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KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT  
FOURTH SESSION (2011)

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THE CONSTITUTIONAL IMPLEMENTATION OVERSIGHT COMMITTEE

REPORT

ON THE APPROVAL OF MR. SHARAD SADASHIV RAO FOR APPOINTMENT AS CHAIRPERSON OF THE JUDGES AND MAGISTRATES VETTING BOARD; MR. JUSTUS MAITHYA MUNYITHYA, MS. ROSELINE ODHIAMBO ODEDE, PROF. NGO THO WA KARIUKI, MS. MEULEDI MABRUKI ISEME; MR. ABDIRASHID ABDULLAHI; RT. HON. LORD JUSTICE STEPHEN SEDLEY; JUSTICE GEORGINA WOOD AND; HON. LOUISE OTIS FOR APPOINTMENT AS MEMBERS OF THE JUDGES AND MAGISTRATES VETTING BOARD

Clerk's Chambers,  
Parliament Buildings,  
NAIROBI.

AUGUST, 2011

11. The Hon. Charles Kilonzo, M.P.
12. The Hon. Cecily Mbarire, M.P.
13. The Hon. Moriasi Ombui, M.P.
14. The Hon. Amina Abdalla, M.P.
15. The Hon. David M. Ngugi, M.P.
16. The Hon. Ababu Namwamba, M.P.
17. The Hon. Danson Mwazo, M.P.
18. The Hon. Sophia Abdi, M.P.
19. The Hon. Joseph Kasaine Nkaiserry, M.P.
20. The Hon. Charles Onyancha, M.P.
21. The Hon. Alfred Khang'ati, M.P.
22. The Hon. John Mbadi, M.P.
23. The Hon. Elizabeth Ongoro, M.P.
24. The Hon. Rev. Julius Murgor, M.P.
25. The Hon. Lucas K. Chepkitony, M.P.
26. The Hon. Benedict Fondo Gunda, M.P.
27. The Hon. Rachel Shebesh, M.P.

**Mr. Speaker Sir,**

On the 9<sup>th</sup> August, 2011 you informed the House that H.E the President had after consultation with the Rt. Hon. Prime Minister nominated the following persons to be considered for appointment to the Judges and Magistrates Vetting Board in the stated capacities, pursuant to the provisions of Section 9(7) of the Vetting of Judges and Magistrates Act, 2011:-

- i). Mr. Sharad Sadashiv Rao - Chairperson (Lawyer)
- ii). Mr. Justus Maithya Munyiithya - Member (Lawyer)
- iii). Ms. Roseline Odhiambo Odede - Member (Lawyer)
- iv). Prof. Ngotho Wa Kariuki - Member (Non-lawyer)
- v). Ms. Meuledi Mabruki Iseme - Member (Non-lawyer)
- vi). Mr. Abdirashid Abdullahi - Member (Non-lawyer)

You then directed that the names and Curriculum Vitae (CVs) of the nominees be referred to the Constitutional Implementation Oversight Committee (CIOC) for consideration prior to approval by the House and that the CIOC tables its report on or before Wednesday, 17<sup>th</sup> August, 2011.

As directed, the Committee took up the matter and put up paid advertisements in the dailies inviting members of the public to submit written memoranda on the suitability or otherwise of the nominees for appointment to the Judges and Magistrates Vetting Board . The Committee received nine (9) written memoranda

all in support of some nominees. The Committee also held a meeting with the nominees where they made submissions on why they should be appointed to serve in the Judges and Magistrates Vetting Board. In total the Committee held three (3) sittings to deliberate on the suitability of the nominees for appointment to serve in the Vetting Board.

### Acknowledgements

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate. The Committee also appreciates the media for coverage of its proceedings during the vetting process.

**Mr. Speaker Sir,**

It is my pleasant duty and privilege, on behalf of Constitutional Implementation Oversight Committee, to present and commend this report on the nominations to the Judges and Magistrates Vetting Board, to the House for adoption pursuant to the Communication from the Chair made on 9<sup>th</sup> and 18<sup>th</sup> August, 2011 and in accordance with Section 4 of the Sixth Schedule to the Constitution.

SIGNED.....

HON. ABDIKADIR HUSSEIN MOHAMED, M.P  
CHAIRPERSON

DATE: .....



## BACKGROUND

1. Section 23(1) of the Sixth Schedule to the Constitution states that:-

*23.(1) Within one year after the effective date, Parliament shall enact legislation, which shall operate despite Article 160, 167 and 168, establishing mechanisms and procedures for vetting, within a timeframe to be determined in the legislation, the suitability of all judges and magistrates who were in office on the effective date to continue to serve in accordance with the values and principles set out in Articles 10 and 159.*

2. Parliament enacted the Vetting of Judges and Magistrates Act, 2011 which commenced on 22<sup>nd</sup> March, 2011. The Act was later amended and commenced on 19<sup>th</sup> May, 2011.

3. The Judges and Magistrates Vetting Board is established in Section 6 of the Vetting of Judges and Magistrates Act, 2011.

4. Section 7 of the Vetting of Judges and Magistrates Act, 2011, Act states that:-

*The Board shall consist of nine members comprising a chairperson, a deputy chairperson and seven other members of whom-*

*(a) Six shall be citizens of Kenya appointed in accordance with Section 9(1) to (12) and of whom, three shall be lawyers; and*

*(b) Three shall be non-citizens of Kenya appointed in accordance with Section 9(13).*

5. The President in consultation with the Prime Minister pursuant to section 9(2) of the Vetting of Judges and Magistrates Act, 2011 as amended by the Vetting of Judges and Magistrates (Amendment) Act 2011 declared the vacancies in the office of chairman and members of the Judges and Magistrates Vetting Board and invited qualified applicants through Gazette Notice No. 5367.

6. Seventeen (17) applicants applied for the position of Chairperson while one hundred and twenty five (125) applied for position of member. The Public Service Commission (PSC) then conducted interviews to select suitable candidates for the positions and forwarded the names to H.E the President and Rt. Hon. Prime Minister for nomination.

7. On 3<sup>rd</sup> August, 2011, H.E the President, through a letter by the Permanent Secretary, Secretary to the Cabinet and Head of Public Service forwarded the names of the following persons to be considered for appointment to the respective positions:-



- i). Mr. Sharad Sadashiv Rao - Chairperson (Lawyer)
- ii). Mr. Justus Maithya Munyithya - Member (Lawyer)
- iii). Ms. Roseline Odhiambo Odede - Member (Lawyer)
- iv). Prof. Ngotho Wa Kariuki - Member (Non-lawyer)
- v). Ms. Meuledi Mabruki Iseme - Member (Non-lawyer)
- vi). Mr. Abdirashid Abdullahi - Member (Non-lawyer)

8. Upon receipt of the names of the nominees, the National Assembly is required under Section 9(8) to consider all the nominations received within 14 days.
9. On 9<sup>th</sup> August, 2011, the Honorable Speaker in a Communication to the House referred the names of the six nominees to the Constitutional Implementation Oversight Committee for vetting and directed the Committee to submit its recommendations on the nominees to the House by Wednesday, 17<sup>th</sup> August, 2011.
10. Further on 18<sup>th</sup> August, 2011 the Permanent Secretary, Secretary to the Cabinet and Head of Public Service by a letter to the Clerk of the National Assembly, informed that H.E the President in consultation with the Rt. Hon. Prime Minister had appointed Sir Stephen Sedley, former Lord Justice of Appeal, England and Wales, Chief Justice Georgina Wood of Ghana and Hon. Ms Louise Otis, retired Judge of Quebec Court, Canada as distinguished non-citizens from the Commonwealth for approval by Parliament pursuant to Section 9(13) of the Vetting of Judges and Magistrates Act, 2011.
11. On the same day, the Honorable Speaker in a Communication to the House referred the names of the three non-citizens of Kenya nominees to the Constitutional Implementation Oversight Committee for vetting and directed the Committee to submit its recommendations on all the nominees to the House by Tuesday, 23<sup>rd</sup> August, 2011.

## CONSIDERATION OF THE NOMINEES BY THE COMMITTEE

12. At a meeting held on 15<sup>th</sup> August, 2011, the Committee examined the Candidates against the criteria set out in the Second Schedule to the *Commission on the Implementation of the Constitution Act, 2010* (Criteria for vetting/approval of nominees for appointment to public office by the National Assembly). That criterion requires nominees to disclose information on their personal and professional life including their political affiliations, tax compliance and potential conflict of interests and other things.

13. On 22<sup>nd</sup> August, 2011, the committee met to consider the names of the non-Citizens forwarded to the committee for consideration.

14. Section 8 of the Judges and Magistrates Act, 2011 sets out the qualifications for appointment to the Judges and Magistrates Vetting Board. The qualifications are:-

8. (1) *A person shall be qualified for appointment as a member if such person-*

*(a) holds a degree from a university recognized in Kenya;*

*(b) has at least fifteen years' distinguished post- qualification experience in their field of study; and*

*(c) satisfies the requirements of Chapter Six of the Constitution.*

*(2) A person shall not be qualified for appointment as the chairperson or deputy chairperson unless such person has at least twenty years' or an aggregate of twenty years' experience as a judge of a superior court, a distinguished legal academic, a judicial officer or other relevant legal practice in the public or the private sector in Kenya.*

### Nomination of Mr. Sharad Sadashiv Rao as Chairperson of the Judges and Magistrates Vetting Board

15. The Committee having considered the curriculum vitae of Mr. Sharad Sadashiv Rao, and having heard his submissions during the interview, made the following observations on his nomination for appointment as Chairman of the Judges and Magistrates Vetting Board:-

- i. That Mr. Sharad Rao is a Kenyan citizen born on 13<sup>th</sup> October, 1935 and holds a Barrister at Law, Lincoln's Inn, London and was called to the Bar on 16<sup>th</sup> June, 1959. He was enrolled as an advocate of the High Court of Kenya on 1<sup>st</sup> July, 1960. He has been at the bar for over 50 years;
- ii. He is currently in private practice in Kenya;



- iii. He has served as Assistant Deputy Public Prosecutor, Deputy Public Prosecutor and briefly as Acting Attorney General and several International Legal and sports panels among them the Commonwealth Games Federation as Hon. Legal Adviser and on Disputes resolution Panel for FIFA World Cup 2010;
- iv. During his long career in legal practice, he has never been cited for any professional misconduct or misbehavior before the Advocates Disciplinary Committee.
- v. He has fully complied with his tax obligations to the State and has never been dismissed from office or adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry;
- vi. He is a life member of a political party (KANU);
- vii. He was charged in 1984 in his capacity as a non-executive director of Elys Chemical Ltd under the Food Drugs and Chemical Substances Act together with three others. However he was never served as he was out of the country. Thereafter his case as a non-executive Director was withdrawn while the case for the three others proceeded and were all acquitted.
- viii. The Committee found the nominee qualified.

