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**THE CONSTITUTION  
OF  
THE COMMUNIST PARTY OF KENYA 2019**



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### **Article 1: Name**

The name of the organization is the Communist Party of Kenya, and herein referred to as the Party/ Organisation, and is abbreviated as CPK.

### **Article 2: Purpose of the Party**

1. To sensitize, educate, recruit, mobilize people to understand and practice the ideals and tenets of Socialism.
2. To work towards a classless society, by overcoming all forms of exploitation and oppression of person by person.
3. To work towards people's power, by actively participating in, and identifying with the people's struggle.
4. To instil the idea of internationalism, and fight oppression anywhere in the world.
5. To spearhead solidarity and friendship with Socialist countries and Parties in Africa and the world.
6. To work towards successful integration and unity of the East African Community.





7. To accelerate and work towards the unification of the African people and the African States.
8. To fight for the defeat of the relics colonialism, neo-colonialism and dictatorship in all their manifestation.
9. To struggle against the illegitimate debt burden imposed on the country through unequal power, trade and other relations with imperialist countries.
10. To struggle to defeat imperialism and its local stooges in Kenya and the World.
11. To participate in national elections in order to win political power in our national circumstances and to build popular, democratic and progressive spaces.
12. To form or enter into alliances with other political parties, organisations and other social formations in Kenya, East African Community, Africa and the World for a common purpose that is consistent with this Constitution and the Party Manifesto.
13. To struggle for a balanced industrial, agricultural and developmental trajectory which also takes into consideration the environmental interests.
14. To fight neo-liberalism and capitalism and provide alternative economic and development policies based on socialism applied creatively in the material and historical conditions of Kenya.
15. To consolidate, defend and further the democratic gains won by the struggle of Kenyans hitherto, including the Constitution of Kenya.
16. To work towards building a socialist State and society in Kenya.

### **Article3: Character of the Party.**

1. The Party is a vanguard Party, as well as a mass organization, based on understanding of Marxism-Leninism, and its application to the existing conditions.
2. The Party is a people's organisation. Its paramount interest are the interests of the broadest masses of the people. Members of the Party must never delink themselves from the masses.
3. The Party operates under the principle of democratic centralism. Democratic centralism is a combination of centralism on the basis of democracy and democracy under centralized guidance. The sense of organization and discipline must be strengthened, and all members are equal before the organization's discipline. In its internal political activities, the Party conducts criticism and self-criticism in the correct way, upholding truth and rectifying mistakes. Final decisions made by the majority or by the elected bodies bind all members.





4. Leadership in the Party means mainly political, ideological and organizational leadership in accordance with this Constitution.

5. The leadership of the Party shall include Special Interest Groups, and shall have not more than two-thirds of its composition being of the same sex, except in Party organisations or institutions whose membership is of one sex.

#### **Article 4: Membership/Cadres**

##### **4.1 General Membership Procedures**

1. Membership is open to all workers, peasants and farmers, intellectuals, artists, students, professionals and all Kenyans above the age of 18 who agree with the ideology of the Party.

2. Membership is also open to Kenyans living outside Kenya.

3. Membership is by induction, which is done after one accepts to abide by the Party Constitution, signs the Party Code of Conduct and pays the membership fees.

4. Membership is on a voluntary basis.

5. When rejection of application for membership is done, the reasons must be supported in writing.

6. Membership records must be updated from the Cells to the highest level at most after every three months.

7. Members shall pay a membership fee, and a monthly fee as determined by the Central Committee. The Central Committee may establish differentiated monthly fees for Party members who are elected or appointed into various arms and positions of government; are in various positions of leadership of the Party; or belong to any other group that differentiated fees may apply.

##### **4.2 Disputes and Discipline of Members**

1. A member who is found guilty of a breach of any provision of this Constitution or any other conduct detrimental to the party shall be subjected to discipline by the party.

2. The Central Committee may adopt a list of offences in terms of which a member may be charged for a breach of party discipline.

