

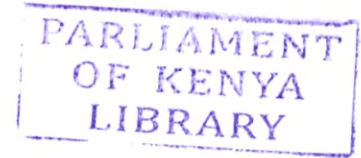
*At. Hm. Speaker
You may approve
for Tabung.*

*CMA
13.8.24.*



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

*Approved
SNA
13/8/24*




THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

COMMITTEE ON APPOINTMENTS

THIRD REPORT

APPROVAL HEARINGS OF NOMINEES FOR APPOINTMENT AS
CABINET SECRETARY FOR EAST AFRICAN COMMUNITY AFFAIRS AND
REGIONAL DEVELOPMENT
AND
ATTORNEY-GENERAL OF THE REPUBLIC OF KENYA

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 14 AUG 2024	DAY: WED
TABLED BY:	HON. JUNET MOHAMMED (MEMBER)
CLERK AT THE TABLE:	ESTHER NGINYO

AUGUST 2024

THE NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
NAIROBI



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LIST OF ABBREVIATIONS AND ACRONYMS

AG	Attorney-General
ASAL	Arid and Semi-Arid Land
CBS	Chief of the Order of the Burning Spear
CS	Cabinet Secretary
DCI	Directorate of Criminal Investigations
EAC	East African Community
EACC	Ethics and Anti-Corruption Commission
EBS	Elder of the Order of the Burning Spear
EGH	Elder of the Order of the Golden Heart
H. E.	His Excellency
HELB	Higher Education Loans Board
IMF	International Monetary Fund
IPOA	Independent Policing Oversight Authority
KRA	Kenya Revenue Authority
MP	Member of Parliament
ODPP	Office of the Director of Public Prosecutions
OGW	Order of the Grand Warrior
ORPP	Office of the Registrar of Political Parties
UN	United Nations

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CHAIRPERSON'S FOREWORD

This Report contains a record of proceedings of the Committee on Appointments relating to the approval hearings of **Ms. Beatrice Asukul Moe**, nominee for appointment as Cabinet Secretary for East African Community Affairs and Regional Development and **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW** nominee for appointment as the Attorney-General of the Republic of Kenya.

In exercise of his powers under Article 152(5)(b) of the Constitution, H. E. the President, vide Gazette Notice No. 8440 dated 11th July 2024, accepted the resignation of the Honourable Attorney-General and dismissed twenty-one (21) persons serving as Cabinet Secretaries, thus rendering the offices vacant.

Consequently, and pursuant to Article 152(2) of the Constitution, H. E. the President nominated twenty (20) persons for appointment as Cabinet Secretaries for various ministerial portfolios in the Cabinet of the Government of Kenya.

The Rt. Honourable Speaker vide Communications No. 004 and 005 of 2024 issued on Tuesday 23rd and Wednesday 24th July 2024, respectively, conveyed to the House the Messages from H. E. the President nominating the twenty (20) persons for appointment as Cabinet Secretaries. The Rt. Honourable Speaker subsequently referred the curricula vitae of the nominees to the Committee on Appointments for approval hearings in accordance with section 6 of the Public Appointment (Parliamentary Approval) Act, Cap 7F and the National Assembly Standing Orders.

The Committee on Appointments conducted the approval hearings for the nominees pursuant to Article 152(2) of the Constitution, sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act and Standing Order 204(4), and recommended that the National Assembly approves nineteen (19) nominees for appointment as Cabinet secretaries for the various ministerial portfolios in the Cabinet of the Government of Kenya and reject the nomination of the Cabinet Secretary nominee for Gender, Culture, The Arts and Heritage. Subsequently, H. E. the President appointed the nineteen (19) nominees as Cabinet Secretaries vide Gazette Notice No. 9622 dated 7th August 2024.

On 30th July 2024, pursuant to Article 152(2) of the Constitution, H. E. the President nominated **Ms. Beatrice Asukul Moe** for appointment as Cabinet Secretary for East African Community Affairs and Regional Development. Further, pursuant to Article 156 (2) of the Constitution, H. E. the President

nominated **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW** for appointment as the Attorney-General of the Republic of Kenya.

The Rt. Honourable Speaker vide Communication No. 006 of 2024 made on Wednesday, 31st July 2024, conveyed to the House the Message from H. E. the President nominating **Ms. Beatrice Asukul Moe**, for appointment as Cabinet Secretary for East African Community Affairs and Regional Development and **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW** for appointment as the Attorney-General of the Republic of Kenya. The Rt. Honourable Speaker subsequently referred the curricula vitae of the nominees to the Committee on Appointments for approval hearings in accordance with section 6 of the Public Appointments (Parliamentary Approval) Act and Standing Order 204(4) of the National Assembly Standing Orders. The Rt. Honourable Speaker directed the Committee to undertake approval hearings and table its report within twenty-eight (28) days pursuant to section 8 of the Public Appointments (Parliamentary Approval) Act. The Rt. Honourable Speaker further directed the Clerk of the National Assembly to notify the nominees and the general public of the time and place of holding the approval hearings.

Pursuant to Article 118 of the Constitution, section 6(3) and (4) of the Public Appointments (Parliamentary Approval) Act and Standing Order 45(3) of the National Assembly Standing Orders, the Clerk of the National Assembly placed an advertisement in the print media on 31st July 2024 informing the nominees and the general public that the Committee on Appointments would conduct the approval hearings on 9th August 2024 in the Mini-Chamber, County Hall, Parliament Buildings.

Additionally, and pursuant to section 6(9) of the Public Appointments (Parliamentary Approval) Act, the Clerk of the National Assembly placed advertisements in the print media on 31st July 2024 inviting the public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of each of the nominees. The advertisement indicated that the submissions were to be received by 8th August 2024 at 5.00 pm. By the close of the submission deadline, the Committee had received **four (4) memoranda** on the suitability or otherwise of the nominees for appointment. Out of the total memoranda received, **one (1) was hand delivered while three (3) memoranda were submitted vide email**. Of these, only **one (1) memorandum complied** with section 6(9) of the Public Appointments (Parliamentary Approval) Act. **Three (3) memoranda** did not comply with section 6(9) of the Public Appointments (Parliamentary Approval) Act. The detailed analysis of the memoranda is contained in Chapter Three of this Report.

Further, the Clerk of the National Assembly, vide letters dated 1st August 2024, wrote to the Ethics and Anti-Corruption Commission (EACC), Higher Education Loans Board (HELB), Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP), and Kenya Revenue Authority (KRA) seeking references and background checks relating to the suitability of the nominees.

The nominees appeared for the approval hearings on 9th August 2024 as scheduled and the Committee examined their suitability based on the criteria set out in section 7 of the Public Appointments (Parliamentary Approval) Act including the constitutional and statutory requirements relating to the offices in question and their suitability for the proposed appointments having regard to whether the nominees' abilities, experience and qualities meet the needs of the Office and Ministry in question. Furthermore, the Committee examined the nominees' academic credentials, relevant professional training and experience, knowledge of sector issues, and personal integrity in accordance with section 6(7) and (8) of the Public Appointments (Parliamentary Approval) Act.

Pursuant to sections 6(7), 6(8) and 7 of the Public Appointments (Parliamentary Approval) Act, the Committee observed that the nominees demonstrated knowledge of topical, administrative and technical issues touching on the portfolios to which they had been nominated and had the requisite abilities, academic qualifications and professional experience to be approved for appointment as Cabinet Secretary and Attorney-General of the Republic of Kenya, respectively.

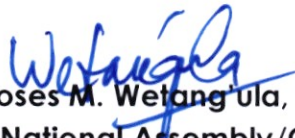
Having conducted the approval hearings for the nominees pursuant to Articles 152(2) and 156(2) of the Constitution, sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act and Standing Order 204(4) of the National Assembly Standing Orders, the Committee recommends that the House **approves** the appointment of **Ms. Beatrice Asukul Moe**, as Cabinet Secretary for East African Community Affairs and Regional Development; and **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW** as the Attorney-General of the Republic of Kenya.

May I take this opportunity to acknowledge the Honourable Members of the Committee for enthusiastically participating in the approval hearings and making important contributions towards the preparation of this Report.

The Committee wishes to thank the Offices of the Speaker and of the Clerk of the National Assembly for the technical support accorded to it during the exercise. The Committee further extends its appreciation to the nominees for their cooperation during the parliamentary approval process. The Committee

also appreciates the EACC, HELB, DCI, ORPP, and KRA for providing references and background checks relating to the suitability of the nominees. The Committee acknowledges the members of the public who actively participated in the vetting process, followed the proceedings through various media and shared thoughtful comments that enriched the vetting process.

On behalf of the Committee on Appointments and pursuant to Article 124(4)(b) of the Constitution, section 8(1) of the Public Appointments (Parliamentary Approval) Act and the provisions of Standing Order 199(6) of the National Assembly, it is now my duty and privilege to present to the House the Report of the Committee on Appointments on the Approval Hearings of the nominees for appointment as Cabinet Secretary for East African Community Affairs and Regional Development; and Attorney-General of the Republic of Kenya.



Rt. Hon. (Dr.) Moses M. Wetang'ula, EGH, MP

Speaker of the National Assembly/Chairperson, Committee on Appointments

CHAPTER ONE

1. PREFACE

Establishment and Mandate of the Committee

1. Article 124(4)(a) of the Constitution provides that when a House of Parliament considers any appointment for which its approval is required under the Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House.
2. The Committee on Appointments is established under Standing Order 204(1). Standing Order 204(4) provides that the *Committee on Appointments shall consider, for approval by the House, appointments under Article 152(2) of the Constitution (Cabinet Secretaries).*

Committee Membership

3. The Committee on Appointments was constituted by the House on Wednesday, 12th October, 2022 and comprises of the following Members—

(1) Rt. Hon. (Dr.) Moses Wetang'ula, EGH, MP	-	Speaker of the National Assembly/Chairperson
(2) Hon. Gladys J. Boss, MGH, MP	-	Deputy Speaker
(3) Hon. Kimani Ichung'wah, EGH, MP	-	Leader of the Majority Party
(4) Hon. Junet Mohamed, CBS, MP	-	Leader of the Minority Party
(5) Hon. Owen Baya, CBS MP	-	Deputy Leader of the Majority Party
(6) Hon. Robert Mbui, CBS MP	-	Deputy Leader of the Minority Party
(7) Hon. Mishi Mboko, CBS, MP		
(8) Hon. Abdul Rahim Dawood, MP		
(9) Hon. David Gikaria, MP		
(10) Hon. David Pkosing, CBS, MP		
(11) Hon. Dido Ali Raso, MP		
(12) Hon. Ferdinand Wanyonyi, MP		
(13) Hon. Stephen Mule, MP		
(14) Hon. Naisula Lesuuda, MP		
(15) Hon. Mary Emaase, MP		
(16) Hon. Abdi Shurie, MP		

- (17) Hon. Caleb Amisi, MP
- (18) Hon. George Gitonga Murugara, CBS, MP
- (19) Hon. Nelson Koech, MP
- (20) Hon. Rahab Wachira Mukami, MP

Committee Secretariat

4. The Committee was supported in the execution of its mandate by a Secretariat comprised of—

- | | |
|----------------------------|--|
| (1) Mr. Nicholas Emejen | - Deputy Director, Committees Services |
| (2) Mr. Michael Karuru | - Deputy Director, Legal Services |
| (3) Ms. Leah Mwaura | - Principal Clerk Assistant II |
| (4) Dr. Andrew Shangirai | - Principal Serjeant-at-Arms |
| (5) Mr. David Ng'eno | - Principal Research Officer |
| (6) Mr. David Nyangacha | - Principal Hansard Editor |
| (7) Mr. Ronald Walala | - Senior Legal Counsel |
| (8) Ms. Emma Essendi | - Senior Legal Counsel |
| (9) Ms. Fiona Musili | - Research Officer I |
| (10) Ms. Esther Nginyo | - Clerk Assistant I |
| (11) Ms. Angeline Naserian | - Clerk Assistant I |
| (12) Mr. Andrew Kipchumba | - Clerk Assistant III |
| (13) Mr. Mark Namaswa | - Clerk Assistant III |
| (14) Mr. Letaya Morintat | - Clerk Assistant III |
| (15) Ms. Kathleen Nanzala | - Clerk Assistant III |
| (16) Ms. Mercy Kinyua | - Legal Counsel |
| (17) Ms. Judy Kanyoko | - Legal Counsel |
| (18) Ms. Vivienne Ogega | - Research Officer III |
| (19) Ms. Grace Maneno | - Research Officer III |
| (20) Ms. Joanne Naneu | - Research Officer III |
| (21) Mr. John Ng'ang'a | - Audio Officer |
| (22) Ms. Faith Makena | - Serjeant-At-Arms |

CHAPTER TWO

2. BACKGROUND

Legal Framework

5. Article 152(1) and (2) of the Constitution provide for the appointment of Cabinet Secretaries. It stipulates that—

“(1) The Cabinet consists of—

(a) the President;

(b) the Deputy President;

(c) the Attorney-General; and

(d) not fewer than fourteen and not more than twenty-two Cabinet Secretaries.

(2) The President shall nominate and, with the approval of the National Assembly, appoint Cabinet Secretaries.

6. Article 156 (2) and (3) of the Constitution provide for the appointment of the Attorney-General as follows—

“(2) The Attorney-General shall be nominated by the President and, with the approval of the National Assembly, appointed by the President.

(3) The qualifications for appointment as Attorney-General are the same as for appointment to the office of the Chief Justice.”

7. Article 166 (2) and (3) of the Constitution provides for the qualifications for appointment to the office of the Chief Justice as follows—

“(2) Each judge of a superior court shall be appointed from among persons who—

(a) hold a law degree from a recognised university, or are advocates of the High Court of Kenya, or possess an equivalent qualification in a common-law jurisdiction;

(b) possess the experience required under clause (3) to (5) as applicable, irrespective of whether that experience was gained in Kenya or in another Commonwealth common-law jurisdiction; and

(c) have a high moral character, integrity and impartiality.

(3) The Chief Justice and other judges of the Supreme Court shall be appointed from among persons who have—

(a) at least fifteen years' experience as a superior court judge; or

(b) at least fifteen years' experience as a distinguished academic, judicial officer, legal practitioner or such experience in other relevant legal field; or

(c) held the qualifications specified in paragraphs (a) and (b) for a period amounting, in the aggregate, to fifteen years.

8. The Committee was guided by the following provisions of the Constitution and statutes in executing its mandate —

- (i) Article 10 of the Constitution on the national values and principles of governance;
- (ii) Article 73 of the Constitution on responsibilities of leadership;
- (iii) Article 75 of the Constitution on conduct of State Officers;
- (iv) Article 77 of the Constitution on restriction on activities of State Officers;
- (v) Article 78 of the Constitution on dual citizenship;
- (vi) Chapter Six of the Constitution on Leadership and Integrity;
- (vii) Article 118 of the Constitution on public participation;
- (viii) Article 124(4) of the Constitution on consideration of persons for appointment to public office;
- (ix) Article 156(3) of the Constitution on the qualifications for appointment as Attorney- General;
- (x) Article 232 of the Constitution on values and principles of public service;
- (xi) The Office of the Attorney-General Act, Cap 6A;
- (xii) The Public Appointments (Parliamentary Approval) Act, Cap 7F;
- (xiii) The Leadership and Integrity Act, Cap. 185C;
- (xiv) The Ethics and Anti-Corruption Commission Act, Cap 7H; and
- (xv) The Public Officer Ethics Act, Cap. 185B.

Vacancy in the Offices of the Cabinet Secretaries and the Attorney-General

9. In exercise of his powers under Article 152(5)(b) of the Constitution, H. E. the President vide Gazette Notice No. 8440 dated 11th July 2024 accepted the resignation of the Honourable Attorney-General and dismissed from office twenty-one (21) persons serving as Cabinet Secretaries, thus rendering the offices vacant. Subsequently, on 22nd July 2024 and 24th July 2024 and pursuant to Article 152(2) of the Constitution, H.E the President nominated twenty (20) persons for appointment as Cabinet Secretaries. Pursuant to Article 152(2) of the Constitution, sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act and Standing Order 204(4) of the National Assembly Standing

Orders, twenty (20) nominees were vetted of whom nineteen (19) were approved for appointment as Cabinet Secretaries. Subsequently, H. E. the President appointed the nineteen (19) persons as Cabinet Secretaries vide Gazette Notice No. 9622 dated 7th August 2024.

10. On 30th July 2024 and pursuant to Articles 152(2) and 156 (2) of the Constitution, H. E. the President nominated **Ms. Beatrice Asukul Moe** for appointment as Cabinet Secretary for East African Community Affairs and Regional Development; and **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW** for appointment as the Attorney-General of the Republic of Kenya.

Notification of Nominations

11. Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act stipulate as follows—

"3. Exercise of powers of appointment

An appointment under the Constitution or any other law for which the approval of Parliament is required shall not be made unless the appointment is approved or deemed to have been approved by Parliament in accordance with this Act.

5. Notification of nomination

(1) An appointing authority shall, upon nominating a person for an appointment to which this Act applies, notify the relevant House of Parliament accordingly.

(2) A notification under subsection (1) shall be —

(a) in writing;

(b) be lodged with the Clerk of the relevant House of Parliament.

(3) A notification of appointment shall be accompanied by information concerning the nominee, having regard to the issues mentioned in section 7.

(4) For purposes of this Act, a notification of nomination shall be deemed to be duly given on the day on which it complies fully with subsections (2) and (3)."

12. Pursuant to Articles 152(2) and 156 (2) of the Constitution as read with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, H. E. the President, through the Head of Public Service, forwarded to the Speaker of the National Assembly, vide letter dated 30th July 2024 (*Annexure 1*), names and curricula vitae of **Ms. Beatrice Asukul Moe** for appointment as Cabinet Secretary for East African Community Affairs and Regional Development; and

Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW for appointment as the Attorney-General of the Republic of Kenya.

Notification to the House and Referral to the Committee on Appointments

13. Pursuant to the provisions of Standing Order 42(1) of the National Assembly Standing Orders, the Speaker, vide Communication No. 006 of 2024 dated Wednesday 31st July 2024 (*Annexure 2*), conveyed to the House the President's Message on the nomination of **Ms. Beatrice Asukul Moe** for appointment as Cabinet Secretary for East African Community Affairs and Regional Development; and **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW** for appointment as the Attorney-General of the Republic of Kenya.
14. Pursuant to section 8(1) of the Public Appointments (Parliamentary Approval) Act and Standing Order 204, the names and curricula vitae of the nominees were referred to the Committee on Appointments for approval hearings and reporting to the House within twenty-eight (28) days.

Notification to the Public

15. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative business and other business of Parliament and its Committees.
16. Section 6(4) of the Public Appointments (Parliamentary Approval) Act provides that the Clerk shall notify the public of the time and place for holding an approval hearing at least seven (7) days prior to the hearing. Consequently, and in accordance with Article 118 of the Constitution, section 6(4) of the Public Appointments (Parliamentary Approval) Act and Standing Order 45(3) of the National Assembly, the Clerk of the National Assembly placed an advertisement in the print media and Parliament Website on 31st July 2024 (*Annexure 3*) notifying the public that the approval hearings of the nominees would be conducted on 9th August, 2024.

Notification to the Nominees

17. The Clerk of the National Assembly vide letters dated 1st August 2024 (*Annexure 4*) invited the nominees for the approval hearings in accordance with section 6(3) of the Public Appointments (Parliamentary Approval) Act.

Clearance and Compliance Requirements

18. The Clerk of the National Assembly vide letters dated 1st August 2024, wrote to the Ethics and Anti-Corruption Commission (EACC), Higher Education Loans

(HELB), Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP), and Kenya Revenue Authority (KRA) (Annexure 5) requesting for reports with respect to the nominees on the following matters:

- a) EACC on ethics and integrity;
- b) HELB on higher education loan repayments;
- c) DCI on criminal records;
- d) ORPP on membership to political parties; and
- e) KRA on tax compliance.

19. On matters of ethics and integrity, the EACC vide a letter dated 6th August 2024 responded and stated that the Commission had not undertaken any investigation or recommended prosecution pursuant to its mandate against the two nominees.
20. In relation to higher education and loan repayments, HELB responded vide a letter dated 2nd August, 2024 and stated that **Ms. Beatrice Asukul Moe** had cleared her higher education loan in 2010 and that **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW** had not been a beneficiary of the higher education loan.
21. On whether the nominees hold offices in political parties, the ORPP vide a letter dated 5th August 2024 responded and stated that pursuant to Article 77 (2) of the Constitution and according to the records held by the Office as at 5th August 2024 the two nominees (2) were not officials of any registered political party in Kenya.
22. With regard to the request for the tax compliance status of the nominees, KRA vide a letter 8th August 2024, responded and stated that the two (2) nominees were tax compliant.
23. The DCI vide a letter dated 8th August 2024 responded and advised that forensic fingerprint analysis for the two (2) nominees had been conducted and that the criminal database had not revealed any previous records.

Criteria for Consideration during the Approval Hearings

24. Section 6(7) and (8) of the Public Appointments (Parliamentary Approval) Act provides that:

"(7) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.

(8) The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate."

25. Additionally, section 7 of the Act provides that the issues for consideration by the relevant House of Parliament in relation to any nomination shall be—

- (a) the procedure used to arrive at the nominee;*
- (b) any constitutional or statutory requirements relating to the office in question; and*
- (c) the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.*

26. While conducting the approval hearings, the Committee was guided by the provisions of sections 6(7), 6(8) and 7 of the Public Appointments (Parliamentary Approval) Act.

Procedure for Nomination

27. Articles 152(2) and 156(2) of the Constitution confer upon H. E. the President the power to appoint Cabinet Secretaries and the Attorney-General with the approval of the National Assembly, respectively.
28. Section 5(1) of the Public Appointments (Parliamentary Approval) Act further requires the appointing authority, upon nominating a person for appointment, to notify the relevant House of Parliament.
29. To this end, H. E. the President notified the National Assembly of the nomination of Ms. Beatrice Asukul Moe for appointment as Cabinet Secretary for East African Community Affairs & Regional Development; and Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW for appointment as the Attorney-General of the Republic of Kenya.

Constitutional and Statutory Requirements

30. The Committee was guided by the following provisions of law on the requirements for appointment to the State offices—

(1) Two-Thirds Gender Rule

31. Article 27(8) of the Constitution provides that the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender.

(2) Representation of Regional and Ethnic Diversity

32. Article 130(2) of the Constitution provides that the composition of the national executive shall reflect the regional and ethnic diversity of the people of Kenya.

(3) Leadership and Integrity

33. The Committee, in determining the suitability of the nominees, was also guided by the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, Article 73(2) of the Constitution provides that the guiding principles of leadership and integrity include –

- (a) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;*
- (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;*
- (c) selfless service based solely on the public interest, demonstrated by—
 - i) honesty in the execution of public duties; and*
 - ii) the declaration of any personal interest that may conflict with public duties.**
- (d) accountability to the public for decisions and actions; and*
- (e) discipline and commitment in service to the people.*

34. Article 75 of the Constitution requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties. This Article further prohibits a State officer who has been removed from office under it from holding any other State office.

35. Article 77(1) of the Constitution prohibits a full-time State officer from participating in any other gainful employment.

36. Article 77(2) of the Constitution prohibits an appointed State officer from holding office in a political party.

37. Article 78 of the Constitution disqualifies persons who are not Kenyan Citizens from appointment as State Officers. Further, a State Officer is barred from holding dual citizenship.

38. In addition, the Committee considered section 10 of the Leadership and Integrity Act, Cap 185C which provides that –

- “A State officer shall, to the best of their ability—*
- (a) carry out the duties of the office efficiently and honestly;*
 - (b) carry out the duties in a transparent and accountable manner;*
 - (c) keep accurate records and documents relating to the functions of the office; and*
 - (d) report truthfully on all matters of the organization which they represent.”*

Suitability of the nominees for the proposed appointment having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made

39. The suitability of the nominees was assessed after scrutiny of the nominees' academic credentials, professional training and experience, personal integrity, background and qualities as well as their performance during the approval hearings conducted on 9th August, 2024.

CHAPTER THREE

3. MEMORANDA FROM MEMBERS OF THE PUBLIC IN RESPECT OF THE NOMINEES

41. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative business and other business of Parliament and its Committees.
42. Section 6(9) of the Public Appointments (Parliamentary Approval) Act provides that "*any person may, prior to the approval hearing and by **written statement on oath**, provide the Clerk **with evidence contesting the suitability of a candidate** to hold office to which the candidate has been nominated*".
43. Pursuant to Article 118 of the Constitution as read with section 6(9) of Public Appointments (Parliamentary Approval) Act, the Clerk of the National Assembly placed an advertisement in the print media on 31st July, 2024 inviting the public to submit memoranda by way of a written statement on oath (affidavit) on the suitability or otherwise of the nominees in conformity with section 6(9) of the Public Appointments (Parliamentary Approval) Act (Annexure 6).
44. The advertisement indicated that the submissions were to be received by Thursday, 8th August, 2024 at 5.00 pm. At the close of the submission deadline, the Committee had **received three (3) memoranda via email and one (1) memorandum that was hand-delivered, making a total of four (4) memoranda** for or against the suitability of the nominees. Out of these, only **one (1) memorandum** complied with section 6(9) of the Public Appointments (Parliamentary Approval) Act.
45. Further, out of the four (4) memoranda, one of the memoranda although in the form of an affidavit, was submitted in support of a nominee and not contesting the suitability of the nominees as required by section 6(9) of the Public Appointments (Parliamentary Approval) Act hence inadmissible. Section 6(9) of the Act requires the written sworn statements to contain evidence contesting the suitability of a candidate to hold office to which the candidate has been nominated and not in support of a candidate.
46. The Committee received one (1) affidavit contesting the suitability of the two nominees on the following grounds—
 - (a) the President appointing a person from the minority party; and
 - (b) failure to competitively recruit the nominee for the position of the Attorney-General.

47. The following is the analysis of the memorandum received by the Committee from the public which met the requirements of section 6(9) of the Act—

Affidavit by Eliud Karanja Matindi contesting the suitability of the nominees

48. Eliud Karanja Matindi contested the appointment of **Ms. Beatrice Asukul Moe** on the grounds that the nominee was a member of and was affiliated to the Orange Democratic Movement (ODM). Further Mr. Matindi averred that the nominee was a member of the party's elections committee and that she resigned after her nomination as Cabinet Secretary.
49. Mr. Matindi further stated that, Articles 4(2), 10(2), 90, 91 and 108 of the Constitution decree that Kenya shall be a multi-party democratic State and therefore H. E. the President could not lawfully nominate persons associated with and who were/have been members of political parties or coalition of rival political parties in opposition to the President's party for appointment as members of the national executive of the Republic which he heads as this destroys multi-party democracy as decreed by the Constitution.
50. Mr. Matindi also contested the appointment of **Ms. Dorcas Agik Oduor** on the ground that the nominee was not competitively recruited and therefore, H.E the President, cannot lawfully, at his personal and absolute discretion, make a determination that a person meets the prescribed qualifications for appointment as Attorney-General as this question can only be determined after fair competition and merit as provided under Article 232(1)(g) of the Constitution.

Observations

51. The Committee observed that the affidavit by the deponent was a written statement on oath and therefore complied with section 6(9) of the Public Appointments (Parliamentary Approval) Act.

Memoranda that did not comply with Section 6(9) of the Public Appointments (Parliamentary Approval) Act

52. The Committee received two (2) memoranda against **Ms. Dorcas Agik Oduor** via email that did not comply with section 6(9) of the Public Appointments (Parliamentary Approval) Act, as they were not written statements on oath. The memoranda were received from the following two (2) persons—

- (1) Dennis Kang'ethe Itui; and
- (2) Charles Idaho.

53. Additionally, the Committee received a memorandum in the form of an Affidavit in support of the nominee for the position of Attorney-General.

Observation

54. Section 6(9) of the Act envisages that the statement made under oath should be evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated and not in support of a nominee. In this regard, the affidavit in support of the nominee was inadmissible.

Notification of the Nominees of the Issues raised in the Memoranda

55. The Clerk of the National Assembly vide letters dated 8th August 2024 (*Annexure 7*) wrote to the nominees to respond to issues that were raised in the affidavits by the public pursuant to section 6(9) of the Act contesting their suitability for appointment to office.

56. During the approval hearings, the Committee examined the nominees on the issues that were raised in the memorandum; the responses by the nominees; and the observations of the Committee on the issues raised by the public are contained in Chapter Four.

CHAPTER FOUR

4. APPROVAL HEARINGS OF THE NOMINEES

57. The Committee held approval hearings on 9th August 2024 and examined the nominees on the areas set out in section 6(7), 6(9) and 7 of the Public Appointments (Parliamentary Approval) Act as follows —

Ms. Beatrice Asukul Moe, Nominee for appointment as Cabinet Secretary for East African Community Affairs and Regional Development.

58. The nominee appeared before the Committee on 9th August 2024 and was vetted under oath to examine her suitability. The Committee noted the following—

Questions from the General Questionnaire

Citizenship, Date and Place of Birth

59. The nominee is a female Kenyan citizen born on 14th July 1973 in Turkana County. The nominee confirmed that she is a citizen of Kenya by birth and does not hold any dual citizenship.

Academic and Professional Qualifications

60. The nominee holds a Bachelor of Arts Degree in Social Sciences (Social Work) from the Catholic University of Eastern Africa (2006), a National Certificate in Social Development from Kabujoi Social Development Institute (1997) and a Kenya Certificate of Secondary Education (1992). The nominee is pursuing a Masters degree in Governance and Ethics from Mt. Kenya University (2020 to date).

61. The nominee has also undertaken various professional courses including the International Balanced Scorecard Certification Master Class by Balance Score Institution of Africa (22nd - 26th of September, 2014), the County Induction Course at Kenya School of Government (8th -10th of October, 2013), and the Corporate Governance Course by Eliud and Associates Management Consultants (11th - 19th of November, 2010).

62. She has also pursued several trainings such as Training on Audit Committees by KCA University (Institute for Capacity Development) (28th-30th of October, 2009), Training of Trainers Course for Community based development by AMREF Kenya (25th of June - 13th of July, 2001), Training in methodologies for

conducting baseline assessment survey for food security and nutrition by Nutrition Improvement Project Turkana (21st- 26th of April, 1996).

Employment Record and Work Experience

63. The nominee possesses relevant experience in public service having served as the County Executive Committee member in charge of Water, Irrigation, Agriculture and Land Reclamation in the Turkana County Government (2013-2016), Director of the Rift Valley Water Services Board (2008-2012), Chairperson of the Technical Committee Rift Valley Water Services Board (2011- 2012) and Chairperson of the Audit Committee Rift Valley Water Services Board (2008-2011). Prior to this, the nominee had worked as a Project Officer at AMREF Kenya Turkana Project (1999- 2002) and a Relief Officer at Oxfam Turkana Relief Program (1994 -1995).

Published Writings

64. The nominee submitted that she had published an article in July 2024 in the African Journal of Empirical Research titled "*Influence of local politics on women participation in leadership positions in Turkana County.*"

Public Office, Political Activities and Affiliations

65. The nominee stated that she had been appointed as a County Executive Committee member (2013-2016) and as a Director (2008-2012), Chairperson of the Technical Committee (2011-2012) and Chairperson of the Audit Committee (2008- 2011) at the Rift Valley Water Services Board.

Integrity

66. The nominee has neither been charged in a court of law nor adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. The nominee has never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

Income and Net Worth

67. The nominee estimated her family net worth to be Kshs. 100 million comprising two (2) houses, five (5) vehicles, one (1) backhoe loader, land, livestock and a workshop. She reiterated that her net worth was that of her family and was not personal to her.

Potential Conflict of Interest

68. The nominee declared that she is currently not associated with any persons or matters that would present a conflict of interest should she assume the position of Cabinet Secretary. In the event that a conflict of interest arose, she stated that she would resolve the same in accordance with the provisions of the law.

Pro-bono/Charity Work

69. The nominee indicated that she makes donations to needy women in her community.

General and Sector-Specific Questions to the Nominee

70. The Committee posed several questions to the nominee on her suitability for appointment as Cabinet Secretary for East African Community Affairs and Regional Development. The nominee responded as follows—

On addressing the historical marginalization of ASALs and ensuring climate resilience

71. The nominee stated that her home county of Turkana had suffered marginalization; therefore, she understands and appreciates the issue of marginalization. If approved, she stated that she would engage and involve the people from ASALs to formulate homegrown solutions that can influence policy reforms aimed at ensuring climate resilience.

72. The nominee further stated that being from an ASAL region, she was well-equipped to address issues facing ASAL regions. She informed the Committee that she would lead from a point of information, using her experience to ensure that the right information is used for decision-making.

On procurement and distribution of relief food and other provisions

73. The nominee informed the Committee that she would ensure that the procedures set out in law on procurement are followed. She would guarantee the inclusion of the beneficiaries in the making of decisions to ensure that the legitimate vulnerable people are identified and supplied with food. Further, she would seek to ensure that the relief food and other provisions are supplied to the government at the prevailing market prices, to assure value for public money.

74. The nominee further stated that the provision of relief food in ASAL areas is not sustainable. She added that there was need to utilise funds earmarked for provision of relief food to enhance food production.

On her experience in trade matters

75. The nominee stated that as a Turkana native, she has had the opportunity to trade with the communities from Sudan and Uganda, which are Member states of the East African Community. The nominee further stated that she is capable of carrying out trade negotiations, through consultations with the key stakeholders and ensuring that the interest of the Country is protected.

On her role in the selection of Azimio's Presidential running mate

76. The nominee stated that the Azimio's Presidential running mate was selected based on the set rules and consideration of all the political parties that were represented in the selection panel. She was confident that the right decision was made at the time.

On the expansion of the East African Community

77. The nominee stated that the expansion of the EAC as evidenced by the addition of new states into the Community is a positive development that would offer market opportunities for the benefit and development of the entire East African Community.

On promoting the interest of the country in the EAC

78. The nominee informed the Committee that the sovereignty and interests of Kenya need to be protected. In addition, she stated that she would promote the interests of the Country and further collaborate with other member states in seeking to balance the interests of Kenya and those of the Community.