**Nomination of Mr. Justus Maithya Munyithya as Member of the Judges and Magistrates Vetting Board**

16. The Committee having considered the curriculum vitae of Mr. Justus Maithya Munyithya, and having heard his submissions during the interview, made the following observations on his nomination for appointment as member of the Judges and Magistrates Vetting Board:-

- i. That Mr. Justus Maithya Munyithya is a Kenyan citizen born on 23<sup>rd</sup> September, 1968 and holds a Bachelor of Law, (LLB), from University of Nairobi and a Diploma Legal Practice (Studies) from Kenya School of Law. He was enrolled as an advocate of the High Court on 11<sup>th</sup> January, 1996. He has been at the bar for over 15 years.
- ii. He is a practicing advocate of the High Court and currently serving as managing partner Kioko, Munyithya, Ngugi and Company Advocates. He also serves as a volunteer Legal Officer Ilishe Trust dealing with Human Rights Awareness Campaigns, Public interest Litigation, Civic Education, Child rights and Advocacy.



- iii. He is a practicing Certified Public Secretary and has work experience as a untrained teacher, in motor vehicles, debt collection, commercial litigation and banking matters.
- iv. He has been awarded several certificates among them HSC on 12<sup>th</sup> December, 2010 by H.E for distinguished service as Chairman National Adoption Committee.
- v. He has fully complied with his tax obligations to the State and has never been dismissed from office or adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- vi. He is not a member of any political party.
- vii. He has never been charged in a court of law for any offence
- viii. The Committee found the nominee qualified.

### Nomination of Ms. Roseline Odhiambo Odede as Member of the Judges and Magistrates Vetting Board

17. The Committee having considered the curriculum vitae of Ms. Roseline Odhiambo Odede, and having heard her submissions during the interview, made the following observations on her nomination for appointment as member of the Judges and Magistrates Vetting Board:-

- i. That Ms. Roseline Odhiambo Odede is a Kenyan citizen born on 29<sup>th</sup> March, 1967 and holds a Masters in Law degree (LLM) from the University of Witwatersrand, Johannesburg, a Bachelor of Law, (LLB), from University of Nairobi and a Diploma in Law from Kenya School of Law. She was enrolled as an advocate of the High Court on 18<sup>th</sup> October, 1990. She has been at the bar for over 20 years.
- ii. She currently serves in a private practice firm named Roseline and Odede Company Advocates.
- iii. She has served as a part-time lecturer at Moi University Eldoret, School of Business Studies.
- iv. She is a member of the Council of the Law Society of Kenya, Council of Commonwealth Lawyers Associations and the East African Lawyers Association.
- v. She has received awards from the East Africa Law Society for distinguished legal practice and service and from FIDA Kenya for pro-bono work.

- vi. She has fully complied with her tax obligations to the State and has never been dismissed from office or adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- vii. She is not a member of any political party.
- viii. She has never been charged in a court of law for any offence.
- ix. The Committee found the nominee qualified.

### Nomination of Prof. Ngotho Wa Kariuki as Member of the Judges and Magistrates Vetting Board

18. The Committee having considered the curriculum vitae of Prof. Ngotho Wa Kariuki, and having heard his submissions during the interview, made the following observations on his nomination for appointment as member of the Judges and Magistrates Vetting Board:-

- i. That Prof. Ngotho wa Kariuki is a Kenyan citizen born on 3<sup>rd</sup> June, 1949 and holds a Master of Business Administration (Finance and Accounting) and Bachelor of Commerce (Accounting) both from the University of Nairobi. He also has a certificate in Job evaluation from Ernest and Young, Zimbabwe.
- ii. He has served as a Professor in several Countries in Sub-Sahara Africa in Accounting, Auditing and Fraud Investigation, Finance and Taxation. During his career he worked in East Africa, Zimbabwe, South Africa and Cameroon as a lecturer, Professor and Consultant.
- iii. His last assignment was with Commonwealth Fund for Technical Co-operation (CFTC), London as an Advisor and expert second to Republic of Cameroon.
- iv. He has fully complied with his tax obligations to the State and has never been dismissed from office or adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- v. He was Secretary, KANU Kangema sub-branch and contested for Kangema Parliamentary seat in 1974, 1983 and 1992 (Ford-K).
- vi. He formed SDP Party in 1994. However, currently he is not a member of any political party.
- vii. He was charged on several counts of sedition (among others- Anyona 4) in 1990 and convicted on all charges and jailed for 47 years (running concurrently for 7 years). The conviction was quashed on appeal and he was released in 1992.
- viii. The Committee found the nominee qualified.



### Nomination of Ms. Meuledi Mabruki Iseme as Member of the Judges and Magistrates Vetting Board

19. The Committee having considered the curriculum vitae of Ms. Meleudi Mabruki Iseme, and having heard her submissions during the interview, made the following observations on her nomination for appointment as member of the Judges and Magistrates Vetting Board:-

- i. That Ms. Meuledi Iseme is a Kenyan citizen born on 17<sup>th</sup> November 1956 and holds a Masters in Business Administration (Finance Major) and a Bachelor of commerce (Accounting Option) Degrees University of Nairobi respectively.
- ii. She has twenty four years distinguished post-qualification experience.
- iii. She has worked as a Deputy Managing Director and Financial Management Accountant, both in the Quasi and Central Government Organizations namely; Kenya Seed Company Ltd, Industrial Development Bank Ltd, Ministry of Lands and Settlement and Ministry of Transport and Communication respectively.
- iv. She has fully complied with her tax obligations to the State and has never been dismissed from office or adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- v. She is not a member of any professional body.
- vi. She is not a member of any political party.
- vii. She has never been charged in a court of law for any offence.
- viii. The Committee found the nominee qualified.

### Nomination of Mr. Abdirashid Abdullahi as Member of the Judges and Magistrates Vetting Board

20. The Committee having considered the curriculum vitae of Abdirashid Abdullahi, and having heard his submissions during the interview, made the following observations on his nomination for appointment as member of the Judges and Magistrates Vetting Board:-

- i. That Mr. Abdirashid Abdullahi is a Kenyan citizen born on 15<sup>th</sup> January, 1964 and holds a Master of Arts in History from Rhodes University, a Master in Conflict Resolution from George Mason University and a bachelor of Education from Kenyatta University.



- ii. He has worked as a member of the Committee of Experts (CoE) that successfully drafted and delivered our country's new Constitution which is currently being implemented. He was involved in the drafting of the Chapter on Leadership and Integrity.
- iii. He is a team player and an expert in conflict analysis and resolution both at the corporate as well as at the interpersonal, community and state level.
- iv. He has fully complied with his tax obligations to the State and has never been dismissed from office or adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- v. He is not a member of any professional body.
- vi. He is not a member of any political party.
- vii. He has never been charged in a court of law for any offence.
- viii. The Committee found the nominee qualified.

### Nomination of Sir Stephen Sedley as Member of the Judges and Magistrates Vetting Board

21. The Committee having considered the curriculum vitae of Sir Stephen Sedley made the following observations on his nomination for appointment as member of the Judges and Magistrates Vetting Board:-

- i. That Sir Stephen Sedley a British citizen born on 9<sup>th</sup> October 1939 and he is a graduate of Cambridge. He was called to the Bar (Inner Temple) in 1964.
- ii. He has practiced at the bar of England and Wales for 28 years, specializing in Public law and discrimination law, before he was appointed a Judge of the High Court in 1992, serving in the Queen's Bench Division.
- iii. He was a judge of the Court of Appeal of England and Wales from 1999 to March, 2011 where he retired.
- iv. He was involved in many high-profile cases and inquiries, from the death of Blair Peach and the Carl Bridgewater murder trial to the contempt hearing against Kenneth Baker, then Home Secretary.
- v. He is regarded as one of the most Left-wing of current judges. Sir Stephen is a strong supporter of human rights, and spent his 28 years at the Bar working principally in the fields of civil liberties and discrimination law.
- vi. In 2000, he was elected president of the British Institute of Human Rights and has sat on the Judicial Committee of the Privy Council of and as a Judge adhoc of the European Court of Human Rights.
- vii. He is currently an Associate adviser to the Cloisters on various legal issues that range from employment, discrimination and equality, personal injury, clinical negligence, commercial law to regulatory and public law. He has

- taught as a tutor at the Communist University of London, in the 1970s a nine-day summer school organised by the Communist Party.
- viii. He has provoked considerable debate about the role of government in collecting and keeping DNA samples. At present criminal suspects detained by the police in the UK automatically are given cheek swabs and their DNA kept, in perpetuity, by the government. This has created the situation where different races are differently represented in the United Kingdom National DNA Database. On the grounds that this situation is indefensible, Lord Justice Sedley argued for a blanket DNA collection policy, including collecting samples from all visitors to the UK.
  - ix. He has been awarded honorary doctorates by eight universities and is an honorary Professor of Law at Warwick and Cardiff Universities.
  - x. He writes in the legal periodicals and He has written about two dozen articles for the London Review of Books. A collection of his essays, *Ashes and Sparks*, were published by Cambridge University Press in 2011.
  - xi. The committee found the nominee qualified.

### Nomination of Lady Justice Georgina Wood as Member of the Judges and Magistrates Vetting Board

22. The Committee having considered the curriculum vitae of Her Ladyship Justice Georgina Wood made the following observations on her nomination for appointment as member of the Judges and Magistrates Vetting Board:-

- i. That Lady Justice Mrs. Georgina Wood is a Ghanaian citizen born on 8<sup>th</sup> June 1947 and holds a Bachelor of Law Degree from the University of Ghana, Legon in 1970. She also attended the Ghana Law School after which she was called to the bar. She has also done the Post-Graduate Officers Training Course at the Ghana Police College.
- ii. She worked with the Ghana Police Service as a deputy superintendent and public prosecutor for three years. She was later appointed to the Bench as a Magistrate of the District Court in 1973 and rose through the Circuit and High Courts to become the presiding Judge of the Appeal Court in 1991.
- iii. She was appointed to the Supreme Court by President John Kufuor on 12<sup>th</sup> November 2002, an appointment she had earlier declined.
- iv. She was nominated for the position of Chief Justice of Ghana in May 2007 and on 1<sup>st</sup> June 2007, the Parliament of Ghana approved her nomination as the new Chief Justice of Ghana by consensus which made her the first woman in the history of Ghana to head the Judiciary and also made her the highest ranked female in Ghana's political history.



- v. Between 2003 and 2007, she served as a justice of the Supreme Court of Gambia when in session.
- vi. She is also a dedicated advocate of Alternative Dispute Resolution (ADR), having received extensive training from the USA, and a distance learning modular program from the World Bank.
- vii. She was a member of the task force which designed the Ghana Court-connected ADR program and was the Chairperson of the working committee which drafted the manuals on Court connected ADR and pre-trials in the Commercial Court of Ghana. She also chaired the committee responsible for mainstreaming ADR in the courts in Ghana.
- viii. She has also lectured extensively in ADR (theory and practice) at the Judicial Training Institute, training key personnel including judges, lawyers and civil society organizations. She taught Civil Procedure and ADR in the Judicial Service Career Magistrates Programme, and was an external examiner in advocacy and ethics, Ghana School of Law for more than 10 years.
- ix. She has also co-authored the practice manual on the Gambian ADR court-connected programme and has also been a Judicial educator in ADR for the Bench, the Bar and court officials in the Gambia.
- x. She was awarded Ghana's highest National Award; the Order of the Star of Ghana for meritorious public service and an LLD (Honoris Causa) from the University of Ghana. She has also received an award from the Faculty of Law, University of Ghana for outstanding Judicial Career.
- xi. She was appointed a member of the special team of the International Bar Association (IBA) and International Legal Assistance Consortium (ILAC) to Kenya at the invitation of the Kenya Law Society on Judicial Reforms in September 2010.
- xii. She is a choir leader at the Ringway Gospel Centre Assemblies of God Church, Accra and the Chairperson of the Alternative Dispute Resolution in Ghana.
- xiii. The committee found the nominee qualified.