3. Disciplinary proceedings will normally be conducted at the level where the alleged violation or offence took place.





4. A member can be suspended from the Party or his/her duties if 50% of the members at the level in question approve the suspension.
5. A member can be expelled from the Party if 70% of the members at the level in question approve the expulsion, subject to subsection 4.2.17.
6. A suspension must not exceed two months.
7. Suspended and expelled members have a right to appeal to their respective levels or to higher organs of the Party.
8. The Cell, County Committee or the Central Committee shall appoint a disciplinary committee of not less than 2 and not more than 5 persons to hear disputes and disciplinary matters at the respective levels.
9. The Central Committee may direct that dispute resolution processes and the disciplinary proceedings be heard at a higher level than where the dispute or the alleged violation took place.
10. Any person facing disciplinary proceedings shall receive at least one week's written notice of any hearing, as well as the basic allegations and charges against him or her and be afforded a reasonable opportunity to make his or her defence. Parties to a dispute shall also receive at least one week's written notice of any resolution process, as well as the issues raised by any of the party.
11. The dispute resolution processes and the disciplinary proceedings shall be completed within 60 days of the member/s receiving the notice of hearing.
12. No member shall be judged or disciplined without a proper hearing.
13. The Central Committee shall draw up rules of procedure to be followed during a resolution/hearing process.
14. Refusal to participate in a disciplinary hearing or to accept the authority of the relevant party structure to impose disciplinary action shall constitute a serious offence, requiring immediate suspension for a period of at least 30 days. At the end of this period, the disciplinary hearing shall be restarted, and should the member repeat such a refusal, the member shall be expelled from the party by the Central Committee.
15. The case against a member facing disciplinary action shall proceed even if that member resigns or refuses to appear before the disciplinary committee. Penalties shall include a reprimand, fines, payment of compensation, the performance of useful tasks, suspension or expulsion.
16. The penalties imposed by a cell or a county committee shall be reported immediately to the higher level.





17. Expulsion shall be imposed only by the Central Committee acting either on its own initiative or after receiving a fully documented recommendation from a county committee.

18. A suspended member shall not be allowed to attend meetings of any Party structure during the period of suspension except by special invitation.

19. Any person found guilty in a disciplinary proceeding shall have the right to appeal to the Central Committee, and for the Central Committee members, to the National Congress.

20. The lodging of an appeal shall not postpone the operation of the penalty.

21. Dispute resolution processes as well as disciplinary hearings shall be heard and determined at the Party Headquarters, or at the County offices, or at the venue where the cell usually meets for its ordinary meetings.

22. Dispute resolution process will in addition employ negotiation, conciliation, mediation, internal party arbitration or a mixture of either methods.

## **Article 5: Duties and Rights of Cadres and Members**

### **5.1 Duties**

1. To conscientiously study Marxism-Leninism. Study the Party's principles, policies and decisions, acquire essential knowledge concerning socialism, and obtain general, scientific, artistic and professional knowledge, and work diligently to enhance their ability to serve the people.

2. To implement the Party's basic principles and policies and play an exemplary and vanguard role in production, work, study and social activities.

3. To conscientiously observe the Party's laws, rigorously guard secrets of the Party, execute the Party's decisions, and accept any job and actively fulfil any task assigned them by the Party.

4. To uphold the Party's solidarity and unity, be loyal to and honest with the Party, match words with deeds, firmly oppose all factions and small-clique activities and oppose double-dealing and scheming of any kind.

5. To earnestly engage in criticism and self-criticism, boldly expose and correct shortcomings and mistakes.

6. To maintain close ties with the masses, disseminate the Party's views among them, consult with them when problems arise, keep the Party informed of their views and demands in good time and defend their legitimate interests.





7. To promote new socialist ways and customs and advocate communist ethics. To step forward and fight bravely in times of difficulty or danger, daring to make any sacrifice to defend the interests of the people.

8. Cadres shall form the vanguard of the Party.

### 5.2 Rights

1. To attend relevant Party meetings and read relevant Party documents. In the case of relevant documents that are kept by a specific officer, a two-week notice should be given.

