

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI 1 of 626
HCCHRPET E228 OF 2023

KENYA HUMAN RIGHTS COMMISSION	1 ST PETITIONER
KATIBA INSTITUTE	2 ND PETITIONER
THE INSTITUTE FOR SOCIAL ACCOUNTABILITY (TISA).....	3 RD PETITIONER
TRANSPARENCY INTERNATIONAL KENYA	4 TH PETITIONER
INTERNATIONAL COMMISSION OF JURIST – KENYA (ICJ KENYA.....	5 TH PETITIONER
SIASA PLACE.....	6 TH PETITIONER
TRIBELESS YOUTH.....	7 TH PETITIONER
VERSUS	
NATIONAL ASSEMBLY.....	1 ST RESPONDENT
ATTORNEY-GENERAL.....	2 ND RESPONDENT
LAW SOCIETY OF KENYA.....	INTERESTED PARTY

CERTIFICATE OF URGENCY

I, Ochiel J Dudley, Advocate, certify this matter urgent because:

1. This Petition concerns the National Assembly’s passage of the Finance Act, 2023. The petition claims the National Assembly’s violation of Articles 10 and 201 in imposing regressive tax measures that burden low-income earners excessively, thus threatening their right to life and livelihood under Articles 26 and 43. Petitioners further contend that the Finance Act, 2023 concerns county government in functions like housing but was never passed by the Senate.
2. Broad sections of the Finance Act, 2023 commenced on **1 July 2023**, but conservatory orders have been issued in Petition HCCHRPET E181 of 2023 (*Okoiti v CS National Treasury and Planning*) listed for directions on **5 July 2023**. This petition raises common factual and legal questions with the earlier petition.
3. Although this is an ideal scenario for consolidation, the earlier petition could proceed without recourse to the petitioners. The urgency is plain.

Dated 04/07/2023 in Nairobi


Ochiel Dudley
Advocate for the Petitioners

Drawn and filed by:
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