### Nomination of Hon. Louise Otis as Member of the Judges and Magistrates Vetting Board

23. The Committee having considered the curriculum vitae of Hon. Louise Otis made the following observations on her nomination for appointment as member of the Judges and Magistrates Vetting Board:-

- i. Hon. Louise Otis is a graduate of Laval University and was called to the Quebec Bar in 1975.



- ii. In 1990, she was appointed as a Judge to the Quebec Superior Court. Between 1993 and 2009, she was a Judge at the Quebec Court of Appeal, participating in over 3000 judgements. Prior to 1990, she practiced law for fifteen years, specializing in Public Law, Labour Law and Administrative Law.
- iii. From 1983 onwards, she specialized in public, labour and constitutional law, pleading cases before the courts of first instance, Quebec Court of Appeal, and the Supreme Court of Canada.
- iv. She taught Civil Procedure at the Laval University Faculty of Law in Quebec City (1984-1987). She also lectured in Civil Procedure, Criminal Law, Administrative Law and Labour Law at the Quebec Bar School (1978-1988).
- v. She is a member of the International Academy of Mediators (Fellow), International Commission of Jurists, Canadian Section (ICJ), Canadian Conference of Judicial Mediation and International Conference on Mediation for Justice (ICMJ).
- vi. She was a member of the Professional Training Committee of the Quebec Bar where she initiated and participated actively in developing a course entitled *The Drafting of Legal Texts* at Quebec Bar School (1984-1987). She was also involved in several professional activities directly related to the practice of law. From 1981 to 1985, she was a member of the Quebec Justice Advisory Council, advising the Quebec Minister of Justice on all matters relating to the administration of justice, particularly with regards to legislative reforms.
- vii. She is an active mediator in commercial and civil matters and also Deputy Judge for the Administrative Tribunal of the Organisation for Economic Co-operation and Development (OECD).
- viii. In 1997, while a Judge at the Quebec Court of Appeal, she developed one of the world's first judicial mediation systems, and later helped establish mediation programs in Canada and abroad. She has mediated hundreds of cases in commercial and civil law. She created and dispensed intensive mediation training courses in different countries including France, Belgium, Russia, Brazil, Mali and Australia.
- ix. She regularly participates in international governance and justice reform missions. Louise has created a system of transitional justice for countries affected by armed conflicts and/or environmental disasters.
- x. She was appointed by the then United Nations Secretary General, Kofi Annan in 2006, to a 5-member group of international experts charged with redesigning the UN's internal justice system, including the creation of a mediation system.
- xi. She has lectured on Alternative Dispute Resolution at: The Council of Europe, The Harvard Fellows, Harvard University - Weatherhead Center for International Affairs, The European Conference of Judges, The International Academy of Mediators, The American Bar Association, Section

- of dispute resolution, the Masters' Forum of Mediators at Pepperdine University, California, The Australian Centre for Peace and Conflict Studies, The Brazilian Judicial Institutions and various national courts and tribunals.
- xiv. She has been involved in the reform of the justice system in different countries namely Haiti, Mali, China and Russia.
  - xv. The committee found the nominee qualified.



## RECOMMENDATIONS OF THE COMMITTEE

The Committee noted that some nominees under Section 7 (a) of the Vetting of Judges and Magistrates Act, 2011 had affiliations to political parties. The Committee deliberated on the issue and resolved that the matter should not be a hindrance in the performance of their duties in the Vetting Board.

The Committee did not interview the three non-citizen of Kenya nominees nominated under Section 7 (b) of the Vetting of Judges and Magistrates Act, 2011. However, the Committee considered their curriculum vitae. The Committee having considered the curriculum vitae and having interviewed the nominees under Section 7 (a) of the Vetting of Judges and Magistrates Act, 2011 makes the following unanimous recommendations to the House:-

- i). **THAT**, this House approves the appointment of Mr. Sharad Sadashiv Rao as Chairperson of the Judges and Magistrates Vetting Board.
- ii). **THAT**, this House approves the appointment of Mr. Justus Maithya Munyithya as Member of the Judges and Magistrates Vetting Board.
- iii). **THAT**, this House approves the appointment of Ms. Roseline Odhiambo Odede as Member of the Judges and Magistrates Vetting Board.
- iv). **THAT**, this House approves the appointment of Prof. Ngotho wa Kariuki as Member of the Judges and Magistrates Vetting Board.
- v). **THAT**, this House approves the appointment of Ms. Meuledi Mabruki Iseme as Member of the Judges and Magistrates Vetting Board.
- vi). **THAT**, this House approves the appointment of Mr. Abdirashid Abdullahi as Member of the Judges and Magistrates Vetting Board.
- vii). **THAT**, this House approves the appointment of Sir Stephen Sedley as Member of the Judges and Magistrates Vetting Board.
- viii). **THAT**, this House approves the appointment of Lady Justice Georgina Wood as Member of the Judges and Magistrates Vetting Board.
- ix). **THAT**, this House approves the appointment of Hon. Louise Otis as Member of the Judges and Magistrates Vetting Board.

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MINUTES OF THE THIRTY EIGHTH SITTING OF THE CONSTITUTIONAL IMPLEMENTATION OVERSIGHT COMMITTEE HELD IN THE MAIN COMMITTEE ROOM, COUNTY HALL, PARLIAMENT BUILDINGS ON TUESDAY 16<sup>TH</sup> AUGUST, 2011 AT 11.30A.M.

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**PRESENT:**

1. The Hon. Hussein Mohammed Abdikadir, M.P. **Chairperson**
2. The Hon. (Prof.) Phillip Kaloki, M.P. -
3. The Hon. Benedict Fondo Gunda, M.P.
4. The Hon. John Mbadi, M.P.
5. The Hon. Martha Wangari Karua, EGH, M.P.
6. The Hon. Joseph Kasaine Nkaiserry, M.P.
7. The Hon. Charles Kilonzo, M.P.
8. The Hon. Ababu Namwamba, M.P.
9. The Hon. Sophia Abdi, M.P.
10. The Hon. Ekwee Ethuro, M.P.
11. The Hon. Lucas K. Chepkitony, M.P.
12. The Hon. Moriasi Ombui, M.P.
13. The Hon. Amina Abdalla, M.P.
14. The Hon. Rachel Shebesh, M. P.
15. The Hon. Charles Onyancha, M.P.
16. The Hon. Rev. Julius Murgor, M.P.
17. The Hon. David M. Ngugi, M.P.
18. The Hon. (Dr.) Eseli Simiyu, M.P.
19. The Hon. Danson Mwazo, M.P.
20. The Hon. Elizabeth Ongoro, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Millie Odhiambo, M.P. **Vice-Chairperson**
2. The Hon. Chirau Ali Mwakwere, EGH, M.P.
3. The Hon. Beth Mugo, EGH, M.P.

**ABSENT**

1. The Hon. Alfred Khang'ati, M.P.
2. The Hon. (Dr.) Joyce Laboso, M.P.
3. The Hon. Cecily Mbarire, M.P.
4. The Hon. (Dr.) Kilemi Mwiria, M.P.

**IN ATTENDANCE**

**NATIONAL ASSEMBLY**

- |                        |   |                        |
|------------------------|---|------------------------|
| 1. Mrs. Rebecca Tonkei | - | Research Officer I     |
| 2. Mr. Zakayo Mogere   | - | Second Clerk Assistant |
| 3. Mr. Oscar Namulanda | - | Third Clerk Assistant  |

**MIN. NO. 132/2011: PRELIMINARIES**

The meeting was opened with a word of prayer.

**MIN. NO. 133/2011: ADOPTION OF THE REPORT ON THE NOMINEES TO THE JUDGES AND MAGISTRATES VETTING BOARD**

Members went through the draft report on the nominees to the Judges and Magistrates Vetting Board. The Committee deliberated further on the suitability of the six nominees for approval by the House and resolved to rescind its earlier decision to reject two nominations: This was proposed by Hon. Ethuro, MP and seconded by Hon. C. Kilonzo MP. Consequently the Committee adopted the proposal to approve all the six nominees. Finally, the draft report was adopted subject to the changes proposed above. The adoption of the report was proposed by Hon. kaloki, MP and seconded by Hon. Chepkitony, MP.

The following names of nominees were adopted for tabling before the house for approval to serve in the Judges and Magistrates Vetting Board: -

- |                                     |             |
|-------------------------------------|-------------|
| 1. Mr. Sharad Sadashiv Rao          | Chairperson |
| 2. Mr. Justus Maithya Munyithya     | Member      |
| 3. Mrs. Roseline Odhiambo Odede     | Member      |
| 4. Prof. Ngotho wa Kariuki, MP      | Member      |
| 5. Mrs. Meuledi Mabruki Iseme       | Member      |
| 6. Mr. Abdirashid Abdullahi Hussein | Member      |

**MIN. NO. 134/2011: ANY OTHER BUSINESS**

Hon. Amina Abdalla informed the Committee that as Chairperson of the subcommittee two which was looking at the possibility of amalgamating the Kenya Human Rights Commission Bill with the National Gender, Equality Commission Bill to have one Commission and the Administrative Justice Bill into one whole Commission as envisaged in the Constitution. Members deliberated and resolved to have the subcommittee do two different reports one amalgamated and one with separate Commissions and present to the whole Committee on Thursday 18<sup>th</sup>, August, 2011.

Members also deliberated on requirements laid down by the Selection Panel of the Independent Electoral Boundaries Commission to the applicants that they should obtain recommendations from among others the following bodies: -

- i). Higher Education Loans Board
- ii). Kenya Anti corruption Commission
- iii). National Security Intelligence Service
- iv). Professional Bodies

The Committee resolved that the Chairperson should have an informal meeting with the Chairperson of the Selection Panel and report back to Committee.

**MIN. NO. 135/2011: ADJOURNMENT**

The Chairperson adjourned the meeting at Ten minutes past One O'clock until Thursday 18<sup>th</sup> August, 2011 at 10.00 a.m.

SIGN:.....

(CHAIRPERSON)

DATE:..... 16/08/2011 .....



MINUTES OF THE THIRTY SEVENTH SITTING OF THE CONSTITUTIONAL IMPLEMENTATION OVERSIGHT COMMITTEE HELD IN THE MAIN COMMITTEE ROOM, COUNTY HALL, PARLIAMENT BUILDINGS ON MONDAY 15<sup>TH</sup> AUGUST, 2011 AT 2.30 P.M.