2. To participate in the discussion of questions concerning the Party's operations at meetings.

3. To make suggestions and proposals regarding the operations of the Party.

4. To make well-grounded criticism of any Party organisation or member at Party meetings, to present information or charges against any Party organisation or member concerning violations of discipline or the law to the Party in a responsible way, to demand disciplinary measures against such a member, or call for dismissal or replacement of any incompetent cadre.

5. To participate in voting and elections and to stand for election.

6. To attend, with the right of self-defence, disciplinary meetings concerning them.

7. In case of disagreement with a Party decision or policy, to make reservations and present their views to Party organisations at higher levels even up to the Central Committee, provided that they resolutely carry out the decision or policy while it is in force.

8. To resign from the Party. This should be done in writing.

No Party organisation, up to and including the Central Committee, has the right to deprive any Party member of the above-mentioned rights.

### Article 6: Organization System

1. Individual members are subordinate to the organisation, the minority is subordinate to the majority, the lower Party organisations are subordinate to the higher Party organisations and all the constituent organisations and members of the Party are subordinate to the National Congress and the Central Committee of the Party.







2. The Party's leading bodies at all levels are elected except for the representative organs dispatched by them.

3. The highest leading body is the National Congress and the Central Committee elected by it. The leading bodies of local organisations are the congresses at their respective levels and the committees elected by them. Committees are responsible, and report their work, to the congresses at their respective levels.

4. Higher Party organisations shall pay constant attention to the views of lower organisations and the rank-and-file members, and solve in good time the problems they raise. Lower organisations shall report on their work to, and request instructions from, higher organisations; at the same time, they shall handle, independently and in a responsible manner, matters within their jurisdiction. Higher and lower Party organisations should exchange information and support and supervise each other. Party organisations at all levels should enable members to keep well informed of inner- affairs and to have as many opportunities as possible to involve themselves in them.

5. Committees at all levels function on the principle of combining collective leadership with individual responsibility based on division of labour. All major issues shall be decided upon by the committees after discussion in accordance with the principle of collective leadership, democratic centralism, individual consultations and decision by meetings. The members of the committees should earnestly perform their duties in accordance with the collective decisions taken and division of labour.

6. Internal disputes shall be resolved within the body in dispute itself, following the methods stipulated in this Constitution and through democratic centralism.

## **Article 7: Organisation Levels**

### **7.1 Cells**

1. Cells are the basic organs of the Party.

2. They shall be formed in enterprises, industries, estates, villages, rural areas, government departments, schools, scientific research institutes, art institutes, communities, mass organisations and in diaspora.

3. The cells will have a Chairperson, Secretary, Organising Secretary, Treasurer and any other official they may deem necessary.





4. Cells are the militant bastions of the Party in the basic units of society, where the entire Party's work proceeds and they serve as the foundation of its advocacy capacity.

Their main tasks are:

1. To disseminate and carry out the principles and policies, the decisions of the Central Committee and other higher committees, and their own decisions; to give full play to the exemplary, vanguard role of members, and to unite and organise the cadres and the rank and file inside and outside the Party to fulfil the tasks of their own units.

2. To organise members to conscientiously study Marxism-Leninism, and to obtain other general, scientific, artistic and professional knowledge.

3. To maintain close ties with the masses, constantly seek their criticisms and opinions regarding cell members and the Party's work, safeguard the legitimate rights and interests of the masses and do effective ideological and political work among them.

4. To give full scope to the initiative and creativeness of members and the masses and to discover, nurture and recommend fine, talented people from among members and the masses and encourage them to contribute their skills and learning to the socialist drive.

5. To educate and train the activists who apply for Party membership, attend to the routine work concerning the recruitment of new members and attach great importance to recruiting members from among those in the forefront of production and work and from the masses.

6. To encourage members and the masses to conscientiously resist unhealthy practices and wage resolute struggles against all illegal and criminal activities. Where cells take on a size of 20-30 members or more, it may be sensible to divide the group into more than one cell based on region, workplace, industry, campus etc. This shall be left to the discretion of the cell and shall be decided by majority vote of the cell's members.