On addressing conflicts among the ASAL communities

79. The nominee stated that she had worked at the Rift Valley Water Services Board (RVWSB) where they supplied water to all communities in the Rift Valley region fairly. She stated that she would be ready to serve all Kenyans and not just a Region and ensure that the conflicts are resolved by way of guaranteeing that they have access to basic needs.

On duplication of roles by regional development authorities and county governments

80. The nominee stated that regional development agencies, such as KVDA, face challenges due to overlapping functions with counties post-devolution. She proposed that large, cross-county projects be managed by these agencies, while smaller, localized projects should be handled by counties. She proposed that regional development authorities should focus on large projects affecting multiple counties and that county representatives be involved in management. She emphasized the need for Counties to handle projects within their capacity.

On funding the East African Community

81. The nominee informed the Committee that she would consult with the Council of Ministers from partner states to address the issue of countries failing to remit funds and to seek a sustainable alternative funding model. If appointed, she would propose the introduction of a levy on all goods imported into the EAC region, which would require the agreement and approval of all member states. Additionally, she would benchmark with other regional bodies to identify effective funding practices and apply the best practices to the EAC.

On the Equalisation Fund

82. The nominee noted that the Equalization Fund is meant to be utilized in the provision of basic services such as water, roads, health services and electricity to marginalized areas. She further stated that there was need to engage the respective line Ministries in decision-making for the realization of the purpose of the Fund.

On mitigating the effects of the perennial cycle of droughts and floods

83. The nominee noted that there is need to take action based on data from early warning systems by the relevant agencies such as the National Drought Management Authority (NDMA) to ensure that effects of the perennial cycles of droughts and rains are mitigated sustainably. She stated that she would seek to promote initiatives such as water harvesting in arid and semi-arid areas (ASALs). She would also collaborate with all relevant government departments, stakeholders, and external partners to implement sustainable measures and leverage on early warning system data.

On long-term solution to food shortages in the ASALS

84. The nominee stated that the ASALs constitute 70% of the Kenyan land mass. She noted that water scarcity and food security are of concern and there is need for long term solutions. She further stated that she would involve all relevant Ministries and stakeholders to formulate sustainable long-term solutions.

On procedure used to select the Chairperson of the EAC

85. The nominee was of the opinion that the Chairperson of the EAC is selected through an inter-presidential arrangement, adding that she does not have the finer details of the process but would endeavour to seek more information. She also noted that the current Chairperson of the EAC is the President of South Sudan.

On the Political Federation Protocol and border conflicts among EAC member states

86. The nominee acknowledged that the sovereignty and interests of each country are unique among the member states. If approved, she would advocate for mediation, consultation and arbitration among the parties. She would champion for political goodwill to be enhanced and use of the East African Court of Justice and the East African Legislative Assembly to mediate among the conflicting parties.
87. The nominee stated that the formation of EAC was progressing well given the strides that had been made in the formation of the East African Legislative assembly, The East African Court of Justice, the EAC Secretariat among other organs of the East African Community.

On gaps in the nominee's academic credentials

88. The nominee clarified that she attained a National Certificate in Social Development from Kabujoi Social Development Institute which was a programme examined by KNEC. She noted that thereafter, she undertook a four-year course for the Bachelor's Degree, in line with the requirements by the University to cater for her lack of a diploma.

On the success of devolution

89. She stated that devolution had led to development in marginalized areas like Turkana County, which had not received adequate support from the Central government since independence. She added that devolution was akin to

independence for the people of Turkana county. She added that despite the strides made, there was need for continued support to the ASAL areas.

On measures to make the Ministry proactive in mitigating natural disasters

90. The nominee stated that she would develop a framework to require the numerous NGOs operating in the ASAL areas, in collaboration with the Ministry, to formulate a permanent solution to natural disasters.

On inclusion of youth in regional development and EAC

91. The nominee was of the opinion that there should be a deliberate policy to incorporate youth in all initiatives in the country. She further proposed affirmative action to harness the expertise of the young people.

On the security of fishermen on Migingo Island

92. The nominee stated that progress had been made in the resolution of conflicts between Uganda and Kenya. However, she noted that there is need for mediation between the two states, led by the EAC, including the Court of Justice where necessary for a long-term solution.

On dam projects not being completed

93. The nominee stated that the implementation of projects should be phased to ensure value for money per phase. She further added that there is need for adherence to laws and guidelines on procurement.

On clearance delays at the border

94. She agreed that the clearance process at the border takes a long time because of poor infrastructure at the borders and corruption. She indicated that there was need to digitize the system of clearing the goods. The nominee stated that there was need for collaboration between the partner states, the relevant Ministries in terms of human resource and utilization of digital solutions.

On balancing the EAC and the ASALs dockets

95. The nominee informed the Committee that there are already structures and technocrats in the two dockets. If approved, she would be apprised of the programmes in the departments and would provide policy direction and leadership.

On trade barriers

96. The nominee noted that this is an issue that cuts across various Ministries. If approved, she would liaise with the relevant Ministries to ensure a permanent solution to trade barriers.

On community-based solutions to inter-community disputes

97. The nominee noted that there was need for stakeholder engagements to formulate lasting solutions. She added that there is need for government institutions to ensure safety of Kenyans when they cross into neighbouring countries.

On East Africa Community Integration

98. The nominee informed the committee that she believed in the integration of the East African Community and would pursue the goodwill of all Member States to ensure its realization.

Nominee's Response to Allegations Arising from Memoranda

99. On the issue that the nominee was a member of and is affiliated with the Orange Democratic Movement (ODM), the nominee responded vide an affidavit sworn on 8th August 2024 as follows—

- (a) That, she is an individual who places paramount importance on the principle of constitutionalism and the rule of law;
- (b) That, at the time of swearing the Affidavit, she was neither a Member of any Political Party nor did she hold any position in any political party;
- (c) That, she officially relinquished her membership in the Orange Democratic Movement (ODM) party and resigned from her position on its Elections Committee, as verified by the party's statement dated 31st July 2024 and a letter from the Registrar of Political Parties; to fully comply with the constitutional mandate under article 77(2);
- (d) That, she decided to resign in order to mitigate potential conflicts of interest and this demonstrates her unwavering commitment to maintaining political neutrality in her capacity as a Cabinet Secretary;
- (e) That, Article 4(2) of the Constitution establishes Kenya as a multi-party democratic state but does not prohibit individuals from opposition parties from serving in the national executive, provided they comply with constitutional and legal requirements upon their appointment;

- (f) That, her resignation from ODM ensures her commitment to serving all Kenyans impartially and upholding the values of a multi-party democracy;
- (g) That, the President holds the authority, after presidential election to select and appoint Cabinet Secretaries subject to the approval of the National Assembly pursuant to Article 132(2) of the Constitution;
- (h) That, the Constitution does not restrict the President from nominating individuals based on their former political affiliations, as long as they adhere to constitutional requirements and demonstrate the capacity to serve the nation impartially, as underscored in Matemu v Trusted Society of Human Rights Alliance & 5 others [2013] Eklr;
- (i) That, while the multi-party system in Kenya is essential for maintaining political plurality and fostering healthy competition, upon her appointment to the executive, her primary allegiance will be to the Constitution and the citizens of Kenya, a fundamental principle that guarantees that the executive is unbiased and impartial, working for the benefit of the nation as a whole, not just for the interests of any particular political party;
- (j) That, while Article 152(2) of the Constitution is explicit in its requirement that all nominees for Cabinet Secretary positions must resign prior to their formal appointment it does not impose any mandatory resignation prior to nomination, leaving the timing of resignation as a matter of discretion until the time of appointment;
- (k) That, her resignation from ODM and commitment to public service demonstrate her adherence to the principles under Chapter Six of the Constitution;
- (l) That, she is committed to transparency, accountability, and serving the interests of all Kenyans as required by Article 73 of the Constitution; and
- (m) That, her nomination as a Cabinet Secretary is fully consistent with the applicable constitutional and legal provisions governing the process of public appointments in Kenya and she has made every effort to demonstrate her political neutrality.

Observations on Memoranda Submitted Against the Nominee

100. The Committee noted that the President has the prerogative under Articles 132(2) and 152(2) of the Constitution to nominate and, with the approval of the National Assembly, appoint Cabinet Secretaries.

Committee Observations on the Suitability of the Nominee

101. The Committee having considered the nominee's filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, her curriculum vitae, memorandum from the public and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as Cabinet Secretary-

- (1) **THAT**, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since she is a Kenyan citizen born in 1973 in Turkana County and does not hold dual citizenship.
- (2) **THAT**, the nominee possesses relevant experience in public service having served as the County Executive Committee member in charge of Water, Irrigation, Agriculture, and Land Reclamation in the Turkana County Government between 2013 and 2016; Director of Rift Valley Water Services Board between 2008 and 2012; Chairperson of the Technical Committee Rift Valley Water Services Board between 2011 and 2012 and as Chairperson of the Audit Committee Rift Valley Water Services Board between 2008 and 2011. Prior to this, the nominee had worked as a Project Officer at AMREF Kenya Turkana Project between 1999 and 2002 and a Relief Officer at Oxfam Turkana Relief Program between 1994 and 1995.
- (3) **THAT** the nominee holds a Bachelor of Arts Degree in Social Sciences (Social Work) from the Catholic University of Eastern Africa; a National Certificate in Social Development from Kabujoi Social Development Institute; and a Kenya Certificate of Secondary Education. Her academic credentials, professional training, and experience thus comply with sections 6(7) and 7 of the Public Appointments (Parliamentary Approval) Act.
- (4) **THAT**, the nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Ethics and Anti-Corruption Commission (EACC), the Kenya Revenue Authority (KRA), the

Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Education Loan Board (HELB).

- (5) **THAT**, the nominee has neither been charged in a court of law nor adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry in the past three years.
- (6) **THAT**, the nominee does not hold office in any political party.
- (7) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.
- (8) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as Cabinet Secretary for East African Community Affairs and Regional Development.

Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW – Nominee for Appointment as Attorney-General of the Republic of Kenya

102. The nominee appeared before the Committee on 9th August 2024 and was vetted under oath to examine her suitability or otherwise. The Committee noted the following—

Questions from the General Questionnaire

Citizenship, Date and Place of Birth

103. The nominee is a female Kenyan born on 12th November 1965 in Nakuru County. The nominee confirmed that she is a citizen of Kenya by birth and does not hold dual citizenship.

Academic and Professional Qualifications

104. The nominee holds a Master of Arts Degree in International Conflict Management from the University of Nairobi (2015). She was admitted to the bar as an advocate of the High Court of Kenya in 1992, attained her Postgraduate Diploma in Law from the Kenya School of Law (1991), and graduated with a Bachelor of Laws Degree (Honours) from the University of Nairobi (1990). She also possesses the Kenya Advanced Certificate of

Education (1985) and the Kenya Certificate of Education from Lwak Girls High School (1983).

105. The nominee has attended several relevant courses including the Leadership Program for National Transformation at the Kenya School of Government (2024), the Public Policy Executive Programme at the Strathmore University (2020), Disability Rights in the African Context course at the University of Pretoria (2015), course on money laundering and terrorist financing joint India-IMF training programme at the IMF Training Institute in Pune, India (2011) and a course on Result Based Management and Performance Appraisal at the Kenya Institute of Administration (2006) among others.
106. The nominee has also made presentations at various international conferences, seminars, and forums such as the 24th Annual Conference and General Meeting of the International Association of Prosecutors in Buenos Aires, Argentina (2019), the Security Governance Initiative Partners Seminars in Accra, Ghana (2017), the United Nations Security Council on International Judicial Cooperation in the fight against terrorism in New York, USA (2016) and the International Anti-Corruption Conference in Panama City, Panama (2016) among others.

Employment Record

107. The nominee is a distinguished lawyer and possesses extensive experience as a prosecutor having risen through the ranks over a period of over twenty-five (25) years to the position of Secretary of Public Prosecution, deputizing the Director of Public Prosecutions in the administration and management of the affairs of the office (2017 to date). Prior to this, she was the Deputy Director of Public Prosecutions in charge of the Economic, International, and Emerging Crimes Department (2012- 2017). She has also served as a Senior Deputy Prosecution Counsel (2010-2012), Deputy Chief State Counsel (2005-2010), and State Counsel (1991-2005).
108. Her key achievements comprise chairing the multi-agency team on Post-Election Violence, and the development of several Bills, Acts, and Rules including the Proceeds of Crime and Anti Money-Laundering Act, the Prevention of Organized Crime Act, Mutual Legal Assistance Act, the Prevention of Terrorism Act, Transfer of Prisoners Act, Confession Rules, and Intergovernmental Authority for Development (IGAD) conventions on Mutual Legal Assistance and Extradition.

109. The nominee was also part of the Commonwealth Technical working team on the review of the Harare Scheme on Mutual Legal Assistance, undertook the Mutual evaluation of the Republic of Swaziland on Money Laundering and Financing of Terrorism in February 2010 on behalf of Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG) and World Bank and Participated in the trial on the 1998 terror attack (Nairobi and Dar es salaam).
110. The nominee has held several professional appointments including Lead Counsel, Tribunal for the Removal from Office of a Judge of Environment and Land Court (March 2024 to date); Chairperson, Board of Review on Mentally Insane (Criminal Psychiatric); Assisting Counsel Akiwumi Commission on Land Clashes(1999-2001); Assisting Counsel, Bosire Commission on the Goldenberg Affair (2002-2003); Assisting Counsel Kiruki Commission on Artur Brothers (June 2006- September 2006); Joint Secretary Police Reform Commission, (Ransley Commission); Chair, Board on Criminal Psychiatric on behalf of the Attorney-General; Member of the National Task Force on Money Laundering & Terrorist Financing and Chairperson of the legal subcommittee; and Member of the Task Force on Organized Crime Bill.
111. Currently, the nominee is serving as the Chairperson of various Committees at the Office of the Director of Public Prosecutions. These include High-Level Management, the Human Resource Advisory Committee on Discipline and Recruitment, the Human Resource Advisory Committee on Training, the Deployment Committee, and the Budget and Implementation Committee
112. The nominee has also undertaken other key assignments including Sensitization of different Ministries on the role of Prosecution in the Criminal Justice System, contribution to the Council on Legal Education on different subjects, lecturer at the Kenya School of Law on prosecution issues, and dissemination of prosecutorial documents.

Honours and Awards

113. The nominee informed the Committee that she had been awarded the Presidential award of the Order of the Golden Warrior (OGW), Elder of the Order of the Burning Spear (EBS), and appointed Senior Counsel (SC).

Professional Association and Memberships

114. The nominee stated that she is a member of the Law Society of Kenya.

Published Writings

115. The nominee submitted that she had delivered academic and professional papers and contributed articles on the legal policy and practice on prosecution including- "All for Justice Report" (2018), a Master of Arts Thesis- "The role of retributive justice in promoting peace and security in post-conflict states- A case study of Kenya's post 2007-2008 election conflict" (2015), Traffic Report- Rapid initiative on traffic offences: Effectiveness of prosecuting traffic offences (2018), and ODPP-Guidelines on the decision to charge (2019) and the ODPP-Diversion Policy Guidelines (2019).
116. In addition, the nominee had prepared a Concept note for the Security Council high-level open briefing on the theme "International Judicial Cooperation in countering terrorism" (2016) and contributed to the preparation of the Ransley Commission Report on Police Reforms.

Public Office, Political activities and Affiliations

117. The nominee indicated that she had neither held membership nor rendered service to any political party or election committee.

Integrity

118. The nominee has neither been charged in a court of law nor adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three years. The nominee has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

Income and Net Worth

119. The nominee estimated her net worth to be Kshs. 85 million comprising houses, land, vehicles, and cash at the bank.

Potential Conflict of Interest

120. The nominee declared that she was not associated with any persons or matters that would present a conflict of interest should she assume the position of Attorney-General of the Republic of Kenya. In the event that a conflict of interest arose, the nominee stated that she would immediately disclose the conflict to relevant parties to ensure transparency. If the conflict might affect her impartiality, the nominee stated that she would recuse herself from related decisions and have the matter delegated to a neutral and qualified deputy.

121. From a management perspective, the nominee submitted that the setting up of an ethics office or an independent advisor would be key. She also proposed the creation of policies and procedures that guide ethical standards.

Pro-bono/Charity Work

122. The nominee informed the Committee that she is the Founding Director of Ndege Resource and Development Centre Limited, a company limited by guarantee that deals with community projects such as organizing free medical camps, providing grounds for sporting activities including sponsoring and supporting youthful teams, creating an environment for studying over the weekends for children amongst other community projects.

123. The nominee stated that she is also a member of the Gombe Welfare group whose objectives include uplifting the standards of living for underprivileged women in rural areas. She is also the founder member of Hillcrest Welfare and women fellowship, secretary to 'A Dozen Jewel Development Group', board member Kibigori Secondary School, member of Regina Caeli Catholic Church-Peace and Justice Committee, and a member of St. Ann Jumuia- Regina Caeli Catholic Church in Karen.

General and Sector-Specific Questions to the Nominee

124. The Committee posed several questions to the nominee on her suitability for appointment as Attorney-General of the Republic of Kenya. The nominee responded as follows—

On her greatest achievements in the public service

125. The nominee highlighted her achievements while serving in the public service in four different capacities including as a courtroom lawyer, an officer in the Office of the AG and DPP, as an officer in the ODPP, and in relation to improving access to justice. As a courtroom lawyer, the nominee highlighted her achievements as follows—

- (1) In 2000, she was nominated to assist in the prosecution of the Bomb Blast Victims case in New York.
- (2) She also participated in the Gachanja Case where it was the first time a prosecutor successfully obtained criminal forfeiture orders.
- (3) She litigated in both the High Court and Court of Appeal in the Chris Okemo case on extradition where it was held that the ODPP has the responsibility to issue an authority to proceed.

126. Relating to her successes while at the then Office of the Attorney-General and Director of Public Prosecutions, she highlighted as follows—

- (1) She was appointed by different Heads of State to serve in various commissions and taskforces including the Commission on Land Clashes which instigated land reforms among others.
- (2) She indicated that she has participated in international engagements including—
 - (a) the Commonwealth Secretariat to review the Harare Scheme Mutual Legal Assistance Criminal Matters prompting the Mutual Legal Assistance Act;
 - (b) the evaluation and preparation of a digest of the United Nations Convention on Organized Crime as an expert in piracy issues and was accredited as a trainer in the organized crime space;
 - (c) the Attorney-General Alliance-Africa Programme where she assisted the ODPP in many areas and in operationalizing the Prosecution Training Institute;
 - (d) the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) on illicit financial flows; and
 - (e) representing Kenya in the United Nations Headquarters on Budapest Convention on Cybercrime to include electronic evidence and data protection issues.

127. While serving at the Office of the Director of Public Prosecutions she underscored her achievements as follows—

- 1) increased the number of Prosecution Counsel from 98 to 1600 and further decentralized the ODPP from 12 regional offices to all 47 counties and 131 court stations;
- 2) professionalized prosecution by ensuring that all prosecution is now undertaken by Prosecution Counsels and not police officers;
- 3) established an 'All for Justice Remand Case Review Initiative' to aid in the decongestion of correctional facilities while ensuring access to justice through speedy disposal of pending cases;
- 4) through the 'All for Justice Remand Case Review Initiative', identified and recommended to the Office of the Attorney-General and the National Council on the Administration of Justice the need to decriminalize petty

offences, cash bail for the young and underprivileged in custody, operationalization of the National Legal Aid Service and the overall reforms of the criminal justice sector; and

- 5) together with the then Director of Public Prosecution, preparation of the Decision to Charge Guidelines and Diversion Guidelines and Explanatory Notes, and the establishment of the Uadilifu Case Management System to facilitate expeditious disposal of criminal cases.

128. The nominee noted that her experience would be fundamental in steering the Office of the Attorney-General if approved.

On her vision for the Office of the Attorney-General

129. The nominee noted that the role of the Attorney-General is two-fold including that of a lawyer and a Minister. She committed that, if approved, she would discharge her duties as a principal advisor to the government while protecting public interest and human rights.

On the delinking of the Office of the AG from the Public Service Commission

130. The nominee indicated her full support for delinking the Office of the Attorney-General from the Public Service Commission. In her view, the delinking to allow the Office of the AG to recruit State Counsels would enable the Office of the Attorney-General to increase and rationalize its staff establishment; negotiate for better terms and conditions of employment for its staff; and expedite the handling of disciplinary matters.

On recruiting and retaining State Counsels in the Office of the AG

131. The nominee noted that much like the case of the Office of the Director of Public Prosecutions, the power of the AG to recruit own staff will enable the negotiation of better terms and conditions of service thereby enhancing retention of State Counsels.

On the loss of cases by the government

132. The nominee attributed the loss of cases filed against the government to three reasons: bad cases, inadequate representation, and errors by the Courts. To address the issue, if approved, she undertook to review the bad cases, mitigate the risk of litigation through out-of-court settlements, and provide sound legal advice to Ministries, Departments, and Agencies from the onset. To mitigate inadequate representation, she stated that she would enhance the capacity

of State Counsels if approved. She added that she would put in place mechanisms to prevent loss of cases.

On her failed attempt to become a judge in the Court of Appeal

133. The nominee confirmed that her failure to become a judge was of no fault of her own but the fact that the vacant positions of JSC were few. She clarified that JSC does not give reasons for not hiring a candidate.

On sentiments that post-election violence suspects could not be prosecuted on account of insufficient evidence

134. The nominee informed the Committee that she chaired the Multi-Agency Team on Post-Election Violence which submitted a report to the President and thereafter to different arms of government to implement its recommendations. She added that the duty of the ODPP is to institute criminal proceedings upon reasonable conviction of sufficient evidence. In her view, she undertook her duty in accordance with the law.

On improving the quality of Government-sponsored Bills

135. The nominee attributed the finding of Bills as unconstitutional to the fact that most pieces of legislation being introduced are aimed at operationalizing the Constitution and contain new jurisprudence. In her view, these incidences would reduce as the Constitution matures. To resolve this, she submitted that she would identify the reasons for Bills being declared unconstitutional and provide advice on Bills that meet the constitutional requirements.

On AG's advice not being taken

136. The nominee noted that while the Attorney-General is the principal advisor of the Government on legal matters, the President makes decisions based on a culmination of all advice received on various matters from different experts in the different sectors. She submitted that she would provide efficient, just, fair, truthful, and professional advice in accordance with the law.

On operationalization of the Victim Protection Board and compensation

137. As custodian of the people's rights, the nominee indicated that she would oversee the operationalization of the Victim Protection Act and the Victim Protection Board to provide the standards of compensation.

On the realization of the two-thirds gender rule

138. Reiterating the constitutional requirement of the two-thirds gender rule, the nominee noted that the threshold had been realized at the ODPP.

On the standards of legal education and training

139. The nominee confirmed that there were two reports by taskforces formed to regularize legal education and training and two pending Bills before Parliament seeking to harmonize the standards of legal education and training and accreditation issues. She submitted that, if approved, she would look into the intervening factors and identify viable mechanisms responsive to lawyers' needs.

140. Citing the interventions to mitigate the issue at the ODPP such as the incorporation of advocate trainees as legal interns, she committed that it would be among her top priorities. In her view, there was need to relook pupillage within the Executive to absorb the affected persons.

On skewed unconscionable contracts between the government and international entities

141. The nominee stated that she would, in consultation with Cabinet, establish standard operating procedures to ensure quality assurance and ensure the inclusion of the Attorney-General in the entire contractual process to mitigate loss and risks unfavourable to Kenyans and guarantee responsiveness to Kenya's needs. She further added that the review of contractual clauses requires experts and professional State Counsel. In her view, adherence to the law is paramount in ensuring that the interests of Kenyans are protected.

On the review of the Constitution

142. The nominee noted that Kenya is a liberal democracy and a review of the Constitution can only be done with comprehensive public engagement. In her view, amendment of the Constitution can be relooked to ensure responsiveness to contemporary issues.

On politicization of government agencies such as the EACC

143. The nominee noted that all public officers are mandated to act in accordance with the law. She added that where any officer acts contrary to the law, the officers will be dealt with in accordance with the law.

On drafting of laws

144. The nominee confirmed to the Committee that she possesses legislative drafting skills as demonstrated by her participation in the drafting of various legislation including the Mutual Legal Assistance Bill, Organized Crime Act, Proceeds of Crime and Anti-Money Laundering Act, Terrorism Bill, Transfer of Prisoners Bill among others. None of which have been declared unconstitutional.

On public participation

145. The nominee identified key tenets of public participation as meaningful and impactful public engagement and accessibility of information. In her view, information must be availed in a language and format that is accessible to all. She noted the need for a robust policy and legal framework to guide public participation. She undertook, if approved, to submit a Bill on public participation to the National Assembly within 100 days.

On county governments incurring huge legal fees despite having County Attorneys

146. The nominee was of the view that the interplay between the national and county governments is quite cloudy and ought to be relooked by amending the Constitution. She noted the need to draw a clear boundary on the functions of both levels of government.

On the image of the Office of the Attorney-General

147. The nominee stated that she envisioned an Office of the Attorney-General that emulates the 'People's Lawyer' through its actions. She added that she would use the available tools and legislation to enhance the operations of the Office of the Attorney-General with the support of relevant stakeholders.

On unsatisfied judgements and pending cumulative awards

148. The nominee attributed the huge pending cumulative awards to interest accrued over time. She committed to undertake an audit to ascertain the pending cumulative awards and explore their settlement accordingly.

On the Office of the Public Trustee

149. The nominee informed the Committee that the Cabinet had directed that the Office of the Public Trustee be decentralized. As a priority, she committed that she would conduct public education and awareness through radio and online

cafes and the use of strategic communication involving the media, civil society, and the general public if approved. She reiterated the need for information to be availed in a manner, format, and language that the public can understand.

On Review and Optimization of the Advocates Complaints Committee

150. The nominee stated that she would review the structure and capacity of the Advocates Complaints Commission to ensure efficiency. She stated that she would conduct audits to sieve the cases to reduce the backlog.

On weak prosecution of corruption and economic crimes

151. The nominee acknowledged the weak prosecution of corruption cases attributing it to insufficient evidence. She noted the need for operationalizing Chapter Six of the Constitution by clarifying the roles of government agencies in the fight against corruption to improve the prosecution of cases. She also submitted that, with the support of the National Council on the Administration of Justice, she would spearhead the review of the process of hearing corruption cases to shorten the period. She added that asset forfeiture and confiscation, enhancement of the capacity of investigative officers, and consistent enforcement of the existing laws on corruption are key.

On the power of mercy

152. The nominee informed the Committee that she, on behalf of the Attorney-General, chaired the Power of Mercy Committee for ten years and acted in accordance with the law and in the best interests of the public.

On the conditions of detention of vulnerable persons

153. The nominee noted the need to relook at the conditions of detention of vulnerable people including women and Persons with Disabilities among others. She added that expediting cases, ensuring adequate legal representation, and use of mechanisms such as rehabilitation, restoration, and restitution would ensure humane treatment and dignity for the vulnerable persons in society. If approved as Attorney-General, she committed to reforming the criminal justice sector with the support of Parliament.

On protecting whistleblowers

154. The nominee indicated that she was aware that a Whistleblower Protection Bill, 2023 is before Parliament. She noted if enacted, the legislation will enhance the fight against corruption. She added that the Witness Protection Agency should be capacitated to protect and encourage reporting by whistleblowers to boost the fight against corruption.

On combating corruption in public procurement

155. The nominee was of the view that most of the corruption cases relate to public procurement. In her view, amendment of section 134 of the Public Procurement and Asset Disposal Act to review the threshold of procurement contracts that require approval by the Attorney-General would be paramount in combating corruption.

On legal aid within the Office of the Attorney-General

156. The nominee reiterated the need to operationalize the National Legal Aid Services in the Office of the Attorney-General. She added that successful operationalization of the Service would require more State Counsels and decentralization to all counties and court stations.

On addressing emerging crime through formulation of legislation

157. The nominee was of the view that emerging crime such as those relating to cryptocurrency have not been legislated on. She informed the Committee that she was currently assisting a neighbouring country to prepare regulations relating to cryptocurrency. It was her submission that with her expertise on the matters she would recommend to government laws on emerging crime, if approved.

On Alternative Dispute Resolution

158. The nominee indicated that ADR is a fundamental aspect of justice as enshrined in the Constitution. She highlighted some alternative dispute resolution mechanisms used in criminal matters at the Office of the Director of Public Prosecutions such as diversion, deferred prosecution, and plea bargaining.

On harmonious working relationship with the Solicitor-General

159. The nominee submitted that she would provide leadership and create a good working structure to ensure a harmonious working relationship with the Solicitor-General.

On court disputes between government agencies

160. The nominee was of the view that ADR is significant in resolving cases between government agencies to prevent loss of public funds.

On outdated laws that are inconsistent with the Constitution

161. Acknowledging the existence of obsolete laws inconsistent with the Constitution and as a Commissioner of the Kenya Law Reform Commission, the nominee informed the Committee that she would initiate the review of such laws. Further, she submitted that many offences need to be decriminalized.

On the release of Kenyan prisoners in foreign countries

162. The nominee noted that the Transfer of Prisoners Act exists to facilitate the implementation of arrangements made for the transfer of persons serving sentences of imprisonment in foreign jurisdictions.

163. In relation to the case of a Kenyan from Uasin Gishu County who was jailed in Indonesia for 10 years, the nominee noted that there is need for reciprocal bilateral agreements to be entered into with each jurisdiction to ensure the successful release of prisoners in foreign countries.

On delegated prosecution

164. The nominee noted the need for establishing delegated prosecution guidelines to divert petty offences such as touting for *Matatu* SACCOs to handle and city/municipal courts to handle.

On the recovery of monies lost through pyramid schemes

165. The nominee stated that together with the Office of the Director of Public Prosecutions and other investigative agencies, she would pursue the recovery of monies lost through pyramid schemes, if approved. In the alternative, she would explore such recovery through asset forfeiture and confiscation.

On incorporation of Kenya Sign Language (KSL) interpreters in the Office of the Attorney-General to serve the deaf

166. In line with the requirement for the availability of information in an accessible form and language, she would consider the incorporation of KSL interpreters and other relevant formats and languages.

On the enforcement of Article 37 of the Constitution

167. The nominee submitted that communication and public awareness to citizens and law enforcement agencies are fundamental in ensuring a balance between the right to picket versus the role of security organs to enforce order.

On the regulation of religious institutions

168. The nominee indicated that the Presidential Taskforce on the Review of the Legal and Regulatory Framework Governing Religious Organisations had concluded its inquiry and presented its report. She added that, if approved, she would be part of those mandated to implement the recommendations of the report.

On reforms to streamline the registration of companies

169. The nominee informed the Committee that she would reengineer the processes in the Business Registration Service to ensure the provision of timely and efficient services.

Written Submissions by the Nominee

170. The nominee, in an affidavit sworn on 8th August 2024 further stated that—

- (a) neither civil or criminal proceedings have been instituted against her on any matter;
- (b) her role as Secretary of Public Prosecutions was limited to prosecution of Court matters based on evidence adduced by the investigative arms of government such as DCI;
- (c) she has never been subjected to any disciplinary procedure during her entire long-spanning career as a State Officer;
- (d) she is compliant with the provisions of Article 73 and Chapter Six of the Constitution; and
- (e) she is committed to serve Kenyans if her appointment is approved.

Nominee's response to allegation arising from the memorandum

171. On the allegation that the nominee was not competitively recruited as provided under Article 232(1)(g) of the Constitution, the nominee responded as follows—

- (a) The lodged complaint has been notarized in the United Kingdom and the citizenship of the complainant has not been ascertained nor has the deponent deposed on his citizenship and therefore the same should be struck out;
- (b) A reading of Article 156(2) provides that "*the Attorney-General shall be nominated by the President and with approval of the National Assembly, appointed by the President*"; the use of the word "SHALL" connotes mandatory terms;
- (c) The office in question is part of the Executive and the constitutionality or legality of the provisions of the law have not been challenged;
- (d) The Office of the Attorney-General unlike the Office of the Director of Public Prosecutions does not require competitive recruitment;
- (e) The format of the complaint is defective as it is an omnibus complaint against different parties; and
- (f) She is compliant with the provisions of Articles 10, 73 and Chapter Six of the Constitution.

Observations on Memoranda Submitted Against the Nominee

172. The Committee observed that Article 156 (2) of the Constitution provides that the Attorney-General shall be nominated by the President and, with the approval of the National Assembly, appointed by the President.

Committee Observations on the Suitability of the Nominee

173. The Committee having considered the nominee's filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, her curriculum vitae, memorandum from the public and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as Attorney-General of the Republic of Kenya-

- (1) **THAT**, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since she is a Kenyan citizen born in 1965 in Nakuru County and does not hold dual citizenship.

- (2) **THAT**, the nominee possesses relevant experience as a prosecutor having risen through the ranks over a period of over twenty-five (25) years to the position of Secretary, Public Prosecution, deputizing the Director of Public Prosecutions in the administration and management of the affairs of the office. Prior to this, the nominee was the Deputy Director of Public Prosecutions in charge of the Economic, International, and Emerging Crimes Department. She previously also served as a Senior Deputy Prosecution Counsel, Deputy Chief State Counsel, and State Counsel.
- (3) **THAT** the nominee is currently serving as the Chairperson of various Committees at the Office of the Director of Public Prosecutions; is the Lead Counsel for the Tribunal for the removal from office of a Judge of the Environment and Land Court and Chairperson of the Board of Review on Mentally Insane (Criminal Psychiatric). Previously, the nominee also served as the assisting Counsel Akiwumi Commission on Land Clashes; Assisting Counsel Bosire Commission on the Goldenberg Affair, Assisting Counsel Kiruki Commission on Artur Brothers; Joint secretary of Police Reform Commission; Chair, Board on Criminal Psychiatrists on behalf of the Attorney-General; Member of the National Task Force on Money Laundering and Terrorist Financing and Chair of the legal subcommittee, and Member, the Task Force on Organized Crime Bill.
- (4) **THAT** the nominee is an Advocate of the High Court with more than fifteen years' experience as a distinguished legal practitioner and therefore meets the requirements for appointment as the Attorney-General under Article 156 (3) as read together with Article 166 (3)(b) of the Constitution.
- (5) **THAT** the nominee also holds a Master of Arts Degree in International Conflict Management from the University of Nairobi; a Bachelor of Laws Degree (Honours) from the University of Nairobi; a Postgraduate Diploma in Law from the Kenya School of Law; and the Kenya Advanced Certificate of Education and the Kenya Certificate of Education from Lwak Girls High School.
- (6) **THAT** the nominee has also attended several relevant courses including the Leadership Program for National Transformation at the Kenya School of Government; the Public Policy Executive Programme at the Strathmore University; Disability Rights in the African Context course at

the University of Pretoria; course on money laundering and terrorist financing joint India-IMF training programme at the IMF Training Institute in Pune, India; and a course on Result Based Management and Performance Appraisal at the Kenya Institute of Administration, among others.