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**PRESENT:**

1. The Hon. (Prof.) Phillip Kaloki, M.P. - Acting Chairperson
2. The Hon. Chirau Ali Mwakwere, EGH, M.P.
3. The Hon. Benedict Fondo Gunda, M.P.
4. The Hon. John Mbadi, M.P.
5. The Hon. Joseph Kasaine Nkaiserry, M.P.
6. The Hon. Charles Kilonzo, M.P.
7. The Hon. Ababu Namwamba, M.P.
8. The Hon. Sophia Abdi, M.P.
9. The Hon. Ekwee Ethuro, M.P.
10. The Hon. Lucas K. Chepkitony, M.P.
11. The Hon. Moriasi Ombui, M.P.
12. The Hon. Amina Abdalla, M.P.
13. The Hon. Rachel Shebesh, M. P.
14. The Hon. Charles Onyancha, M.P.
15. The Hon. Rev. Julius Murgor, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Hussein Mohammed Abdikadir, M.P. Chairperson
2. The Hon. Millie Odhiambo, M.P. Vice-Chairperson
3. The Hon. Beth Mugo, EGH, M.P.
4. The Hon. David M. Ngugi, M.P.
5. The Hon. (Dr.) Eseli Simiyu, M.P.

**ABSENT**

1. The Hon. Alfred Khang'ati, M.P.
2. The Hon. (Dr.) Joyce Laboso, M.P.
3. The Hon. Cecily Mbarire, M.P.
4. The Hon. Martha Wangari Karua, EGH, M.P.
5. The Hon. Danson Mwazo, M.P.
6. The Hon. Elizabeth Ongoro, M.P.
7. The Hon. (Dr.) Kilemi Mwiria, M.P.

**IN ATTENDANCE**

**NATIONAL ASSEMBLY**

- |                        |   |                        |
|------------------------|---|------------------------|
| 1. Mrs. Rebecca Tonkei | - | Research Officer I     |
| 2. Mr. Zakayo Mogere   | - | Second Clerk Assistant |
| 3. Mrs. Lucy Wanjohi   | - | Second Clerk Assistant |
| 4. Mr. Oscar Namulanda | - | Third Clerk Assistant  |

**MIN. NO. 123/2011: PRELIMINARIES**

The meeting was opened with a word of prayer by the Hon Rev. Julius Murgor, MP at Thirty

minutes past Two O'clock.

**MIN. NO. 124/2011: VETTING OF MR. SHARAD SADASHIV RAO TO SERVE AS CHAIRPERSON OF THE JUDGES AND MAGISTRATES VETTING BOARD**

The Acting Chairperson welcomed the nominee to the meeting and instructed the administration of Oath to the nominee. The nominee was informed that the Vetting Procedure was being done in accordance with section 30 (1) and the second schedule of the Commission for the Implementation of the Constitution Act, 2010. Thereafter the Chairperson asked the nominee to take the Committee through the information requested in the Second Schedule to the Commission for the Implementation of the Constitution Act, 2010.

Mr. Sharad Sadashiv Rao informed the Committee that he is a Kenyan citizen born on 13<sup>th</sup> October, 1935 and that:-

- (i) He is a Barister at Law, Lincoln's Inn, London. He was called to the bar on 16<sup>th</sup> June, 1959 and enrolled as an advocate of the High Court of Kenya on 6<sup>th</sup> July, 1960 and has been at the bar for over 50 years.
- (ii) He has acted in several major and wide ranging criminal cases including several Courts martial in which he acted as Judge Advocate, Prosecuting and Defence Counsel. He also acted as Counsel for Uganda and set up the first Court martial in Uganda and prosecuted on behalf of the Ugandan Government several senior Army Officers for attempting to overthrow the Uganda Government.
- (iii) He has worked as an Assistant DPP and DPP in the Office of the Attorney General from 1970 to 1984. He also acted briefly as Attorney General in the absence of the then AG Mr. Kamere.
- (iv) He has represented the state in all major criminal and some civil cases including the first ever Treason Trial in Kenya and at international meetings and conferences.
- (v) From 1984 to 1988 he served at Iran/United States Claims Tribunal at the Hague, an arbitration panel set up under the Algiers Accord to settle disputes between Iran and the United States following the ouster of the Shah of Iran
- (vi) He is currently in private practise and carries a lot of experience to serve as Chairperson of the Vetting Board.

Members also sought clarifications from Mr. Sharad Sadashiv Rao on the following issues:-

- (i) His political affiliations/ambitions and how is going to guard against bias.
- (ii) The changes the Judiciary has to make having served there for along time.

In response, Mr. Sharad Sadashiv Rao informed the Committee that:-

- (i) He is a life member of KANU Party and very non partisan when handling cases.

- (ii) He is not in any partnership with any sitting Judge or Magistrate and therefore he is very impartial.

**MIN. NO. 125/2011: VETTING OF MR. JUSTUS MAITHYA MUNYITHYA TO SERVE ON THE JUDGES AND MAGISTRATES VETTING BOARD**

The Acting Chairperson welcomed the nominee to the meeting and instructed the administration of Oath to the nominee. Thereafter the Chairperson asked the nominee to take the Committee through the information requested in the Second Schedule to the Commission for the Implementation of the Constitution Act, 2010.

Mr. Justus Maithya Munyithya informed the Committee that he is a Kenyan citizen born on 23<sup>rd</sup> September, 1947 and that:-

- (i) He holds a Bachelor of Law Degree from the University of Nairobi and a Diploma in Law from the Kenya School of Law.
- (ii) He has attended several seminars, conferences and short term trainings in various disciplines including interdisciplinary training on working together against gender based violence, arbitration and alternative dispute resolution and anti corruption and good governance.
- (iii) He has served as an Associate Advocate with Mwangi Njenga & Company Advocates, Mombasa for 4 years.
- (iv) He is a Member of the Law Society of Kenya
- (v) He is a Managing Partner of Kioko, Munyithya, Ngugi & Company Advocates
- (vi) He is a Volunteer Legal Officer Liishe Trust dealing with Human Rights Awareness Campaigns, Public Interest Litigation, Civic education, Child Rights and Advocacy

Members also sought clarifications from Mr. Justus Maithya Munyithya on the following issues:-

- (i) His contribution to the position applied for
- (ii) If he will have time to do pro bono work

In response, Mr. Justus Maithya Munyithya informed the Committee that:-

- (i) He brings commitment to the judiciary and that he believes in conflict resolution and corporate body management.
- (ii) He will be objective in vetting the Judges and Magistrates and not have a prejudiced mind against any of them but the constitution.
- (iii) He will dedicate his full time of one to the work of the Vetting Board and resume his pro bono work thereafter.



**MIN. NO. 126/2011: VETTING OF MRS. ROSELINE ODHIAMBO ODEDE TO SERVE ON THE JUDGES AND MAGISTRATES VETTING BOARD**

The Chairperson welcomed the nominee to the meeting and instructed the administration of Oath to the nominee. Thereafter the Chairperson asked the nominee to take the Committee through the information requested in the Second Schedule to the Commission for the Implementation of the Constitution Act, 2010.

Mrs. Roseline Odhiambo Odede informed the Committee that he is a Kenyan citizen born on 29<sup>th</sup> March, 1967 and that:-

- (i) She holds an LLM in Law from the University of Witwatersrand, South Africa and an LLB from the University of Nairobi. He is an advocate of the High Court of Kenya and holds a Diploma certificate in Law from the Kenya School of Law and been practising for over 20 years.
- (ii) She is a Part time Lecturer, Moi University, School of Business and a Proprietor of Roseline Odede & Company Advocates
- (iii) She has been a Consultant at the UNHCR and a Legal Assistant at Anne Schofield & Kasamani Advocates.
- (iv) She has attended several trainings including international commercial law and vulture funds, working together against gender based violence, alternative dispute resolution among others
- (v) She is a Council Member of the Law Society of Kenya, Legal Education, Gender Committee Law Society of Kenya, continuing Legal Education Committee law Society of Kenya and also been a Council Member of East Africa Law Society and Commonwealth Lawyers Association
- (vi) She has written and published several articles including: - Rights of unaccompanied Refugee Minors, Women's Rights in times of Conflict. An analysis of the Rwanda Genocide, Rape Women and Consent

Members also sought clarifications from Mrs. Roseline Odhiambo Odede on the following issues:-

- (i) Her take on what went wrong with 2003 Judicial Surgery
- (ii) How she will determine the caliber of Judges and Magistrates

In response, Mrs. Roseline Odhiambo Odede informed the Committee that:-

- (i) She would like to see the Judicial system that understands the Constitution, its role and mandate and Judges and Magistrates who meet the criteria as required of by the Constitution
- (ii) In 2003, the rules were flawed because the people who were involved in surgery exercise were not given a hearing although it served as a wake up call

- (iii) She will be fair and objective to all Judges and Magistrates appearing before the board.

**MIN. NO. 127/2011: VETTING OF PROF. NGO THO WA KARIUKI TO SERVE ON THE JUDGES AND MAGISTRATES VETTING BOARD**

The Chairperson welcomed the nominee to the meeting and instructed the administration of Oath to the nominee. Thereafter the Chairperson asked the nominee to take the Committee through the information requested in the Second Schedule to the Commission for the Implementation of the Constitution Act, 2010.

Prof. Ngotho wa Kariuki informed the Committee that she is a Kenyan citizen born on 8<sup>th</sup> December, 1962 and that:-

- (i) He holds a PHD in financial Management and Taxation, an MBA in Finance and Accounting and a Bachelor of Commerce Degree from The University of Nairobi
- (ii) He is a visiting Professor of Finance, Accounting and Taxation at the University of Buea, Cameroon and formerly worked full time with Government of the Republic of Cameroon as a Commonwealth Expert Advisor on Taxation
- (iii) He has done capacity building and trained staff in various programmes on entrepreneurship and community service for young people in Cameroon.
- (iv) He has practised as a Public Accountant and Auditor for several years and founder member of the Institute of Certified Public Accountants in Kenya 1978 and currently a partner in Ngotho wa Kariuki and Associates CPAs.
- (v) He has experience in University administration at senior level management level as Chairman Department of Accounting and Dean of Faculty of Commerce, University of Nairobi, Chairman of various University Committees, Member of Senate and representative of University in several Committees and Boards.
- (vi) He has been head of Accounting programme in Executive MBA, Africa University, Mutare, Zimbabwe and helped set up executive programme, National University of Science and Technology, Bulawayo and, member of Senate, Africa University Mutare, Zimbabwe.
- (vii) He has been head of department of Accounting, Auditing and Taxation, University of Namibia, member of Senate and Member of the University Financial Advisory Committee of the University of Namibia.

