed new appointments in the party to replace the officials who resigned to join the broad-based government. Former Deputy Party Leaders Mr. Wycliffe Oparanya and Mr. Hassan Ali Joho, National Chairman Mr. John Mbadi and Secretary for Political Affairs Mr. Opiyo Wandayi resigned from their positions to take up appointments as Cabinet Secretaries in the government.

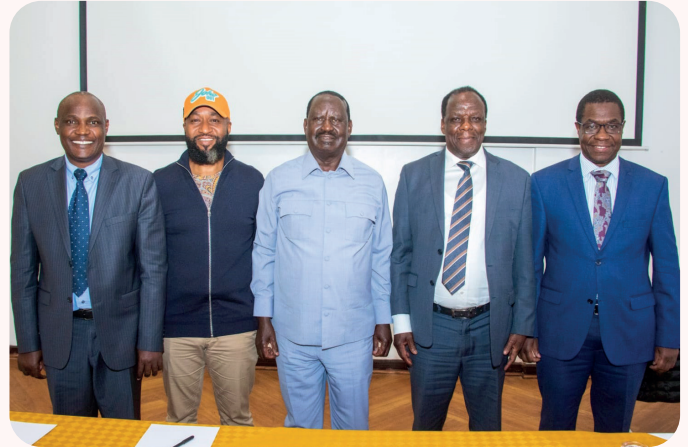
Mr. Oparanya was appointed CS for Co-Operatives and MSME's Development, Mr. Joho was appointed CS for Mining, Blue Economy and Maritime Affairs, Mr. Wandayi was appointed

CS for Energy and Petroleum while Mr. Mbadi was appointed CS for National Treasury.

In order to enhance party strength in its strongholds and national appeal, the CMC sought the permission of the NEC to create another position of the Deputy Party Leader to make them three and appointed Governors Paul Simba Arati (Kisii) and Abdulsamad Sherrif Nassir (Mombasa) as well as the Senator of Vihiga Mr. Godfrey Osotsi as Deputy Party Leaders.

The CMC also proposed the Governor of Homabay Ms. Gladys Wanga for the position of the National Chairperson while the MP for Kisumu West Ms. Roza Buyu was proposed for the position of the Secretary for Political Affairs.

The National Executive Committee (NEC) which held a two-day retreat in Mombasa used the occasion to endorse the appointments and will now be forwarding the resolution to the National



New ODM Appointed Party Officials

Governing Council (NGC) to affirm the appointments as required by the constitution and the law.

Nominated Senator Ms. Hamida Kibwana was also appointed to be

a member of the National Elections Coordinating Committee (NECC) to replace Ms. Beatrice Askul who joined government as CS for East African Community Affairs and Regional Development.

# Prof. Nyong'o Takes Up Position of Acting Party Leader



The founding Secretary General of the Orange Democratic Movement (ODM) Prof. Anyang' Nyong'o

The founding Secretary General of the Orange Democratic Movement (ODM) Prof. Anyang' Nyong'o on Saturday (12th October) was officially endorsed to be the party's Acting Party Leader.

This new status will allow him the opportunity to lead the party in the absence of the Party Leader Mr. Raila Odinga who wants to focus on the campaigns for the Chairmanship of the African Union Commission (AUC).

Mr. Odinga told the meeting of the National Executive Committee (NEC) in Mombasa last weekend that he now wants to focus his energy and time on his campaign for the AUC chairmanship and that while he will be away, Prof. Nyong'o will hold the mantle of guiding the party.

"I want to concentrate on the campaign for the AUC chairmanship. We are four candidates and this requires time to focus on the campaign", he said.

He added that Prof. Nyong'o, a seasoned politician understands the political terrain and that he has the capability to help steer the party to greater heights of growth.

"As the Secretary General, he helped make the party what it is today. He put in place structures that we have today. I have confidence in him and I know he will lead our party well while I canvas for votes to become the next Chairperson of the AUC", he said.

On his part, Prof. Nyong'o, who is also the Governor of the County of Kisumu accepted the appointment and pledged to work closely with the other leaders of the party and the national secretariat to keep ODM active and stronger.

"This is an honour to me. I am delighted that I have been chosen to lead the party in the acting capacity. All I can assure our members is that, I will not disappoint them", he said.

Prof. Nyong'o served as the first Secretary General of the party between 2005 and 2013 when he opted to retire and pave the way for the younger generation to run the party in that capacity. He has remained loyal to the party and been active in party activities even as he served as the patron of the party in Kisumu County.

## ODM to Mark 20 Years in Style



The ODM Party turns twenty in June next year (2025). The party, a social democracy whose mantra in Tuko Tayari was formed in 2005 at the heart of the much-contested constitutional referendum whose draft was unfavorable with the people of Kenya.

The controversial constitution draft which was dubbed the Kilifi draft was opposed by the proponents of a people-friendly constitution led by Messrs. Raila Odinga, William Ruto, Musalia Mudavadi, Najib Balala, Charity Ngilu and the late Joe Nyagah who rallied the country in opposing the pro-government draft.

During the heated campaign, the then chairman of the defunct Electoral Commission of Kenya (ECK) announced the allocation of two symbols, the Banana symbol for pro-draft constitution and the Orange for the opposers.

The Orange team mounted a spirited and organized campaign that ended up handing the government a resounding defeat at the referendum in November 21, 2005. It was on the strength of this victory that the Orange Democratic Movement was formed with the victorious Orange being the party symbol.

Last week while in Mombasa, the National Executive Committee of the party resolved to have a well-organized jamboree to celebrate the twenty years of existence in the political space.

"The NEC resolved to initiate a programme to enhance party activities in celebration of ODM's 20th anniversary", said the Secretary General Mr. Edwin Sifuna in his communication to the media.

Mr. Sifuna said the NEC had tasked the Deputy Party Leader Mr. Abdulswamad Sherrif Nassir to chair the small committee that will organize the event.

## Wrangles in Kilifi, Kakamega Counties Resolved



The leadership wrangling in Kilifi County which pitted the Governor of Kilifi County Mr. Gideon Mung'aro and the Speaker of the County Assembly who is also the chairman of the party in the County Mr. Teddy Mwambire has been resolved and the two leaders pledge to work together in the interest of the party.

The differences between the two had spread into the County Assembly, causing interference with the operations of the County Assembly of Kilifi.

In July this year, the Central Management Committee (CMC) tasked the Deputy Party Leaders Mr. Simba Arati and Mr. Godfrey Osotsi as well as the National Organizing Secretary of the party Mr. Ahmed Abdisalan Mohammed to bring the warring parties on a round table and find a solution to the problem.

On Friday (11 October), the party team led by Mr. Arati convened a meeting of the warring factions in Mombasa, bringing together the Governor, the Speaker and all ODM MCAs in the County Assembly of Kilifi to try and find a lasting solution to the issues between them.

After several hours of meeting, a truce was found and the Governor and the Speaker resolved to bury the hatchet and work together and make ODM stronger in the county.

Meanwhile, the wrangles in the party leadership in Kakamega County were also resolved by the NEC when the Governor of Kakamega Mr. Fernandes Barasa, Speaker of the County Assembly of Kakamega Mr. James Namatsi, and the Majority Leader Mr. Philip Maina appeared before the Committee in Mombasa to answer to the allegations being leveled against them by a section of party members.

After two hours of grilling by the NEC members under the stewardship of the party leader Mr. Raila Odinga, the trio were directed to ensure there is harmony in the party and that the Assembly resumes its normal operations uninterrupted.

Mr. Barasa was allowed to continue spearheading party activities in the county as the interim chairman until when elections are held.