Her academic credentials, professional training, and experience thus comply with sections 6(7) and 7 of the Public Appointments (Parliamentary Approval) Act.

- (7) **THAT**, the nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Ethics and Anti-Corruption Commission (EACC), the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), Office of the Registrar of Political Parties (ORPP) and the Higher Educations Loan Board (HELB).
- (8) **THAT**, the nominee has neither been charged in a court of law nor adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry in the past three years.
- (9) **THAT**, the nominee does not hold office in any political party.
- (10) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (*conflict of interest*), Article 76 (*financial probity*), Article 77 (*restriction on activities of State Officers*) and Article 78(2) (*dual citizenship*) of the Constitution.
- (11) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications, and experience to serve as the Attorney-General of the Republic of Kenya.

CHAPTER FIVE

5. COMMITTEE OBSERVATIONS

174. Pursuant to sections 6(7), 6(8) and 7 of the Public Appointments (Parliamentary Approval) Act, the Committee observed as follows with regard to **Ms. Beatrice Asukul Moe**, nominee for appointment as Cabinet Secretary for East African Community Affairs and Regional Development—

- (1) She was nominated for appointment to the position pursuant to the provisions of Articles 132(2) and 152(2) of the Constitution;
- (2) The nominee responded to the allegations contained in the Memoranda contesting her appointment to the satisfaction of the Committee. In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office
- (3) The nominee possesses relevant experience and academic qualifications for appointment to the position;
- (4) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the relevant statutory bodies;
- (5) The nominee has neither been charged in a court of law nor adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry in the past three years;
- (6) The nominee does not hold office in any political party;
- (7) The nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), Article 76 (financial probity), Article 77 (restriction on activities of State Officers) and Article 78(2) (dual citizenship) of the Constitution; and
- (8) The nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to serve as Cabinet Secretary for East African Community Affairs and Regional Development.

175. Pursuant to sections 6(7), 6(8) and 7 of the Public Appointments (Parliamentary Approval) Act, the Committee observed as follows with regard to **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW** nominee for appointment as the Attorney-General of the Republic of Kenya—

- (1) She was nominated for appointment to the position pursuant to the provisions of Article 156 (2) of the Constitution;
- (2) The nominee is an Advocate of the High Court of more than fifteen years' experience as a distinguished legal practitioner and therefore meets the requirements for appointment as the Attorney-General under Article 156 (3) as read together with Article 166 (3)(b) of the Constitution;
- (3) The nominee responded to the allegations contained in the Memoranda contesting her appointment to the satisfaction of the Committee;
- (4) In accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to State Office since she is a Kenyan citizen born in 1965 in Nakuru County and does not hold dual citizenship.
- (5) The nominee possesses relevant experience and academic qualifications for appointment to the position. The Nominee has further attended several relevant professional courses;
- (6) The nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the relevant statutory bodies;
- (7) The nominee has neither been charged in a court of law nor adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry in the past three years.
- (8) The nominee does not hold office in any political party.
- (9) has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), Article 76 (financial probity), Article 77 (restriction on activities of State Officers) and Article 78(2) (dual citizenship) of the Constitution; and
- (10) The nominee demonstrated knowledge of topical, administrative and technical issues touching on government and has the requisite abilities, qualifications and experience to be approved for appointment as the Attorney-General of the Republic of Kenya.

CHAPTER SIX

6. COMMITTEE RECOMMENDATIONS

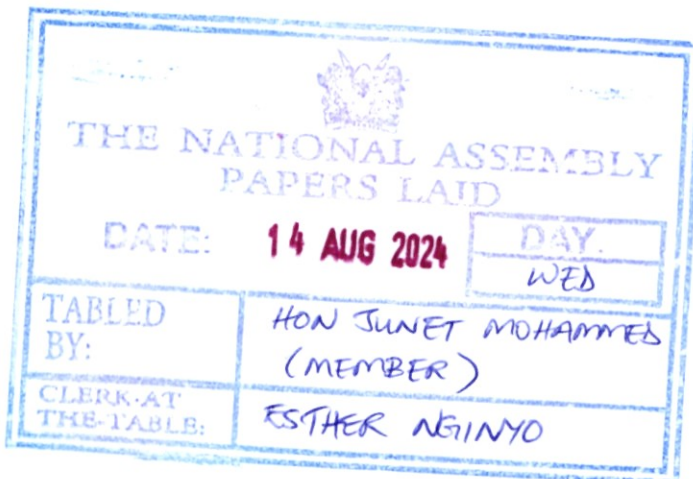
176. Having considered the suitability of the nominees for appointment during the approval hearings pursuant to Articles 152(2) and 156(2) of the Constitution and sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, and Standing Order 204(4) of the National Assembly Standing Orders, the Committee recommends that this House **Approves** –

(1) **Ms. Beatrice Asukul Moe as Cabinet Secretary for East African Community Affairs and Regional Development; and**

(2) **Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW as the Attorney-General of the Republic of Kenya.**

Signed..... Wetang'ula Date..... 13/8/24

RT. HON. (DR.) MOSES M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY/ CHAIRPERSON
COMMITTEE ON APPOINTMENTS



**ANNEXURE 1: TRANSMITTAL LETTER
BY THE CHIEF OF STAFF AND
HEAD OF PUBLIC SERVICE**



CNA
Please note and process
the necessary
communication.

CNA
30/7/24.

**EXECUTIVE OFFICE OF THE PRESIDENT
CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE**

Telegraphic Address
Telephone: +254-20-2227436
When replying please quote

EOP/CAB.26/4A VOL.IV/(75)

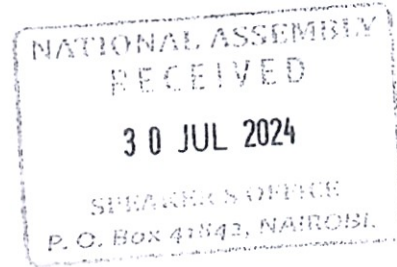
Ref. No.
and date

**STATE HOUSE
P.O. Box 40530-00100
Nairobi, Kenya**

30th July, 2024
....., 20.....

Hon. Moses F. M. Wetangula, EGH
Speaker
The National Assembly
Parliament of Kenya
Parliament Building
NAIROBI

(a) Dps
To process
[Signature]
CNA
30-7-24.



Dear *Speaker*

TRANSMITTAL LETTER

**PARLIAMENTARY APPROVAL OF A NOMINEE FOR APPOINTMENT AS A
CABINET SECRETARY**

You are most graciously notified that **His Excellency Hon. William Samoei Ruto Ph.D., C.G.H., President and Commander-in-Chief of the Kenya Defence Forces** has in exercise of the constitutional prerogative vested in the Head of State and Government instituted further changes in the ranks of the membership of Cabinet.

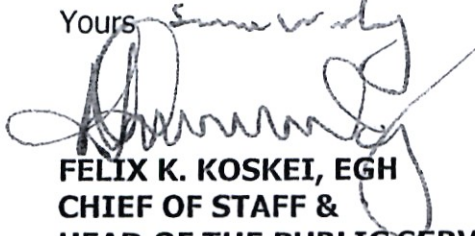
The presidential nomination seeks to fill the one vacancy within the **Administration's Ministerial Portfolios** following the nomination and transmittal to the National Assembly of 20 nominees, as conveyed *vide* reference No. **EOP/CAB.26/4A VOL.IV/(41)** of 22nd July, 2024 and reference No. **EOP/CAB.26/4A VOL.IV/(65)** of 24th July, 2024.

In that regard, and pursuant to the **Article 152 (2) of the Constitution** and in accordance with the procedure set out in **Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (Cap. 7f, Laws of Kenya)**, kindly be pleased to receive the Presidential Nomination of **MS. BEATRICE ASKUL MOE** for appointment as the Cabinet Secretary for East African Community Affairs & Regional Development.

To aid the August House in its consideration and approval processes, we have the pleasure of enclosing herewith the **Certificate of Presidential Nomination No. 4 of 2024** and the nominee's Curriculum Vitae and Testimonials.

Accordingly, and by way of this letter, you are most kindly requested to expeditiously consider the nominee so as to enable **His Excellency the President** to fully reconstitute his Cabinet.

Yours



FELIX K. KOSKEI, EGH
CHIEF OF STAFF &
HEAD OF THE PUBLIC SERVICE

Copy to: **Hon. Kimani Ichung'wah, MP, EGH**

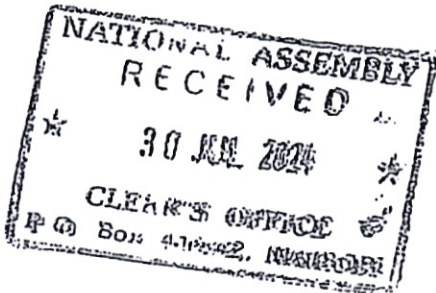
Majority Leader
The National Assembly
Parliament Building
NAIROBI

Mr. Samuel J. Njoroge, CBS

Clerk
The National Assembly
Parliament Building
NAIROBI

Mr. Arthur A. Osiya, CBS

Principal Administrative Secretary
Executive Office of the President
NAIROBI



52



Please process
3/7



**EXECUTIVE OFFICE OF THE PRESIDENT
CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE**

Telegraphic Address
Telephone: +254-20-2227436
When replying please quote

STATE HOUSE
P.O. Box 40530-00100
Nairobi, Kenya

Ref. No. **EOP/CAB.26/4A VOL.IV/(74)**
and date

30th July, 2024

Hon. Moses F. M. Wetangula, EGH
Speaker
The National Assembly
Parliament of Kenya
Parliament Building
NAIROBI

To process urgently.
3/7

Dear

TRANSMITTAL LETTER

**PARLIAMENTARY APPROVAL OF THE NOMINEE FOR APPOINTMENT AS
THE ATTORNEY-GENERAL OF THE REPUBLIC**

You are most graciously notified that His Excellency Hon. William Samoei Ruto Ph.D., C.G.H., President and Commander-in-Chief of the Kenya Defence Forces has, in exercise of the constitutional prerogative vested in the Head of State and Government caused the nomination of the next Attorney-General.

The nomination of the next Attorney-General follows the resignation of the immediate former officeholder.

In that regard, and pursuant to the **Article 156 (2) of the Constitution** and in accordance with the procedure set out in **Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (Cap. 7f, Laws of Kenya)**, kindly be pleased to receive the Presidential Nomination of **MS. DORCAS AGIK ODHONG ODUOR, SC, OGW** for appointment as the Attorney-General of the Republic.

To aid the August House in its consideration and approval processes, we have the pleasure of enclosing herewith the **Certificate of Presidential Nomination No. 3 of 2024** and the Curriculum Vitae and Testimonials of the Nominee.

In recognition of the pivotal role of the Attorney-General as the Principal Legal Advisor to the Government, the National Assembly is most graciously requested to consider the nomination on a priority basis.

Yours

FELIX K. KOSKEI, EGH
CHIEF OF STAFF &
HEAD OF THE PUBLIC SERVICE

Copy to: **Hon. Kimani Ichung'wah, MP, EGH**
Majority Leader
The National Assembly
Parliament Building
NAIROBI

Mr. Samuel J. Njoroge, CBS
Clerk
The National Assembly
Parliament Building
NAIROBI

Mr. Arthur A. Osiya, CBS
Principal Administrative Secretary
Executive Office of the President
NAIROBI

**ANNEXURE 2: COMMUNICATION
FROM THE SPEAKER NO.
006 OF 2024**



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT - (THIRD SESSION)
THE NATIONAL ASSEMBLY

MESSAGES
MESSAGE FROM THE PRESIDENT

_____ (No. 006 of 2024) _____

ON

NOMINATION OF PERSONS FOR APPOINTMENT AS ATTORNEY
GENERAL AND CABINET SECRETARY

Honourable Members,

1. Standing Order 42(1) relating to 'Messages from the President' provides that-
"The Speaker shall read to the House any message from the President delivered to the Speaker for communication to the House".
2. In this regard, I wish to convey to the House that I have received two (2) Messages from His Excellency the President, notifying of the nomination of persons for appointment as the Attorney-General and as a Cabinet Secretary, respectively.
3. In the First Message, **Honourable Members**, His Excellency the President conveys that, in exercise of powers conferred on him by Article 156(2) of the Constitution, as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), he nominates **Ms. Dorcas Agik Odhong Oduor, SC, OGW** for appointment as the **Attorney-General of the Republic of Kenya**.

Accordingly, and by way of this letter, you are most kindly requested to expeditiously consider the nominee so as to enable **His Excellency the President** to fully reconstitute his Cabinet.

Yours

FELIX K. KOSKEI, EGH
CHIEF OF STAFF &
HEAD OF THE PUBLIC SERVICE

Copy to: **Hon. Kimani Ichung'wah, MP, EGH**
Majority Leader
The National Assembly
Parliament Building
NAIROBI

Mr. Samuel J. Njoroge, CBS
Clerk
The National Assembly
Parliament Building
NAIROBI

Mr. Arthur A. Osiya, CBS
Principal Administrative Secretary
Executive Office of the President
NAIROBI

4. For clarity, Article 156(2) of the Constitution states, and I quote -

"156. (2) The Attorney-General shall be nominated by the President and, with the approval of the National Assembly, appointed by the President."

5. **Honourable Members**, in the Second Message, His Excellency the President conveys that, in exercise of powers conferred on him by Article 152(2) of the Constitution, as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act (Cap. 7F), he nominates **Ms. Beatrice Askul Moe** for appointment as the **Cabinet Secretary for East African Community Affairs & Regional Development**.

6. For clarity, Article 152(2) of the Constitution states and I quote -

"152. (2) The President shall nominate and, with the approval of the National Assembly, appoint Cabinet Secretaries."


7. In view of the foregoing and pursuant to the provisions of section 8 of the Public Appointments (Parliamentary Approval) Act, as read together with Standing Order 42(3), I hereby refer the Messages from the President, together with the *curriculum vitae* of the nominees, to the Committee on Appointments.

8. **Honourable Members**, section 8 of the Public Appointments (Parliamentary Approval) Act provides that, unless otherwise provided in law, the Committee to which such nomination is referred shall consider the matter and table a report in the House **within twenty-eight (28) days**. Conscious of the fact

that the House is scheduled to proceed on recess next week, I hasten to clarify that the counting of days with respect to the consideration of the nominees will cease during the recess period and resume when the House first sits upon resumption.

9. It is therefore imperative that the Committee on Appointments commences the process of consideration of the nominees, alongside those already committed to it. In so doing, the Committee on Appointments is expected to expeditiously notify the nominees and the general public, commence the necessary approval hearings and table its report in the House soonest, to enable the House consider the nominees within the stipulated timelines.

I thank you!


THE RT. HON. (DR.) MOSES F. M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
Wednesday, 31st July, 2024

**ANNEXURE 3: ADVERTISEMENT
NOTIFYING THE PUBLIC OF
THE APPROVAL HEARINGS**



REPUBLIC OF KENYA

**THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)**

IN THE MATTER OF ARTICLES 100(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION
AND
IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 77

AND
IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
CABINET SECRETARY AND ATTORNEY-GENERAL

INVESTIGATOR SUBCOMMITTEE MEMORANDUM

WHEREAS, in accordance with Articles 152 (2) and 156(2) of the Constitution, H.E. the President is empowered to nominate, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General, respectively; H. E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below:-

No.	Name	Position
1.	Ms. Beatrice Asul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Agik Odhio, SC, EBS, DGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(3) of the Public Appointments (Parliamentary Approval) Act, Cap. 77 provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence concerning the suitability of a candidate to hold the office to which the candidate has been nominated;

NOW BEFORE, in compliance with Article 100(1)(b) of the Constitution and section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence, testing the suitability of any nominee proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41042-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to public@parliament.go.ke and appointments@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 3:00 p.m.

S. NADROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
1st August, 2024



REPUBLIC OF KENYA

**THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)**

IN THE MATTER OF ARTICLES 100(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION
AND
IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 77

AND
IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
CABINET SECRETARY AND ATTORNEY-GENERAL

APPROVAL HEARINGS

WHEREAS on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

IT IS NOTIFIED to the general public that in compliance with Articles 152 (2) and 156(2) of the Constitution, section 6(3) of the Public Appointments (Parliamentary Approval) Act, Cap. 77 and Standing Order 45(3), the Committee on Appointments shall conduct Approval Hearings (Voting) of the nominees on Friday 8th August, 2024 in the Main Chamber, County Hall, Parliament Buildings starting from 10:00 am as per the schedule below:-

No.	Name	Position	Time
1.	Ms. Beatrice Asul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Agik Odhio, SC, EBS, DGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED that the nominees are required to:-

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and other relevant testimonials; and
2. obtain letters/certificates of compliance from the following institutions:-
 - (a) Ethics and Anti-Corruption Commission;
 - (b) Higher Education Loans Board;
 - (c) Office of the Registrar Political Parties;
 - (d) Directorate of Criminal Investigations;
 - (e) Kenya Revenue Authority;
 - (f) Commission for University Education; and
 - (g) At least one (1) Credit Reference Bureau.

S. NADROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
1st August, 2024

FORM PLUPA-L-1

(r.9)



REPUBLIC OF KENYA



COUNTY GOVERNMENT OF TAITA TAVETA

PHYSICAL PLANNING AND LAND USE DEVELOPMENT PLAN (PP&LUDP) FOR ISANGAIWISHI, OZA, NDARA B AND MBULIA AREAS IN MWATATE AND VOT SUB-COUNTIES, TAITA TAVETA COUNTY.

TITLE OF DEVELOPMENT PLAN: ISANGAIWISHI, OZA, NDARA B AND MBULIA COMMUNITY LAND LOCAL PHYSICAL AND LAND USE PLAN

It is hereby given to all Residents and stakeholders in Taita Taveta County that Pursuant to the Constitution of Kenya, 2010; the National Land Commission Act, County Government Act, Community Land Act, The Physical and Land Use Planning Act, Physical Planners Registration Act and other enabling legislations; The County Government of Taita Taveta, intends to prepare Local Physical and Land Use Development Plans for ISANGAIWISHI, OZA, NDARA B and MBULIA Areas in Mwatate and Vot Sub Counties, Taita Taveta County.

The plan's purpose is to provide a spatial framework for the development, management and use of the community land for the ISANGAIWISHI, OZA, NDARA B and MBULIA Areas. The objective of these plans shall be:

1. To act as a basis for conservation and management of natural resources
2. To provide guidelines for investment

Preparation of these Plans will be participatory and therefore all stakeholders are invited to the planning process. Any comments, inquiries or suggestions on the same may be done in writing to the CECM for Lands, Physical Planning Mining and Urban Development, Taita Taveta County of P.O. Box 1066 - 80304, Wundanyi or through the Lands Email: landstaita@gmail.com and lands@taitataveta.go.ke.

Dated: 29th JULY, 2024

for. Arch. MARTIN TAIRO MASEGHE
COUNTY EXECUTIVE COMMITTEE MEMBER
LANDS, PHYSICAL PLANNING, MINING & URBAN DEVELOPMENT.



COUNTY GOVERNMENT OF LAIKIPIA



PUBLIC NOTICE

PUBLIC PARTICIPATION COUNTY ANNUAL DEVELOPMENT PLAN (ADP) FOR FINANCIAL YEAR 2025-2026

Pursuant to the provisions of section 126 of the Public Financial Management Act, 2012, the County Government of Laikipia wishes to notify the general public that it is in the process of preparing the Annual Development Plan (ADP 2025-2026).

Additionally in accordance with the provision of Article 10 (2) (a) and 220 (2) The Constitution of Kenya read together with sections 6 (8), 67, 106 (1), and 115 (1) of the County Government Act 2012 and the Laikipia County Public Participation Act, 2014 which call for openness, accountability and public participation in the county planning and development matters; The County Government of Laikipia, through this public notice wishes to invite members of the General Public, Private Sector Organizations, Civil Society Organizations (CSO), Interested parties and all key stakeholders to submit their concerns, development priorities and needs for inclusion in the County Annual Development Plan (ADP 2025-2026).

To facilitate timely consultation and adequate consideration, written submissions or memoranda will be submitted to the Directorate of Public Participation & Civic Education or the Directorate of Economic Planning or the offices of the Sub-County Administrators or sent through the email publicparticipation@laikipia.go.ke no later than 15th August, 2024.

The stakeholders are advised to align their proposals with development priorities set out in the Laikipia County Integrated Development Plan (CIDP 2023-2027) which can be accessed on the Laikipia County Website at <https://taikipia.go.ke/> county-integrated-development-plan/.

Written memoranda can also be submitted to:
Office of the County Secretary
P.O. Box 46 - 20321
Rumuruti

CSOs with budget advocacy and public participation in their programming are invited for a physical meeting on 10th August 2024 in Nanyuki. Members of the General Public are invited to attend the public forums as scheduled below;

AREA	VENUE	DATE	TIME
Nanyuki	Office of the Governor - Hall	14 th August, 2024	8:00 am-1:00 pm
Sidra	Sidra CDF Hall	14 th August, 2024	9:00 am-1:00 pm
Matanya	Catholic Hall	14 th August, 2024	9:00 am-1:00 pm
Ilopoel	Ilopoel Centre	14 th August, 2024	9:00 am-1:00 pm
Chimvi	Chimvi Centre	14 th August, 2024	9:00 am-1:00 pm
Pusta	Pusta Centre	14 th August, 2024	9:00 am-1:00 pm
Manguo	Manguo Centre	14 th August, 2024	9:00 am-1:00 pm
Rumuruti	Catholic Hall	14 th August, 2024	9:00 am-1:00 pm
Kinamba	Kinamba Centre	14 th August, 2024	9:00 am-1:00 pm
Online meeting on the X-Space platform		15 th August, 2024	9:00 am - 1:00 am

SAMUEL WACHIRA GACHIGI
CECM
FINANCE AND COUNTY PLANNING AND DEVELOPMENT



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
 THIRTEENTH PARLIAMENT – THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 10(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION

AND
 IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 7F

AND
 IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
 CABINET SECRETARY AND ATTORNEY-GENERAL

NOTIFICATION OF APPROVAL HEARINGS

WHEREAS, on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

IT IS NOTIFIED to the general public that in compliance with Articles 152(2) and 156(2) of the Constitution, section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F and Standing Order 45(3), the Committee on Appointments shall conduct Approval Hearings (Vetting) of the nominees on Friday 9th August, 2024 in the Mini-Chamber, County Hall, Parliament Buildings starting from 10:00 am as per the schedule below:-

S/N	NAME	POST	TIME
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED THAT the nominees are required to:-

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and relevant testimonials; and
2. Letters/certificates of compliance from the following institutions:-
 - (a) Ethics and Anti-Corruption Commission;
 - (b) Higher Education Loans Board;
 - (c) Office of the Registrar Political Parties;
 - (d) Directorate of Criminal Investigations;
 - (e) Kenya Revenue Authority;
 - (f) Commission for University Education; and
 - (g) At least one (1) Credit Reference Bureau.

S. NJOROGE, CBS
 CLERK OF THE NATIONAL ASSEMBLY
 1st August, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
 THIRTEENTH PARLIAMENT – THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 10(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION

AND
 IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 7F

AND
 IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
 CABINET SECRETARY AND ATTORNEY-GENERAL

INVITATION TO SUBMIT MEMORANDA

WHEREAS, in accordance with Articles 152(2) and 156(2) of the Constitution, H.E. the President is empowered to, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General; and H.E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below:-

S/N	NAME	POST
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated;

NOW THEREFORE, in compliance with Article 10(1)(b) of the Constitution and section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence contesting the suitability of any nominee proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41042-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to cao@parliament.go.ke and appointments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

S. NJOROGE, CBS
 CLERK OF THE NATIONAL ASSEMBLY
 1st August, 2024



REPUBLIC OF KENYA
OFFICE OF THE PRESIDENT
 MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION
 STATE DEPARTMENT FOR IMMIGRATION AND CITIZEN SERVICES

STATUS UPDATE ON PRINTING AND COLLECTION OF PASSPORTS

Pursuant to a commitment to facilitate Kenyans to acquire Travel Documents in a convenient and timely manner, the Directorate of Immigration (DIS) wishes to share the following brief:

A) Clearance of Passports Backlog
 The DIS is continuously reviewing its operations and investing in human resources, modern equipment, and technologies to enhance efficiency and the quality of clients' experiences. We have also reformed our processes to decongest workstations and speed up our services. As a result of these interventions, we have cleared the historical backlog of unprinted passports in our systems.

B) Dedicated Desks for Labour Migration
 In line with the Presidential directive to facilitate travel for Kenyans pursuing job opportunities outside the country, we have set up dedicated Migrant Labour counters to fast-track passport applications. Applicants seeking this service are advised to present their papers, which must include documents of proof of intent issued by the relevant institution.

C) Self-Tracking and Feedback Mechanisms
 We have provided mechanisms to promote transparency, facilitate self-tracking, and provide prompt feedback. To find out their passport application status, applicants can send a Short Message Service (SMS) with their eCitizen tracking number (e.g., EPP1-D6T8M4H1) to 22222. Applicants can also reach us on the following platforms:

X: @ImmigrationDept
 ☎ +254 795 374 902
 Email: info@immigration.go.ke

D) Uncollected Passports
 Currently, the DIS is holding 110,059 uncollected passports in its offices as indicated below:

INDEX	PASSPORT APPLICATION CENTER	NUMBER OF PASSPORTS
1.	Nairobi	55,504
2.	Kisumu	11,707
3.	Embu	10,816
4.	Mombasa	8,696
5.	Nakuru	8,615
6.	Eldoret	8,551
7.	Kisii	5,719
8.	Kericho	389
9.	Bungoma	62
	TOTAL	110,059

To ease passport delivery, the DIS has suspended the requirement for applicants to book an appointment to collect their passports. Applicants whose names appear in the links below are therefore advised to collect their passports at the station where they submitted their application.

- Nairobi: <https://immigration.go.ke/passports-ready-for-collection-in-nairobi/>
- Kisumu: <https://immigration.go.ke/passports-ready-for-collection-in-kisumu/>
- Embu: <https://immigration.go.ke/passports-ready-for-collection-in-embu/>
- Mombasa: <https://immigration.go.ke/passports-ready-for-collection-in-mombasa/>
- Nakuru: <https://immigration.go.ke/passports-ready-for-collection-in-nakuru/>
- Eldoret: <https://immigration.go.ke/passports-ready-for-collection-in-eldoret/>
- Kisii: <https://immigration.go.ke/passports-ready-for-collection-in-kisii/>
- Bungoma: <https://immigration.go.ke/passports-ready-for-collection-in-bungoma/>

E) Disposal of Uncollected Passports

To free up limited storage space, applicants are notified that DIS will dispose off all uncollected passports Six (6) months from the date of this notice. This is in line with the following laws and regulations:

- i) Section 31 of the Kenya Citizenship and Immigration Act and Regulations;
- ii) Disposal of Uncollected Goods Act (CAP 38);
- iii) International Civil Aviation Organisation (ICAO) regulations on the delivery of travel documents

Julius K. Bitok, CBS
 PRINCIPAL SECRETARY
 July 31, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
 THIRTEENTH PARLIAMENT – THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 100(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION
 AND
 IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 77
 AND
 IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
 CABINET SECRETARY AND ATTORNEY-GENERAL

WHEREAS, in accordance with Articles 152 (2) and 156(2) of the Constitution, H.E. the President is empowered to nominate, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General, respectively; H. E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below:-

No.	Name	Position
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Agik Odour, SC, EBS, OGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 77 provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.

NOW BEFORE, in compliance with Article 100(1)(b) of the Constitution and section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence contesting the suitability of any nominee proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41042-00100, Nairobi, hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi or emailed to cas@parliament.go.ke and appointments@nationalassembly.go.ke to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

S. NJOROGE, CBS
 CLERK OF THE NATIONAL ASSEMBLY
 1st August, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
 THIRTEENTH PARLIAMENT – THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 100(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION
 AND
 IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 77
 AND
 IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
 CABINET SECRETARY AND ATTORNEY-GENERAL

WHEREAS on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

IT IS NOTIFIED to the general public that in compliance with Articles 152 (2) and 156(2) of the Constitution, section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap. 77 and Standing Order 45(3), the Committee on Appointments shall conduct Approval Hearings (Vetting) of the nominees on Friday 9th August, 2024 in the Mini-Chamber, County Hall, Parliament Buildings starting from 10:00 am as per the schedule below:-

No.	Name	Position	Time
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Agik Odour, SC, EBS, OGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED THAT the nominees are required to:-

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and other relevant testimonials; and
2. obtain letters/certificates of compliance from the following institutions:-
 - (a) Ethics and Anti-Corruption Commission;
 - (b) Higher Education Loans Board;
 - (c) Office of the Registrar Political Parties;
 - (d) Directorate of Criminal Investigations;
 - (e) Kenya Revenue Authority;
 - (f) Commission for University Education; and
 - (g) At least one (1) Credit Reference Bureau.

S. NJOROGE, CBS
 CLERK OF THE NATIONAL ASSEMBLY
 1st August, 2024

FORM PLUPA L-1

(r.9)



REPUBLIC OF KENYA



COUNTY GOVERNMENT
 OF TALTA TAVETA

TITLE OF DEVELOPMENT PLAN:	ISANGA IWISHI, OZA, NDARA B AND MBULIA COMMUNITY LAND LOCAL PHYSICAL AND LAND USE PLAN
----------------------------	--

It is hereby given to all Residents and stakeholders in Talta Taveta County that Pursuant to the Constitution of Kenya, 2010; the National Land Commission Act, County Government Act, Community Land Act, The Physical and Land Use Planning Act, Physical Planners Registration Act and other enabling legislations; The County Government of Talta Taveta, Intends to prepare Local Physical and Land Use Development Plans for ISANGA IWISHI, OZA, NDARA B and MBULIA Areas in Mwatate and Voi Sub Counties, Talta Taveta County.

The plan's purpose is to provide a spatial framework for the development, management and use of the community land for the ISANGA IWISHI, OZA, NDARA B and MBULIA Areas. The objective of these plans shall be;

1. To act as a basis for conservation and management of natural resources
2. To provide guidelines for investment

Preparation of these Plans will be participatory and therefore all stakeholders are invited to the planning process. Any comments, inquiries or suggestions on the same may be done in writing to the CECM for Lands, Physical Planning Mining and Urban Development, Talta Taveta County of P.O. Box 1066 – 80304, Wundanyi or through the Lands Emails landstalta@gmail.com or lands@talataveta.go.ke.

Dated: 29th JULY, 2024

Ion. Arch. MARTIN TAIRO MASEGHE
 COUNTY EXECUTIVE COMMITTEE MEMBER
 LANDS, PHYSICAL PLANNING, MINING & URBAN DEVELOPMENT.



COUNTY GOVERNMENT OF LAIKIPIA



PUBLIC NOTICE

PUBLIC PARTICIPATION OF COUNTY ANNUAL DEVELOPMENT PLAN (ADP) FOR FINANCIAL YEAR 2025-2026

Pursuant to the provisions of section 126 of the Public Financial Management Act, 2012, the County Government of Laikipia wishes to notify the general public that it is in the process of preparing the Annual Development Plan (ADP 2025-2026).

Additionally in accordance with the provision of Article 10(2)(c) and 220(2) The Constitution of Kenya read together with sections 5(5), 87, 106(5), and 115(1) of the County Government Act 2012 and the Laikipia County Public Participation Act, 2014 which call for openness, accountability and public participation in the county planning and development matters; The County Government of Laikipia, through this public notice wishes to invite members of the General Public, Private Sector Organizations, Civil Society Organizations (CSO), interested parties and all key stakeholders to submit their concerns, development priorities and needs for inclusion in the County Annual Development Plan (ADP 2025-2026).

To facilitate timely consultation and adequate consideration, written submissions or memoranda will be submitted to the Directorate of Public Participation & Civic Education or the Directorate of Economic Planning or the offices of the Sub-County Administrators or sent through the email publicparticipation@laikipia.go.ke not later than 15th August, 2024.

The stakeholders are advised to align their proposals with development priorities set out in the Laikipia County Integrated Development Plan (CIDP 2023-2027) which can be accessed on the Laikipia County Website at <https://laikipia.go.ke/country-integrated-development-plan/>.

Written memoranda can also be submitted to:
 Office of the County Secretary
 P.O. Box 40 – 20321
 Rumuruti

CSOs with budget advocacy and public participation in their programming are invited for a physical meeting on 16th August 2024 in Nanyuki. Members of the General Public are invited to attend the public forums as scheduled below.