Members also sought clarifications from Prof. Ngotho wa Kariuki on the following issues:-

- (i) What would he do in case of a conflict of interest arising
- (ii) If he will revenge to the Judges and Magistrates who served at the time he was arrested
- (iii) If he has any political ambitions/ affiliations

In response, Prof. Ngotho wa Kariuki informed the Committee that:-

- (i) He would step a side if any one whom he has interest in appears before the Board
- (ii) He would not want to commit any injustice to anybody the it was committed to him
- (iii) He was a Secretary KANU – Kangema Branch between 1976 and 1984, he contested for Kangema Parliamentary Seat in 1974 and 1983 and lost, and he was elected Chairman of FORD in Kengema – Sub branch in 1992 and contested for Parliamentary Seat the same year on a FORD Kenya Ticket and lost. Between 1994 and 1995 he associated with Dr. Apollo Njonjo to form Social Democratic Party, he campaigned for NARC in 2002 general elections

**MIN. NO. 128/2011: VETTING OF MEULEDI MABRUKI ISEME TO SERVE ON THE JUDGES AND MAGISTRATES VETTING BOARD**

The Chairperson welcomed the nominee to the meeting and instructed the administration of Oath to the nominee. Thereafter the Chairperson asked the nominee to take the Committee through the information requested in the Second Schedule to the Commission for the Implementation of the Constitution Act, 2010.

- (i) That Ms. Meuledi is a Kenyan citizen born on 17<sup>th</sup> November 1956 and holds a Masters in Business Administration (Finance Major) and a Bachelor of commerce (Accounting Option) Degrees University of Nairobi respectively.
- (ii) She has twenty four years distinguished post-qualification experience.
- (iii) She has worked as a Deputy Managing Director and Financial Management Accountant, both in the Quasi and Central Government Organizations namely; Kenya Seed Company Ltd, Industrial Development Bank Ltd, Ministry of Lands and Settlement and Ministry of Transport and Communication respectively.
- (iv) She has fully complied with her tax obligations to the State and has never been dismissed from office or adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

Members also sought clarifications from Mrs. Meuledi Mabruki Iseme on the following issues:-

- (i) Her Political Ambitions/Affiliations
- (ii) Her membership to any professional body

In response, Mrs. Meuledi Mabruki Iseme informed the Committee that:-

- (v) She is not a member of any professional body.
- (vi) She is not a member of any political party.
- (vii) She has never been charged in a court of law for any offence.



**MIN. NO. 129/2011: VETTING OF ABDURASHID ABDULLAHI HUSSEIN TO SERVE ON THE JUDGES AND MAGISTRATES VETTING BOARD**

The Chairperson welcomed the nominee to the meeting and instructed the administration of Oath to the nominee. Thereafter the Chairperson asked the nominee to take the Committee through the information requested in the Second Schedule to the Commission for the Implementation of the Constitution Act, 2010.

- (i) That Mr. Abdirashid Abdullahi Hussein is a Kenyan citizen born on 15<sup>th</sup> January, 1964 and holds a Master of Arts in History from Rhodes University, a Master in Conflict Resolution from George Mason University and a bachelor of Education from Kenyatta University.
- (ii) His has worked as a member of the Committee of Experts (CoE) that successfully drafted and delivered our country's new Constitution which is currently being implemented.
- (iii) He is a team player and an expert in conflict analysis and resolution both at the corporate as well as at the interpersonal, community and state level.
- (iv) He has fully complied with his tax obligations to the State and has never been dismissed from office or adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

Members also sought clarifications from Mr. Abdurashid Abdullahi Hussein on the following issues:-

- (i) His Political Ambitions/Affiliations
- (ii) His membership to any professional body

In response, Mr. Abdurashid Abdullahi Hussein informed the Committee that:-

- i) He is not a member of any professional body.
- ii) He is not a member of any political party.
- iii) He has never been charged in a court of law for any offence.

**MIN. NO. 130/2011: COMMITTEE DELIBERATIONS ON THE SUBMISSIONS BY THE NOMINEES**

The Committee deliberated on the nominees and observed that: -

- Some nominees were qualified and handle the task of vetting Senior Judges and Magistrates while others could not.

The Committee having considered the curriculum vitae and having interviewed the nominees found out that although Ms. Meuledi Mabruki Iseme and Mr. Abdirashid Abdullahi have the required academic qualification for appointment to the Vetting Board, they lack the necessary competence and experience to sit in the Vetting Board.

MIN. NO. 131/2011:     ADJOURNMENT

The Chairperson adjourned the meeting at Thirty minutes past Six O'clock until Tuesday 16<sup>th</sup> August, 2011 at 11.00 a.m.

SIGN:.....

(CHAIRPERSON)

DATE:.....

## CURRICULUM VITAE

Name : SHARAD SADASHIV RAO  
Place and Date of Birth : Nairobi, 13 October 1935  
Nationality : Kenyan

### Professional Background

Barrister at Law, Lincoln's Inn, London.

Called to the Bar on 16 June, 1959

Enrolled as Advocate of the High Court of Kenya on 6<sup>th</sup> July, 1960.

In private practice in Kenya from 1960 to 1970 during which acted in several major and wide ranging criminal and civil cases including several Courts martial in which acted as Judge Advocate, Prosecuting and Defence Counsel.

In 1965 while in private practice acted as Counsel for Uganda and set up the first Court martial in Uganda and prosecuted on behalf of the Uganda Government several senior Army Officers for attempting to overthrow the Uganda Government.

Joined Kenya Government service in 1970 and served as Assistant Deputy Public Prosecutor and later as Deputy Public Prosecutor until 1984. Also served briefly as Acting Attorney General in the absence of then Attorney General Mr. Kamere.

Represented the State in all major criminal and some civil cases including the first ever Treason Trial in Kenya.

Represented Kenya at International Meetings and Law conferences.

Served from 1984 to 1988 at Iran/United States Claims Tribunal at the Hague, an arbitration panel set up under the Algiers Accord to settle disputes between Iran and the United States following the ouster of the Shah of Iran.

Now in private practice in Kenya.



**Served on International Legal and Sports Panels which include:-**

The Commonwealth Games Federation as Hon. Legal Adviser since 1982.  
The Court of Arbitration for Sports in Lausanne, Switzerland since 1984.  
Acted in several Commercial and Sports Arbitrations, including the Ad Hoc Court of Arbitration set up at the Olympic Games to resolve disputes arising during the Games and served on the panel of judges at the Olympic Games in Athens in 2004 and on the panel of judges of the Ad Hoc Court for the Olympic Games in Beijing 2008.

Honorary Legal Adviser to the National Olympic Committee of Kenya  
Chairman of a recently established Centre for the Resolution of Sports Disputes set up by the National Olympic Committee of Kenya.  
Serve on the panel of the International Cricket Council for Code of Conduct and Served on Ethics and Dispute Resolution Panel for the ICC World Cup.  
Served on the Dispute Resolution Panel of FIFA World Cup 2010

Served as Chairman of Business Premises Tribunal  
Chaired on behalf of the Attorney General, Board of Review of Sentences, Advocates Disciplinary Committee, Law Reform Commission and the Appeals Board of the Film Censor Board of Kenya  
Examiner and moderator for the Kenya School of Law examinations  
Member of an International panel of advisers who assisted in the drafting of a manual for Implementation of the Chemical Weapons Convention.  
Served as member of a working party to advise Commonwealth Heads of State on sports development in the Commonwealth

**Social and Service Organisations:**

Have record of service in various Social and Sports institutions locally and overseas having served on the following:-.

Chairman of Rotary Club of Nairobi North  
Secretary and Founder Member of Kenya Heart Foundation  
Chairman of Kenya Lawn Tennis Association  
Vice Chairman of Kenya Hockey Association  
Chairman of Kenya Badminton Association  
Vice Chairman of Kenya Olympic Committee

Chef de Mission of the Kenya Team to the 1974 Commonwealth Games  
at Christchurch, New Zealand  
Executive Council of Kenya National Sports Council.  
Hon. Legal Adviser to the Kenya National Olympic Committee  
Chairman and Patron of Nairobi Gymkhana  
Board of Governors of Social Service League & M P Shah Hospital  
Vice Chairman of Indian Business Chamber in the Netherlands  
Founder President of Rotary Club of the Hague Metropolitan  
Chairman of Muthaiga Residents Association  
Chairman of Kenya India Business Council.  
Member of the Executive Board of Friends of Karura Forest Association

**Address:**

Prudential Building, 5<sup>th</sup> Floor,  
Wabera Street, P O Box 45521, Nairobi, 00100, Kenya.  
Telephones: Office (254 20) 311161 and 2211394,  
Fax: 311161, Mobile (254) 733744729.  
E mail: [sharad@iconnect.co.ke](mailto:sharad@iconnect.co.ke). and [sharad1935@yahoo.com](mailto:sharad1935@yahoo.com).

# JUSTUS MAITHYA MUNYITHYA

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<b>Personal Particulars</b>	Date of Birth	23 <sup>rd</sup> September 1968
	Nationality	Kenyan
	Marital Status	Married
<b>Education</b>	11 <sup>th</sup> Jan 1996	Date of Admission as an Advocate, High Court of Kenya
	16 <sup>th</sup> Sept 1994 – Aug 1995	Kenya School of Law (Diploma Legal Practice (Studies))
	27 <sup>th</sup> Aug 1990 – 29 <sup>th</sup> Oct 1993	University of Nairobi, Faculty of Law, Kenya <b>Bachelor of Law (LLB) Degree, Second Class Honours</b>
	1988 – 1989	St. Charles Lwanga School, Kitui District (Kenya Advance Certificate of Education – K.A.C.E. 4 principles)
	1984 – 1987	Migwani Secondary School, Kitui District, Kenya (Kenya Certificate of Education- K.C.E)
	1976 – 1983	Musengo Primary School, Kitui District (Certificate of Primary Education – C.P.E)
<b>Professional experience</b>	May 2000 to date	Establishing partnership of Charles Kioko, Munyithya & Company. As Managing partner of Charles Kioko, Munyithya & Co. now Kioko, Munyithya, Ngugi & Co. Advocates.
	2000 – up to date	Volunteer Legal Officer Ilishe Trust dealing with Human Rights Awareness Campaigns, Public Interest Litigation, Civic Education, Child Rights and Advocacy
	April 1996 – June 2000	Associate Advocate- Mwangi Njenga & Co. Advocates, Mombasa.
		Work experience in Motor claims, Debt collection, Commercial Litigation matters and banking matters.
	<b>Clientele- Handled matters for and behalf of:-</b>	
		1. United Insurance Co. Ltd
		2. Cooperative Insurance Co. Ltd
		3. Royal Insurance Co. Ltd
		4. Lion of Kenya Insurance Co. Ltd
		5. Madison Insurance Co. Ltd
		6. Academic Services Ltd
		7. Kenya Power & Lighting Co. Ltd
		8. Ken Gen Limited
		9. Electoral Commission of Kenya



1997 – 2000 Volunteer Lawyer with Ilishe Trust, dealing with Civic Education, Human Rights Awareness Campaign, Public Interest, Litigation.  
22<sup>nd</sup> Feb – Sept 1994 Legal Assistant. Kahiu Mbuuwa & Associates. Nairobi

1994 – 1995/6 Legal Resources Foundation, Volunteer Lawyer on Human Rights Awareness Programme

1991 – 1995/6 Kituo cha Sheria Legal (Aid) Awareness Programme, Education Assistant. Each one Teach one programme centres.

#### Work Experience

26<sup>th</sup> Dec 1992- 2<sup>nd</sup> Jan 1993 – Election Monitor/Observer Kitui West Constituency, Kitui District.

7<sup>th</sup> Sept – 22<sup>nd</sup> Oct 1992 – Legal Assistant, G.K. Ndunda and Co. Advocates, Kitui office branch, Kitui District.