Cells may choose to name themselves by the collective decision of its members. Cells could be named after prominent/revolutionary figures as a means of honouring and remembering their contribution and educating people of their revolutionary history.

Several cells in the same region may unite and form a Ward, Constituency or regional body.

Cells formed in learning institutions may be referred to as Clubs.

## 7.2 County Committee

The County Committee shall be elected by all the chairpersons, Secretaries and a member, from all the cells in the County (the member shall be proposed by his/her cell, and shall be of opposite sex where both the Chairperson and the Secretary are of the same sex), from whom they shall elect a chairperson, a secretary, an organising secretary, a treasurer and eleven other members, ensuring that at least one-third of this committee is of opposite sex.





#### **Their roles shall be:**

1. To hear and examine the reports of the cell committees at the corresponding levels.
2. To oversee and approve the formation of ward, constituency or any other regional body that may be formed by the cells within the county.
3. To coordinate major activities in the county.
4. To discuss and decide on major issues in the county.
5. To forward to the Central Committee, proposed names of candidates to be nominated for all elective county positions in the respective county.

The County Committee shall meet at least once every two months.

#### **7.3 National Congress**

The National Congress shall be constituted of the Chairperson, the Secretary and a member from each County Committee (the member shall be nominated by his/her County, and shall be of opposite sex where both the Chairperson and the Secretary are of the same sex). The leadership of the Youth League and other Party organisations may participate in the National Congress.

#### **The functions and powers of the National Congress are as follows:**

1. To hear and examine the reports of the Central Committee.
2. To discuss and decide on major questions concerning the Party.
3. To revise the Constitution of the Party.
4. Propose policies and policy documents to the Central Committee and amend existing policy documents.
5. To elect the Central Committee. The Chairperson, the Secretary General, the Deputy Chairperson, the National Organizing Secretary, and the National Treasurer shall be elected directly into their positions. The rest shall be elected as members of the Central Committee.
6. To decide on criteria and procedure for mergers and coalitions with other parties.
7. May propose the dissolution of the Party to the Central Committee. This proposal shall require a vote of at least 75% of the National Congress.





The National Congress shall meet at least once every five years.

#### 7.4 Central Committee (CC)

Members of the Central Committee shall be elected by the National Congress. A member eligible for nomination into the CC must be a fully paid up member, and must have been a member of the party for at least six months.

The Central Committee will have a membership not more than 21 persons, which will include the National Chairperson, the Deputy Chairperson, the Secretary-General, the National Organising Secretary and the National Treasurer.

The functions and powers of the Central Committee are as follows:

1. Carry out the decisions and instructions of the National Congress.
2. Supervise and direct the work of the Party and all its organs.
3. Issue and send directives, advice and instructions to, and receive reports from County Committees and Cells.
4. Ensure that the County and Cell structures function democratically and effectively. The Central Committee may suspend or dissolve a county committee or a cell where necessary. A suspension of a county committee or a cell shall not exceed a period of three months. Elections of a county committee which has been dissolved shall be called within six months from dissolution. The Central Committee may appoint an interim structure during the period of suspension or dissolution of the County Committee to fulfil the functions of the County Committee.
5. Establish national departments, and setup committees as it considers appropriate.
6. Within two months after being elected into office, it shall assign specific roles to its members who shall include the Secretary for Ideology, Publicity Secretary, and other designations that may be necessary, up to a maximum of thirteen persons, including the Chairperson and the Secretary General. These members shall form the Political Bureau.
7. Produce and issue policy documents and statements as and when it deems it necessary.
8. Receive reports, supervise the work of, and delegate such functions to the County Committees, as it considers necessary.





9. Prepare nomination rules and procedures and nominate candidates for elections/appointment to the County Assembly Representatives, Members of Parliament, Governors and Senators, different representative positions at the county and other levels, and the Presidency. The nomination papers/ appointment letter shall be signed on behalf of the Party by the Secretary General and the Chairperson.

10. Confer such honours, as it may deem appropriate.

11. Manage and control the National and other assets of the Party.

12. Within one month after a proposal for dissolution, the Central Committee must discuss and make a decision on the matter. In case of dissolution, the Central Committee will also decide on the disposal of the Party property.