AREA	VENUE	DATE	TIME
Nanyuki	Office of the Governor - Hall	14 th August, 2024	9.00 am-1.00 pm
Sirima	Sirima CDF Hall	14 th August, 2024	9.00 am-1.00 pm
Matanya	Catholic Hall	14 th August, 2024	9.00 am-1.00 pm
Iipolel	Iipolel Centre	14 th August, 2024	9.00 am-1.00 pm
Chumvi	Chumvi Centre	14 th August, 2024	9.00 am-1.00 pm
Posta	Posta Centre	14 th August, 2024	9.00 am-1.00 pm
Manguo	Manguo Centre	14 th August, 2024	9.00 am-1.00 pm
Rumuruti	Catholic Hall	14 th August, 2024	9.00 am-1.00 pm
Kinamba	Kinamba Centre	14 th August, 2024	9.00 am-1.00 pm
Online meeting on the X-Space platform		15 th August, 2024	9:00 am – 11:00 am

SAMUEL WACHIRA GACHIGI
 CECM
 FINANCE AND COUNTY PLANNING AND DEVELOPMENT



**REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY**

**THIRTEENTH PARLIAMENT - THIRD SESSION (2024)
IN THE MATTER OF ARTICLES 118(1)(B), 152(2) AND 156(2) OF THE
CONSTITUTION
AND
IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY
APPROVAL) ACT, CAP. 7F
AND
IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS
NOMINATED FOR APPOINTMENT AS CABINET SECRETARY
AND ATTORNEY-GENERAL**

WAZOHAJI WA KAZI WA KAZI WA KAZI

WHEREAS, in accordance with Articles 152(2) and 156(2) of the Constitution, H.E. the President is empowered to nominate, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General, respectively; H.E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below—

Sl. No.	Name of Nominee	Portfolio
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated;

NOW THEREFORE, in compliance with Article 118(1)(b) of the Constitution and section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence contesting the suitability of any nominee proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to clu@parliament.go.ke and appointments@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

**S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
31st July, 2024**



**REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)**

**IN THE MATTER OF ARTICLES 118(1)(B), 152(2) AND 156(2) OF THE
CONSTITUTION
AND
IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY
APPROVAL) ACT, CAP. 7F
AND
IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF
PERSONS NOMINATED FOR APPOINTMENT AS CABINET SECRETARY
AND ATTORNEY-GENERAL**

WHEREAS on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

IT IS NOTIFIED to the general public that in compliance with Articles 152(2) and 156(2) of the Constitution, section 6(4) of the Public Appointments Public Appointments (Parliamentary Approval) Act, Cap. 7F and Standing Order 45(3), the Committee on Appointments shall conduct Approval Hearings (Vetting) of the nominees on Friday 9th August, 2024 in the Mini-Chamber, County Hall, Parliament Buildings starting from 10:00 am as per the schedule below—

S/No.	NOMINEE	PORTFOLIO	TIME
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED THAT the nominees are required to—

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and other relevant testimonials; and
2. obtain letters/certificates of compliance from the following institutions—
 - (a) Ethics and Anti-Corruption Commission;
 - (b) Higher Education Loans Board;
 - (c) Office of the Registrar Political Parties;
 - (d) Directorate of Criminal Investigations;
 - (e) Kenya Revenue Authority;
 - (f) Commission for University Education; and
 - (g) At least one (1) Credit Reference Bureau.

**S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
31st July, 2024**

**ANNEXURE 4: LETTERS FROM THE
CLERK OF THE NATIONAL
ASSEMBLY INVITING THE
NOMINEES FOR THE
APPROVAL HEARINGS**



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: ena@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote
REF: NA/DAA&GPC/COA/2024/ (61)

1st August, 2024

Ms. Beatrice Askul Moe
P.O. Box 207 – 30500
LODWAR
Email: beatricemoe4@gmail.com

Dear Madam,

**RE: INVITATION FOR VETTING BY THE NATIONAL ASSEMBLY COMMITTEE
ON APPOINTMENTS**

The above subject refers.

Following your nomination by H.E. the President for appointment to the position of Cabinet Secretary for the Ministry of East Africa Community Affairs and Regional Development, the National Assembly Committee on Appointment is mandated to vet you, in order to ascertain your suitability for appointment pursuant to section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 204 (4) of the National Assembly Standing Orders.

This is therefore, to inform you that the Committee is scheduled to undertake the vetting exercise on 9th August 2024 at 10.00am and invite you for the approval hearings. You are required to bring the originals of your national identity card, academic and professional certificates and any other relevant documents and testimonials.

Kindly fill out the attached questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it **on or before Thursday, 8th August 2024** together with letters/certificates of clearance/compliance from the following institutions:

- (i) Ethics and Anti-Corruption Commission;
- (ii) Kenya Revenue Authority;
- (iii) Higher Education Loans Board;
- (iv) Commission for University Education;
- (v) Directorate of Criminal Investigations; and
- (vi) Any of the Credit Reference Bureau.

Our Liaison Officer for this matter is Mr. Nicholas Emejen, Deputy Director, Committee Services, who may be contacted on Tel. No. 0721 370569 or email address: nicholas.emejen@parliament.go.ke.

Yours Sincerely,



Mrs. Serah Kioko, MBS

FOR: CLERK OF THE NATIONAL ASSEMBLY



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote
REF: NA/DAA&GPC/COA/2024/ (60)

1st August, 2024

Ms. Dorcas Agik Oduor, SC, EBS, OGW
P.O. Box 40112-00100
NAIROBI
Email: dagiko2001@yahoo.com

Dear Madam,

**RE: INVITATION FOR VETTING BY THE NATIONAL ASSEMBLY COMMITTEE
ON APPOINTMENTS**

The above subject refers.

Following your nomination by H.E. the President for appointment to the position of the Attorney General, the National Assembly Committee on Appointment is mandated to vet you, in order to ascertain your suitability for appointment pursuant to *section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 204 (4) of the National Assembly Standing Orders.*

This is therefore, to inform you that the Committee is scheduled to undertake the vetting exercise on 9th August 2024 at 12.00 pm and invite you for the approval hearing.

You are required to bring the originals of your national identity card, academic and professional certificates and any other relevant documents and testimonials.

Kindly fill out the attached questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return it **on or before Thursday, 8th August 2024** together with letters/certificates of clearance/compliance from the following institutions:

- (i) Ethics and Anti-Corruption Commission;
- (ii) Kenya Revenue Authority;
- (iii) Higher Education Loans Board;
- (iv) Commission for University Education;
- (v) Directorate of Criminal Investigations; and
- (vi) Any of the Credit Reference Bureau.



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
 THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 110(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION AND
 IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 7F AND
 IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
 CABINET SECRETARY AND ATTORNEY-GENERAL

INVITATION TO SUBMIT MEMORANDA

WHEREAS on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

IT IS NOTIFIED to the general public that in compliance with Articles 152(2) and 156(2) of the Constitution, section 6(4) of the Public Appointments Public Appointments (Parliamentary Approval) Act, Cap. 7F and Standing Order 45(3), the Committee on Appointments shall conduct Approval Hearings (Vetting) of the nominees on Friday 9th August, 2024 in the Mini-Chamber, County Hall, Parliament Buildings starting from 10:00 am as per the schedule below:-

S/N	NAME	OFFICE	TIME
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED THAT the nominees are required to:-

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and relevant testimonials; and
2. Submit certificates of compliance from the following institutions:-
 - (a) Ethics and Anti-Corruption Commission;
 - (b) Higher Education Loans Board;
 - (c) Office of the Registrar Political Parties;
 - (d) Directorate of Criminal Investigations;
 - (e) Kenya Revenue Authority;
 - (f) Commission for University Education; and
 - (g) At least one (1) Credit Reference Bureau.

S. NJOROGE, CBS
 CLERK OF THE NATIONAL ASSEMBLY
 1st August, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
 THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 110(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION AND
 IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 7F AND
 IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
 CABINET SECRETARY AND ATTORNEY-GENERAL

INVITATION TO SUBMIT MEMORANDA

WHEREAS, in accordance with Articles 152(2) and 156(2) of the Constitution, H.E. the President is empowered to refer to the National Assembly, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General; H. E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below:-

S/N	NAME	OFFICE
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(3) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated;

NOW THEREFORE, in compliance with Article 110(1)(b) of the Constitution and section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence contesting the suitability of any nominee proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41042-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to ema@parliament.go.ke and appointments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

S. NJOROGE, CBS
 CLERK OF THE NATIONAL ASSEMBLY
 1st August, 2024



REPUBLIC OF KENYA
OFFICE OF THE PRESIDENT
 MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION
 STATE DEPARTMENT FOR IMMIGRATION AND CITIZEN SERVICES

STATUS UPDATE ON PRINTING AND COLLECTION OF PASSPORTS

Pursuant to a commitment to facilitate Kenyans to acquire Travel Documents in a convenient and timely manner, the Directorate of Immigration (DIS) wishes to share the following brief:

A) Clearance of Passports Backlog

The DIS is continuously reviewing its operations and investing in human resources, modern equipment, and technologies to enhance efficiency and the quality of clients' experiences. We have also reformed our processes to decongest workstations and speed up our services. As a result of these interventions, we have cleared the historical backlog of unprinted passports in our systems.

B) Dedicated Desks for Labour Migration

In line with the Presidential directive to facilitate travel for Kenyans pursuing job opportunities outside the country, we have set up dedicated Migrant Labour counters to fast-track passport applications. Applicants seeking this service are advised to present their papers, which must include documents of proof of intent issued by the relevant institution.

C) Self-Tracking and Feedback Mechanisms

We have provided mechanisms to promote transparency, facilitate self-tracking, and provide prompt feedback. To find out their passport application status, applicants can send a Short Message Service (SMS) with their eCitizen tracking number (e.g., EPP1-D6T8M4HI) to 22222. Applicants can also reach us on the following platforms:

X: @ImmigrationDept
 W: +254 796 374 902
 Email: info@immigration.go.ke

D) Uncollected Passports

Currently, the DIS is holding 110,059 uncollected passports in its offices as indicated below:

LOCATION	NUMBER OF UNCOLLECTED PASSPORTS
1. Nairobi	55,504
2. Kisumu	11,707
3. Embu	10,816
4. Mombasa	8,696
5. Nakuru	8,615
6. Eldoret	8,551
7. Kisii	5,719
8. Kericho	389
9. Bungoma	62
TOTAL	110,059

To ease passport delivery, the DIS has suspended the requirement for applicants to book an appointment to collect their passports. Applicants whose names appear in the links below are therefore advised to collect their passports at the station where they submitted their application.

- Nairobi: <https://immigration.go.ke/passports-ready-for-collection-in-nairobi/>
- Kisumu: <https://immigration.go.ke/passports-ready-for-collection-in-kisumu/>
- Embu: <https://immigration.go.ke/passports-ready-for-collection-in-embu/>
- Mombasa: <https://immigration.go.ke/passports-ready-for-collection-in-mombasa/>
- Nakuru: <https://immigration.go.ke/passports-ready-for-collection-in-nakuru/>
- Eldoret: <https://immigration.go.ke/passports-ready-for-collection-in-eldoret/>
- Kisii: <https://immigration.go.ke/passports-ready-for-collection-in-kisii/>
- Bungoma: <https://immigration.go.ke/passports-ready-for-collection-in-bungoma/>

E) Disposal of Uncollected Passports

To free up limited storage space, applicants are notified that DIS will dispose off all uncollected passports six (6) months from the date of this notice. This is in line with the following laws and regulations:

- i) Section 31 of the Kenya Citizenship and Immigration Act and Regulations;
- ii) Disposal of Uncollected Goods Act (CAP 38);
- iii) International Civil Aviation Organisation (ICAO) regulations on the delivery of travel documents

Julius K. Bitok, CBS
PRINCIPAL SECRETARY
 July 31, 2024

**ANNEXURE 5: LETTERS FROM THE
CLERK OF THE NATIONAL
ASSEMBLY TO EACC, HELB,
DCI, ORPP, AND KRA
REQUESTING CLEARANCE
REPORTS**



**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote

REF: NA/DAA&GPC/COA /2024/63

1st August 2024

Mr. Twalib A. Mbarak, MGH, CBS
Chief Executive Officer
Ethics & Anti-Corruption Commission
Integrity Centre
Milimani/ Valley Road Junction
NAIROBI

Dear *S/S*

**RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY
AND ATTORNEY GENERAL**

The above subject refers.

Article 124(4) of the Constitution provides that, "when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

The **Committee on Appointments** which is established under Standing Order 204 of the National Assembly Standing Orders is mandated to consider for approval by the National Assembly appointments under Article 152(2) of the Constitution (Cabinet Secretaries) and Article 156 (2) of the Constitution (Attorney General).

In this regard, the Committee on Appointments shall conduct the approval hearing (vetting) of the persons nominated for appointment to the positions of Cabinet Secretary and Attorney General as indicated below –

S/No.	NOMINEE	MINISTRY	ID NO.
1.	Ms. Beatrice Askul Moe	East Africa Community Affairs and Regional Development	13434187
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	8239885

Pursuant to section 7(b) of the Public Appointments (Parliamentary Approval) Act, 201 the Committee is required to consider among other issues, the personal integrity and background of the nominees in terms of compliance with the principles of leadership and integrity as set out in Chapter Six of the Constitution.

As the Constitutional body mandated to oversee the implementation of the provisions of Chapter Six of the Constitution, this is therefore to request you to provide any adverse information touching on the integrity of the said nominees that may be in the possession of the Commission. This information will assist the Committee to effectively discharge its mandate.

The information should be forwarded to the Clerk of the National Assembly, P.O, BOX 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to cna@parliament.go.ke / appointments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

Yours sincerely,



Mrs. Serah Kioko, MBS

For: CLERK OF THE NATIONAL ASSEMBLY



**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote

REF: NA/DAA&GPC/COA /2024/64

1st August, 2024

Mr. Charles M. Ringera
Chief Executive Officer
Higher Education Loans Board
Anniversary Towers, 18th Floor, University Way
NAIROBI

Dear *Sir*

**RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY
AND ATTORNEY GENERAL**

The above subject refers.

Article 124(4) of the Constitution provides that, "when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

The **Committee on Appointments** which is established under Standing Order 204 of the National Assembly Standing Orders is mandated to consider for approval by the National Assembly appointments under Article 152(2) of the Constitution (Cabinet Secretaries) and Article 156(2) of the Constitution (Attorney General).

In this regard, the Committee on Appointments shall conduct the **approval hearing (vetting)** of persons nominated for appointment to the positions of Cabinet Secretary and Attorney General as indicated below –

S/No.	NOMINEE	MINISTRY	ID NO.
1.	Ms. Beatrice Askul Moe	East Africa Community Affairs and Regional Development	8239885
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	13434187

Pursuant to section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011 the Committee is required to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

This is therefore, to request you to provide reports on repayment of any loans that may have been advanced by the Board to the said nominees. This information will assist the Committee to effectively discharge its mandate.

The information should be forwarded to the **Clerk of the National Assembly, P.O, BOX 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi**; or emailed to cna@parliament.go.ke / appointments.nationalassembly@parliament.go.ke; to be received on or before **Thursday 8th August, 2024 at 5:00 p.m.**

Yours sincerely,



Mrs. Serah Kioko, MBS

For: CLERK OF THE NATIONAL ASSEMBLY



**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote

REF: NA/DAA&GPC/COA /2024/62

1st August, 2024

Mr. Mohamed I. Amin, EBS, OGW, 'Ndc(K)
The Director – Directorate of Criminal Investigations
P.O Box 30036-00100
Mazingira House, Kiambu Road
Opp. Forestry Department Headquarters, Karura
NAIROBI

Dear *Sir*,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY AND ATTORNEY GENERAL

The above subject refers.

Article 124(4) of the Constitution provides that, "when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

The **Committee on Appointments** which is established under Standing Order 204 of the National Assembly Standing Orders is mandated to consider for approval by the House, appointments under Article 152(2) of the Constitution (Cabinet Secretaries) and Article 156 (2) of the Constitution (Attorney General).

In this regard, the Committee on Appointments shall conduct the **approval hearing (vetting)** of persons nominated for appointment to the positions of Cabinet Secretary and Attorney General as indicated below –

S/No.	NOMINEE	MINISTRY/ OFFICE	ID No.
1.	Ms. Beatrice Askul Moe	East Africa Community Affairs and Regional Development	13434187
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	8239885

Pursuant to section 7(b) of the Public Appointments (Parliamentary Approval) Act, 201 the Committee is required to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

This is, therefore, to request you to provide the Committee with information on whether the nominees have been adversely mentioned in any investigations carried out by the Directorate in the normal course of discharging its mandate. This information will assist the Committee to effectively discharge its mandate.

The information should be forwarded to the Clerk of the National Assembly, P.O, BOX 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to cna@parliament.go.ke/ appointments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

Yours *Sincerely,*



Mrs. Serah Kioko, MBS

For: CLERK OF THE NATIONAL ASSEMBLY



**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote

REF: NA/DAA&GPC/COA /2024/66

1st August, 2024

Ms. Anne N. Nderitu, CBS

Registrar of Political Parties

Office of the Registrar of Political Parties

P. O. Box 1131-00606

Lions Place, 1st Floor, Karuna Close, Waiyaki Way, Westlands

NAIROBI

Dear *Madam,*

**RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY AND
ATTORNEY GENERAL**

The above subject refers.

Article 124(4) of the Constitution provides that, "when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

The **Committee on Appointments** which is established under Standing Order 204 of the National Assembly Standing Orders is mandated to consider for approval by the National Assembly appointments under Article 152(2) of the Constitution (Cabinet Secretaries) and Article 156 (2) of the Constitution (Attorney General).

In this regard, the Committee on Appointments shall conduct the **approval hearing (vetting)** of the persons nominated for appointment to the positions of Cabinet Secretary and Attorney General as indicated below -

S/No.	NOMINEE	MINISTRY	ID NO
1.	Ms. Beatrice Askul Moe	East Africa Community Affairs and Regional Development.	13434187
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	8239885

Pursuant to section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011 the Committee is required to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

In view of Article 77(2) which prohibits an appointed State Officer from holding office in a political party, you are requested to provide the Committee with information on whether the nominees hold an office in any political party. This information will assist the Committee to effectively discharge its mandate.

The information should be forwarded to the Clerk of the National Assembly, P.O, BOX 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to cna@parliament.go.ke / appointments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

Yours sincerely,



Mrs. Serah Kioko, MBS

For: CLERK OF THE NATIONAL ASSEMBLY



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote
REF: **NA/DAA&GPC/COA /2024/65**

1st August, 2024

Mr. Humphrey Wattanga
Commissioner General
Kenya Revenue Authority
Times Tower Building, Haile Selassie Avenue
P. O. Box 48240 - 00100
NAIROBI

Dear Sir,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY AND ATTORNEY GENERAL

The above subject refers.

Article 124(4) of the Constitution provides that, "when a House of Parliament considers any appointment for which its approval is required under this Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House".

The **Committee on Appointments** which is established under Standing Order 204 of the National Assembly Standing Orders is mandated to consider for approval by the National Assembly appointments under Article 152(2) of the Constitution (Cabinet Secretaries) and Article 156 (2) of the Constitution (Attorney General).

In this regard, the Committee on Appointment shall conduct the **approval hearing (vetting)** of persons nominated for appointment to the positions of Cabinet Secretary and Attorney General as indicated below -

S/No.	NOMINEE	MINISTRY/ OFFICE	ID NO.	KRA PIN
1.	Ms. Beatrice Askul Moe	East Africa Community Affairs and Regional Development	13434187	A00477682Q
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	8239885	A001949035F

Pursuant to section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011 the Committee is required to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

This is, therefore, to request you to provide a report on tax compliance by the said nominees. This information will assist the Committee to effectively discharge its mandate.

The information should be forwarded to the Clerk of the National Assembly, P.O, BOX 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to cna@parliament.go.ke / appointments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

Yours sincerely



Mrs. Serah Kioko, MBS

For: CLERK OF THE NATIONAL ASSEMBLY

**ANNEXURE 6: ADVERTISEMENTS
INVITING THE PUBLIC TO SUBMIT
MEMORANDA**



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
 THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 110(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION

AND
 IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 7F

AND
 IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
 CABINET SECRETARY AND ATTORNEY GENERAL

INVITATION TO SUBMIT MEMORANDA

WHEREAS, on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

IT IS NOTIFIED to the general public that in compliance with Articles 152(2) and 156(2) of the Constitution, section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F and Standing Order 45(3), the Committee on Appointments shall conduct Approval Hearings (Vetting) of the nominees on Friday 9th August, 2024 in the Mini-Chamber, County Hall, Parliament Buildings starting from 10:00 am as per the schedule below:

Sl. No.	Name of Nominee	Ministry/Office	Time
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED THAT the nominees are required to-

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and relevant testimonials; and
2. Submit certificates of compliance from the following institutions:-
 - (a) Ethics and Anti-Corruption Commission;
 - (b) Higher Education Loans Board;
 - (c) Office of the Registrar Political Parties;
 - (d) Directorate of Criminal Investigations;
 - (e) Kenya Revenue Authority;
 - (f) Commission for University Education; and
 - (g) At least one (1) Credit Reference Bureau.

S. NIROGE, CBS
 CLERK OF THE NATIONAL ASSEMBLY
 1st August, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
 THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 110(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION

AND
 IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 7F

AND
 IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
 CABINET SECRETARY AND ATTORNEY GENERAL

INVITATION TO SUBMIT MEMORANDA

WHEREAS, in accordance with Articles 152(2) and 156(2) of the Constitution, H.E. the President is empowered to, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General; H.E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below:-

Sl. No.	Name of Nominee	Ministry/Office
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated;

NOW THEREFORE, in compliance with Article 110(1)(b) of the Constitution and section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence contesting the suitability of any nominee proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41042-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to smc@parliament.go.ke and presentments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

S. NIROGE, CBS
 CLERK OF THE NATIONAL ASSEMBLY
 1st August, 2024



REPUBLIC OF KENYA
OFFICE OF THE PRESIDENT
 MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION
 STATE DEPARTMENT FOR IMMIGRATION AND CITIZEN SERVICES

STATUS UPDATE ON PRINTING AND COLLECTION OF PASSPORTS

Pursuant to a commitment to facilitate Kenyans to acquire Travel Documents in a convenient and timely manner, the Directorate of Immigration (DIS) wishes to share the following brief:

A) Clearance of Passports Backlog
 The DIS is continuously reviewing its operations and investing in human resources, modern equipment, and technologies to enhance efficiency and the quality of clients' experiences. We have also reformed our processes to decongest workstations and speed up our services. As a result of these interventions, we have cleared the historical backlog of unprinted passports in our systems.

B) Dedicated Desks for Labour Migration
 In line with the Presidential directive to facilitate travel for Kenyans pursuing job opportunities outside the country, we have set up dedicated Migrant Labour counters to fast-track passport applications. Applicants seeking this service are advised to present their papers, which must include documents of proof of intent issued by the relevant institution.

C) Self-Tracking and Feedback Mechanisms
 We have provided mechanisms to promote transparency, facilitate self-tracking, and provide prompt feedback. To find out their passport application status, applicants can send a Short Message Service (SMS) with their eCitizen tracking number (e.g., EPP1-06T8M4H1) to 22222. Applicants can also reach us on the following platforms:

X: @ImmigrationDept
 ☎ +254 795 374 902
 Email: info@immigration.go.ke

D) Uncollected Passports
 Currently, the DIS is holding 110,059 uncollected passports in its offices as indicated below:

INDEX	CITY/LOCATION	NUMBER OF PASSPORTS
1.	Nairobi	55,504
2.	Kisumu	11,707
3.	Embu	10,816
4.	Mombasa	8,696
5.	Nakuru	8,615
6.	Eldoret	8,551
7.	Kisii	5,719
8.	Koricho	309
9.	Bungoma	62
TOTAL		110,059

To ease passport delivery, the DIS has suspended the requirement for applicants to book an appointment to collect their passports. Applicants whose names appear in the links below are therefore advised to collect their passports at the station where they submitted their application.

- Nairobi: <https://immigration.go.ke/passports-ready-for-collection-in-nairobi/>
- Kisumu: <https://immigration.go.ke/passports-ready-for-collection-in-kisumu/>
- Embu: <https://immigration.go.ke/passports-ready-for-collection-in-embu/>
- Mombasa: <https://immigration.go.ke/passports-ready-for-collection-in-mombasa/>
- Nakuru: <https://immigration.go.ke/passports-ready-for-collection-in-nakuru/>
- Eldoret: <https://immigration.go.ke/passports-ready-for-collection-in-eldoret/>
- Kisii: <https://immigration.go.ke/passports-ready-for-collection-in-kisii/>
- Bungoma: <https://immigration.go.ke/passports-ready-for-collection-in-bungoma/>

E) Disposal of Uncollected Passports

To free up limited storage space, applicants are notified that DIS will dispose off all uncollected passports six (6) months from the date of this notice. This is in line with the following laws and regulations:

- I) Section 31 of the Kenya Citizenship and Immigration Act and Regulations;
- II) Disposal of Uncollected Goods Act (CAP 36);
- III) International Civil Aviation Organisation (ICAO) regulations on the delivery of travel documents

Julius K. Bilok, CBS
 PRINCIPAL SECRETARY
 July 31, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 100(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION AND
IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 77
AND
IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
CABINET SECRETARY AND ATTORNEY-GENERAL

WHEREAS, in accordance with Articles 152 (2) and 156(2) of the Constitution, H.E. the President is empowered to nominate, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General, respectively; H.E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below:-

No.	Name	Office
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Agik Odour, SC, EBS, OGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 77 provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.

NOW BEFORE, in compliance with Article 100(1)(b) of the Constitution and section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence, contesting the suitability of any nominee proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi, hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi, or emailed to clerk@parliament.go.ke and representations@parliament.go.ke to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
1st August, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 100(1)(b), 152(2) AND 156(2) OF THE CONSTITUTION AND
IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 77
AND
IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
CABINET SECRETARY AND ATTORNEY-GENERAL

WHEREAS on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

IT IS NOTIFIED to the general public that in compliance with Articles 152 (2) and 156(2) of the Constitution, section 6(9) of the Public Appointments Public Appointments (Parliamentary Approval) Act, Cap. 77 and Standing Order 43(3), the Committee on Appointments shall conduct Approval Hearings (Vetting) of the nominees on Friday 9th August, 2024 in the Mind-Chamber, County Hall, Parliament Buildings starting from 10:00 am as per the schedule below:-

No.	Name	Office	Time
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Agik Odour, SC, EBS, OGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED THAT the nominees are required to:-

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and other relevant testimonials; and
2. obtain letters/certificates of compliance from the following institutions:-
 - (a) Ethics and Anti-Corruption Commission;
 - (b) Higher Education Loans Board;
 - (c) Office of the Registrar Political Parties;
 - (d) Directorate of Criminal Investigations;
 - (e) Kenya Revenue Authority;
 - (f) Commission for University Education; and
 - (g) At least one (1) Credit Reference Bureau.

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
1st August, 2024

FORM PLUPA L-1



(r.9)



REPUBLIC OF KENYA
COUNTY GOVERNMENT OF TAITA TAVETA

TITLE OF DEVELOPMENT PLAN: ISANGA IWISHI, OZA, NDARA B AND MBULIA COMMUNITY LAND LOCAL PHYSICAL AND LAND USE PLAN

It is hereby given to all Residents and stakeholders in Taita Taveta County that Pursuant to the Constitution of Kenya, 2010; the National Land Commission Act, County Government Act, Community Land Act, The Physical and Land Use Planning Act, Physical Planners Registration Act and other enabling legislations; The County Government of Taita Taveta, intends to prepare Local Physical and Land Use Development Plans for ISANGAIWISHI, OZA, NDARA B and MBULIA Areas in Mwatate and Vof Sub Counties, Taita Taveta County.

The plan's purpose is to provide a spatial framework for the development, management and use of the community land for the ISANGAIWISHI, OZA, NDARA B and MBULIA Areas. The objective of these plans shall be:

1. To act as a basis for conservation and management of natural resources
2. To provide guidelines for investment

Preparation of these Plans will be participatory and therefore all stakeholders are invited to the planning process. Any comments, Inquiries or suggestions on the same may be done in writing to the CECM for Lands, Physical Planning Mining and Urban Development, Taita Taveta County of P.O. Box 1065 - 80304, Wundanyi or through the Lands Email: landstaita@gmail.com / lands@taitataveta.go.ke.

Dated: 29th JULY, 2024

Ion. Arch. MARTIN TAIRO MASEGHE
COUNTY EXECUTIVE COMMITTEE MEMBER
LANDS, PHYSICAL PLANNING, MINING & URBAN DEVELOPMENT.



COUNTY GOVERNMENT OF LAIKIPIA



PUBLIC NOTICE

PUBLIC PARTICIPATION IN COUNTY ANNUAL DEVELOPMENT PLAN (ADP) FOR FINANCIAL YEAR 2025-2026

Pursuant to the provisions of section 125 of the Public Financial Management Act, 2012, the County Government of Laikipia wishes to notify the general public that it is in the process of preparing the Annual Development Plan (ADP 2025-2026).

Additionally in accordance with the provision of Article 10(2) (c) and 220 (2) The Constitution of Kenya read together with sections 8 (3), 87, 106 (4), and 115 (3) of the County Government Act 2012 and the Laikipia County Public Participation Act, 2014 which call for openness, accountability and public participation in the county planning and development matters; The County Government of Laikipia, through this public notice wishes to invite members of the General Public, Private Sector Organizations, Civil Society Organizations (CSO), Interested parties and all key stakeholders to submit their concerns, development priorities and needs for inclusion in the County Annual Development Plan (ADP 2025-2026).

To facilitate timely consultation and adequate consideration, written submissions or memoranda will be submitted to the Directorate of Public Participation & Civic Education or the Directorate of Economic Planning or the offices of the Sub-County Administrators or sent through the email publicparticipation@laikipia.go.ke not later than 15th August, 2024.

The stakeholders are advised to align their proposals with development priorities set out in the Laikipia County Integrated Development Plan (CIDP 2023-2027) which can be accessed on the Laikipia County Website at <http://laikipia.go.ke/> county-integrated-development-plan/.

Written memoranda can also be submitted to:
Office of the County Secretary
P.O. Box 45 - 20321
Rumuruti

CSOs with budget advocacy and public participation in their programming are invited for a physical meeting on 16th August 2024 in Nanyuki. Members of the General Public are invited to attend the public forums as scheduled below;

AREA	VENUE	DATE	TIME
Nanyuki	Office of the Governor - Hall	14 th August, 2024	9.00 am-1.00 pm
Sirima	Sirima CDF Hall	14 th August, 2024	9.00 am-1.00 pm
Matanya	Catholic Hall	14 th August, 2024	9.00 am-1.00 pm
Ipolet	Ipolet Centre	14 th August, 2024	9.00 am-1.00 pm
Chumvi	Chumvi Centre	14 th August, 2024	9.00 am-1.00 pm
Pusta	Pusta Centre	14 th August, 2024	9.00 am-1.00 pm
Manguo	Manguo Centre	14 th August, 2024	9.00 am-1.00 pm
Rumuruti	Catholic Hall	14 th August, 2024	9.00 am-1.00 pm
Kinamba	Kinamba Centre	14 th August, 2024	9.00 am-1.00 pm
Online meeting on the X-Space platform		15 th August, 2024	9:00 am - 11:00 am

SAMUEL WACHIRA GACHIGI
CECM
FINANCE AND COUNTY PLANNING AND DEVELOPMENT



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 100(1)(c), 152(2) AND 156(2) OF THE CONSTITUTION
AND
IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP. 77

AND
IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
CABINET SECRETARY AND ATTORNEY-GENERAL

WHEREAS, in accordance with Articles 152 (2) and 156 (2) of the Constitution, H.E. the President is empowered to nominate, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General, respectively; H.E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below:-

No.	Name	Post
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Agik Odour, SC, EBS, OGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 77 provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.

NOW BEFORE, in compliance with Article 100(1)(c) of the Constitution and section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence, contesting the suitability of any nominees proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41042-00100, Nairobi, hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi, or emailed to clerk@parliament.go.ke and appointments@parliament.go.ke to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
1st August, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 100(1)(c), 152(2) AND 156(2) OF THE CONSTITUTION

AND
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IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS NOMINATED FOR APPOINTMENT AS
CABINET SECRETARY AND ATTORNEY-GENERAL

WHEREAS on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

IT IS NOTIFIED to the general public that in compliance with Articles 152 (2) and 156 (2) of the Constitution, section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 77 and Standing Order 45(3), the Committee on Appointments shall conduct Approval Hearings (Vetting) of the nominees on Friday 9th August, 2024 in the Mini-Chamber, County Hall, Parliament Buildings starting from 10:00 am as per the schedule below:-

No.	Name	Post	Time
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Agik Odour, SC, EBS, OGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED THAT the nominees are required to:-

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and other relevant testimonials; and
2. Obtain letters/artifacts of compliance from the following institutions:-
 - (a) Ethics and Anti-Corruption Commission;
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 - (d) Directorate of Criminal Investigations;
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S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
1st August, 2024

FORM PLUPA L-1

(r.9)



REPUBLIC OF KENYA
COUNTY GOVERNMENT OF TAITA TAVETA

TITLE OF DEVELOPMENT PLAN: ISANGAIWISHI, OZA, NDARA B AND MBULIA COMMUNITY LAND LOCAL PHYSICAL AND LAND USE PLAN

It is hereby given to all Residents and stakeholders in Taita Taveta County that Pursuant to the Constitution of Kenya, 2010; the National Land Commission Act, Community Land Act, The Physical and Land Use Planning Act, Physical Planners Registration Act and other enabling legislations; The County Government of Taita Taveta, Intends to prepare Local Physical and Land Use Development Plans for ISANGAIWISHI, OZA, NDARA B and MBULIA Areas in Mwatate and Voi Sub Counties, Taita Taveta County.

The plan's purpose is to provide a spatial framework for the development, management and use of the community land for the ISANGAIWISHI, OZA, NDARA B and MBULIA Areas. The objective of these plans shall be:

1. To act as a basis for conservation and management of natural resources
2. To provide guidelines for investment

Preparation of these Plans will be participatory and therefore all stakeholders are invited to the planning process. Any comments, Inquiries or suggestions on the same may be done in writing to the CECM for Lands, Physical Planning Mining and Urban Development, Taita Taveta County of P.O. Box 1066 - 80304, Wundanyi or through the Lands Emails landstaita1@gmail.com / lands@taitataveta.go.ke.