Sept 1991 – March 1992 - Appointed Sales Representative of Kenya National Assurance Co. (Nairobi area).

6<sup>th</sup> May – July 1991 - Untrained teacher, Matinyani High School, Kitui District.

26<sup>th</sup> March – Aug 1990- Untrained teacher, Nguni Secondary School, Mwingi District

22<sup>nd</sup> Feb – 21<sup>st</sup> March 1990 – Untrained teacher, Chaani Girls' High School, Kitui District

#### Additional professional activities

Sept 1991- Oct 1991 – Life Assurance Sales Course at Kenya National Assurance Company, Nairobi Area office (Certificate of attendance)

4<sup>th</sup> – 6<sup>th</sup> Dec 1991 – Kenya National Assurance Nominee for Life Assurance Sales, Target Training / courses at Silver Springs Hotel, Nairobi (Certificate of attendance).

22<sup>nd</sup> March – 23<sup>rd</sup> March 1992 – University of Nairobi, Jomo Kenyatta Memorial Library Conference room, Seminar room, Seminar on Legal Aid & Legal Education Programme organized by the Kenya Student Society (co-coordinator) Certificate of attendance).

29<sup>th</sup> June – 4<sup>th</sup> Sept 1992 – Clinical Programme (Court attachment) Kitui Senior Resident Magistrate's Court (Certificate of attendance).

14<sup>th</sup> Dec – 17<sup>th</sup> Dec 1992 – Election Monitor / Domestic Observers, Training course, All Good Shepherd Church, Nairobi (National Council Women of Kenya, letters of Accreditation).

28<sup>th</sup> Jan – 30<sup>th</sup> Jan 1993 – Ufungamano House Auditorium, Seminar on the Multi-party Democracy. Certificate of attendance by the Kenya Law Students Society.

16<sup>th</sup> Sept 1994 – 16<sup>th</sup> Sept 1995 – Kiania Njau & Company Advocates (Pupillage) Certificate of completion.

9<sup>th</sup> to 12<sup>th</sup> Aug 2001 – Seminar by independent medical legal unit subject:- Medico – legal work and instrument for justice.

**Award: Certificate of attendance / completion.**

17<sup>th</sup> – 20<sup>th</sup> Oct 2002 – Training course on the environmental management and co-ordination Act organized by the Public complaints committee (PCC) and the Environmental Liaison Center International (ELCI)

**Award: Certificate of Participation**

20<sup>th</sup> Oct 2002- 25<sup>th</sup> Oct 2002 – Conference of the international Bar Association Durban South Africa courses – Business Law and practice, ADR/Mediation – innovation dispute resolution procedures, Legal practice, Human rights Academic/Judges Forum

- The role and value and truth and reconciliation commissioner, restoration justice and alternatives to the traditional criminal justices systems and constitutionals, access to environmental justice and co-operative responsibility.

12<sup>th</sup> Sept 2003 – Training by Independent Medico- Legal Unit, Whitesands, Mombasa. Giving expert medical evidence and laws relating to Medical-Legal issues.

**Award: Certificate of Completion.**

9<sup>th</sup> June – 13<sup>th</sup> June 2003 – Imperial Botanical Hotel, Entebbe, Uganda, Access Justice for all – By the Law Society of England and Wales – A programme to strengthen the capacity of legal and project.

Establishing effective legal aid services, lobbying and coalition building skills, capacity building within legal aid scheme movement, structures for regulating legal aid.

International Human Rights and Public Interest activities, relevance of Human Rights standards to legal practitioners as a tool for litigation, as a measure for research and monitoring compliance as a tool for law reform/civil education. Main points in ICPR convention of civil and political rights.

Alternative dispute resolution / mediation, strategies for strengthening ADR.

Delivery of efficient legal aid services.

Building networks with Governments and other stakeholders on access to justice for all. How to network, why is networking relevant in legal framework, strategies for effective networking, what makes networks work?

**Award: Certificate of attendance / completion**

7<sup>th</sup> – 9<sup>th</sup> Dec 2005 – Panafric Hotel, Nairobi 2005 Workshop for pro-bono lawyers training and 3<sup>rd</sup> annual Juvenile Justice and Pro bono lawyers conference by CRADLE and UNITED STATES INTERNATIONAL UNIVERSITY.

Conventions on the rights of the child, African Charter on the rights and welfare of the child, the protocol to prevent, suppress and punish trafficking in persons, speaking the unspeakable the realities of sexual abuse in Kenya 2004, fact sheet on human trafficking in persons in Kenya, child psychology and developments, operations of the advocates of magistrate in children cases.

2<sup>nd</sup> – 3<sup>rd</sup> Feb 2006 – Workshop on International adoptions by professor Duncan William, Deputy Secretary General, The Hague Conference on Private international law, Adoptions in the Children Act Cap 586, Laws of Kenya. And the Hague Convention on the protection of Children & Co-operation in respect of inter-country adoptions.

Introduction to the Hague Conference and its conventions – the Hague Convention, overview, general nature and current status of the convention, the ratification process, basic principles of the convention, key operating principles, some question of the scope, institutional matters, the child and the prospective adopters, the inter-country adoption process, post-adoption matters, post convention services and permanent bureau, useful documentations, the special commissioner to review the practical operation of the 1993 convention, establishment of a central authority for adoptions.

May 30<sup>th</sup> – July 8<sup>th</sup> 2005 – THE UNITED NATIONS INSTITUTE FOR TRAINING & RESEARCH- Arbitration and alternative dispute resolutions.

**Award certificate of completion** – training and capacity building programmes in debt and financial management.

March 11<sup>th</sup> 2006 - **Award certificate of participation** – Independent Medico-Legal Unit

March 2007 - **Awarded Certificate of Good Service** by the Law Society of Kenya



23<sup>rd</sup> - 26<sup>th</sup> August 2010 – Training seminar on “Access to Justice Trial Advocacy Training” organized by the Council of Legal Education / Kenya School of Law , Kituo Cha Sheria & National Institute for Trial Advocacy

27<sup>th</sup> -29<sup>th</sup> July 2010 - Award certificate of attendance and completion of advanced course on International Commercial Arbitration organized by The Chartered Institute of Arbitrators ( Kenya Branch)

**AWARD HSC 12<sup>TH</sup> DECEMBER, 2010 FOR DISTINGUISHED SERVICE AS CHAIRMAN NATIONAL ADOPTION COMMITTEE OF KENYA BY HIS EXCELLENCY THE PRESIDENT, HON. MWAI KIBAKI**

**Volunteer Services/** 1991 – upto date – Kituo Cha Sheria, Legal Aid Education, Public Interest  
**Probono Service** Litigation and Advocacy.

1994 – up to date – Volunteer lawyer Legal Resources Foundation – Legal Awareness Programme (Facilitator), Resource Person, Human Rights Awareness Campaign, Advocacy, and Public Interest Litigation.

2000 – 2002 – L.S.K. (Law Society of Kenya) Land Reform Programme Campaign and Research on Electoral violation.

June 1995 – I.E.D. (Machakos, By-Elections) Election Monitor

Feb – March 1996 – I.E.D. Kibwezi (Elections Monitor/Election Co-coordinator.

Oct 1994 – I.E.D. (Institute for Education on Democracy, Nairobi Kenya, Monitor Starehe by-election)

Oct 1991 – Research Assistant – To Reuben Nyamai of Mutufa Kilonzo & Co.- Topic (Academic Freedom in Kenya)

April – Oct 1993 – Research on my 3<sup>rd</sup> year, Dissertation Paper:- Topic- The 1984 Insurance Amendment Act (A critique)

Supervisor:- Pauline Nyamweya (Mrs.)

2002 Topo Pro bono Award Scheme 2000 – The Child Rights, Advisory, Documentation & Legal Centre – Human Rights Awareness Campaign, Child Rights and advocacy.

2002 – up to date – Volunteer Lawyer CRADLE

**Law Society of  
Kenya  
Participation -  
Elections**

4<sup>th</sup> June 2000 – 25<sup>th</sup> Aug 2000 – Council Member – L.S.K., Mombasa Chapter.

25<sup>th</sup> Aug 2000 – 5<sup>th</sup> Oct 2001

Oct 2003 Up to date – Treasurer East Africa Law Society. To oversee financial matters of EALS.

23<sup>rd</sup> March 2002 – 19<sup>th</sup> March 2005 – Coast Representative L.S.K. Council.

19<sup>th</sup> March 2005 – March 2008 – Elected Vice Chairman, Law Society of Kenya.  
To deputise chairman of LSK on the affairs of the council of the LSK.

**International  
Participation**

Oct – Nov 2003 – Program – Capacity Building Training in Democracy and Governance for Africa – Les Aspin Centre (USA – Washington D.C)

Subject studied / Course Content on:-

- ❖ Ethics and Public Policy
- ❖ Ethics and Corporate Governance



- ❖ Systems of Government Oversight: Federal and State Oversight Agencies
- ❖ Negotiation and Dispute Management Techniques
- ❖ Building National Integrity and Accountability Systems
- ❖ Interest Group Politics and Corruption Management
- ❖ Ethics Information Infrastructure and Research
- ❖ Enforcement of Ethical Practices
- ❖ The United States Congress: Congressional Oversight
- ❖ The American Democratic System of Governance: Federal and State Government
- ❖ Public Management Strategies and Corruption Control
- ❖ Global anti-corruption programs
- ❖ Advocacy Techniques and Lobbying for Social Action
- ❖ Culture and Corruption Management
- ❖ Gender Approaches to Corruption Control
- ❖ Promoting Ethics Through the Media
- ❖ Ethical Standards and Business Practices
- ❖ Government Oversight Committees in East Africa
- ❖ Government and Civil Society Collaboration and the Building of Integrity Systems in East Africa.

23/3/2011 to 26/3/2011 attended University of Washington, School of law and attained a diploma in Trial Advocacy Instruction

### **Achievements**

Year 2002 – Received the **CRADLE PROBONO AWARD** for being the Top Lawyer for the year 2002. On Child Rights Advocacy programme.

2003 – 31<sup>st</sup> March 2003 – Received Certificate of appreciation the Law Society of Kenya for outstanding service to the society and its membership.

### **Appointments**

May 2005 – to date – Chairman Adoption Committee of Kenya Chair Committee meetings to oversee the running of the affairs of the committee and secretariat as per the provisions of Children Act Cap 586 Laws of Kenya Section 155 thereof.

To. develop adoption policies in Kenya Liaising with the family division of High Court, Director of children service and the LSK and other stake holders etc.

20<sup>th</sup> May 1999 – Appointed as Commissioner for oaths

29<sup>th</sup> Aug 2001 – Admitted to the Institute of Certified Public Secretary of Kenya (CPS)

7<sup>th</sup> Jan 2002 – Appointed Notary Public.