The Central Committee shall have the power to co-opt not more than six additional-alternate members at any time during its term of office, provided that such co-option enjoys the support of the County Committee of the region where such a person is a member.

Should a vacancy occur on the Central Committee for any reason, the Central Committee shall have the power to fill the vacancy for the remainder of the period of office until the National Congress meets, and to consult the County Committees before any such vacancies are filled.

The Central Committee shall meet at least once every two months.

### **7.5: Political Bureau**

The Political Bureau shall be formed as stated in 7.4 (6), and shall be chaired by the Secretary for Ideology.

The functions of the Political Bureau are:

1. To review party documents.
2. To approve policy documents of the party.
3. To give ideological directions of the party.
4. To run the party's ideology school.
5. Any other role that may be given to it by the Central Committee.





## Article 8: Duties and Functions of National Officials

### 8.1 National Chairperson

**The National Chairperson shall:**

1. Present to the National Congress a comprehensive statement of the state of the nation and the political situation generally.
2. Make pronouncements for and on behalf of the Party outlining and explaining the policy or attitude of the Party on any question.
3. Ensure order in the Party in accordance with the Constitution of the Party and shall in all respect establish unity in the Party. She/he shall ensure adherence to Party Policy by official members and the Party's elected groups.
4. Preside over meetings of the National Congress and Central Committee.
5. Co-sign with the Secretary General all reports, including minutes, annual reports, financial reports and other party reports.
6. Under the overall supervision of the respective committee, orientate the activities of the organs and committees of the Party.

### 8.2 Deputy Chairperson

1. The Deputy Chairperson shall assist the Chairperson, deputise him/her when necessary and carry out whatever functions entrusted to him/her by the Party, and the Central Committee.
2. Shall be in charge of discipline in the organisation.

### 8.3 Secretary General

The Secretary General is the chief administrative officer of the Party. He/ she shall:

1. Be in charge of National Secretariat of the Party.
2. Keep the minutes of the Party and the respective committee.
3. Be the custodian of all records of the Party.
4. Conduct the correspondence of the CC, and shall send out notices of all congresses, conferences and meetings at the respective level.





5. Convey the decisions and instructions of higher bodies and shall also convey decisions of the organisation to higher bodies.
6. Prepare reports on the work of the CC and such other documents which from time to time may be required by the CC;
7. Co-sign with the Chairperson all reports including minutes, annual reports, financial reports and other party reports.
8. In the absence of the Chairperson or Deputy Chairperson the Secretary General shall assume the functions of the Chairperson.
9. Ensure that all departments, save those falling directly under the Chairperson, report on their activities to him/her.
10. Secretary General shall be the full time functionary of the Party.

#### **8.4 National Organizing Secretary**

The National Organizing Secretary shall;

1. Be responsible for supervision in the Party.
2. Be in charge of the recruitment of members of the party and the establishment of branches of the Party.
3. Be responsible in the organization of Party events.
4. In consultation with the Central Committee, be responsible for Presidential, Governor, Senatorial, Parliamentary and County assembly elections.
5. Any other role that may be accorded to him/her by the Central Committee.

#### **8.5 National Treasurer**

The Treasurer is the chief custodian of the funds, property and assets of the Party. He/she shall:

1. Receive and bank all monies on behalf of the Party.
2. Keep such books of account as may be necessary to record clearly the financial position of the Party.





3. Together with the Chairperson and the Secretary General, be signatories to the Party bank account and accounts in general.
4. Be responsible, with the Central Committee and any other committee established, for working out and executing strategies for fundraising.
5. Coordinate with auditors and submit duly audited statements of accounts to the CC, the County Committees and/or to any other relevant body.
6. Ensure that funds from the State are utilized in line with the Political Parties Act, and any other funds acquired are used in line with the laws of Kenya.

#### **Article 9: Recall**

Any officer at any level of authority may be suspended from her or his duties at any time by a majority vote of the body that elected that person in line with this Constitution.