Dated: 29th JULY, 2024

for. Arch. MARTIN TAIRO MASEGHE
COUNTY EXECUTIVE COMMITTEE MEMBER
LANDS, PHYSICAL PLANNING, MINING & URBAN DEVELOPMENT.



COUNTY GOVERNMENT OF LAIKIPIA



PUBLIC PARTICIPATION OF COUNTY ANNUAL DEVELOPMENT PLAN (ADP) - FINANCIAL YEAR 2025-2026

Pursuant to the provisions of section 126 of the Public Financial Management Act, 2012, the County Government of Laikipia wishes to notify the general public that it is in the process of preparing the Annual Development Plan (ADP 2025-2026).

Additionally in accordance with the provision of Article 10(2)(e) and 220(2) The Constitution of Kenya read together with sections 8 (9), 87, 106 (4), and 115 (1) of the County Government Act 2012 and the Laikipia County Public Participation Act, 2014 which call for openness, accountability and public participation in the county planning and development matters; The County Government of Laikipia, through this public notice wishes to invite members of the General Public, Private Sector Organizations, Civil Society Organizations (CSO), interested parties and all key stakeholders to submit their concerns, development priorities and needs for inclusion in the County Annual Development Plan (ADP 2025-2026).

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The stakeholders are advised to align their proposals with development priorities set out in the Laikipia County Integrated Development Plan (CIDP 2023-2027) which can be accessed on the Laikipia County Website at <http://laikipia.go.ke/> county-integrated-development-plan/.

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Matanya	Catholic Hall	14 th August, 2024	9.00 am-1.00 pm
Iipolei	Spital Centre	14 th August, 2024	9.00 am-1.00 pm
Chumvi	Chumvi Centre	14 th August, 2024	9.00 am-1.00 pm
Pasta	Pasta Centre	14 th August, 2024	9.00 am-1.00 pm
Manguo	Manguo Centre	14 th August, 2024	9.00 am-1.00 pm
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Online meeting on the X-Space platform		15 th August, 2024	9:00 am - 11:00 am

SAMUEL WACHIRA GACHIGI
CECM
ECONOMIC AND COUNTY PLANNING AND DEVELOPMENT



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - THIRD SESSION (2024)
IN THE MATTER OF ARTICLES 118(1)(B), 152(2) AND 156(2) OF THE
CONSTITUTION

AND

IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY
APPROVAL) ACT, CAP. 7F

AND

IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF PERSONS
NOMINATED FOR APPOINTMENT AS CABINET SECRETARY
AND ATTORNEY-GENERAL

NOTICE OF APPROVAL HEARINGS

WHEREAS, in accordance with Articles 152 (2) and 156(2) of the Constitution, H.E. the President is empowered to nominate, and with the approval of the National Assembly, appoint Cabinet Secretaries and the Attorney General, respectively; H. E. the President has nominated the following two (2) persons for appointment as a Cabinet Secretary and the Attorney General as indicated below—

S/No.	NOMINEE	PORTFOLIO
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development
2.	Ms. Dorcas Aglk Oduor, SC, EBS, OGW	Attorney General

Following the receipt of the nominations from H.E. the President, the Rt. Hon. Speaker of the National Assembly referred the nominees to the Committee on Appointments which is mandated to consider them for approval by the House.

NOTING that section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F provides that any person may prior to the approval hearing and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated;

NOW THEREFORE, in compliance with Article 118(1)(b) of the Constitution and section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Clerk of the National Assembly hereby invites members of the public to submit any representations they may have, by way of written statement on oath (affidavit) with supporting evidence contesting the suitability of any nominee proposed for appointment.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to na@parliament.go.ke and appointments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
31st July, 2024



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)

IN THE MATTER OF ARTICLES 118(1)(B), 152(2) AND 156(2) OF THE
CONSTITUTION

AND

IN THE MATTER OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY
APPROVAL) ACT, CAP. 7F

AND

IN THE MATTER OF APPROVAL BY THE NATIONAL ASSEMBLY OF
PERSONS NOMINATED FOR APPOINTMENT AS CABINET SECRETARY
AND ATTORNEY-GENERAL

NOTICE OF APPROVAL HEARINGS

WHEREAS on Wednesday, 31st July, 2024 the Rt. Hon. Speaker of the National Assembly referred nominees for appointment as Cabinet Secretary and the Attorney General to the Committee on Appointments to consider for approval by the House;

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S/No.	NOMINEE	PORTFOLIO	TIME
1.	Ms. Beatrice Askul Moe	Ministry of East Africa Community Affairs and Regional Development	10:00 a.m.
2.	Ms. Dorcas Aglk Oduor, SC, EBS, OGW	Attorney General	12:00 noon

IT IS FURTHER NOTIFIED THAT the nominees are required to—

1. Appear for the approval hearings with their original identity cards, academic and professional certificates and other relevant testimonials; and
2. obtain letters/certificates of compliance from the following institutions—
 - (a) Ethics and Anti-Corruption Commission;
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 - (c) Office of the Registrar Political Parties;
 - (d) Directorate of Criminal Investigations;
 - (e) Kenya Revenue Authority;
 - (f) Commission for University Education; and
 - (g) At least one (1) Credit Reference Bureau.

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
31st July, 2024

**ANNEXURE 7: LETTERS FROM THE
CLERK OF THE NATIONAL
ASSEMBLY TO THE
NOMINEES TO RESPOND TO
ISSUES RAISED IN THE
AFFIDAVITS**



**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote

8th August, 2024

Ms. Beatrice Asukul Moe
P.O. Box 207 -30500
LODWAR

Email: beatricemoe4@gmail.com

Dear Madam,

**RE: MEMORANDA CONTESTING YOUR SUITABILITY FOR
APPOINTMENT AS CABINET SECRETARY FOR THE MINISTRY OF
EAST AFRICAN COMMUNITY AND REGIONAL DEVELOPMENT**

We refer to the above matter.

As you are aware, on Thursday 8th August, 2024, the Clerk of the National Assembly, through an advertisement in the print media invited, the public to submit representations by way of affidavits on the suitability or otherwise of the person nominated for appointment as Attorney General in accordance with section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap 7F (the "Act").

We advise that we have received one (1) memoranda contesting your suitability for appointment from Mr. Eliud Karanja Matindi.

The memoranda (copy enclosed) is in the form of an affidavit that meets the requirements of section 6(9) of the Act. Enclosed herewith also find all other memoranda received from the public with respect to your nomination which did not meet the requirements of the Act.

We request that you convey any response to the memoranda to the Clerk of the National Assembly on or before your approval hearing, which is scheduled for Friday, 9th August 2024.

Yours Sincerely,

Mrs. Serah Kioko, MBS

For: CLERK OF THE NATIONAL ASSEMBLY

Pursuant to section 7(b) of the Public Appointments (Parliamentary Approval) Act, 2011 the Committee is required to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

In view of Article 77(2) which prohibits an appointed State Officer from holding office in a political party, you are requested to provide the Committee with information on whether the nominees hold an office in any political party. This information will assist the Committee to effectively discharge its mandate.

The information should be forwarded to the Clerk of the National Assembly, P.O, BOX 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to cna@parliament.go.ke / appointments.nationalassembly@parliament.go.ke; to be received on or before Thursday 8th August, 2024 at 5:00 p.m.

Yours sincerely,



Mrs. Serah Kioko, MBS

For: CLERK OF THE NATIONAL ASSEMBLY



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: clerk@parliament.go.ke
www.parliament.go.ke/the-national-assembly

8th August, 2024

When replying, please quote

Ms. Dorcas Agik Oduor, SC, OGW
P.O. Box 40112-00100
NAIROBI

Email: dagiko2001@yahoo.com

Dear Madam,

**RE: MEMORANDA CONTESTING YOUR SUITABILITY FOR APPOINTMENT
AS ATTORNEY GENERAL OF THE REPUBLIC OF KENYA**

We refer to the above matter.

As you are aware, on Thursday 8th August, 2024, the Clerk of the National Assembly, through an advertisement in the print media invited, the public to submit representations by way of affidavits on the suitability or otherwise of the person nominated for appointment as Attorney General in accordance with section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap 7F (the "Act").

We advise that we have received two (3) memoranda contesting your suitability for appointment from the following persons—

1. Mr. Dennis Kangehe Itui;
2. Mr. Eliud Karanja Matindi;
3. Ms. Ann Kaaria

The memoranda (copies enclosed) are in the form of affidavits that meet the requirements of section 6(9) of the Act. Enclosed herewith also find all other memoranda received from the public with respect to your nomination which did not meet the requirements of the Act.

We request that you convey any response to the memoranda to the Clerk of the National Assembly on or before your approval hearing, which is scheduled for Friday, 9th August 2024.

Yours Sincerely,

Mrs. Serah Kioko, MBS

For: CLERK OF THE NATIONAL ASSEMBLY

**ANNEXURE 8A: LETTER OF
CLEARANCE FROM ETHICS
AND ANTI-CORRUPTION
COMMISSION (EACC)**



ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Jakaya Kikwete/Valley Road Junction) P.O. Box 61130 – 00200, NAIROBI, Kenya
TEL.: 254 (020) 4997000, MOBILE: 0709 781000; 0730 997000
EMAIL: eacc@integrity.go.ke WEBSITE: www.eacc.go.ke

When replying please quote:

Our Ref: EACC.7/10/5 VOL XXVIII (94)

6th August 2024

Mr. Samuel Njoroge, CBS

Clerk

National Assembly

Office of the Clerk

Main Parliament Buildings

P O Box 41842 – 00100

NAIROBI

Dear

Mr. Njoroge,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY AND ATTORNEY GENERAL

Your letter referenced NA/DAA&GPC/COA/2024/63 dated 1st August 2024, on the subject matter refers.

Please note that the Commission has not undertaken any investigations pursuant to its mandate against the underlisted nor has it recommended prosecution of any of them.

S/No	Name	ID Number	Ministry
1.	Nakusa Beatrice Asukul Moe	12434187	East African Community Affairs and Regional Development
2.	Dorcias Agik Odhong Oduor, SC, EBS, OGW	8239885	Attorney General

The information provided herein is based on records available as of **6th August 2024**.

Yours

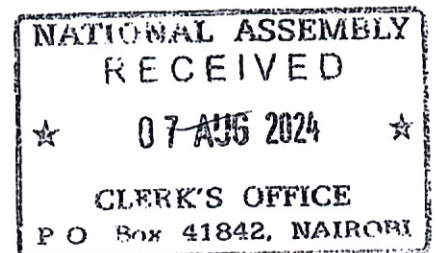
Sincerely

Abdi A. Mohamud, MBS

Deputy Chief Executive Officer

FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

LK/IK



**ANNEXURE 8B: LETTER OF
CLEARANCE FROM HIGHER
EDUCATION LOANS
BOARD (HELB)**

(i) DAA&GPC
Please deal.
06/08/24



(ii) Emerson
Please deal
FAA
06/08/24

HIGHER EDUCATION LOANS BOARD

Tel: 0711052000
E-mail: contactcentre@helb.co.ke
Website: www.helb.co.ke

Anniversary Towers
University Way
P.O Box 69489-00400
Nairobi, Kenya

2nd August 2024

HELB/RR/112009/V/318

Mr. Samuel Njoroge, CBS
Clerk of the National Assembly
Parliament Buildings
P.O Box 41842-00100

NAIROBI

Dear 

(iii) Head of...
COA to...
Consider...
7/8

CLEARANCE OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY AND ATTORNEY GENERAL

We acknowledge receipt of your letter dated 1 August 2024, with reference number NA/DAA&GPC/COA/2024/ (64), regarding the background check on the status of HELB loan repayment for nominees for appointment as cabinet secretaries.

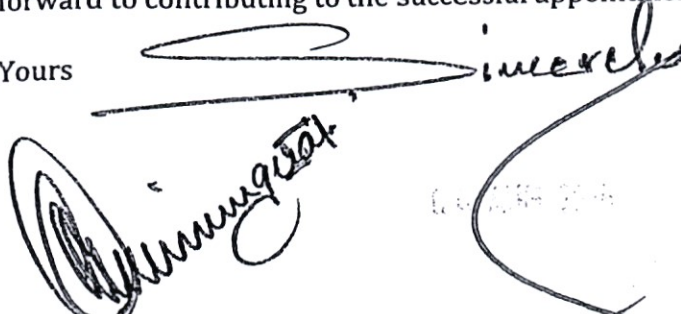
Our team has diligently reviewed the HELB loan repayment status of the above mentioned, ensuring accuracy and compliance with the provided information. We understand the importance of this inquiry in the overall assessment process.

Please find below their status.

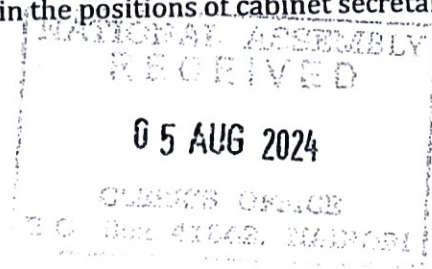
S/No.	NAME OF NOMINEE	ID NUMBER	STATUS	YEAR OF CLEARANCE
1.	Ms. Beatrice Askul Moe	8239885	Cert No.20673	2010
2.	Ms. Dorcas Agik Oduor SC, EBS, OGW	12434187	Not a Beneficiary	N/A

We appreciate the collaborative effort with the National Assembly and remain committed to maintaining the highest standards of professionalism and confidentiality throughout the background check process. Thank you for entrusting us with this responsibility, and we look forward to contributing to the successful appointment in the positions of cabinet secretaries.

Yours



FCPA CHARLES M. RINGERA
CHIEF EXECUTIVE OFFICER



05 AUG 2024



ISO 9001:2015 Certified.



**ANNEXURE 8C: LETTER OF
CLEARANCE FROM
DIRECTORATE OF
CRIMINAL INVESTIGATIONS
(DCI)**

NATIONAL POLICE SERVICE

Telegrams: "CRIMINAL" Nairobi
Email: director@cid.go.ke
Tel: 020343312, 0202603724.



MAZINGIRA HOUSE
KIAMBU ROAD
P.O. Box 30036NAIROBI.

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DCI/IB/SEC/2/8/13/VOL.II/111

8TH AUGUST, 2024

The Clerk,
The National Assembly,
Main Parliament Buildings,
P.O. Box 41842 - 00100,
NAIROBI.

**RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY
AND ATTORNEY GENERAL**

Above matter refers.

Reference is made to your letter to Director, Directorate of Criminal Investigations Ref. NA/DAA&GPC/COA/2024/ 62 dated 1st August, 2024 in respect of above captioned matter.

S/NO.	NOMINEE	MINISTRY/OFFICE	ID NO.
1.	Ms. Beatrice Askul Moe	East Africa Community Affairs and Regional Development	13434187
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	Attorney General	8239885

This is to confirm that none of the above-named nominees have been adversely mentioned in any investigations carried out by the Directorate of Criminal Investigations in the normal course of discharging its mandate.

Thanking you for your continued cooperation.


**(PAUL WACHIRA, OGW)
FOR: DIRECTOR CRIMINAL INVESTIGATIONS**

**ANNEXURE 8D: LETTER OF
CLEARANCE FROM OFFICE
OF THE REGISTRAR OF
POLITICAL PARTIES (ORPP)**



REPUBLIC OF KENYA

Telephone: +254(0)204022000
Mobile: 0772281357
Email: info@orpp.or.ke
Website: www.orpp.or.ke
When replying please quote

①
D/AAGPC
Please deal
Shi
06/08/24
②



Lion Place, 1st & 4th Floor
Off Waiyaki Way
P.O. Box 1131-00606
Sarit Centre, Nairobi.

Ref: ORPP/ORG/34 VOL. VIII (23)

Date: 5th August, 2024

Clerk of the National Assembly,
Clerk's Chambers,
Parliament Buildings,
P.O. Box 41842- 00100,
NAIROBI.

06 AUG 2024

Attn: Serah Kioko, MBS

Dear Madam,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY AND ATTORNEY GENERAL

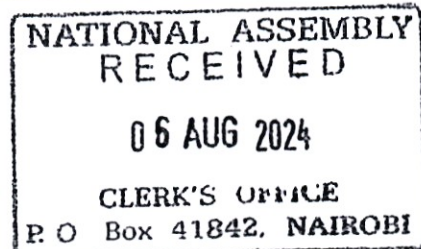
Reference is made to the letter Ref. NA/DAA&GPC/COA/2024/(66) dated 1st August, 2024 on the above subject matter.

Pursuant to Article 77 (2) of the Constitution and according to the records held by this Office as at 5th August, 2024 the list of the nominees tabulated herein are **NOT** officials of any registered political party in Kenya.

S/No.	Nominee	ID Number	Ministry	Official of Registered Political Party
1.	Ms. Beatrice Askul Moe	13434187	East Africa Community and Regional Development	Not an official
2.	Ms. Dorcas Agik Oduor, SC, EBS, OGW	8239885	Attorney General	Not an official

Yours faithfully,

Ann N. Nderitu, CBS
Registrar of Political Parties/CEO



**ANNEXURE 8E: LETTER OF
CLEARANCE FROM KENYA
REVENUE AUTHORITY (KRA)**



KENYA REVENUE AUTHORITY

ISO 9001:2015 CERTIFIED

Office of the Commissioner General

KRA/5/1002/5(11117)

8th August 2024

Mr. Samuel Njoroge
Clerk of the National Assembly
P. O. Box 42842 - 00100
Parliament Buildings
Nairobi

D/DUS
To deal.
[Signature]
8/8/24

Dear Clerk,

VETTING OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARY AND ATTORNEY GENERAL

Reference is made to your letter Ref: NA/DAA&GPC/COA/2024/65 dated 1st August 2024 requesting for tax compliance report for the nominated persons to the positions of Cabinet Secretary and Attorney General.

The tax compliance status for the nominees is as shown below:

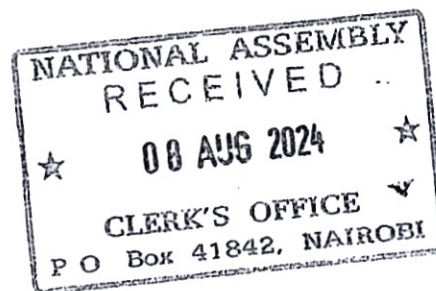
No.	Name	ID No.	PIN	Status
1.	Beatrice Asukul Nakusa	12434187	A004776872Q	Compliant
2.	Dorcas Agik Oghong', SC, EBS, OGW	8239885	A001949035F	Compliant

This is submitted for your further action.

Yours sincerely,

[Signature]

Humphrey Wattanga
COMMISSIONER GENERAL



Tulibe Ushuru. Tuiitegemee!

ANNEXURE 9 GAZETTE NOTICES

SPECIAL ISSUE**THE KENYA GAZETTE**

Published by Authority of the Republic of Kenya

(Registered as a Newspaper at the G.P.O.)

Vol. CXXVI—No. 102

NAIROBI, 12th July, 2024

Price Sh. 60

GAZETTE NOTICE NO. 8440

THE CONSTITUTION OF KENYA

EXECUTIVE ORDER NO. 6 OF 2024

RE-ORGANIZATION OF THE GOVERNMENT OF KENYA

- WHEREAS** Article 132 of the Constitution confers upon the President of the Republic the authority to direct and co-ordinate the functions of Ministries and Government Departments;
- MINDFUL** That this presidential prerogative is exercised by the Head of State and Government through the continuous review of the capacity of Ministries, State Departments and State Agencies to deliver on our national aspirations;
- ACKNOWLEDGING** That Article 131, as read together with Article 132 of the Constitution, prescribe the authority of the President as the Head of State and Government and the presidential duty of promoting good governance in the management of public affairs;
- COGNIZANT** of the imperative to better equip and orientate Government in its implementation of the Administration's Plan for a better Kenya espoused as the Bottom-Up Economic Transformation Agenda (BETA);
- RECOGNISING** The overwhelming feedback of the people of Kenya on the responsiveness of Government in the performance of its functions;
- COMMITTED** To enhancing efficiency, effectiveness, transparency and accountability in public service delivery by realigning its governance structure and leadership, so as to ensure rapid delivery of public services to Kenyans in every part of the Republic; and
- CONSCIOUS** That a review and re-organization of My Administration is necessary to embed operational enhancements and foster responsive governance:

NOW therefore, I, William Samoei Ruto, President of the Republic of Kenya and Commander-in-Chief of the Defence Forces, by the Authority vested in me by the Constitution and the Laws of the Republic of Kenya, do hereby:

I. RESIGNATION OF THE ATTORNEY-GENERAL

ACCEPT the resignation of Hon. Justin B. N. Muturi, E.G.H., as the Attorney-General of the Republic of Kenya in accordance with section 11 of the Office of the Attorney-General Act (Cap. 6A) Laws of Kenya.

II. DISMISSAL OF CABINET SECRETARIES

IN ACCORDANCE with Article 152 (5) (b) of the Constitution, dismiss the Cabinet Secretaries listed from office as stated, namely:

Hon. (Prof.) Kithure Kindiki, E.G.H.,
 Mr. Simon Kiprono Chelugui, E.G.H.,
 Hon. Aden Bare Duale, E.G.H.,
 Prof. Njuguna Sospeter Ndung'u, E.G.H.,
 Mr. Davis Kimutai Chirchir, E.G.H.,
 Hon. Alfred Nganga Mutua, E.G.H.,
 Hon. Alice Muthoni Wahome, E.G.H.,
 Hon. Ababu Namwamba, E.G.H.,
 Hon. Salim Mvurya, E.G.H.,
 Hon. Onesimus Kipchumba Murkomen, E.G.H.,
 Hon. Moses Kiarie Kuria, H.S.C.,
 Hon. Soipan Tuyu, E.G.H.,
 Hon. Franklin Mithika Linturi, E.G.H.,
 Hon. Aisha Jumwa Karisa Katana, E.G.H.,
 Hon. Ezekiel Machogu Ombaki, E.G.H.,
 Mr. Eluid Oketch Owalo, E.G.H.,
 Ms. Rebecca Miano, E.G.H.,
 Ms. Susan Nakhumicha Wafuta, E.G.H.,
 Hon. Peninah Malonza, E.G.H.,
 Mr. Zacharia Mwangi Njeru, E.G.H.,
 Hon. Florence Koske-Bore, E.G.H.

III. ASSIGNMENT AS THE ACTING CABINET SECRETARY

THAT pursuant to Article 152 (5) (a) of the Constitution, Hon. Wycliffe Musalia Mudavadi, E.G.H., is assigned as the Acting Cabinet Secretary in all vacant Ministerial Portfolios.

Dated the 11th July, 2024.

WILLIAM SAMOEI RUTO,
 President.

ADOPTION SCHEDULE



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

13TH PARLIAMENT – THIRD SESSION (2024)

COMMITTEE ON APPOINTMENTS

ADOPTION SCHEDULE



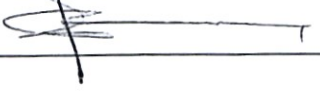
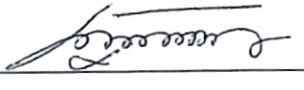



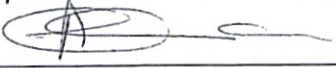
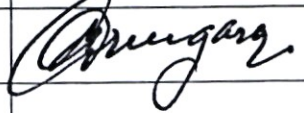
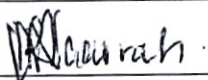
THIRD REPORT ON THE APPROVAL HEARINGS OF NOMINEES
FOR APPOINTMENT AS CABINET SECRETARY FOR EAST
AFRICAN COMMUNITY AFFAIRS & REGIONAL DEVELOPMENT

AND

ATTORNEY GENERAL OF THE REPUBLIC OF KENYA

We, the undersigned Members of the Committee on Appointments, do hereby append our signatures to adopt this Report on — Tuesday, 13th August 2024.

S/NO.	MEMBER	SIGNATURE
1.	Rt. Hon. (Dr.) Moses Wetang'ula, EGH, M.P. – (Chairperson)	
2.	Hon. Gladys J. Boss, MGH, M. P	
3.	Hon. Kimani Ichung'wah, EGH, M.P.	
4.	Hon. Junet Mohamed, CBS, M.P.	
5.	Hon. Owen Baya, CBS, M.P.	
6.	Hon. Robert Mbui, CBS, MP.	

S/NO.	MEMBER	SIGNATURE
7.	Hon. Mishi Mboko, CBS, M.P.	
8.	Hon. Abdul Rahim Dawood, M.P.	
9.	Hon. David Gikaria, M.P.	
10.	Hon. David Pkosing, CBS, M.P.	
11.	Hon. Dido Ali Raso, M.P.	
12.	Hon. Ferdinand Wanyonyi, M.P.	
13.	Hon. Stephen Mule Mutinda, M.P.	
14.	Hon. Josephine Naisula Lesuuda, OGW, M.P.	
15.	Hon. Mary Emaase Otucho, M.P.	
16.	Hon. Abdi Omar Shurie, M.P.	
17.	Hon. Caleb Amisi Luyai, M.P.	
18.	Hon. George Gitonga Murugara, M.P.	
19.	Hon. Nelson Koech, M.P.	
20.	Hon. Rahab Wachira Mukami, M.P.	

Tuesday, 13th August 2024

MINUTES



**THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)**

**MINUTES OF THE 13TH SITTING OF THE COMMITTEE ON APPOINTMENTS
HELD ON FRIDAY, 9TH AUGUST, 2024 IN THE MINI CHAMBER, FIRST
FLOOR, COUNTY HALL, PARLIAMENT BUILDINGS AT 10:00 A.M.**

PRESENT

1. The Rt. Hon. (Dr.) Moses Wetangula, EGH, M.P. - **Speaker of the National Assembly/Chairperson**
2. The Hon. Gladys J. Boss, MGH, M.P. - Deputy Speaker of the National Assembly
3. The Hon. Kimani Ichung'wah, EGH, M.P. - Leader of the Majority Party
4. The Hon. Junet Mohamed, CBS, M.P. - Leader of the Minority Party
5. The Hon. Robert Mbui, CBS, M.P. - Deputy Leader of Minority Party
6. The Hon. Owen Baya, CBS, M.P. - Deputy Leader of Majority Party
7. The Hon. Mishi Mboko, CBS, M.P.
8. The Hon. Abdul Rahim Dawood, M.P.
9. The Hon. David Gikaria, M.P.
10. The Hon. David Pkosing, CBS, M.P.
11. The Hon. Dido Ali Raso, M.P.
12. The Hon. Stephen Mule, M.P.
13. The Hon. Mary Emaase, M.P.
14. The Hon. Naisula Lesuuda, M.P.
15. The Hon. Abdi Shurie, M.P.
16. The Hon. George Gitonga Murugara, M.P.
17. The Hon. Rahab Wachira Mukami, M.P.

ABSENT WITH APOLOGIES

1. The Hon. Ferdinand Wanyonyi, M.P.
2. The Hon. Nelson Koech, M.P.
3. The Hon. Caleb Amisi, M.P.

IN-ATTENDANCE

1. Mr Samuel Njoroge, MBS
2. Mr. Nicholas Emején
3. Mr. Michael Karuru
4. Ms. Leah Mwaura
5. Dr. Andrew Shangirai
6. Mr. David Ng'eno
7. Mr. Ronald Walala
8. Ms. Emma Essendi
9. Ms. Judy Kanyoko
10. Ms. Fiona Musili
11. Mr. Andrew Kipchumba
12. Mr. Mark Namaswa
13. Mr. Letaya Morintat
14. Ms. Vivienne Ogega
15. Mr. John Ng'ang'a
16. Ms. Faith Makena

NATIONAL ASSEMBLY

- The Clerk of the National Assembly
- Deputy Director, Committees Services
- Deputy Director, Legal Services
- Principal Clerk Assistant II
- Principal Serjeant-at-Arms
- Principal Research Officer
- Senior Legal Counsel
- Senior Legal Counsel
- Legal Counsel
- Research Officer I
- Clerk Assistant III
- Clerk Assistant III
- Clerk Assistant III
- Research Officer III
- Audio Officer
- Serjeant-At-Arms

Agenda

1. Preliminaries
2. **Approval Hearing of Ms. Beatrice Asukul Moe as Cabinet Secretary for the Ministry of East African Community Affairs, the ASALs And Regional Development**
3. Adjournment.

MIN.NO. /COA/2024/053:

PRELIMINARIES

The Chairperson called the meeting to order at 10:05 a.m. followed by a prayer said by the Clerk of the National Assembly.

MIN.NO. /COA/2024/054:

APPROVAL HEARING OF MS. BEATRICE ASUKUL MOE FOR THE POSITION OF CABINET SECRETARY FOR THE MINISTRY OF EAST AFRICAN COMMUNITY AFFAIRS AND REGIONAL DEVELOPMENT

Ms. Beatrice Asukul Moe, Cabinet Secretary nominee for the Ministry of East African Community Affairs and Regional Development, appeared before the Committee on Friday, 9th August, 2024 at 10:10 a.m. and was orally interviewed pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary approvals) Act, 2011 and the Standing Orders of the National Assembly.

The Chairperson invited the nominee to take oath, and thereafter directed her to submit her documents for verification by the Clerk. The nominee presented the following documents—

1. Questionnaire;
2. Curriculum Vitae;
3. Original academic certificates and testimonials;
4. Original National Identification Card;
5. KRA Tax Compliance Certificate;
6. EACC Declaration Form;
7. DCI Certificate of Good Conduct;
8. Higher Education Loans Board (HELB) Compliance Certificate;
9. Commission for University Education Recognition and Accreditation letter;
10. Credit Reference Bureau Clearance; and
11. Clearance from the Office of the Registrar of Political Parties.

The nominee then proceeded to brief the Committee on her education and professional background and suitability as follows—

Education and professional education and professional background

The nominee stated as follows: THAT—

1. She holds the following academic and professional qualifications: a Bachelor of Arts Degree in Social Sciences (Social Work) from Catholic University Eastern Africa (2002–2006); a National Certificate in Social Development from Kobujoi Social Development Institute (1995–1997); Kenya Certificate of Secondary Education (1992); and Kenya Certificate of Primary Education from Lokichar Primary School in Turkana South, Turkana County (1981–1988).
2. She has undertaken several professional trainings during her employment, including: the International Balanced Scorecard Certification master class by the Balanced Scorecard Institute of Africa for Turkana County Government from September 22 to 26, 2014; the County Induction Course at the Kenya School of Government for Turkana County Government from October 8 to 10, 2013; the Corporate Governance Course by Eliud and Associates Management Consultants for the Rift Valley Water Services Board from November 17 to 19, 2010; training on Audit Committees by KCA University for the Rift Valley Water Services Board from October 28 to 30, 2009; a Training of Trainers (TOT) Course for community-based development by AMREF Kenya from June 25 to July 13, 2001; and training in methodologies for conducting baseline assessment surveys for food security and nutrition by the Nutrition Improvement Project Turkana from April 21 to 26, 1996.
3. She has held various roles, including serving as the County Executive Committee Member in charge of Water, Irrigation, Agriculture, and Land Reclamation for the Turkana County Government from 2013 to 2016. Additionally, she was a Director at the Rift Valley Water Services Board from 2008 to 2012 and served as Chairperson of the Technical Committee

and Audit Committee of the Rift Valley Water Services Board from 2011 to 2012 and 2008 to 2011, respectively. She also worked as a Project Officer for the AMREF Kenya Turkana Project from 1999 to 2002 and as a Relief Officer for the Oxfam Turkana Relief Program from 1994 to 1995.

The nominee was also examined on general understanding on sector issues and information contained in the *Questionnaire*. She responded as follows: THAT—

On the Impact of Climate Change in the Arid/Semi-arid (ASAL) Regions in the Country and Building Climate Resilience among Communities

4. The nominee stated that the marginalization of the ASAL region was due to negative stereotypes and inadequate support. She emphasized the need to address the specific challenges faced by ASAL communities, such as the impacts of climate change and drought, which severely affect their livelihoods, particularly pastoralists. She noted the need to incorporate ASAL issues into policy discussions and decision-making processes at the Ministry level. This approach would ensure that policies are developed with a deep understanding of local challenges and are effectively implemented to support the resilience and survival of ASAL communities.

On Challenges of Relief Food Procurement and Distribution in the Country and its Sustainability

5. The nominee clarified that procurement of relief food items would be done as per the laws of the country, she reiterated that she would champion for transparency to ensure value for money when procuring the relief food and ensure current market prices are applied. On the challenge of the distribution, she would establish a system where the intended beneficiaries are identified in advance.
6. On the position of sustainability of relief food, the nominee stated that the programs were not sustainable and proposed the adoption of safety net programs and setting up markets where the affected can access food. Further, she championed the establishment of sustainable program where communities are empowered to produce their own food, and the funds set aside for the provision of relief food are utilized for food production in times of favorable weather.

On Kenya's Position in Negotiating for Favorable Tariffs in the East African Community

7. The nominee stated that she would engage with the Ministers from the Member States to negotiate for a favorable trade tariff that would not disadvantage the country and also to adopt a win-win approach to get the right trade balance that does not disadvantage any Member State.

On Measures to Improve the livelihood of the Community Living in the ASAL areas

8. The nominee stated that she would create awareness by engaging the community, involve them in coming up with policies that are suitable and practical to the region. She would ensure the right information and analysis of ASAL areas are projected in the media.

On Overlapping of Roles between Regional Agencies and the County Governments

9. The nominee stated that regional development agencies, such as KVDA, face challenges due to overlapping functions with counties post-devolution. She proposed that large, cross-county projects be managed by these agencies, while smaller, localized projects should be handled by counties. She proposed that regional authorities should focus on large projects affecting multiple counties, involving county representatives in management. She emphasized the need for Counties to handle projects within their capacity.

On the Status of Member states Remittances to the EAC and Alternative Funding of the Community

10. The nominee informed the Committee that she would consult with the Council of Ministers from partner states to address the issue of countries failing to remit funds and to seek a sustainable alternative funding model. She would propose introduction of a levy on all goods imported into the EAC region, which would require the agreement and approval of all member states. Additionally, she would benchmark with other regional bodies to identify effective funding practices and apply the best practices to the EAC.