## References

Mohamed Balala

Chairman Mombasa Law Society

Mombasa Law Society

P O Box 89298

### **MOMBASA**

Email: [mombasafawvers@gmail.com](mailto:mombasafawvers@gmail.com)

Tel: 0721 363 536

Priscilla Nyokabi

Executive Director

Kituo Cha Sheria

(Centre for Legal Empowerment)

P O BOX 7483-00300

### **NAIROBI**

Email: [info@kituochasheria.or.ke](mailto:info@kituochasheria.or.ke)

0721 881 859

Mary Karen Sorobit

Deputy Secretary

(Compliance & Ethics)

Law Society of Kenya

P O Box 72219-00200

### **NAIROBI**

Tel: 0728 720 093

## CURRICULUM VITAE

**NAME:** ROSELINE ADHIAMBO ODEDE nee' ODHIAMBO  
**DATE OF BIRTH:** 29<sup>TH</sup> MARCH, 1967  
**MARITAL STATUS:** MARRIED  
**CITIZENSHIP:** KENYAN  
**LANGUAGES:** KISWAHILI & ENGLISH (Fluent)  
FRENCH, (very basic)  
**MAILING ADDRESS:** P. O. BOX 2705 - 30100  
ELDORET.  
KENYA.  
**PHYSICAL ADDRESS:** ROSELINE ODEDE & CO. ADVOCATES,  
4<sup>TH</sup> FLOOR  
K.V.D.A. PLAZA  
OLOO STREET  
ELDORET.  
**TELEPHONE:** +254-53-2030435 (OFFICE)  
+254-53-2063600 (OFFICE)  
+254-723-200662 (CELL)  
+254-733-956626 (CELL)  
**FAX:** +254-53-2030433  
**E-MAIL:** [roded@africaonline.co.ke](mailto:roded@africaonline.co.ke)

### EDUCATIONAL BACKGROUND

**JULY 2001 - JULY 2003** Masters in Law Studies at University of  
Witwatersrand, South Africa. Obtained  
LLM Degree.

**18<sup>TH</sup> OCTOBER, 1990** Admitted to the Bar as an Advocate of  
the High Court of Kenya.

**SEPT. 1989 – APRIL 1990** Kenya School of Law, Nairobi  
Obtained Diploma in Law

**SEPT. 1986 – JUNE 1989** University of Nairobi, Faculty of Law  
Obtained L.L.B (Lower Second Class)  
Honors Degree.

### AWARDS:

**OCTOBER 2010** Recognition award from the East Africa Law  
Society for distinguished legal practice & service.

**APRIL 2008** Recognition award from FIDA Kenya for pro-bono  
work.



PROFESSIONAL SOCIETIES:

- (i) Member Law Society of Kenya
- (ii) Member East African Law Society
- (iii) Member International Federation of Women Lawyers (Kenya Chapter)
- (iv) Member Commonwealth Lawyers Association
- (v) Member Pan Africa Lawyers Union.

WORKING EXPERIENCE

SEPTEMBER 2003  
TO DATE

Part-Time Lecturer, Moi University  
Eldoret , School Of Business

1993 TO DATE

Proprietor, Roseline Odede & Company  
Advocates

OCT. 2002 – DEC. 2002

Consultant Unhcr Nairobi

1990 – 1993

Legal Assistant At Anne Schofield &  
Kasamani Advocates

1995 – APRIL 1996

Research Assistant To Dr Kaseje At  
Aga Khan Hospital Primary Health  
Care Unit In Kisumu

TRAINING:

MAY 2011

International Commercial Law and Vulture Funds.

MARCH 2011

"Working together against Gender Based Violence"  
Training.

JULY 2010

Referendum Observation : Training Of  
Trainers:

NOVEMBER 2009

Workshop on Enhancing Maintaining Lawyer  
Competence.

SEPTEMBER 2009

Team Building and Motivation Training

APRIL 2009

Alternative Dispute Resolution and mediation.

NOVEMBER 2008

Organizational Sustainability.

JULY 2008

Community Peace Building workshop.

## PUBLICATIONS/ ARTICLES

- (i) Rights of unaccompanied Refugee Minors.
- (ii) Women's rights in times of conflict. An analysis of the Rwanda Genocide.
- (iii) Rape Women and Consent: Deconstructing the Myths.
- (iv) Women's Reproductive Health Rights: A case for Legalizing Abortion in Kenya.
- (v) The effects of post election violence on women in the North Rift.
- (vi) Trampled Upon: Rethinking new paradigms in asserting rights of women and children in times of conflict.
- (vii) The Impact of the Global War on Terrorism on the Rights of Women In East Africa.
- (viii) HIV/AIDS AND RAPE: An examination of the Kenya Sexual Offences Act, 2006.
- (ix) Tracing the Jurisprudence of the East African Court of Justice.
- (x) Comparative Analysis of Matrimonial Property Regimes in the East African Countries.

## POSITION'S HELD:

- PROFESSIONAL:**
- 1) Council Member Law Society of Kenya (2004 to date)
  - 2) Council Member, Council of Legal Education (2007 to date)
  - 3) Council Member East Africa Law Society - (2004-2006)
  - 4) Council Member Commonwealth Lawyers Association (2007 – 2009)
  - 5) Convener Gender Committee East Africa Law Society
  - 6) Member Gender Committee Law Society of Kenya,
  - 7) Member Continuing Legal Education Committee Law Society of Kenya. (2005 to date)

## OTHERS

- (I) Founder Member & Current Chairperson of Eldoret Hospice Board.
- (II) Honorary Legal Counsel For Kenya Medical Association Eldoret Branch
- (III) May – August 1986  
NYS Pre-University Programme Course,
- (IV) Honorary Legal Counsel  
Ruma Aids Awareness Programme
- (V) Initiator And Patron Siger Women's Group
- (VI) Board Member in Several Schools

### AREAS OF PRACTICE:

- Family Law
- Intellectual Property Law
- Commercial And Corporate Law
- Criminal Law
- Conveyancing

### SKILLS AND POSITIVE ATTRIBUTES:

- (i) Working knowledge of computers and other word processing equipment, able to work without administrative support.
- (ii) Capacity to work with minimum supervision. able to play a leadership role.
- (iii) Ability to work under pressure, and manage time effectively.
- (iv) Good interpersonal skills
- (v) Versatility
- (vi) Excellent writing, editing and oral communication skills. Able to write materials suitable for, and to speak to a variety of audiences; and to meet tight deadlines.
- (vii) Resourceful and skilled researcher.
- (viii) Passionate commitment to duty
- (ix) Creative and visionary thinker



- (x) Problem solving skills
- (xi) A good team player
- (xii) Integrity, high energy and a sense of humor.
- (xiii) Good advocacy skills, and a trained mediator.

**OBJECTIVES:**

- (i) To contribute to the improvement and well being of society, by bettering the lot of women, children and families.
- (iii) To assist in law reform processes

**HOBBIES:**

- Travelling
- Reading
- Sports
- Music
- Gardening

**INTERESTS:**

- Law
- Current Affairs
- Business and Trade
- International Human Rights
- Gender and Youth Issues
- Improving the lot of my community

**REFEREES:**

Mr. Fred Ojiambo (S.C.)  
Kaplan & Stratton Advocates.  
Williamson House, 4<sup>th</sup> Ngong Avenue,  
P. O. Box 40111 - 00100  
Nairobi

Mr. Chacha Odera,  
Oraro & Co. Advocates,  
ACK Garden House, 1<sup>st</sup> Ngong Avenue,  
P. O. Box 51236-00200  
Nairobi

  
\_\_\_\_\_  
ROSELINE ODEDE

# CURRICULUM VITAE

## PROF. NGOTHO wa KARIUKI

### 1. PERSONAL DETAILS

DATE AND PLACE OF BIRTH	JUNE 3, 1949, KENYA
MARITAL STATUS	MARRIED WITH CHILDREN
NATIONALITY	KENYAN
PERMANENT ADDRESS	P.O. BOX 52906, NAIROBI, KENYA
TELEPHONE	
(Permanent Home)	
Nairobi, Kenya	254-20-2221293/)
CURRENT MAILING ADDRESS	P.O. Box 52906-0200, Nairobi
	and
	University of Buea
	Commonwealth Experts Office
	Faculty of Social and Management Sciences
	P.O Box 63,
	Buea, SW cameroon

email: wakariuki@yahoo.co.uk

### LANGUAGES

	SPOKEN	WRITTEN
English	Fluent	Very Good
Gikuyu	Fluent	Very Good
Kiswahili	Fluent	Very Good
Kikamba	Fairly	Fair
Shona and Ndebele	slight	poor.
French	slight	poor

NGOTHO

WA

KARIUKI

(B.COM, MBA (Act & Fin), CPA, Kenya)  
(A)CFA(A)

CFE,

## 2. SUMMARY

- *Visiting professor (twice a year) Cameroon, university of Buea*
- *Formerly (fulltime) (2006-2010) with Commonwealth Fund for Technical Cooperation (CFTC), London. Seconded as a Commonwealth Expert Advisor and Visiting Professor of Finance, Accounting and Taxation, to the Government of Republic of Cameroon. University of Buea Developed Masters and PhD programmes for academic staff in Buea, Cameroon to enable them to progress in academic career.*
- *Capacity building and training staff in various areas of the faculty of management.*
- *Developed training programmes on entrepreneurship and community service for young people in Cameroon*
  
- *Over thirty years experience as Lecturer, Professor, Trainer and Consultant on Taxation, Financial Management and Public Finance Management; Wide knowledge of Public Sector Management, Civil Service Reform and Tax Systems of East, Central and Southern African countries gained through designing marketing and delivering innovative and highly successful training programmes for Senior Civil Servants.*
- *Developed training programmes on auditing, tax and Government accounting for civil service in Namibia.*
- *Training programmes extended to award certificates and diplomas for the civil servants in Namibia to assist in career development*
  
- *Practised as a Public Accountant and Auditor for several years and a founder member of the Institute of Certified public Accountants in Kenya 1978 Member of the initial Council Helped to draft the first Act, which set up the Accounting Institute and the subsequent amendments. Became CPA in 1975. Currently a partner in a practice I founded.  
(Ngotho Wa Kariuki and Associates CPAs)*
  
- *Extensive experience in teaching, research and University administration at senior management level as Chairman - Department of Accounting and Dean of Faculty of Commerce. Chairman of various University Committees. Member of Senate and a representative of the University in several committees and Boards. University of Nairobi*
- *Professor of Financial Management, Accounting and Taxation, University of Venda, Limpopo Province, Republic of South Africa.*
  
- *Head of Accounting Programme in Executive MBA, Africa University, Mutare, Zimbabwe. Helped set up Executive MBA programme, National University of Science and Technology, Bulawayo, Zimbabwe. Member of the University senate, Africa University, Mutare*
  
- *Head of Department of Accounting, Auditing and Taxation, University of Namibia. Member of the university senate, Member of Financial Advisory Committee of the University of Namibia*