#### **Article 10: Elections and Voting**

1. Elections shall be held after every two and a half years for cells and county committees, and once every five years for the Central Committee at the National Congress. There are no term limits for service in the party.
2. Nominations of persons for elections shall be done to the outgoing office fourteen days before the elections are held. Nominations from the floor of the congress shall be done if supported by at least one third of members present.
3. Elections and any voting stipulated in this Constitution shall be by secret ballot.
4. Cell elections shall be overseen by officials from another cell. Central Committee elections shall be overseen by members proposed by the National Congress.
5. Only fully paid up members are eligible for nominations.

#### **Article 11: Quorum and Meetings**

1. The quorum for the National Congress shall be two-thirds of its representation.
2. The quorum for the Political Bureau shall be two-thirds of its membership.
3. The quorum for the Central Committee meetings and the County Committee meetings shall be one half of their respective membership.







4. The quorum for cell meetings shall be one third of their membership.

5. If after one hour of the time fixed for the meeting, a quorum is not present, the meeting must stand adjourned, and another one will automatically be held fourteen days later, at the same venue and the same timings as the adjourned meeting, and those present at that meeting, irrespective of their number will form a quorum.

6. In the case of an automatic adjournment, the Secretary General shall send a written notice to the members within three days after the adjournment.

7. The agenda of any meeting should be known to all members at least three days before the meeting. Members shall strictly stick to the Agenda of the meeting.

#### **Article 12: Membership Dues**

Upon acceptance into the cell, new members shall pay their membership fee. All members shall pay monthly dues and other monies that may be decided upon by the Cell/Party. Fifty percent of the membership fees may, with approval of the National Treasurer, remain at the cell.

Members in arrears of their dues will be notified by their cell treasurer. Cadres more than 6 months in arrears shall be stricken from membership, and can reapply for membership.

#### **Article 13: Reports**

Reports will be furnished to the organisation and to the higher levels of organisation after every three months.

Membership records, financial and audit records shall be availed to members and other relevant bodies upon a fourteen-day notice, and annual reports of the same shall be compiled and availed by the respective officers.

#### **Article 14: Induction for Cadres**

A new member, on being initiated into a cell will read, accept and sign the Party Code of Conduct. The Code of Conduct shall appear alongside the application form to join the Party.

#### **Article 15: Awards**

There shall be awards by the Party, given by the Central Committee to the most active members of the Party, and also to other Socialists of the world who have achieved great heights in the spreading and protection of Socialism.





## Article 16: Relationship with the Young Communist League

Young Communist League is an autonomous organisation, being formed by the Constitution of the Communist Party of Kenya, where it forms an integral part as a mobilising, training, and recruitment machinery for the Party.

The National Chairperson and the Secretary General of the Central Committee of the Young Communist League shall also serve as Central Committee members of the Communist Party of Kenya. All members of the Young Communist League shall first become members of the Party.

## Article 17: Emblem, motto and Colours

The emblem of the Party shall be a Hammer crossed with a Sickle, with the initials 'CPK' below it. The hammer and the sickle shall be Gold in colour, with a red background.

The flag of the Party shall be Red, with the party emblem (in gold colour) placed at the centre.

The motto is "Capitalism has failed, Jawabu Ni Usoshialisti"

The colours of the Party are Red, Black and Gold.

## Article 18: Other Information

1. Changes to Party Particulars shall be communicated in writing to the Registrar of Political Parties or other relevant bodies by the Secretary General and the Chairperson.
2. The Party offices are situated at Daphton Court, C10, Riverside Drive, Nairobi.
3. The address of the Party is 4403-00100 Nairobi, Kenya.
4. Every organisational level can employ workers to deal with the administrative work under respective officials of the Party. The terms of employment shall be decided upon by the organisational level.
5. National Assembly, Senate and County caucus bodies may be formed, and shall function under the direction of County Committees, the Central Committee and the Political Bureau.
6. Membership details in the register shall include identification details, sex, region and county of the member.
7. All organs of the party shall come up with ways of implementing national values and principles of governance as provided in the Constitution.