On Equalization Fund

11. She stated that the Equalisation Fund was established to address basic needs in less developed areas, including education, water, roads, health, and electricity. However, due to unclear guidelines, the funds have not been disbursed effectively. She further stated that the Fund affects multiple key ministries such as Education, Water, Sanitation and Irrigation, Roads and Transport, and Health, as such there was need to have a discussion on whether consolidating these ministries' efforts or reviewing the fund distribution approach would be more effective, either by maintaining the current structure or directing funds specifically to the areas in need.

On Disaster Preparedness in the Country

12. The nominee stated that she would ensure that data from early warning systems is effectively utilized to protect the community from potential disasters. She would seek to promote initiatives such as water harvesting in arid and semi-arid areas (ASALs). She would also collaborate with all relevant government departments, stakeholders, and external partners to implement sustainable measures and leverage on early warning system data.

On Political federation protocol and border conflicts among EAC member states

13. The nominee acknowledged the sovereignty and interests of each country are unique among the member states. She would advocate for mediation, consultation and arbitration among the parties. She would champion for political goodwill to be enhanced and use of the East African Court of Justice and the East African Legislative Assembly to mediate among the conflicting parties.
14. The nominee stated that the formation of EAC was progressing well given the strides that had been made in the formation of the East African Legislative assembly, The East African Court of Justice, the EAC Secretariat among other organs of the East African Community.

On Kenya's benefit to the EAC

15. The nominee stated that the country stands to gain through the collaboration with partner states in eliminating non-trade barriers and development of trade policy that would ensure free movement of persons and goods and increase trade in the EAC market.

On Kenya's Investment and Benefits in the East African Development Bank (EADB)

16. She stated that the East African Development Bank was under the purview of the National Treasury and if appointed, she would engage further with them to get proper information.

On her belief on the Impact of Devolution on ASAL Areas

17. The nominee while citing that she is a firm believer in devolution, she noted that it had transformed the ASAL areas, and making comparison between the current status and pre-devolution period, it was clear that devolution had transformed the marginalized areas.

On Promoting Youth Inclusion in the East African Community Agenda

18. The nominee would engage the member states to come up with affirmative action policy that would incorporate the youth in the activities of the East Africa Community including making use of the Inter-University Council for East Africa to improve access to quality education.

On the Status of Dams construction in ASAL Areas

19. The nominee stated that the construction of dams in ASAL areas was being hindered by corruption, thereby affecting project implementation. She emphasized the importance of following the project implementation plan and the proposed implementation phases.

On Clearance Delays at Border Points and Protocol on Free Movement within the EAC

20. The nominee acknowledged the Committee's concerns about border clearance delays, which she attributed to corruption, manual processes, and infrastructure deficiencies. She committed to advocating for a digital clearance system to speed up processing and reduce

corruption. Additionally, she would propose enhancement of human resource capacity and collaborate with East African Community (EAC) stakeholders to harmonize agreements and implement the EAC treaty on the free movement of persons and goods. This, she stated would improve one-stop border post operations and address challenges faced by traders within member states. On the issue of arrests related to the movement of people within the EAC, the nominee cited that reluctance from member states to implement the free movement protocol was a key challenge. She pledged to engage and lobby other countries to ensure the protocol is fully implemented.

On her Estimated Net Worth

21. The nominee estimated her net worth to be Kshs.100 million comprising of two houses, five vehicles, one backhoe loader, land, livestock and workshop.

On Conflict of Interest

22. The nominee declared that she did not have any persons or matter that would present a potential conflict of interest should she assume the position of Cabinet Secretary for Ministry of East African Community Affairs, the ASALs and Regional Development.
23. The nominee declared she had not been mentioned adversely in any integrity-related report or investigation.

On her Political Affiliations

24. The nominee stated that she did not hold office in member any political party.

On Memoranda Received from the Public Contesting her Suitability

25. The Speaker noted that the nominee had responded to written memoranda against her nomination in writing.

MIN. NO. /COA/2024/055: ADJOURNMENT AND DATE OF NEXT MEETING

The meeting was adjourned at 12.03 pm until 12:30pm on the same day.

SIGNED: Wetangula DATE: 13/8/24

**HON. (DR.) MOSES WETANGULA, EGH, M.P.
SPEAKER OF THE NATIONAL ASSEMBLY
(CHAIRPERSON)**



**THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - THIRD SESSION (2024)**

MINUTES OF THE 14TH SITTING OF THE COMMITTEE ON APPOINTMENTS HELD ON FRIDAY, 9TH AUGUST, 2024 IN THE MINI CHAMBER, FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDINGS AT 12:30 P.M.

PRESENT

1. The Rt. Hon. (Dr.) Moses Wetangula, EGH, M.P. - **Speaker of the National Assembly/Chairperson**
2. The Hon. Gladys J. Boss, MGH, M.P. - Deputy Speaker of the National Assembly
3. The Hon. Kimani Ichung'wah, EGH, M.P. - Leader of the Majority Party
4. The Hon. Junet Mohamed, CBS, M.P. - Leader of the Minority Party
5. The Hon. Robert Mbui, CBS, M.P. - Deputy Leader of Minority Party

6. The Hon. Owen Baya, CBS, M.P. - Deputy Leader of Majority Party
7. The Hon. Mishi Mboko, CBS, M.P.
8. The Hon. Abdul Rahim Dawood, M.P.
9. The Hon. David Gikaria, M.P.
10. The Hon. David Pkosing, CBS, M.P.
11. The Hon. Dido Ali Raso, M.P.
12. The Hon. Stephen Mule, M.P.
13. The Hon. Mary Emaase, M.P.
14. The Hon. Naisula Lesuuda, M.P.
15. The Hon. Abdi Shurie, M.P.
16. The Hon. George Gitonga Murugara, M.P.
17. The Hon. Rahab Wachira Mukami, M.P.

ABSENT WITH APOLOGIES

1. The Hon. Ferdinand Wanyonyi, M.P.
2. The Hon. Nelson Koech, M.P.
3. The Hon. Caleb Amisi, M.P.

IN-ATTENDANCE

1. Mr Samuel Njoroge, MBS
2. Mr. Nicholas Emejen
3. Mr. Michael Karuru
4. Ms. Leah Mwaaura
5. Dr. Andrew Shangirai
6. Mr. David Ng'eno
7. Mr. Ronald Walala
8. Ms. Emma Essendi
9. Ms. Judy Kanyoko
10. Ms. Fiona Musili
11. Mr. Andrew Kipchumba
12. Mr. Mark Namaswa
13. Mr. Letaya Morintat
14. Ms. Vivienne Ogega
15. Mr. John Ng'ang'a
16. Ms. Faith Makena

NATIONAL ASSEMBLY

- The Clerk of the National Assembly
- Deputy Director, Committees Services
- Deputy Director, Legal Services
- Principal Clerk Assistant II
- Principal Serjeant-at-Arms
- Principal Research Officer
- Senior Legal Counsel
- Senior Legal Counsel
- Legal Counsel
- Research Officer I
- Clerk Assistant III
- Clerk Assistant III
- Clerk Assistant III
- Research Officer III
- Audio Officer
- Serjeant-At-Arms

Agenda

1. Preliminaries
2. **Approval Hearing of Ms. Dorcas Agik Odhong Odour, SC, EBS, OGW as the nominee for the position of the Attorney General**
3. Adjournment

MIN.NO. /COA/2024/056:

PRELIMINARIES

The Chairperson called the meeting to order at 12:30 p.m

MIN.NO. /COA/2024/057: APPROVAL HEARING OF MS. DORCAS AGIK ODHONG ODUOR, SC, EBS, OGW AS THE NOMINEE FOR THE POSITION OF THE ATTORNEY GENERAL

Ms. Dorcas Agik Odhong Oduor, SC, EBS, OGW, the Attorney General nominee, appeared before the Committee on Friday, 9th August 2024 and was orally interviewed pursuant to the provisions of the Constitution of Kenya, the Public Appointments (Parliamentary approvals) Act, 2011 and the Standing Orders of the National Assembly.

The Chairperson invited the nominee to take oath and thereafter directed her to submit her documents for verification by the Clerk. The nominee presented the following documents—

1. Questionnaire;
2. Curriculum Vitae;
3. Original academic certificates and testimonials;
4. Original National Identification Card;
5. KRA Tax Compliance Certificate;

6. EACC Declaration Form;
7. DCI Certificate of Good Conduct;
8. Higher Education Loans Board (HELB) Compliance Certificate;
9. Commission for University Education Recognition and Accreditation letter;
10. Credit Reference Bureau Clearance; and
11. Clearance from the Office of the Registrar of Political Parties.

The nominee then proceeded to give an opening statement on her education and professional background and suitability as follows—

Education and Professional Background

The nominee stated as follows: THAT—

1. She holds the following academic and professional qualifications: a Master of Arts Degree in International Conflict Management from the University of Nairobi (2015); a Postgraduate Diploma in Law from the Kenya School of Law (1991); a Bachelor of Laws Degree (Hons.) from the University of Nairobi (1990); the Kenya Advanced Certificate of Education from Lwak Girls High School (1985); and the Kenya Certificate of Education from Lwak Girls High School (1983).
2. She was admitted to the bar as an advocate of the High Court of Kenya in 1992.
3. She has undertaken the following professional courses: Leadership Program for National Transformation at the Kenya School of Government in 2024; Public Policy Executive Programme at Strathmore University in 2020; Disability Rights in the African Context course at the University of Pretoria in 2015; a course on money laundering and terrorist financing through the Joint India-IMF training programme at the IMF Training Institute in Pune, India in 2011; and Result-Based Management and Performance Appraisal at the Kenya Institute of Administration in 2006.
4. She has served in various capacities, including Secretary, Public Prosecution, where she deputized the Director of Public Prosecutions in managing the ODP from 2017 to date; Deputy Director of Public Prosecutions in charge of the Economic, International, and Emerging Crimes Department from 2012 to 2017; Senior Deputy Prosecution Counsel from 2010 to 2012; Deputy Chief State Counsel from 2005 to 2010; and State Counsel from 1991 to 2005.

The nominee was also examined on the general understanding of sector issues and information contained in *the Questionnaire*. She responded as follows: THAT—

On her Greatest Achievement in the Public Service

5. The nominee highlighted her achievements in public service across four roles: as a courtroom lawyer, an officer in the Office of the Attorney General and the Director of Public Prosecutions, and as an officer in the ODP, all while working to improve access to justice. She chaired the Multi-agency task team on Post-election Violence and contributed to the development of several key pieces of legislation, including the Proceeds of Crime and Anti-Money Laundering Act, the Organized Crime Act, the Mutual Legal Assistance Bill, the Terrorism Bill, the Draft Transfer of Prisoners Bill, Confession Rules,

the IGAD conventions on MLA and extradition, and the Commonwealth Technical Working Team's review of the Harare Scheme on Mutual Legal Assistance. Additionally, she undertook the Mutual Evaluation of Swaziland on Money Laundering and Financing of Terrorism in February 2010 on behalf of ESAAMLG and the World Bank and participated in the trial of the 1998 Bomb Blast case in Nairobi and Dar es Salaam.

6. The nominee highlighted further her key achievements, including her nomination in 2000 to prosecute the Bomb Blast Victims case in New York from the 1998 attack. She successfully forfeited proceeds of crime for the first time as a prosecutor in the Gachanja Case, with the Supreme Court upholding the conviction. Additionally, in the Chris Okemo extradition case, where there was a conflict between the Office of the Director of Public Prosecutions and the Attorney-General on the responsibility to sign authority to proceed, she successfully litigated the case through the High Court, Court of Appeal, and ultimately the Supreme Court.

On her Achievements while in the Office of Attorney General and DPP

7. The nominee informed the Committee that while working in the Office of Director of Public Prosecution, she was appointed to serve in different Commissions such as the Akiwumi Commission on Land Clashes which instigated land reforms and the Goldenberg Commission that led to the reform in the PFM Act relooked.
8. The nominee also informed the Committee that she had taken part in Police reforms through the formation of the Independent Policing Oversight Authority (IPOA) and the National Police Service Commission (NPSC), the creation of the Office of the Inspector General of Police (IG) as single command of the National Police Service as well as the merger of the Kenya Police and the Administration Police under a single command.
9. The Committee was informed that on the international front, the nominee had worked with the Commonwealth Secretariat as an expert to review the Harare Scheme on Mutual Legal Assistance. This prompted the initiation of the Mutual Legal Assistance Act in Kenya.
10. She has also worked with the Financial Action Taskforce (FATF) – a group of G-7 countries that set the framework for addressing matters such as money laundering and asset forfeiture.
11. The nominee also informed the Committee that she is a trained evaluator. She had evaluated two countries on compliance with the 40 recommendations one in Africa and another in Europe.
12. The nominee informed the Committee that she had also played a role in the legislation of the Proceeds of Crime and Money Laundering Act (POCAMLA) as well as the Terrorism Finance Act which led to the formation of the National Financial Reporting Unit, the Asset Recovery Agency (ARA).
13. The nominee also stated that she had also worked with the United Nations (UN) and assisted Kenya during the formation of the UN Convention against International Organized Crime.

On the delinking of the Office of the AG from the Public Service Commission

14. The nominee indicated her full support for delinking the Office of the Attorney-General from the Public Service Commission. In her view, the delinking to allow the Office of the AG to recruit State Counsels would enable the Office of the Attorney-General to increase and rationalize its staff establishment; negotiate for better terms and conditions of employment for its staff; and expedite the handling of disciplinary matters.

On recruiting and retaining State Counsels in the Office of the AG

15. The nominee noted that much like the case of the Office of the Director of Public Prosecutions, the power of the AG to recruit own staff will enable the negotiation of better terms and conditions of service thereby enhancing retention of State Counsels.

On the loss of cases by the government

16. The nominee attributed the loss of cases filed against the government to three reasons: bad cases, inadequate representation, and errors by the Courts. To address the issue, if approved, she undertook to review the bad cases, mitigate the risk of litigation through out-of-court settlements, and provide sound legal advice to Ministries, Departments, and Agencies from the onset. To mitigate inadequate representation, she stated that she would enhance the capacity of State Counsels if approved. She added that she would put in place mechanisms to prevent loss of cases.

On her failed attempt to become a judge in the Court of Appeal

17. The nominee confirmed that her failure to become a judge was of no fault of her own but the fact that the vacant positions of JSC were few. She clarified that JSC does not give reasons for not hiring a candidate.

On sentiments that post-election violence suspects could not be prosecuted on account of insufficient evidence

18. The nominee informed the Committee that she chaired the Multi-agency team on Post-Election Violence which submitted a report to the President and thereafter to different arms of government to implement its recommendations. She added that the duty of the ODPP is to institute criminal proceedings upon reasonable conviction of sufficient evidence. In her view, she undertook her duty in accordance with the law.

On improving the quality of Government-sponsored Bills

19. The nominee attributed the finding of Bills as unconstitutional to the fact that most pieces of legislation being introduced are aimed at operationalizing the Constitution and contain new jurisprudence. In her view, these incidences would reduce as the Constitution matures. To resolve this, she submitted that she would identify the reasons for Bills being declared unconstitutional and provide advice on Bills that meet the constitutional requirements.

On AG's advice not being taken

20. The nominee noted that while the Attorney-General is the principal advisor of the Government on legal matters, the President makes decisions based on a culmination of all advice received on various matters from different experts in the different sectors. She submitted that she would provide efficient, just, fair, truthful, and professional advice in accordance with the law.

On Compensation

21. As custodian of the people's rights, the nominee indicated that she would oversee the operationalization of the Victim Protection Act and the Victim Protection Board to provide the standards of compensation.

On the realization of the two-thirds gender rule

22. Reiterating the constitutional requirement of the two-thirds gender rule, the nominee noted that the threshold had been realized at the ODPP.

On the standards of legal education and training

23. The nominee confirmed that there were two reports by taskforces formed to regularize legal education and training and two pending Bills before Parliament seeking to harmonize the standards of legal education and training and accreditation issues. She submitted that, if approved, she would look into the intervening factors and identify viable mechanisms responsive to lawyers' needs.
24. Citing the interventions to mitigate the issue at the ODPP such as the incorporation of advocate trainees as legal interns, she committed that it would be among her top priorities. In her view, there was need to relook pupillage within the Executive to absorb the affected persons.

On skewed unconscionable contracts between the government and international entities

25. The nominee stated that she would, in consultation with Cabinet, establish standard operating procedures to ensure quality assurance and ensure the inclusion of the Attorney-General in the entire contractual process to mitigate loss and risks unfavourable to Kenyans and guarantee responsiveness to Kenya's needs. She further added that the review of contractual clauses requires experts and professional State Counsel. In her view, adherence to the law is paramount in ensuring that the interests of Kenyans are protected.

On the review of the Constitution

26. The nominee noted that Kenya is a liberal democracy and a review of the Constitution can only be done with comprehensive public engagement. In her view, amendment of the Constitution can be relooked to ensure responsiveness to contemporary issues.

On politicization of government agencies such as the EACC

27. The nominee noted that all public officers are mandated to act in accordance with the law. She added that where any officer acts contrary to the law, the officers will be dealt with in accordance with the law.

On drafting of laws

28. The nominee confirmed to the Committee that she possesses legislative drafting skills as demonstrated by her participation in the drafting of various legislation including the Mutual Legal Assistance Bill, Organized Crime Act, Proceeds of Crime and Anti-Money Laundering Act, Terrorism Bill, Transfer of Prisoners Bill among others. None of which have been declared unconstitutional.

On public participation

29. The nominee identified key tenets of public participation as meaningful and impactful public engagement and accessibility of information. In her view, information must be availed in a language and format that is accessible to all. She noted the need for a robust policy and legal framework to guide public participation. She undertook, if approved, to submit a Bill on public participation to the National Assembly within 100 days.

On county governments incurring huge legal fees despite having County Attorneys

30. The nominee was of the view that the interplay between the national and county governments is quite cloudy and ought to be relooked by amending the Constitution. She noted the need to draw a clear boundary on the functions of both levels of government.

On the image of the Office of the Attorney-General

31. The nominee stated that she envisioned an Office of the Attorney-General that emulates the 'People's Lawyer' through its actions. She added that she would use the available tools and legislation to enhance the operations of the Office of the Attorney-General with the support of relevant stakeholders.

On unsatisfied judgements and pending cumulative awards

32. The nominee attributed the huge pending cumulative awards to interest accrued over time. She committed to undertake an audit to ascertain the pending cumulative awards and explore their settlement accordingly.

On the Office of the Public Trustee

33. The nominee informed the Committee that the Cabinet had directed that the Office of the Public Trustee be decentralized. As a priority, she committed that she would conduct public education and awareness through radio and online cafes and the use of strategic communication involving the media, civil society, and the general public if approved. She reiterated the need for information to be availed in a manner, format, and language that the public can understand.

On Review and Optimization of the Advocates Complaints Committee

34. The nominee stated that there was need to review the capacity and structure of the Advocates Complaints Commission, which operates under the Office of the Attorney-General, noting that it currently has only one panel.

On weak prosecution of corruption and economic crimes

35. The nominee acknowledged the weak prosecution of corruption cases attributing it to insufficient evidence. She noted the need for operationalizing Chapter Six of the Constitution by clarifying the roles of government agencies in the fight against corruption to improve the prosecution of cases. She also submitted that, with the support of the National Council on the Administration of Justice, she would spearhead the review of the process of hearing corruption cases to shorten the period. She added that asset forfeiture and confiscation, enhancement of the capacity of investigative officers, and consistent enforcement of the existing laws on corruption are key.

On the power of mercy

36. The nominee informed the Committee that she, on behalf of the Attorney-General, chaired the Power of Mercy Committee for ten years and acted in accordance with the law and in the best interests of the public.

On the conditions of detention of vulnerable persons

37. The nominee noted the need to relook at the conditions of detention of vulnerable people including women and Persons with Disabilities among others. She added that expediting cases, ensuring adequate legal representation, and use of mechanisms such as rehabilitation, restoration, and restitution would ensure humane treatment and dignity for the vulnerable persons in society. If approved as Attorney-General, she committed to reforming the criminal justice sector with the support of Parliament.

On protecting whistleblowers

38. The nominee indicated that she was aware that a Whistleblower Protection Bill, 2023 is before Parliament. She noted if enacted, the legislation will enhance the fight against corruption. She added that the Witness Protection Agency should be capacitated to protect and encourage reporting by whistleblowers to boost the fight against corruption.

On combating corruption in public procurement

39. The nominee was of the view that most of the corruption cases relate to public procurement. In her view, amendment of section 134 of the Public Procurement and Asset Disposal Act to review the threshold of procurement contracts that require approval by the Attorney-General would be paramount in combating corruption.

On legal aid within the Office of the Attorney-General

40. The nominee reiterated the need to operationalize the National Legal Aid Services in the Office of the Attorney-General. She added that successful operationalization of the Service would require more State Counsels and decentralization to all counties and court stations.

On addressing emerging crime through formulation of legislation

41. The nominee was of the view that emerging crime such as those relating to cryptocurrency have not been legislated on. She informed the Committee that she was currently assisting a neighbouring country to prepare regulations relating to cryptocurrency. It was her submission that with her expertise on the matters she would recommend to government laws on emerging crime, if approved.

On Alternative Dispute Resolution

42. The nominee indicated that ADR is a fundamental aspect of justice as enshrined in the Constitution. She highlighted some alternative dispute resolution mechanisms used in criminal matters at the Office of the Director of Public Prosecutions such as diversion, deferred prosecution, and plea bargaining.

On harmonious working relationship with the Solicitor-General

43. The nominee submitted that she would provide leadership and create a good working structure to ensure a harmonious working relationship with the Solicitor-General.

On court disputes between government agencies

44. The nominee was of the view that ADR is significant in resolving cases between government agencies to prevent loss of public funds.

On outdated laws that are inconsistent with the Constitution

45. Acknowledging the existence of obsolete laws inconsistent with the Constitution and as a Commissioner of the Kenya Law Reform Commission, the nominee informed the Committee that she would initiate the review of such laws. Further, she submitted that many offences need to be decriminalized.

On the release of Kenyan prisoners in foreign countries

46. The nominee noted that the Transfer of Prisoners Act exists to facilitate the implementation of arrangements made for the transfer of persons serving sentences of imprisonment in foreign jurisdictions.
47. In relation to the case of a Kenyan from Uasin Gishu County who was jailed in Indonesia for 10 years, the nominee noted that there is need for reciprocal bilateral agreements to be entered into with each jurisdiction to ensure the successful release of prisoners in foreign countries.

On delegated prosecution

48. The nominee noted the need for establishing delegated prosecution guidelines to divert petty offences such as touting for *Matatu* SACCOs to handle and city/municipal courts to handle.

On the recovery of monies lost through pyramid schemes

49. The nominee stated that together with the Office of the Director of Public Prosecutions and other investigative agencies, she would pursue the recovery of monies lost through

pyramid schemes, if approved. In the alternative, she would explore such recovery through asset forfeiture and confiscation.

On incorporation of Kenya Sign Language (KSL) interpreters in the Office of the Attorney-General to serve the deaf

50. In line with the requirement for the availability of information in an accessible form and language, she would consider the incorporation of KSL interpreters and other relevant formats and languages.

On the enforcement of Article 37 of the Constitution

51. The nominee submitted that communication and public awareness to citizens and law enforcement agencies is fundamental in ensuring a balance between the right to picket versus the role of security organs to enforce order.

On the regulation of religious institutions

52. The nominee indicated that the Presidential Taskforce on the Review of the Legal and Regulatory Framework Governing Religious Organisations had concluded its inquiry and presented its report. She added that, if approved, she would be part of those mandated to implement the recommendations of the report.

On reforms to streamline the registration of companies

53. The nominee informed the Committee that she would reengineer the processes in the Business Registration Service to ensure the provision of timely and efficient services.

Estimated Net worth and sources of income

41. The nominee estimated her net worth to be Kshs.85,052,475.10 million comprising of immovable properties and motor vehicles.

Memoranda

42. The Speaker noted that the nominee had responded to written memoranda against her nomination in writing.

MIN. NO. /COA/2024/058: ADJOURNMENT AND DATE OF NEXT MEETING

There being no other business, the meeting was adjourned at 3.07 pm. The next meeting will be held on Tuesday 13th, August 2024 from 8:00 a.m.

SIGNED: Wetangula DATE: 13/8/24

**HON. (DR.) MOSES WETANGULA, EGH, M.P.
SPEAKER OF THE NATIONAL ASSEMBLY
(CHAIRPERSON)**

MEMORANDA FROM THE PUBLIC

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY OF KENYA,

TO:

**THE NATIONAL ASSEMBLY OF KENYA
NAIROBI.**

I, **ELIUD KARANJA MATINDI**, an adult of sound mind, disposition and a citizen of Kenya presently resident in **POOLE** in the local authority area of **BOURNEMOUTH, CHRISTCHURCH AND POOLE**, United Kingdom of Great Britain and Northern Ireland, hereby solemnly makes oath and states **THAT:**

A. INTRODUCTION.

1. I contest the approval, by the National Assembly, of the following persons, nominated by H.E. the President, for appointment to the national executive of the Republic, **namely:**

1) DORCAS AGIK ODUOR - for appointment to the position of ATTORNEY-GENERAL OF THE REPUBLIC;

2) BEATRICE ASKUL MOE – for appointment to be a CABINET SECRETARY

B. MY CONTESTATION AGAINST APPROVAL OF DORCAS AGIK ODUOR.

2. Article 156(3) of the Constitution, as read together with Article 166, sets out the qualifications for appointment as Attorney-General of the Republic.

3. It is my humble opinion that H.E., the President, cannot lawfully, at his personal and absolute discretion, make a determination that a person meets the prescribed qualifications for appointment as Attorney-General, thereby nominating that person for approval, by the National Assembly, for appointment to the nominated office.

4. The question whether a person meets the qualifications for appointment as Attorney-General, as set out in Articles 156(3) and 166, can only be determined, (including in

accordance with the national values and principles of governance - including the rule of law, human dignity, equity, inclusiveness, equality, human rights, non-discrimination, protection of the marginalised, good governance, integrity, transparency and accountability), after fair competition and merit as provided by Article 232(1)(g) of the Constitution.

5. My view receives further support from Article 236 of the Constitution, as read together with Sections 6(5) and 12(1), **OFFICE OF THE ATTORNEY-GENERAL ACT [CAP. 6A.]** Additional support for my opinion comes from reading Article 157(2, 3 and 10) of the Constitution alongside Section 8, **OFFICE OF DIRECTOR OF PUBLIC PROSECUTIONS ACT [CAP. 6B].**
6. The statutory independence granted to the Attorney-General in the exercise of the powers and performance of functions of the office and protection from dismissal without due process (other than as provided by Section 12(2) of the **OFFICE OF THE ATTORNEY-GENERAL ACT [CAP. 6A.]** - much like Article 157(10) of the Constitution in relation to the **DIRECTOR OF PUBLIC PROSECUTIONS** (but for the latter being a constitutional edict) - is, in my considered opinion, further evidence that the person nominated by H.E., the President for approval and appointment to the office of Attorney-General, shall, like the person nominated for approval to be appointed as the **DIRECTOR OR PUBLIC PROSECUTIONS**, be identified following fair competition and merit. It is only through a fair competition and merit process that it can be demonstrated that nominee satisfies the qualifications for appointment as set out in Article 156(3), as read together with Article 166(2 and 3), of the Constitution.
7. It is a matter of public record that **DORCAS AGIK ODUOR** was not identified as nominee for appointment to the office of Attorney-General of the Republic following a fair competition and merit process. It cannot, therefore, be demonstrated that, if approved and appointed, the nominee will have met the qualifications for appointment as Attorney-General of the Republic.
8. For these reasons, the National Assembly cannot lawfully approve the nomination of **DORCAS AGIK ODUOR** for appointment as the Attorney-General of the Republic.

9. It must, instead, decline to approve that nomination until H.E., the President nominates a person who meets the requirements of **Articles 156(3), 166 and 232(1)(g)** of the Constitution.

C. MY CONTESTATION AGAINST APPROVAL OF BEATRICE ASKUL MOE.

- 10.** It is a matter of public record and notoriety that, at the time of her nomination for approval for appointment to the national executive of the Republic on **30.07.2024**, **BEATRICE ASKUL MOE**, was not only a member of the **ORANGE DEMOCRATIC MOVEMENT (ODM)** political party, she was a member of that Party's Elections Committee.
- 11.** In a statement dated **31.07.2024** and published on its Twitter/X handle, **@TheODMParty**, the **ODM** Party confirmed resignations, from the party, of its members nominated for appointment as members of the national executive of the Republic. **BEATRICE ASKUL MOE** was one of the persons resigning their party membership following her nomination on **30.07.2024**.
- 12.** The Constitution, including under **Articles 4(2), 10(2), 90, 91 and 108**, decrees that Kenya shall be a multi-party democratic State. This requires existence of plurality of political parties and ideologies, whereby the people, including in the exercise of their rights under **Article 38**, have a genuine and credible choice between different political parties, ideologies and independent candidates. This political and ideological distinction and differentiation extends to composition and membership of the national executive of the Republic, as it is in Parliament and county assemblies. Distinct political and ideological stances are the bare minimum required to achieve a multi-party democratic State as decreed by **Article 4(2)** of the Constitution.
- 13.** On the basis of the above, I submit that H.E., the President, cannot lawfully nominate, for approval by the National Assembly, for appointment as members of national executive of the Republic, persons who are or have been publicly, generally and notoriously known as, associated with and/or are or have been members of political parties or coalition of political parties in opposition to the President's.

14. It is a matter of public record and notoriety that H.E., the President's political party, **UNITED DEMOCRATIC ALLIANCE (UDA)** and its coalition partners in the **KENYA KWANZA ALLIANCE (KKA)** are political rivals to the **ODM** party and its coalition partners, **AZIMIO LA UMOJA ONE KENYA COALITION. RAILA AMOLO ODINGA**, the leader of **ODM**, was a rival presidential candidate in the elections held on **09.08.2022** in which H.E., the President was elected.
15. The political and ideological differences between H.E., the President's political party, **UDA/KENYA KWANZA ALLIANCE** and **ODM/AZIMIO LA UMOJA ONE KENYA COALITION**, as distinct entities under the Constitution, is reinforced by the fact that **JAMES OPIYO WANDAYI**, one of the nominees whose nominations I have separately contested, was the Leader of the Minority Party or coalition of parties in the National Assembly pursuant to **Article 108** of the Constitution.
16. It is further a matter of public record and notoriety that, at the time of her nomination for approval for appointment to the national executive of the Republic on **30.07.2024**, **BEATRICE ASKUL MOE**, was not only a member of the **ORANGE DEMOCRATIC MOVEMENT (ODM)** political party, she was a member of the Party's Elections Committee. The nominee resigned as a member of **ODM** party after her nomination to be approved for appointment to be a member of the national executive of the Republic.
17. The purpose and/or effect of the decision of H.E., the President, to nominate **BEATRICE ASKUL MOE**, a member of **ODM** party and, indeed, a member of its Elections Committee, to be approved for appointment as members of his Cabinet, is to destroy Kenya as a multi-party democracy, in contravention of the Constitution, including **Articles 1, 2, 3, 4(2), 10, 90, 91, 97, 108, 129, 130, 132 and 152**.
18. The nomination is further an abuse of the responsibilities imposed on the President under Chapter Six of the Constitution, including **Articles 73, 74 and 75**.
19. I therefore humbly request the National Assembly to decline to approve the nomination. The President cannot, lawfully, decapitate, gut and feed on the carcasses of rival political parties by co-opting their publicly-declared members. This violates the constitutional edict that Kenya shall be a multi-party democratic State, founded on the national values and principles of governance set out in **Article 10** of the Constitution.

20. The National Assembly must, instead and as required by the Constitution, decline to approve the nomination as any approval would be unconstitutional, null and void.


21. In support of my averments herein, I attach, marked as "ANNEXURE: EKM", a screenshot of the statement published by the ODM political party on its Twitter/X handle - @TheODMParty - on 31.07.2024, notifying of the resignation from its membership, of BEATRICE ASKUL MOE. In addition to being a member of the ODM party, the statement confirms BEATRICE ASKUL MOE was a member of the Party's Elections Committee. The publication may also be accessed at URL - <https://x.com/TheODMparty/status/1818667506514464876> (last accessed on 06.08.2024.)

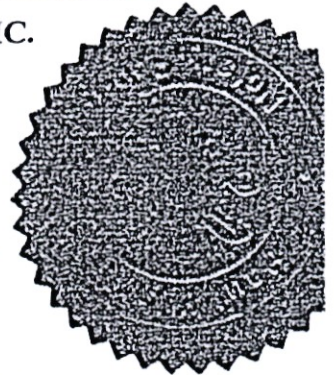
22. What is deponed to hereinabove is true to the best of my knowledge, save what has been deponed to on information and belief, the sources and grounds whereof have been respectively specified.



