

## **Ruto's 3 years marked by disregard of constitution**

**September 18, 2025 – Nakuru, Kenya**

Three years into Kenya Kwanza's regime, the country faces a constitutional and human rights crisis marked by state violence, corruption, and institutional capture. The promise of a people-centred “hustler” government has collapsed into authoritarian rule that undermines democracy and endangers citizens.

Despite initial gestures of reform, the regime has consistently defied court orders and created unconstitutional offices and bodies. The President branded judicial officers as “cartels” and openly declared that no courts of law would stand on his way. Courts halted unconstitutional actions like the gazetting of seven IEBC commissioners, and demanded the disclosure of debt contracts, but the regime blatantly ignored these orders.

Parliament has been reduced to a clearing house of the State House, passing punitive laws such as the Affordable Housing Levy and retrogressive Finance Bills, despite public opposition. Attempts to extend presidential terms and restrict freedom of assembly further entrench authoritarianism.

The Office of the Director of Public Prosecutions has been converted into a political weapon. Corruption cases against William Ruto's allies, including Henry Rotich, Wycliffe Oparanya, and Aisha Jumwa, have been dropped, while ordinary Kenyans have faced trumped-up charges for exercising their right to protest. At least 75 protesters face trumped-up terrorism charges and over 450 others, including minors, face serious criminal charges, which are false.

Since 2022, state security forces have unleashed deadly violence on citizens. At least 246 people have been killed by police under the Kenya Kwanza regime's watch. However, we caution that the actual numbers are far higher, as the regime has deliberately concealed and tampered with evidence to mask the true scale of its abuses. In July 2023, 51 protesters were gunned down within five days during demonstrations against tax hikes, bringing the total fatalities caused by police force that year to 118.

In 2024, Gen Z-led protests left at least 63 people dead, 601 injured, 1,765 arbitrarily arrested, and 82 forcibly disappeared. By September 2025, 65 more deaths, 355 unlawful arrests, and three disappearances had already been documented.

Human rights defenders and organizations continue to face reprisals designed to intimidate and curtail their agency, despite repeated commitments by the regime to uphold the rule of law and protect civic space for citizen participation in governance.

The Communications Authority of Kenya further aided censorship by disrupting live TV coverage of protests, while civil society and international donors were harassed for supporting the right to protest.

All these violations have made CIVICUS Monitor rate Kenya “repressed”, the second worst rating a country can receive, indicating severe restrictions to the freedoms of expression, peaceful assembly, and association.

The Kenya Kwanza regime has also ballooned public debt by Sh2.9 trillion — from Sh8.6 trillion in June 2022 to Sh11.8 trillion by June 2025. According to reports from the Controller of Budget, part of these funds has been squandered on lavish domestic and foreign travel. Without such wasteful borrowing, Kenya could comfortably finance education and health. Still, the development budget in all the three years has consistently been less than 10 percent, despite the constitutional provisions for at least 30 percent.

Additionally, the regime has also been plagued by grand corruption scandals, including, Sh6.6 billion, reportedly lost in edible oil imports, Sh3.7 billion in irregular Malaria nets procurement at KEMSA, Sh3.5 billion through the fake fertilizer programme, and hundreds of millions lost through National Youth Service and Kenya Pipeline Company. Consequently, Kenya's global standing plummeted, with a Transparency International 2024 score of 32 out of 100, ranking 121st worldwide.

Despite this tragic situation, we are greatly encouraged by increased citizen vigilance, the valour of our young people in defence of the Constitution, and the successful court decisions. To restore constitutional order and safeguard Kenyans' rights, members of the civil society organizations demand:

1. Immediate respect for the Constitution, the rule of law, obedience to court orders.
2. Parliament asserts its independence and withdrawal of retrogressive bills, including the Assembly and Demonstration Bill (2024), which seeks to curtail freedom of expression, assembly, and protest, and the Constitution of Kenya (Amendment) Bill of 2024, which wants to extend the presidential term from five to seven years.
3. An end to ODPP's role as a political weapon, and reinstatement of dropped graft cases.
4. There must be financial, political, and operational independence of constitutional bodies to protect rights and fundamental freedoms.
5. Protection of civic space, including free media and the right to protest, as well as independent investigations into all cases of killings, disappearances, and torture since September 2022, with accountability for perpetrators.
6. The Office of the Auditor-General should conduct special audits on all initiatives by the Kenya Kwanza regime, such as the Affordable Housing, Hustler Fund, health funds under SHA. There must also be audits of tenders issued under these initiatives and beneficial owners of companies contracted. Additionally, the EACC must initiate independent investigations into repeated claims of conflict of interest and theft of funds in corruption scandals exposed under this regime.

## Signed

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