MADE UNDER OATH AND SIGNED BY THE SAID, ELIUD KARANJA MATINDI,
ON THIS 6TH DAY OF AUGUST, 2024, AT 27 BASCOTT ROAD, BOURNEMOUTH,
BH11 8RJ, IN THE PRESENCE OF PAUL WINTLE, NOTARY PUBLIC.
DRAWN AND SUBMITTED BY:

ELIUD KARANJA MATINDI


Paul Wintle, Notary Public
27 Bascott Road Bournemouth
Dorset BH11 8RJ
0044 1202 267818



Contact address for the purpose of this statement is Email address Bavance13@gmail.com

SUBMITTED TO:

THE CLERK OF THE NATIONAL ASSEMBLY OF KENYA VIA E-MAIL
ADDRESSES cna@parliament.go.ke and
appointments.nationalassembly@parliament.go.ke

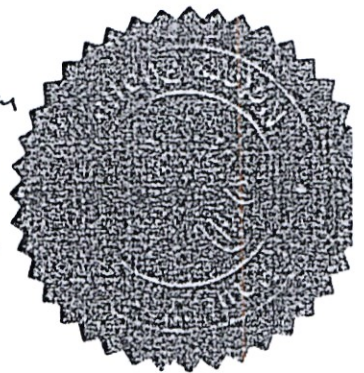
ANNEXURE:

EKM

This is the Exhibit referred to as
'EKM' in the affidavit of
Eliud Karanja Mutindi
Sworn to's 6th August 2024
Before me



Paul Wintle, Notary Public
27 Bascott Road Bourne mouth
Dorset BH11 8RJ
0044 1202 267818



ODM
TUKO TAYARI

**JULY 31, 2024.
RESOLUTIONS OF THE CENTRAL MANAGEMENT
COMMITTEE**

The Central Management Committee of the Orange Democratic Movement, meeting under the chairmanship of Party Leader Rt. Hon. Raila Odinga today resolved as follows:

1. That the party has officially released its officials who were recently tapped by President William Ruto for national duty as Cabinet secretaries. I confirm that I have received the resignations of Hon John Mbadi as National Chairperson, Hon Opiyo Wandayi as Secretary for Political Affairs, H.E Wycliffe Oparanya and Hassan Joho as Deputy Party Leaders, and Beatrice Askul Moe as a member of the Party Elections Committee.
2. We reiterate that there is no agreement of any nature between ODM and Kenya Kwanza. ODM therefore remains a member of the Azimio La Umoja One Kenya Coalition and will continue to play its opposition role alongside other parties to push for accountability, transparency and equity in governance and public affairs.
3. That in the wake of the vacancies occasioned by the nominations, the Party shall be embarking on wide consultations amongst its membership in order to fill those vacancies.
4. That as far as to the vacancies in the Party's Parliamentary leadership, the committee will be proposing to the Azimio DC that: the Hon. Janet Njoroge take up the role of

← Post

that the Hon Caleb Arusi take up the role of Chair PAC left vacant by Hon Mbadi and lastly Hon. Oundo to take up the seat of Vice Chair PIC.

5. That ODM remains committed to the idea of a national conversation to discuss the emerging issues that precipitated the current national crisis.
6. That ODM fully supports the issues raised by Kenyans and Particularly Gen Z, and notes that they are neither new nor difficult to understand. The issues, including but not limited to equity, unemployment, run away corruption, were raised by Azimio last year, they came up following the election violence of 2007-2008 and found their way into the Peace Accord as Agenda Item Number Four, but were forgotten as soon as normalcy returned. They have to be dealt with conclusively once and for all in a structured manner, with agreed timelines.


Paul Wintle, Notary Public
27 Bascott Road Bournemouth
Dorset BH11 8RJ
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me as an indigenous resident of Nairobi in Mutuini ward, Dagoretti and this action cumulatively displaced from my home area following an attack to take my life spearheaded by Karen OCS Patrick Macharia, Teresia Mburu and Norman Wanyiri and prisoners in detention at Karen Police Station.

The nominee Dorcas Oduor failed to invoke article 245 to order the inspector general of the Police Service to re-open investigations following my appeal to the new director public prosecutions Renson Igonga Mulele. I was impeded from accessing the director in a visit to that office by the gate keepers who had express instructions from the nominee and the matter was dealt with by the same Jacinta Nyamosi arriving at the same verdict while asking me to provide more evidence ignoring the fact that the investigators had created a conundrum to bungling the investigations and no orders were made on the complaint of insecurity which continue unabated forcing me to change residences for over six(6)years during the life of the probe and I attach of copy of letter reflected the catankerous nature of the officer forcing her position 'down my throat'. The investigative agencies failed to take my personal statements and this investigation were processed to achieve failure to protect the culprits Teresia Mburu and Norman Wanjiru the masterminds of the attack and attempted murder and police officer Patrick Macharia as the executioner.

The nominee summoned the handling of the complaint at her from Gertrude Kiilu and Ondari the earlier who used to share correspondences in that office until I complained of insecurity and the matter was craftily insulated from me as the complainant and the same applied to the office of IPOA (Independent Police Oversight Authority) where the investigator was one polline and later Jeremiah Arodi who was appointed as Director investigations from the office of EACC (Ethics and Anti-corruptions Commission). I attach correspondences of my complaint letters and replies from ODPP and IPOA.

Ms. Am Watila Director complaints and legal affairs had declined admit my complaint for investigation changing it to contempt of court but re-admitted it following my protest with a letter to then chief executive Mr. Mabonga and a visit to the chairman Macharia Njeru. The matter was to stall following this officers end of tour of duty and polline who refused to initiate the investigations citing she was friends with the police officer Patrick Macharia and my neighbor Dr. Ndagwatha who she said he had refused to be a witness. He was supposed to be co-accused as he co-ordinated the attack on behalf of Teresia Mburu n Norman Wanyiri.

A complaint of my brother, who suffers depression, to the Director of public prosecutions of malicious prosecution by the Dagoretti Police Post. The first case was withdrawn by a Kibera court and the second by Kikuyu law courts. The police dragged my brother in court even after complaint and no action was taken by the Director of Criminal Investigations and Director of Public Prosecutions. Mr. Kamau

refused to intervene and in one occasion the nominee came shouting and gesticulating in the corridors asking who has not received services and then walking back to her office. My brother, who I accompanied, was ordered by Mr Kamau never to go to that office and the matter was referred to Kiambu ODPP Office with no action to date by one Ms. Maswai on the directions of the nominee. I attach the correspondences for your reference.

Reported a matter of fraud of Government land in allocated to a Ugandan national Mr. Isabiriye Mugoya trading as Mugoya construction Ltd. I was instructed to sell the piece of land by lawyer Gideon Meenye of Kirima and Meenye Advocates who owed me Ksh. 4.5 Million in a previous transaction and sale of motor vehicle. The office of director of public prosecutions and director of criminal investigation did not take action due to the influence of one of the partners of Meenye and Kirima advocates who is a member of parliament, where Meenye presided over the fraud and Sanitized the allocation through a court order, allocated to Gathoni Ltd whose Directors and are anonymous and the buyer was financed by family Bank Ltd whose lawyer is Waweru Gatonye. I met the nominee in the

Company of this lawyer and approached her to grant me appointment over my complaints reported to her office and she contemptuously told me to write a letter which I did but she declined to see me. I reported the matter to the National land commission and was directed to an officer one Antipus Nyajwa who is now believed. I furnished him with correspondences related to this land off Mombasa Road i.e. title court order and complaints to the security officer Mr. Nyajwa who while in a meeting at Nairobi West Madaraka area threatened to kill me while there was a lady in his company who accompanying him, making photos of me and a friend Mr. Mbugua who accompanied me to the meeting. He stated I had reported the matter to the nominee and Mr Kinyua of the land fraud and warned me not to pursue the matter and refrained myself.

I instructed lawyer Waweru Gatonye who I had met in the company of the nominee at Karen to pursue the complaint before her. Mr. Waweru Gatonye to-date slept into the matter. Attempts to mount a petition have been thwarted by lawyer John Khaminwa Mwaure, Harrison Kinyanjui, Muturi Kigano and Elisha Ongoya for unexplained reasons. I have lost instruction fees on the lawyers and have requested Kenya human rights commission to mount a petition I requested after being priced out by the respective lawyers.

I hail from Mutu-ini location of Dagoretti South Coast influence and believe the nominee is conflicted towards tribalism and favouring colleagues in her profession i.e. senior lawyers and she would enjoy preponderance of power to protect errant lawyers reported at the advocate's disciplinary committee. Further the nominees

state capture of even other institutions does not stop her interfering with the presidency through her appointment which is my last frontier of defence of security.

I thank you for the parliamentary committees' candor and I will appreciate your discretion.

Yours faithfully,


DENNIS KANGETHE ITUI

BACKGROUND INFORMATION ON COMPLAINT

I petitioned against the appointment of Jacinta Nyamosi as Director of public prosecutions over the handling of this assault and attempted murder complaint. Attach copy of petition for your reference.

Following a visit to IPOA to settle IPOA chief executive Maina Njoroge he paraded the Directors of that office namely, D.M Watila, J. Arodi, Nderitu and castigated me for complaining to the interior cabinet secretary Fred Matiangi following a communication to the ODPP.

I was informed by Mr. Njoroge that because of the complaint they will not investigate the matter and that they will seek an investigation report from Karen Police Station which in my case was the office being over sighted. They advertently through subterfuge manipulated my complaint to protect they culprits Teresiah Mburu Norman Wanyiri and Dr. Ndagwatha as the master minds and or bankrollers of the attack and the Police OCS as the executioner against prosecution. It follows therefore that Ms. D.M Wafila and the nominee could only work under supervision and after receiving the letter from the Ombudsman (CAJ) they moved with great speed to cover-up. This also applies to the ODPP's office under Jacinta Nyamosi under the watch of the nominee. I attach copies of letters to Cabinet Secretary Interior and Attorney General without whose intervention the complaint could not have been concluded.

Rent tribunal orders were in place when they attack took place and had been served to the Police Officer Patrick Macharia, the then PPO (Provincial Police Officer) Japheth Koome through her Deputy Madam Kakai, I followed up on the lady to enforce the tribunal orders without success. My lawyer Waweru Kiragu served the inspector general of the National Police Service to compel enforcement which was declined by the blatant and glaring attack on the Sunday morning 23rd October 2016 without a court order. Madam Kakai called Mr. Macharia after the attack and after I

This has also been followed by threats by your Mr. Antipus Nyanjwa who has divulged the information provided him to Mr. Meenye and I believe my life is in danger. A woman related to a Mr. Antipus photographed me and a Mr. Mbugua and I think they were confirming the source of the information to Mr. Meenye. I was introduced to Mr. Antipus by Mr. Mbugua who I believe is tailing me as an accomplice of Mr. Meenye and Mr. Nyanjwa. Mr. Mbugua is not well known to me and came to meet him as I showed him land in Kilimani which I am selling. There is imminent danger as this fellow, Mr. Mbugua makes more than twenty calls to me making enquiries daily and I have been forced to use mis-information propaganda on my whereabouts.

The land in question is being sold for Kshs. Seventy Five (75) Million and a deposit has already been paid which is facilitating stamp duty and rates payment. Mr. Nyanjwa has received bribe money through a lawyer, Mr. Ogola from Mr. Meenye to support the criminal act.

I therefore, share with you this information which I believe is in good hands to avert what would otherwise be fraud of enormous magnitude to the loss and detriment of the State, Family bank and the prospective buyer. This process involves shadowy players known to Mr. Antipus Nyanjwa, Lands officers and Family bank officials.

I await your prompt action.

Yours faithfully,



DENNIS KANG'ETHE ITUI



DENNIS KANGETHE ITUI

P.O.BOX 20593-00100

NAIROBI

EMAIL: kangetheitui995@gmail.com

TEL: 0721 670 892 / 0712 663739 /

0781 382 759

1st July 2020

HON. PAUL KARIUKI KIHARA

ATTORNEY GENERAL - ATTORNEY GENERAL CHAMBERS

P.O.BOX 40112-00100

NAIROBI

EMAIL: legal@justice.go.ke

RE: MISUSE OF OFFICE IN A CASE OF ATTEMPTED MURDER

I report the above quoted matter which is before all the investigating agencies. A police officer commanding Karen Police Station commanded a platoon of Police officers and Prisoners to my premises on 23rd, October 2016 and assaulted in an attempt to kill me over a property dispute before the rent restriction tribunal. During the ordeal four prisoners attempted to kill me by strangling me until I passed out. They stole and destroyed my property in a case of criminal contempt as there were court orders in place that the police officer was to ensure compliance. The police officer remains at large as the independent police oversight Authority have failed to prosecute the case which happened in broad daylight on a Sunday morning and attracted many members of the public. The attack left me with broken ribs, broken hand and bruises.

I list the following correspondences of communication with your investigative agencies who have stonewalled and plugged the investigations.

- 1) A copy of court order marked E1 issued on 18th, February 2016.
- 2) A copy of court order issued on 22nd December, 2016 after the incident marked E2.

- 3) A copy of a summons/letter marked E3 by the chief, Mr. Mbithi dated 17th, October 2016 for creating disturbance and spreading falsehoods/levelled against Teresia Mburu, the 1st respondent in case No. 148/2016 in the tribunal in contempt of the court orders.
- 4) A copy of 'judgement' dated 7/11/2016 marked E4 by senior chief Karen – FJO Waneno and PV Mbithi Assistant chief – Lenana. This was in breach of the court order dated 18th February 2016 to justify the attack on my premises, with the OCS feigning ignorance of the court order.
- 5) A copy of an official note by Mr. Gathecha, the Secretary Interior dated 31st October 2016 marked E5 to the Assistant Inspector General of Police Mr. Kingori Mwangi for action which was not forthcoming to date.
- 6) A copy of letter dated 29/08/2015 marked E6 to the Inspector General and received by the Director of Internal Affairs of a complaint by O.B. in contempt of Court order dated 18th February 2016.
- 7) A copy marked E7 dated 17th October 2016 of a letter to Cabinet Secretary Interior prior to the incident for fear of my life following the summon by the Karen Chief.
- 8) A copy marked E8 of a letter to the Cabinet Secretary Interior after the assault and the attempt on my life dated 31st October 2016.
- 9) Mr. Gathecha advised me to report the matter to the independent police oversight Authority and see copy marked E9 which wrote to the Chief Executive Independent Police Oversight Authority of the attempted murder dated 1st November 2016.
- 10) See copy marked E10 being the reply to my letter dated 15th November 2016 by the director complaints Ms. Watila who had charged my complaint from attempted murder to contempt of court order and advised me to follow-up the issue with a civil court.
- 11) See copy marked 11 a follow-up complaint letter to the Chief Executive Independent Police Oversight Authority one Mr. Mabong'a and expressed my reservations on failure to admit investigations of assault by police officers and their prisoners dated 15th November 2016.

- 12) See copy marked 12 being a review of the earlier letter and admitting the complaint for investigation in a letter dated 18th December 2016.
- 13) See copy of file reference marked 13 and 14 at the office of the Director Internal Affairs unit complaint referral written to the OCPD Karen Police Station Mr. Suyanka who presided over this Assault on me through the OCS Macharia in an attempt to kill me dated 24th October 2016.
- 14) See marked copy E15 of letter to the chief justice and /or Ombudsman office of one Mr. Bidali dated 10th October 2016 where no communication was forthcoming and I had written a complaint to the chief justice by a letter marked E17 as E16 computer printout was a confirmation of the complaint.
- 15) See copy marked E18 a letter replying to my complaint dated 4th March 2018 in reply to mine marked E17 by a Mr. Fredrick Momanyi, Assistant Registrar Office of Chief Justice.
- 16) See copy marked E19 of a complaint prior to the assault incident where the tribunal Deputy Chair refused to issue orders to the institutions which emboldened the police OCS Macharia to carry out a daring attack on my home dated 10th October 2016 in breach of the court order dated 18th February, 2016.
- 17) See a copy of letters marked E 20 and E 21 to the Chief Justice and the other to chairman of the Judicial Service Commission at the Kenya Re-Insurance Building. This letter was hijacked by the receiving officer, who conveyed it to Mr. Fredrick Momanyi who was to reply to both letters as if it was one, obstructing it from the attention of the Judicial Service Commission.
- 18) See copy of letter marked E-22 in reply to my two letters marked E-20 and E-21 which did not address my concerns and complaint and by stating the Honorable Chief Justice cannot interfere with the judicial process and my 2nd letter cannot access the Judicial Service Commission was in itself self-defeatist while setting me up to be bludgeoned by the Judicial Deputy chair of the tribunal.

- 19) See copy of letter dated 21st November 2016 marked E-23 to the Director of Public Prosecutions Mr. Keriako Tobiko during his attention to the attempted murder incident.
- 20) See copy of letter dated 29th December 2016 marked E-24 to the Independent policing oversight authority on my complaint.
- 21) See copy marked E-25 of a letter dated 18th October 2017 to the Director of Public Prosecutions a year later over failure by the Independent Police Oversight Authority to conduct investigations and frustrating the same.
- 22) I have also learnt overtime that lawyers representing the 1st and 2nd respondents in the case before the tribunal Ms. Teresia Mburu, my Landlord and would be seller of the premises and Norman Wanyiri, Mr. Aomo Odiwuor and Associates were detailed to frustrate the investigations through the payment of bribes by Mr. Norman Wanyiri to the investigators and/or officials of the Independent Police Oversight Authority. Mr. Ndagwatha a neighbor who was at the scene of crime and a person of interest in the investigation of the attempted murder ordeal is another conduit of bribes through a lady investigator Ms. Polline who have always been entertained by Mr. Ndagwatha's residence in the company of police OCS Mr. Macharia. Polline the head investigator, has left the employ of Independence Police Oversight Authority and she is enlisted with interfering with the investigation at Karen Police Station of a complaint launched with the DCI over a second attempt on my life.
- 23) See a copy of letter marked E-26 dated 3rd June 2019 to Mr. George Kinoti the Director of Criminal Investigations. This is after a report to the Director of Complaints one Muthoni failed see letter and/or referred form dated 1st November 2018 marked E-27
- 24) See copy of note marked E-28 dated 23rd February 2018 with which Mr. Gathecha referred me to Mr. Macharia Njeru, after several visits to the IPOA Chairman's office did not bear fruit, and met him at his office accompanied by the Chief Executive Mr. Mabong'a, who also had avoided my visit to his office through the secretary and admitted that the matter has stalled and promised action. He however asked me whether I have

ventilated the civil angle and I informed him that action from IPOA is required as there is a fresh attempt on my life. I doubted that action would be taken.

- 25) See copy marked E-29 dated 1st December 2017 a reply letter to mine dated 1st October 2017 by a Ms. Getrude Kiilu of the Director of Public Prosecutions. I however have never been able to meet this officer for the last four years and I have only been treated to orderlies at the reception. I met the Secretary Directorate of Public Prosecutions, one Dorcas Oduor an old hand in the office, out of office and she advised to write a letter to get an appointment to meet her. I wrote the letter and conveyed it to a young officer, Elizabeth who promised audience with the senior officer. I have to date been unable to know the initiative and progress of this complaint. A Mr. Kamau was on hand to frustrate my visits to secure appointment with officers supposed to deal with this matter together with my brothers ¹⁵⁵³⁴ Josephat Karanja Itui over malicious prosecution.
- 26) See copy marked E-30, a letter dated 11th October 2018 with two complaints REF: NO. ODPP/CAM/7/017/188 and No. ODPP-CAM-1-82 to Mr. Noordin Haji Director of Public Prosecutions to complain of failure and stalling of investigations at the Independent Police Oversight Authority and the connivance of his officers and those investigators to scuttle, bungle, plug and stonewall on the investigations.
- 27) See copy marked E-31 of a complaint referral form at the Director of public Prosecutions where I was referred to one Mr. Ondari on 25/11/2019 for advice by one Maureen. I was Impeded by the ~~additional~~ receptionists who would not tell you their names and who represent the Human face of the office.
- 28) See copy marked E-32 of a letter dated 16th October 2017 to the Chairman Economic and anti-corruption Commission of Kenya which the orderly at the front desk refused to admit for investigation and cited all manner of reasons to suggest that he knew of the matter even before it landed at the desk. It appeared he was taking advantage of the charged political environment at the time and the Independent Police Oversight Authority

Director Mr. Arondi Jeremiah is a former investigator with the agency and had leverage over the investigations of his former employer. I have lately sought appointment of the new chief Executive, Mr. Mbarak Twalib and my efforts have been thwarted by the Personal Assistant Mr. Mue. The office has a stereotyped reporting system where the orderlies of the Executive will vet what information will be admitted for investigations.

29) See copy marked E-33 and 34 letters to the Interior Cabinet Secretary, now Honorable Fred Matiangi seeking to have Independent Police Oversight Authority dispense with the investigation which has taken a painfully slow process while the culprits are known and remain at large. I have thereafter made several trips to the office of the President with a view to have a face to face with the Cabinet Secretary for Interior. A Mr. Karanja, a personal Assistant to the Cabinet Secretary assured that action would be taken which to date remains in limbo.

30) See copy of letter dated 22nd January 2020 to the Chairman, Nairobi rent restriction tribunal over the hearing dates whose Calendar is controlled by the respondents through the deputy Chair and the Case has been in abeyance since year 2017 over a judgement writing that took over two years.

The shenanigans behind my ordeal requires sober ventilation as it is grave, callous and to the extreme where police officers in an attempt to protect their own are ready to kill me. Mr. Macharia Njeru sits in the Judicial Service Commission as a representative of the law society. These investigations were plugged and stonewalled under his watch. The current chief executive Mr. Njoroge told me to my face that the letter I wrote the Internal Security Cabinet Secretary can cause them not to deal with the issue in a visit to his office early last year. But he however promised to conclude the investigations in two (2) weeks. He invited me a year later on my prodding and told me to be communicating through his Secretary and not through Mr. Arondi the Director of Investigations and the Director of Legal Affairs a Mr. Nderitu who have been unwilling to conclude the investigations.

I therefore call on you as the eminent government legal officer to stem this suffering which has bogged me down and totally disorganized me as I have to keep changing residences to break the trail of police officers. I do not trust the investigation that has been carried if any as the officers appear to have been 'cooking' the investigation to help the suspects and to exonerate themselves officially. One investigator's tour of duty has expired and forms the team that spy's on me, namely Polline. Mr. Arondi Mr. Nderitu and Polline have corruptly been influenced by the suspects to stall the investigation which has taken four years.

Lastly, I would recommend that in the constitutional changes envisaged, the police department should remain as one with no autonomous branches to eschew power overlap and duplication, as it was easier in my case for the Director of Criminal Investigations (DCI) to investigate the matter. The Law Society should not be represented at the judicial service commission and their disciplinary measures should be taken by the state law office immediately aspersions are cast with ^{Suspension} ~~suspicion~~ and admonition. This would stem prospect of state capture where am domiciled. I await your immediate action.

Yours faithfully,



DENNIS KANGETHE ITUI



REPUBLIC OF KENYA

OFFICE OF THE ATTORNEY GENERAL
&
DEPARTMENT OF JUSTICE

Ref: AG/CONF/15/2 Vol. XXIV

15th July 2020

Commission on Administrative Justice
Office of the Ombudsman
2nd Floor, West End Towers
Waiyaki Way – Westlands
NAIROBI

RE: **COMPLAINT BY MR. DENNIS KANGETHE ITUI**

Reference is made to the above matter and the letter by Mr. Dennis Kangethe Itui dated the 1st July 2020.

Upon perusal of the letter, which primarily relates to a complaint against officers of the National Police Service, dissatisfaction with the manner in which the complaint was addressed by the Independent Policing Oversight Authority and various issues taken with government institutions and officers, we consider that Mr. Itui's concerns would be best addressed through your good offices considering that the mandate of the Office of the Attorney General, as set out in the Constitution and Office of the Attorney General Act 2012, does not allow for interventions in policing, investigative or judicial proceedings in the manner that has been requested of the Hon. the Attorney General.

In this regard, attached please find Mr. Itui's letter and supporting documents for your kind attention and further action.

Musa Machooka
Adviser to the Attorney General
For: **ATTORNEY GENERAL**

Copy to: Mr. Dennis Kangethe Itui
P.O. Box 20593-00100
NAIROBI

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DENNIS KANGETHE ITUI
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16TH OCTOBER 2017

THE CHAIRMAN
EACC OF KENYA
P.O BOX
NAIROBI

Dear Sir,

RE: MISUSE OF OFFICE IN A CASE OF ATTEMPTED MURDER

I refer to the above quoted matter which I reported to the Independent Police Oversight Authority and the Director of Public Prosecution. A Police Officer unilaterally led a gang of prisoners to my premises on 23rd October 2016 and assaulted me in an attempt to kill me over a property dispute. They destroyed my property and stole many others, this was criminal contempt to circumvent justice as there were court orders in place that the then OCS Karen, Mr Macharia was to ensure compliance.

I moved to the tribunal over harassment by one Teresia Mburu and Norman Wanyiri over the premises which I rented from the former who claimed ownership but did not have letters of administration. They enlisted me to facilitate and aid the seeking of the letters of administration as a future interested party for purchase, however remained a tenant. It is on that basis that I secured orders restraining the 1st and 2nd Defendants from evicting or in any way interfering with my tenancy from the Rent Restriction Tribunal.

The conduct of that case and the investigation have taken a compromising position to the extent it has left me disenfranchised and fearing for my life. My attempts to see the chairman of the independent Police Oversight Authority and the Director of Public Prosecutions have been thwarted by the protocol in these offices to frustrate my endeavor to have this issue addressed. I had earlier last year complained to the Chief Executive through a letter dated 16th December 2016 complaining of the bungling of the investigations and attach the letters for your ease of reference.

I therefore call on your good office to investigate the officers, Ms. Watila and Mr. Lagat of the Independent Police Oversight Authority, for stalling the investigation, The OCS Macharia, Teresia Mburu, Norman Wanyiri, Chief Mbithi and Chief Waneno who were behind the attempt on my life. The case is interfered with through lawyer Aomo Odiwuor who was holding the brief for Teresia Mburu and Norman Wanyiri in the Tribunal Case.

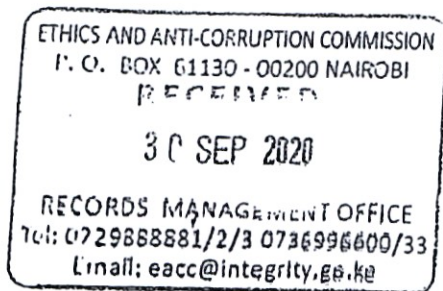
This failure to bring the culprits poses a threat to my life as these security officers enlist me^v and young women to lure me into traps and tail me.

I await your immediate action.

Yours faithfully,



DENNIS KANGETHE ITUI



DENNIS KANGETHE ITUI
P.O BOX 20593 -00100
NAIROBI

EMAIL: kangetheitui995@gmail.com
Tel: 0721 670982/0781 382759 /0712 663739

28th September 2020

THE CHAIRMAN,
ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)
INTEGRITY HOUSE.
NAIROBI.

Dear Sir,

RE: MISUSE OF OFFICE IN A CASE OF ATTEMPTED MURDER - REPORT DATED 1ST NOVEMBER 2016 TO THE INDEPENDENT POLICE OVERSIGHT AUTHORITY IPOA)

I refer to the above quoted issue which I reported to the Independent Police Oversight Authority and the Director of Public Prosecutions. A police OCS Mr. Macharia commandeering a gang of prisoners and police officers to my premises on the 23rd October 2016 assaulted me causing me grievous harm in an attempt to kill me over the premises whose legal matter was before the Rent Tribunal and there were orders in place barring the respondents from harassing and interfering with the quiet and peaceful enjoyment of the premises in a ruling dated 18th February 2016. The respondents, Teresiah Mburu and Norman Wanyiri, continued with the harassment unabated, the premises which I rented from Teresia Mburu who claimed ownership but did not have grant of letters of Administration or probate of will from her deceased husband Mr. Antony Muthumbi Kimotho. The police refused to ensure compliance of the said orders.

They enlisted me after three (3) months of stay in the premises to facilitate and aid in seeking the said letters of administration as a future interested party for purchase by paying Three Million Three Hundred Thousands (Kshs. 3,300, 000) as I remain as a tenant and it was on this basis that I sought and secured orders restraining Teresiah

Mburu and Norman Wanyiri from harassment, eviction or interfering with the tenancy.

The conduct of the investigations and the case before the tribunal have over the years taken a compromising position to the extent that it has left me disenfranchised amidst threats on my life which on two occasions have reported to the Directorate of Criminal Investigations. The officials of Independent Police Oversight Authority have continued bungling the investigations. The case at the tribunal follows the diary of this stalled investigations and it is noteworthy to state that there is a symbiotic relationship of the case at the rent tribunal which is the Genesis and motive of the attack and the Independent Police Oversight Authority. I complain and question this grand standing and failing to conclude investigations, keeping the matter secret while new security threats have emerges.

On 3rd June 2019 I reported to the Directorate of Criminal Investigations over this new threat on my life and I attach copy of this letter for your ease of reference.

The investigating officer at IPOA one Ms. Polline, who have completed her tour of duty has been interfering with the investigations of the threat to life at Karen Police Station - this police station is the one that perpetrated the attack on me through Mr. Macharia, the OCS. Ms. Polline, from reliable sources is with Mr. Macharia the OCS hosted at my neighbor's house, Mr. Ndagwatha. This officer (Ms Polline) told me that the reason for failure of concluding the investigations was because of lack of eye witnesses. Mr. Ndagwatha was on site during the attack accompanying OCS Macharia and I consider him a suspect as he appeared to have been co-ordinating the attack.

There was narrative that the Director of Complaints Management and Legal Services, a Ms Watila has been advanced through a letter dated 15TH December 2016 where she refused to admit the matter for investigations. This was a bidding for the defense lawyer, Aoma, Odiwuor and Advocates who represent Teresiah Mburu and Norman Wanyiri in the rent tribunal case No.148 of 2016 having been enlisted, Ms Watila and Mr. Lagat frustrated this investigations from the beginning.

This prompted me to write on 16th December 2016, questioning whether matters assault and attempted murder are civil matters prompting her to open the investigations by a letter dated 28th December 2016. This was the last correspondence and action from this officer and I attach copies for ease of reference.

After the assault incident, Ms. BW Mathenge, the Deputy Chair of the rent tribunal did not take any action against Teresiah Mburu and Norman Wanyiri over the criminal contempt and has been on hand to frustrate the hearing of the matter and contempt proceedings. I have read conspiracy of sorts between this rent tribunal, the Deputy chair B.W. Mathenge and the IPOA senior officers, Mr. Arondi head of investigations, Ms Watila head of complaints, the lead investigator, Ms Polline, Mr. Lagat, head forensics, Mr. Nderitu, head legal services and Mr. Njoroge the Chief Executive Independence Police Oversight Authority who have maintained this status quo in stalling the investigations. I recently on 22nd January 2020 wrote to the chairman of the rent tribunal to grant the case a hearing which the lady Deputy chair declined. See copy of letter for your reference.

I complained to the chief justice with a letter dated 10th October 2016 and could not sign as my right hand had a cast on following the injuries I sustained during the attack on 23rd October 2016. Mr. Momanyi of the Chief Justice replied that the Chief Justice cannot interfere and I should appeal to the High Court or petition for judicial review with the letter dated 6th November 2018. This matter remain in limbo and the action he contemplated is difficult to achieve as the case takes diversionary direction with the deputy chair of the tribunal entertaining the respondents' lawyer, Mr. Kanyi Ndurumo who took over the case from lawyer Aomo Odiwuor to cover up for this venture of stalling the investigations. I again complained by a letter dated 16th March 2017 but Mr. Momanyi would a year later reply and maintain the same position with a reply dated 4th May 2018. I further wrote on 18th October 2017 to the Chairman Judicial Service Commission and Mr. Momanyi declined to comment on this letter. I attach copies of the letters for your reference.

I had on November 2016 written to the Director of Public Prosecutions over the Independent Police Oversight Authority seeming unwillingness to investigate the issue. A Ms. Gertrude Kiilu wrote to the Independent Police Oversight Authority on 29th December 2016 and directed that investigations be carried out. I again wrote a second letter to the Director of Public Prosecution on 18th October 2017, almost a year later and narrated the unwillingness of the IPOA officers to investigate and their being compromised to protect the culprits from investigations and subsequent prosecution which the same Getrude Kiilu reminded the Independent Police Oversight Authority to act on the matter.

Ms. Watila maintained a blockage of their offices through the receptionists, secretary to the chief executive and orderlies of security to impede my access to the senior's officers. I had to seek directions from the secretary, interior Mr. Gathecha, who had earlier directed me to complain to IPOA offices who gave me a note dated 23rd February 2018 to Mr. Macharia Njeru, the Chairman, after failure to access the office of the then chief executive, Mr. Mabong'a who had directed the complaints director to open investigations following my earlier complaint, who completed their tour of duty before any action taken.

I had earlier written to the cabinet secretary interior Mr. Fred Matiang'i and cited insecurity over the stalled investigations with letters dated 21st February 2018 and 23RD May 2018. I then later on 11TH October 2018 wrote to the Director of Public Prosecutions over insecurity issues of prowlers and trailers where I have been changing residences severally from Karen to Thika Road and I attach the letters of the complaint.

I called on the office of the Chief Executive, Mr. Njoroge where he told me to see the investigative officer Polline who promised that she is concluding the investigations. I called on Mr. Njoroge the CEO again after six (6) months who gave me a dress-down and intimidation over the letters I wrote to the Cabinet Secretary Interior Mr. Fred Matiang'i. Mr. Njoroge said that the letter may cause him not to deal with the issue and he suggested that I opt for alternative dispute resolution which I declined as the last communication to me was on 28th December 2016 and I told him that he will not cow me to submission to their erstwhile plot to help the culprits escape prosecution. Mr. Njoroge stated that the investigations will be concluded within two (2) weeks as is characteristic of that office's miasma of deceit. I got the same hostile reception at the Director of Public Prosecutions offices from a Mr. Kamau, who together with long time orderlies in that office blocked me from being served in that office to date. The latest that I sought the attention of a Mr. Ondari was on 25th November 2019 with a referral complaints form from one Ms. Maureen in their new offices at Upper Hill, but could not succeed. I attach copies of these letters and the referral form for your reference.

I had written to the chairman, National Police Service Commission for action on the officers who attacked me who are still at large and still in office i.e. Mr. Macharia, the two chiefs at Karen Mr. Mbithi and Mr. Waneno who have been behind the latest

security threats which are impunity by the IPOA officers' failure to investigate and take action as they continue to protect the culprits from prosecution. See letter dated 9th February 2017.

I, therefore, in the light of the foregoing make a request that you open investigations on the Independent Police Oversight Officers Mr. Njoroge, the chief executive, Mr. Arondi, Director of investigations Mr. Nderitu, Director Legal services, Ms. Watila, Director Complaints, and Mr. Lagat, Head of forensics. Polline the investigations officer, Ms B.W. Mathenge, Deputy Chair rent tribunal, Odiwuor Aomo Advocates, Norman Wanyiri, Teresia Mburu, Advocate Kanyi Ndurumo and OCS Macharia over abuse of office and interference with the investigations.

Other interested parties would be the former chairman Macharia Njeru, a member of Judicial Service Commission (JSC), Mr. Mabong'a the then Chief Executive. This failure to investigate and take action has been buoyed by my failure to secure an appointment with the Cabinet Secretary Interior Mr. Fred Matiang'i through a Mr. Karanja, a personal assistant who I called on, lately on 15/7/2020 through a Mr. Onyancha having failed earlier to seek appointment. I had met him in early 2018 and handed him the letters to the Cabinet secretary Interior and to this date I have never received the response. I impressed on him to treat the matter seriously but he brushed the matter aside and told me to consider alternative dispute resolution with the culprits as envisaged by the CEO IPOA Mr. Njoroge. This is disparaging, intimidation and an abuse of the office of the president, whose oath of office included protecting all. Mr. Onyancha refused to deal with the issue thereafter on instructions from Mr. Karanja and blocked any avenue to secure an appointment with the Cabinet Secretary Mr. Fred Matiangi, my attempts to secure an appointment with new chairlady Ms. Ann Makori, was thwarted by the IPOA Chief Executive's secretary.

Mr. karanja is protecting the independent police oversight authority's officers (POA) from the flack of the cabinet secretary's response to this issue and I am sure the letters to Mr. Matiangi were not drawn to his attention.

I reported an attempt to swindle LR/748 Dagoretti/ Uthiru by one Rajan Rajnikant Dhanani of Nairobi Enterprises limited, Rashid Ngaira and Rose Ochanda of Agricultural Finance Corporation. I attach copy of complaint to director of criminal investigations. Following many unanswered correspondences to the corporation over the transfer of Title Deed mysteriously from the father Mr. Michael Kinyua Mbutia

to David Mbutia Kinyua and subsequently advancing a loan. The younger sibling, David Mbutia Kinyua died and the family was ambushed by the auctioneers of Agricultural Finance Corporation and they sought my help to secure a buyer to save them from losing the property. I attach copy of title.

Mr. Dhanani conspired with the AFC officials, Mr. Ngaira and Ms. Ochanda to swindle the property from the family after offering to buy directly from them by purporting to have bought the property at the auction which was not the case as I introduced the family to him and they agreed on a price as the family was desperate to extricate themselves from this situation. There was double tragedy for the family as the father died before the conclusion of the sale as Dhanani had stonewalled on the payments and was contemplating a second fraud on the title in the name of the younger Mbutia Kinyua who had earlier passed on. The family was forced by Dhanani to enter another agreement without him, with three others, two are who are foreigners, one a Somali and a Pakistani National who agreed to complete the sale at a reduced price. This was done behind my back as the initiator of the sale and this family had to agree to the fate of losing their ancestral land. No investigation was carried out. I attach copy of complaint to the director of criminal investigations and agreements between Mr. Dhanani and the Michael Kinyua Mbutia on the one part and his wife with the other parties. (Mr. Ashok Gudhka, Abdur Rhaman Ibram and Moledina Gulambass. I attach copy of passport and acquired ID. Cards and correspondences to Agricultural Finance Corporation.

Mr. Rajan had earlier bought another property on recovery at Ngegu near Kiambu Town through me on recovery where they conspired with Mr. Gideon Meenye, a lawyer and registered the property in the sisters name Ms. Nilam Nawab. The lawyer meenye and Dhanani did not pay my commission. Attach a copy of search and the title deeds.

On 22nd November 2019 I reported fraud and / or land acquired corruptly through land officials and registered in the names of Gathoni Limited. The land had previously been allocated to Isabiriye Mugoya of Mugoya Construction and I learnt of the issue when Gideon Meenye who is known to me and gave me the plot to put up for sale. I however declined to sell after a client demanded refund of a deposit as the company owning the land did not have directors in the file at the registrar of company's office. I attach copy of title survey plan gazettelement and issue of a provisional certificate,

certificate of sale by a Public auction and a vesting order acquired through the court system to authenticate the registration and subsequent sale transaction.

Gathoni Ltd is a company without physical directors and used for purposes of fraudulent and corrupt land acquisition and sale to unsuspecting buyers so that in case of any default the lawyer Gideon Kaumbutho Meenye will step in to sue or to represent it as it happened in this case where the suit emanating from a botched sale transaction MISC.CASE NO. 39 of 2016. This was reminiscent to suing self as Gideon Kaumbutho Menye is Gathoni Ltd. I further attach a copied of complaint to the director of criminal investigations and the director of Public Prosecutions dated 25th and 22nd November 2019.

This matter was placed for investigations to the director of land fraud, Mr. Kinyua at the directorate of criminal investigations and to date no action has been taken as he and Mr. Antipus Nyanjwa allow the lawyer Gideon Meenye to complete the sale transaction. I had previously reported the matter to Mr. Antipus Nyanjwa, the investigating officer at the National Land commission who joined lawyer Meenye in the criminal act by failing to investigate and was detailed by Mr. Meenye to eliminate me and in a sitting he had invited me and a Mr. Mbugua at Nairobi West he was seen photographing me with Mr. Mbugua who was to later be used to tail me culminating in a new threat to my life which I reported to the director of criminal investigation and recorded a statement, copy which I attach herewith. I reported to one Ms. Maureen Nzioka, Deputy Head of serious crimes who advised that the matter be brought to the attention of the person of Director of Criminal Investigations, Mr. George Kinoti.

In a follow-up of the investigation of the fraud, Mr. Kinyua the head of land fraud at the Directorate of Criminal Investigations, lamented that I do not have a right to complain on the matter that does not affect me personally as he continued to use Mr. Nyanjwa to aide in the sale transaction, tail and hound me in an attempt on my life. Mr. Kinyua further refused to revisit the transaction of swindle by Dhanani who jointly with Meenye pose security threat to me.

Another motive of insecurity by lawyer Meenye is demand notices that were sent to lawyer Gideon Menye on 3rd December 2019 on monies owed to me arising from commission unpaid by him of three million five hundred and sixty thousands (Kshs. 3,560,000) over a property Kiambaa/ Kanunga/1912 bought by Dhanani and

registered to a sister Nilam Nawab as earlier recounted. Mr. Dhanani did not pay the finder's fee and the threat involves both them who I had introduced, and they are using Mr. Antipus Nyanjwa and Mr. Kinyua to eliminate me using Mr. Mbugua, and other unknown people as I have reported to the Director of Criminal Investigations. This is aimed at stalling the investigations by removing the only whistleblower. And I attach copy of complaint of swindling for your reference.

I sold lawyer Meenye a Vehicle Toyota Mark II KBN 202L which he issued me with a Cheque No. 00267 dated 30th April 2013 for Kshs. 825 000 and he advised me not to deposit, Mr. Meenye was involved in a grisly road accident and was badly injured. He to date not paid money due for the vehicle and refused liability in one of the demand notices. I attach copies of the demand notices dated 3rd December, the lawyer's responses dated 5th December 2019 and the Cheque dated 30th April 2013.

Further Mr. Dhanani and Nairobi Enterprises entered into an agreement with the Presbyterian Church of Eastern Africa on the 26th February 2015 on inviting me for a meeting at the Kikuyu Presbytery on behalf of Nairobi enterprises LTD where he is the managing director. Mr. Rajan Dhanani contracted me by an agreement dated 16th February 2015 stating that he will pay me Kshs. 1,800,000 and had a gentleman's agreement that since the lease was to deliver a factory to create employment for the youth I will be a working director as I am a human resource and industrial relations manager by training. I will sit in the management board and will have shares of 20% of the flagship company of Nairobi enterprises Ltd and any other company to be formed thereafter for purposes of marketing where I will be having commission on every sale made of products initially pegged to be woven materials.

Due to this issue Mr. Rajan Dhanani has conspired with a Mr. Kanyoro, the property manager, P.C.E.A Moderator Mr. Mbugua to corruptly kick me out of the agreement by eliminating me. Mr. Kanyoro has been frustrating the lease registration and no longer involves me in their meeting over the issue with Mr. Rajan dealing with the issues directly. I suspect Mr. Kanyoro, the moderator together with Mr. Mbugua jointly with Mr. Meenye have conspired to kill me through Mr. Antiquus Nyanjwa the investigation officer at the National Land Commission. I attach a copy of agreement between me and the Nairobi enterprises and all correspondences with the Presbyterian Church.

I therefore due to this web of conspiracies I request that the issues be taken over by your good offices and the person of the director of criminal investigation, Mr. George Kinoti with a personal intervention by your chief executive Mr. Mbarack Twalib. This is variously for reason of expediency and prompt action as the threat to my life is real due to my action of whistleblowing and working for gain. All these people I have quoted hate me with an irrational passion and conveniently converted me into a scapegoat- Azazel in Hebrew, the symbolic sheep thrown off the cliff on yom kippur, that atoned for the communities past sins, in this case these unholy alliance of corruption and criminality.

Finally I refer to the letter to the inspector General of police by my lawyer Waweru Kiragu received on 22nd August 2016, the internal affairs unit of the police declined to take up this complaint which included the vandalism of house hold goods by the gang that attacked me on the 23rd October 2016 on a Sunday morning. One of my stores was for ninemonths occupied by a servant, Javan Wafula who was brought in by Norman Wanyiri and who facilitated this attack. I would emphasize that the secretary for internal affairs at the office of the president Mr. Gatheca tirelessly ensured the processing of this complaint, I however have reservations on the influence of Mr. Kingori Mwangi, the assistant inspector general who have been on hand to protect Mr. Macharia the OCS Karen Police Station by blocking investigations at the internal affairs unit following referrals to him by Mr. Gathecha dated 31/10/2016 in response to my letter dated 17th October 2013 where I warned of an impending attack on my premises and subsequently following the attack 31/10/2016. I attach copies of the correspondences for your reference.

Macharia the OCS Karen and OCPD Suyanka been during the attack been advancing the narrative that I am a nuisance to unknown residents in my neighborhood in the company of Mr. Ndagwatha. The IPOA investigations had been using this reason to stall the investigation without telling me so and have been delaying the investigations in order to complete their tour of duty. On the 17th October 2016 I was arrested by two Karen chiefs Mr. Waneno and Mr. mbithi and ordered to appear on 19th October 2016 at the chiefs camp for a case reported by Teresia Mburu accusing me of disturbance and spreading falsehoods in breach of court order dated 18th February 2016. I attended the session where Teresia Mburu, Norman Wanyiri, Juliet Kimotho, Chief Mbithi and senior Chief Waneno was in attendance.

They were to interrogate me on my stay in the premises and I explained myself out and drew their attention to the ongoing case at the rent tribunal and which they were contempt of orders issued on 18th February 2016. They made an illegal declaration dated 10th November 2016 which was what the police were using during the attack purported to be eviction on a Sunday morning thus failing to ensure compliance with the tribunal orders. This chiefs have uninterruptedly been working at the Karen offices. I further request that action be taken against them as accomplices to the attack and attempted murder and subsequently pose security threats to me by being used by the investigating officers in another attempt on my life. Prosecution is a tool of crime prevention and the abetting of the same leads to escalation. I attach copies of the said summons and judgement by the chiefs. I further attach copy of P3 Forms filled out by a medical practitioner, medical report and OB numbers of the complaints at Karen Police station.

I await your immediate action.

Yours faithfully



DENNIS KANGETHE ITUI



ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Jakaya Kikwete/Valley Road Junction) P.O. Box 61130 – 00200, NAIROBI, Kenya

TEL.: 254 (020) 4997000, MOBILE: 0709 781000; 0730 997000

FAX: 254 (020) 2240954 EMAIL: eacc@integrity.go.ke WEBSITE: www.eacc.go.ke

When replying please quote:

EACC. 6/1/5 Vol. XVII / (180) – 91443

26th May, 2021

Dennis Kangethe Itui
P.O Box 20593 -00100
NAIROBI

Dear Sir,

**RE: MISUSE OF OFFICE IN A CASE OF ATTEMPTED MURDER- REPORT
DATED 1ST NOVEMBER 2016 TO THE INDEPENDENT POLICE OVERSIGHT
AUTHORITY (IPOA)**

Your letter dated 28th September 2020 on the above subject refers.

We have carefully studied the report and recommends that you pursue the matter pending in court to its logical conclusion and report any attempted murder, assault or harassment to the Director of Criminal Investigations.

We thank you for bringing the matter to our attention.

Yours faithfully,

Susan Kinyeki (MRS)
For: Secretary/Chief Executive Officer

SK/JN

WAWERU KIRAGU & ASSOCIATES ADVOCATES

Advocates and commissioner for oaths

MAY HOUSE, 1ST FLR, RM NO.6, 13, 14
P.O. Box 1956-00902, Kikuyu
Tel: 0721-845-805 / 0795-065-676
E-mail: kirajab@yahoo.com
wawerukiraguadvocates@email.com

YOUR REFERENCE:

OUR REFERENCE: WK/DL/2016

DATE: 25TH JULY, 2016.

TO,

INSPECTOR GENERAL,
KENYA POLICE STATION,
VIGILANCE HOUSE,
P.O BOX 30083
HARAMBEE AVENUE,
NAIROBI

THE DIRECTOR
INTERNAL AFFAIRS UNIT
NATIONAL POLICE SERVICE
P. O. Box 44249 - 00100
NAIROBI

- 0721840
0721935642
Abele

RE: COMPLAINT OVER FAILURE TO TAKE INVESTIGATE & PROSECUTE VIDE COMPLAINT BY O.B DATED 29/8/2015 AND VIDE COURT ORDER DATED 18TH FEBRUARY, 2016

1. We act for Mr. Dennis Kangethe Itui who is our client in a Rent Restriction Tribunal Case Number 148/2016; Dennis Kangethe Itui -VS- Teresia Mburu & Norman Wanyiri.
2. The tribunal gave an order that the OCS Karen Police Station do assist *our client* in ensuring compliance of the Court order dated 18th February, 2016 to the suit premises.
3. Pending the Hearing of the Interparty Hearing on 14/3/16 our client informed about the said Court order reported to the said Karen Police Station to ensure compliance a gesture which they have not taken heed to.
4. That on diverse dates between 29th August, 2015 and march, 2016 unknown people/ persons associated and acting as agents of the Respondents including one Mr. Wanjohi, a neighbor to our client sent thieves on 29/8/2015 and/or hooligans who stole fuel distributors, a Car radio cassette player and speakers and also damaged our clients vehicle while trying to get access to our clients motor vehicle.
5. Upon several visits and reports to the said Karen police station, the officers have not taken heed in ensuring compliance with the said Court order or arresting and/or investigating those concerned with the illegal disconnection of the water, electricity, and damage to my motor vehicle and stealing of the motor vehicle spare parts.
6. We write this letter seeking for your assistance, input and indulgence in this matter in ensuring that Justice is done to our client and that miscarriage of justice is not done to our client.

We thank you in advance for your kind consideration and/or indulgence in the matter.

Yours faithfully,

JACOB W. KIRAGU
KIRAGU
ADVOCATE &
COMMISSIONER FOR OATHS
P.O. Box 1956-00902
KIKUYU

FOR: WAWERU KIRAGU & ASSOCIATES ADVOCATE

Cc: Client

Cc: Chairman, Rent Restriction Tribunal Nairobi

REPUBLIC OF KENYA
IN THE RENT RESTRICTION TRIBUNAL AT NAIROBI
RENT RESTRICTION CASE NO. 148 OF 2016

DENNIS KANGETHE ITUI..... PLAINTIFF/TENANT

VS

TERESIA MBURU..... 1ST DEFENDANT/LANDLADY
NORMAN WANYIRI..... 2ND DEFENDANT/AGENT

ORDER

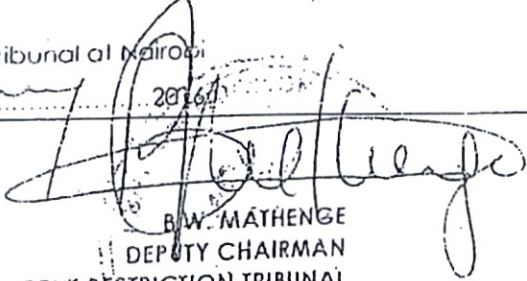
THIS APPLICATION brought ex-parte UNDER CERTIFICATE OF URGENCY by the Counsel for the Plaintiff/Tenant filed on this 12th day of February, 2016 and heard on this 16th day of February, 2016 AND UPON READING the supporting affidavit of the Plaintiff/Tenant sworn on this 11th day of February 2016 AND UPON HEARING the Counsel for Plaintiff/Tenant, IT IS HEREBY ORDERED:-

1. THAT the application is hereby certified as urgent.
2. THAT the Defendants/Respondents their servants, employees and/or agents are hereby restrained from evicting, ~~harassing~~ the Plaintiff/Tenant and/or in any other manner interfering with his tenancy pending the hearing of the application interparties.
3. THAT the Defendants/Respondents are hereby ordered to reconnect water to the suit premises forthwith
4. THAT the Defendants/Respondents to be served with the plaint, application, order and summons within the next 7 days.
5. THAT the Plaintiff/Tenant to pay the rent for December 2015 and February 2016 within the next 14 days by M-pesa.
6. THAT if the Defendants/Respondents refuse to accept rent, the Plaintiff/Tenant shall deposit the rent at the Tribunal.
7. THAT The Plaintiff/Tenant to pay rent as from March, 2016 on the due date pending the hearing of the suit or further orders of the Tribunal.
8. ~~THAT the O.C.S. Karen Police Station do ensure compliance of these orders.~~
9. THAT hearing interparties on 14/3/2016.

GIVEN at Nairobi on this 16th day of February, 2016.

ISSUED under my hand and the Seal of this Honourable Tribunal at Nairobi

This 18th day of February 2016


B.W. MATHENGE
DEPUTY CHAIRMAN
RENT RESTRICTION TRIBUNAL
NAIROBI

PENAL NOTICE

TAKE NOTICE that any disobedience or non observance of the order of the court given on the 16th day of February, 2016 served herewith will result in penal consequences to you and any other person(s) so disobeying and not observing the same

AND FURTHER that if this order is not obeyed, an application shall be made citing you and any other such person(s) so disobeying for contempt of Court seeking thereon your and other punishment for you and such person(s) together with a remedy available in law

NOMINEES' RESPONSES TO
MEMORANDA

REPUBLIC OF KENYA

IN THE MATTER OF OATHS AND STATUTORY DECLARATIONS ACT CAP 15

LAWS OF KENYA

AFFIDAVIT

I, **BEATRICE ASUKUL MOE** of Post Office Box Number 139 Lodwar in the Republic of Kenya make oath and state as follows: -

1. **THAT** I hold a Kenyan National Identity Card in the names **Beatrice Asukul Nakusa** and the said identity card's number is 12434187.
2. **THAT** the name Nakusa refers to my father and therefore **Beatrice Asukul Nakusa** is my maiden name.
3. **THAT** the name Moe refers to my husband whom I married on 16th August 1997 in Reformed Church of East Africa under African Christian Divorce and Marriage Act..
4. **THAT** I was issued with a Birth Certificate No. 996132 which showed my birth date as 14th July 1973 and on 12th November 1998 I subsequently used the said Birth Certificate to obtain a passport being Kenyan passport No. A481621 in my names **Beatrice Asukul Moe**.
5. **THAT** the date of birth reflected on my aforesaid Birth Certificate is erroneous as I was truly born on 14th July 1975 as indicated in my Baptism card issued on 8th April 1989 which card I did not have custody of when I obtained my birth certificate but my late father who lived in Turkana as I lived in Kapsabet did.
6. **THAT** this erroneous date of birth is reflected in my national identity card, my passport and my birth certificate and I swear this affidavit in support of my application to whomever it may concern to rectify the said error and have my date of birth read 14th July 1975 and not 14th July 1973.
7. **THAT** what is deponed herein above is true to the best of my knowledge, information and belief sources whereof are disclosed above.


Sworn at Nairobi

By the said **BEATRICE ASUKUL MOE** }

this 8th day of Jan 2009 }

BEFORE ME }

COMMISSIONER FOR OATHS }





REPUBLIC OF KENYA
IN THE MATTER OF OATHS AND STATUTORY DECLARATIONS ACT
CHAPTER 15 LAWS OF KENYA
IN THE MATTER OF: NATIONAL ASSEMBLY OF KENYA
IN THE MATTER OF: BEATRICE ASKUL MOE NOMINATION AS A
CABINET SECRETARY FOR EAST AFRICA AFFAIRS COMMUNITY AND
REGIONAL DEVELOPMENT.

AFFIDAVIT

I, BEATRICE ASKUL MOE of National Identification Number 12434187, an adult female of sound mind, disposition and a citizen of Kenya residing within the said Republic do make oath and state as follows:

1. THAT I am the Cabinet Secretary Nominee for East Africa Community Affairs and Regional Development herein fully conversant with the facts of and matters in issue in the Memorandum of Claim against my approval to the said position hence competent to swear this affidavit.
2. THAT the contents of the Memorandum of Claim dated 6th August, 2024 made by ELIUD KARANJA MATINDI have been read and explained to me by my advocates on record and I wish to respond to the same as explained here below.
3. THAT I extend my gratitude to your Excellency the President of the Republic of Kenya for recognizing my undoubted capability to serve as a Cabinet Secretary in charge of the East African Community Affairs and Regional Development.
4. THAT I am an individual who places paramount importance on the principles of constitutionalism and the rule of law.
5. THAT the assertions made by ELIUD KARANJA MATINDI in his memorandum of claim against my approval as Cabinet Secretary are not only unfounded and unmeritorious, but also appear to be a deliberate attempt to obstruct my ambition to extend democratic services to the Kenyan people and inconvenience myself and the citizens of Kenya.
6. THAT from the onset, I wish to state that as at the date of swearing this Affidavit, I am neither a Member of any Political Party nor do I hold any position in any Political Party.
7. THAT in response to paragraph 10 of the Memorandum of Contestation, a full-time State officer, in accordance with Article 77(2) of the Constitution of Kenya, 2010 is prohibited from engaging in any other gainful employment. To fully comply with this constitutional mandate, I officially relinquished my membership in the Orange Democratic Movement (ODM) party and resigned from my position on its Elections




Committee, as verified by the party's statement dated 31st July 2024 and the Registrar of Political Parties Letter attached herein.

8. THAT further to the foregoing paragraph, my decision to resign serves to mitigate potential conflicts of interest and demonstrates my unwavering commitment to maintaining political neutrality in my capacity as a Cabinet Secretary.
9. THAT in response paragraph 12 of the Memorandum of Contestation, Article 4(2) of the Constitution of Kenya, establishes as a multi-party democratic state. However, it does not prohibit individuals from opposition parties from serving in the national executive, provided they comply with constitutional and legal requirements upon their appointment. My resignation from ODM ensures my commitment to serving all Kenyans impartially, upholding the values of a multi-party democracy.
10. THAT in response to paragraphs 13 and 14 pursuant to Article 132(2) of the Constitution of Kenya, 2010, the President holds the authority, after presidential election to select and appoint Cabinet Secretaries subject to the approval of the National Assembly following vetting by the Parliamentary Committee on Appointments. The Constitution of Kenya does not restrict the President from nominating individuals based on their former political affiliations, as long as they adhere to constitutional requirements and demonstrate the capacity to serve the nation impartially.
11. THAT I am advised by my Advocates herein that in corollary, the Court of Appeal in the case of *Matemu v Trusted Society of Human Rights Alliance & 5 others* [2013] eKLR, underscored the principle that:
"the President's discretion in appointments should be respected as long as it is exercised within the bounds of the law."
12. THAT in response to paragraph 15, 16 and 17, the multi-party system in Kenya is essential for maintaining political plurality and fostering healthy competition. However, upon appointment to the executive, my primary allegiance is to the Constitution and the citizens of Kenya. This fundamental principle guarantees that the executive is unbiased and impartial, working for the benefit of the nation as a whole, not just for the interests of any particular political party.
13. THAT in further response to paragraph 16, Article 152(2) of the Constitution of Kenya is explicit in its requirement that all nominees for Cabinet Secretary positions must resign prior to their formal appointment. However, the article does not impose any mandatory resignation prior to nomination, leaving the timing of resignation as a matter of discretion until the time of appointment as such.
14. THAT in response to Chapter Six of the Constitution emphasizes leadership and integrity. My resignation from ODM and commitment to public service demonstrate my adherence to these principles. Article 73 of the Constitution of Kenya requires State officers to be accountable to the public, and I am committed to transparency, accountability, and serving the interests of all Kenyans.

- 15. THAT my nomination as a Cabinet Secretary is fully consistent with the applicable constitutional and legal provisions governing the process of public appointments in Kenya.
- 16. THAT I have made every effort to demonstrate my political neutrality and pledge to serve the Republic of Kenya without bias or prejudice, ensuring that my actions are in keeping with the highest standards of integrity and impartiality.
- 17. THAT I respectfully request the National Assembly to consider my responses and approve my nomination based on my qualifications, commitment to public service, and adherence to constitutional principles.
- 18. THAT what is deponed to herein is true to the best of my knowledge, save what has been deponed to on information and belief, sources and grounds whereof have been respectively specified.

SWORN BY THE SAID
 BEATRICE ASKUL MOE
 At NAIROBI this 8th Day of AUGUST 2024
 BEFORE ME

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) _____
) DEPONENT
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COMMISSIONER FOR OATHS

DRAWN & FILED BY:-
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REPUBLIC OF KENYA

IN THE MATTER OF: ARTICLES 132(2)(b) AND 156 OF THE CONSTITUTION OF KENYA 2010;

AND

IN THE MATTER OF: SECTIONS 6 AND 7 OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP 7F;

AND

IN THE MATTER OF: THE VETTING AND APPROVAL HEARING OF NOMINEE FOR APPOINTMENT AS ATTORNEY GENERAL UNDER ARTICLE 156 OF THE CONSTITUTION;

AND

IN THE MATTER OF: THE NATIONAL ASSEMBLY STANDING ORDER 204 ESTABLISHING THE COMMITTEE ON APPOINTMENTS:

IN THE MATTER OF: SUBMISSION OF STATEMENT BY ELIUD KARANJA CONTESTING THE NOMINATION AND SUITABILITY FOR APPROVAL OF NOMINATION AS ATTORNEY GENERAL

THE NOMINEE FOR APPOINTMENT AS ATTORNEY GENERAL

I, DORCAS AGIK ODHONG' ODUOR, a resident of Nairobi in the Republic of Kenya and do make oath and state as follows, THAT:

1. I am the nominee for appointment as the Attorney General.
2. I am fully conversant with the facts giving rise to this matter thus competent to make this affidavit.
3. I have read the complaint dated 6th August, 2024 sent by **ELIUD KARANJA MATINDI** vide e-mail address bavance13@gmail.com and addressed to the Clerk of Parliament contesting my nomination as Attorney General and deny the allegations made therein.
4. I further wish to state the allegations made by the said Eliud Karanja Matindi are baseless and the said complainant has misinformed himself of the provisions and reading of the Constitution of Kenya 2010.
5. The Complaint has been lodged and notarized by a Notary in the United Kingdom and the Citizenship of the Complainant as being a Kenyan has not been ascertained

4. I further wish to state the allegations made by the said Charles Idaho are baseless and have not been substantiated and neither Civil or Criminal proceedings been instituted against me.
5. It is trite Law as provided under section 6(9) of the Public Appointments (Parliamentary Approval) Act Cap. 7F "(hereinafter referred to as "the Act") any person may, prior to the approval hearing, and by written statement to be sworn **UNDER OATH** provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated. I have been advised by Advocate on record, which advise I verily believe to be true that the said statement challenging my nomination has not been submitted in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act Cap. 7F.
6. Further, the said Charles Idaho has not provided any evidence in support to the allegations noting that my role as Secretary of the Public Prosecutions was limited to prosecuting Court Matters based on evidence that is adduced by investigative arms such as the Director of Criminal Investigations as such the said Complaint should not be considered and should be inadmissible as the matter is still ongoing and has not been determined by a Court of Law.
7. I have been advised by Advocate on record, which advise I verily believe to be true that 6(9) of the Public Appointments (Parliamentary Approval) Act Cap. 7F provides that any complaint should be substantiated with suitable evidence which has not been provided.
8. To this end, I wish to state that I have never been charged in court of law or found by a court of law or a quasi-judicial body to have contravened Article 75 of the Constitution or any other provision of any Act of Parliament.
9. Additionally, in my entire long spanning career as a State Officer, I have never been subjected to any disciplinary procedures.
10. In this regard, I confirm that I duly submitted to the Committee the clearance certificates from all relevant agencies including the EACC and DCI.
11. It is notable that all the relevant agencies have all cleared me and indicated that I have never been under investigation and presently do not have any pending cases under investigation.

12. I reiterate my commitment to continue serving the people of Kenya and if approved by the Committee, I wish to state that I undertake to do my best to deliver effectively as the Attorney General of the Republic of Kenya.

13. I am fully compliant with the provisions of Article 10 of the Constitution on the national values and principles of governance, Article 73 of the Constitution on the responsibilities of leadership and the entire Chapter Six of the Constitution on Leadership and Integrity.

14. What is deponed to herein, is correct to the best of my knowledge and belief .

**SWORN BY THE SAID
DORCAS AGIK ODHONG ODUOR**

**AT NAIROBI ON THIS
8th day of August 2024**

Before me ALIBHAI FAKHRUDIN HASSAN
COMMISSIONER FOR OATHS
& NOTARY PUBLIC
Commissioner for Oaths P.O. Box 1692-00200
Nairobi



DEPONENT

DRAWN AND FILED BY:

TripleOK Law
ACK Gardens, 1st Floor, Ngong Avenue
Bishops Road
NAIROBI

TO BE SERVED ON

The Clerk of the National Assembly
P.O. Box 41842-00100
Main Parliament Building
NAIROBI

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REPUBLIC OF KENYA

IN THE MATTER OF: ARTICLES 132(2)(b) AND 156 OF THE CONSTITUTION OF KENYA 2010;

AND

IN THE MATTER OF: SECTIONS 6 AND 7 OF THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, CAP 7F;

AND

IN THE MATTER OF: THE VETTING AND APPROVAL HEARING OF NOMINEE FOR APPOINTMENT AS ATTORNEY GENERAL UNDER ARTICLE 156(2) OF THE CONSTITUTION;

AND

IN THE MATTER OF: THE NATIONAL ASSEMBLY STANDING ORDER 204 ESTABLISHING THE COMMITTEE ON APPOINTMENTS:

IN THE MATTER OF: SUBMISSION OF STATEMENT BY DENNIS KANGETHE ITUI CONTESTING THE NOMINATION AND SUITABILITY FOR APPROVAL OF NOMINATION AS ATTORNEY GENERAL OF THE REPUBLIC OF KENYA

THE NOMINEE FOR APPOINTMENT AS ATTORNEY GENERAL OF THE REPUBLIC OF KENYA

REPLYING AFFIDAVIT

I, **DORCAS AGIK ODHONG ODUOR**, a resident of Nairobi in the Republic of Kenya, Nairobi aforesaid, do make oath and state as follows, **THAT**:

1. I am the nominee for appointment as the Attorney General of the Republic of Kenya.
2. I am fully conversant with the facts giving rise to this matter thus competent to make this affidavit.
3. I have read the Letter dated 7th August, 2024 sent by Dennis Kangethe Itui vide and addressed to the Clerk of Parliament contesting my nomination as Attorney General of the Republic of Kenya and deny the allegations made therein.
4. I further wish to state the allegations made by the said Dennis Kangethe Itui are baseless and have not been substantiated and neither Civil or Criminal proceedings been instituted against me.

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5. It is trite Law as provided under section 6(9) of the Public Appointments (Parliamentary Approval) Act Cap. 7F "(hereinafter referred to as "the Act") any person may, prior to the approval hearing, and by written statement to be sworn **UNDER OATH** provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated. I have been advised by Advocate on record, which advise I verily believe to be true that the said statement challenging my nomination has not been submitted in accordance with the provisions of the Public Appointments (Parliamentary Approval) Act Cap. 7F.
6. Further, the said Dennis Kangethe Itui has not provided any evidence in support to the allegations indicating that I prosecuted the Matter during my tenure at the Office of the Director of Public Prosecutions and I am thus a stranger to the said allegations.
7. I have been advised by Advocate on record, which advise I verily believe to be true that 6(9) of the Public Appointments (Parliamentary Approval) Act Cap. 7F provides that any complaint should be substantiated with suitable evidence which has not been provided and he has not provided any information to indicate that I have prosecuted the said matter.
8. To this end, I wish to state that I have never been charged in court of law or found by a court of law or a quasi-judicial body to have contravened Article 75 of the Constitution or any other provision of any Act of Parliament.
9. Additionally, in my entire long spanning career as a State Officer, I have never been subjected to any disciplinary procedures.
10. In this regard, I confirm that I duly submitted to the Committee the clearance certificates from all relevant agencies including the EACC and DCI.
11. It is notable that all the relevant agencies have all cleared me and indicated that I have never been under investigation and presently do not have any pending cases under investigation.
12. I reiterate my commitment to continue serving the people of Kenya and if approved by the Committee, I wish to state that I undertake to do my best to deliver effectively as the Attorney General of the Republic of Kenya.
13. I am fully compliant with the provisions of Article 10 of the Constitution on the national values and principles of governance, Article 73 of the Constitution on the

13. I am fully compliant with the provisions of Article 10 of the Constitution on the national values and principles of governance, Article 73 of the Constitution on the responsibilities of leadership and the entire Chapter Six of the Constitution on Leadership and Integrity.

14. What is deponed to herein, is correct to the best of my knowledge and belief .

**SWORN BY THE SAID
DORCAS AGIK ODHONG ODUOR**

**AT NAIROBI ON THIS
8th day of August 2024**

Before me

Commissioner for Oaths

ALIBHAI FAKHRUDIN HASSAN
COMMISSIONER FOR OATHS
& NOTARY PUBLIC
P. O. BOX 8632-00200
Nairobi



DEPONENT

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