- *Successful track record of capacity building of East, Central and Southern African Senior Managers of industry, banking, parastatals and Government ministries enhanced during three years as Senior Consultant at a leading management-training institute.*
- *Ability to combine academic leadership with a record of successful Senior management in private and public sector; skilled and experienced in policy analysis and application, negotiating at various levels, communicating with people from different backgrounds at national and international levels;*
- *Over thirty years experience of rural development work mostly in voluntary capacity.*
- *Experience in Government accounting and Public sector accounting. Recently participated in a consultancy on Review of State Finance Act in Namibia.*
- *Worked on the document and the Terms of Reference for the review of the Namibian tax system as recommended by the world bank in the 1996 report. Designed the Tax training programme for the tax officers in Namibia.*
- *Team Leader in the Namibian Tax Review project financed by SIDA. Submitted report to NAMIBIAN Cabinet and the proposals accepted and phase one being implemented 2003 budget.*
- *Designed a programme for training Senior Government Accountants and Auditors for the Government of Namibia*
- *Experience in banking and financial sector reforms in Kenya.*
- *Experience in Environmental and natural Resources accounting.*
- *Author of several publications and numerous articles on Taxation and Tax Reform. Financial Accounting and financial Management*

## PROFESSIONAL QUALIFICATIONS

- Registered Practicing Public Accountant, 1978
- Certified Public Accountant (CPA) Kenya. 1977

Professional Membership: (By recognition, not by Certification)

- Member of International Fiscal association
- Member of Certified Fraud Examiners



• Certified Financial Analyst East Africa (CFAEA)

#### 4. EDUCATION

- University of Nairobi, 1973 - 1975: Master of Business Administration (Finance and Accounting).
- University of Nairobi, 1970 - 1973: Bachelor of Commerce (Hons) Accounting.
- Thika High School, 1968 - 1969 "A" Level
- Njumbi High School, 1963 - 1967: "O" Level

4.b Certificate in Job Evaluation Ernest and Young, Zimbabwe (1999)

#### WORK EXPERIENCE

**2006: To 2010**

Commonwealth Expert (Commonwealth Fund for Technical cooperation), London., seconded as an Advisor and Visiting professor, to the government of the republic of Cameroon, University of Buea.

**2002**

Appointed Full Professor in Department of Accounting and Finance and Taxation, university of Veda, South Africa. (Reported 2004 due to work permit)

**August 1999 to 2004:**

Professor of Financial Management, Accounting, and Taxation and Auditing  
University of Namibia

July 2000 to 2004:

Head of the Department of Accounting, Auditing and Taxation,  
University of Namibia

**May to August 1999**

Appointed Full Professor, Kenya Methodist University, Meru Kenya  
*(I could not take up the appointment because of the facilities for the education of my children. I however spent the three Months setting up the Faculty of Business for the University)*

**September 1995 to July 1999**

*Associate Professor (Finance and Accounting) Africa University, Mutare, Zimbabwe*

**Courses Taught: MBA.**

Courses in Accounting, Comparative Taxation, Finance, Financial Management and Debt Management to MBA students

**Undergraduate**

Financial Accounting, Taxation, Business Finance, Financial Management

**1994-1999**

Part-Time Lecturer University of Zimbabwe Centre for Distance Education

Taught Applied Financial accounting and Applied Management Accounting for Graduates of Accounting who were studying for the Theory Of Accounting Course with UNISA, before being registered for the Articles.

**1994-1995**

Senior Lecturer, National University of Science and Technology, Bulawayo - Zimbabwe.  
Courses: Investments, Financial Analysis, Real Estate Finance, Institutional Investment, Accounting and Corporate Finance.

**1993**

Consultant in Financial Management, Africa Center, London. Conducted courses for volunteer services organisation (VSO) for volunteers to Malawi, Namibia, Zambia, and other NGOs.

**PUBLIC Practice and consultancy in Taxation Accounting, auditing and, restructuring of parastatals etc.**

**1986-1988 and 1990-1992 in and out of political prison for my campaign for political reforms**

**1976 - 1986**

**Managing Director - Book Supplies Agency:**

A company supplying books from various international and local publishers, Management responsibility of 21 full-time employees and a turnover of Kshs. 20m (1995: USD1 million).

**1969-70: Headmaster, Gitugi Mixed High School, Kangema, Kenya**

**1980 - 1990**

**Advisor - Kahete Co-operative Society**

A Co-operative society of 3000 members and with coffee sales of 5 million Kenya Shs (approximately US\$500,000 then)

**1983 - 1986**

**Senior Consultant in Public Financial Management, Taxation and Financial Management - Eastern and Southern Africa Management Institute (ESAMI), Arusha, Tanzania.**

Duties included consultancy, designing and delivering high quality training programmes for Senior Civil Servants; courses included "implementing structural adjustment programmes (detailed list attached); Liaising with Senior Government official in 20 African countries; liaising with donors; managing/supervising secretarial and support staff; appointing resource persons; preparation of training manuals.

## 6. ACADEMIC ADMINISTRATIVE EXPERIENCE.

2006-2010: With Commonwealth secretariat as technical advisor and visiting professor of accounting, finance, auditing and taxation in Cameroon, university of Buea.

2004-2005: professor and advisor in accounting university of Venda south Africa

July 2000: Appointed Head of Department of Accounting, Income Taxation and Auditing University of Namibia

**AUGUST 1999, Professor of Accounting, Auditing and Taxation, University of Namibia**

May 1999 Appointed Full Professor and Head School of Business studies, Kenya Methodist University, Meru Kenya

January 1997 Appointed Head of B. Acc Programme, Africa University, Mutare Zimbabwe Planned and developed curriculum for the B.ACC programme and managed it for two years

Jan 1996-July 1999; Co-ordinator Finance and Accounting Modules of Executive MBA.

1980 - 1983

**Dean - Faculty of Commerce - University of Nairobi**

Management responsibility and supervision over teaching, research and administration of 57 academic and 20 support staff; 1000 undergraduates and 100 graduate students; managed recurrent budget of Kshs 20 m (\$2.5m); Faculty highly rated for excellence in research and scholarship in the region and produced the current leading managers of industry, banking, parastatal and Treasury department in Kenya and other East Africa countries.

- The only MBA School in sub-region for several years. Supervised several MBA and LLM (Tax/Revenue Law) students and chaired post-graduate oral defense of MBA theses.
- Other duties included negotiating with Government ministries, international donors and serving in various committees
- Produced first ever Faculty of Commerce Handbook with a historical perspective of Faculty (1957 - 1980)

Set up Faculty of Commerce Alumni Association.

1979 - 1983

**Chairman, Department of Accounting - University of Nairobi**

- Management responsibility and supervision over teaching, research and administration of 17 academic and support staff; 400 undergraduates and 20 post-graduate students.
- Compiled subject files on subjects taught in departments. Organized successful and innovative practical Accounting projects for students

1979 - 1980

Director - MBA Programmes, University of Nairobi

1978 - 1983

Senior Lecturer, Department of Accounting, University of Nairobi  
Lecturing on Accountancy, Finance and Taxation.

1975-77

Lecturer, department of Accounting, Faculty of Commerce - University of Nairobi  
Lectured in Finance, Financial Accounting and Taxation to undergraduates.

1973

Accountant - Metal Box Company, Nairobi.  
General Accounting duties.

1969-1970

Headmaster Gitugi Mixed Secondary school

#### 7. VISITING LECTURESHIPS

Kenya Institute of Administration, Kabere  
Co-operative College of Kenya, Karen  
Extra-Mural Division, University of Nairobi  
Kenya Institute of Management, Nairobi  
Kenya School of Law, Nairobi  
University of Dar-es-salaam

#### 8. EXAMINING ACTIVITIES

Kenya Accountants and Secretaries Examination Board for CPA candidates.  
External Examiner, Department of Accounting, University of Dar-es-Salaam  
Kenya Examination council - Examiner, Principles of Accounts  
Kenya Institute of Management - Examiner  
Kenya School of Law for Commercial Accounts candidates.  
Institute of chartered Secretaries and Administrators, Zimbabwe.  
External Examiner - University of Dar-es-Salaam, Tanzania  
External Examiner - Makerere University, Uganda  
External Examiner - East African Community Staff Management School, Arusha  
Chartered Institute of Secretaries and Administrators, Harare Zimbabwe.  
External Examiner University of Swaziland  
External examiner, National university, Bulawayo, Zimbabwe  
External examiner, Africa university, Zimbabwe  
External Examiner, University of Limpopo

#### 9. MEMBERSHIP OF PROFESSIONAL BODIES

Institute of Certified Public Accountant (ICPA) Kenya, council 1981-84.



Accountants Registration board, Kenya, 1980 - 1984  
Convenor, Publications Committee, ICPA, 1982 - 1984.  
Drafting Committee, amendment of the Accountants Act (1977)  
Students Education Committee, ICPA, 1981 - 1984  
Africa Accounting Council - OAU affiliate  
International Fiscal Association (IFA)  
Zimbabwe Association of Consultants

## PUBLIC AUDIT PRACTICE

- a) Public Auditor and Accountant: *Ngotho wa Kariuki and Associates*.  
(Established in 1977 to date. Currently managed and operated by other partners I trained)
- b) Joint Auditor of Africa Accounting Council - 1983.

Hon. Auditor, Writers Association of Kenya, 1980 - 1990.  
Auditor for numerous private sector firms, Co-operative societies school and churches in Kenya  
Hon Auditor, Mutare Junior Primary School, Mutare Zimbabwe 1996-1999  
Hon. Auditor Mutare Girls High School, Mutare Zimbabwe 1996-1999

## 11. MEMBERSHIP OF ACADEMIC COMMITTEES

Chairman, Research Committee, Department of Accounting, UoN 1978-83  
Chairman, Executive committee, Faculty of Commerce 1980-1983  
Member, MBA Committee, Faculty of Commerce, University of Nairobi 1978-83  
Member Board of the school of Journalism, 1980-83 UoN.  
Curriculum Development Committee, Faculty of Commerce, UoN, 1978-83  
Senate Representative, Board of School of Journalism, 1979-80 UoN  
Bookshop and Library Committee 1977-79 UoN  
Bookshop Management Committee 1980-83 UoN  
Standing Council Committee on Staff Terms of Service 1980-83 UoN  
Trustee, University Staff Union 1980-1982 UoN  
Member, University Senate, 1976 - 1983, UoN  
Member of Curriculum Review Committee, UoN 1977-80  
Member of Executive Committee ESAML Arusha 1984-86  
Member of MBA Planning Committee, ESAML Arusha 1984-86  
Member of University Senate, Africa University 1996-1999  
Member of MBA Preparatory Committee, NUST, Bulawayo 1995-96  
Member of Curriculum Revision and Harmonization ( an Ad hoc committee of Senate)  
Member of staff welfare committee, Africa University 1996-99  
Member of Research and publications Committee Africa University 1996-99  
Chairman, Bookshop Management Committee Africa University, 1997-99  
Member of university Senate, university of Namibia (2000-2004)

Member of Vice-chancellors Committee on setting the first medical school in Namibia (2003-2004)  
Member of University senate. university of Venda 2004- to date.

## 12. PUBLICATIONS

### 12.1 BOOKS PUBLISHED

1. *Kariuki, Ngotho* : *Fundamentals of Income Taxation in Kenya 1st edition* . *Midi Teki Publishers, Nairobi, Kenya.1978.*
2. *Kariuki, Ngotho* : *Taxation Workbook.* *Midi Teki Publishers1980.*
3. *Kariuki, Ngotho* : *Value Added Tax in Kenya 1st edition.* *Midi Teki Publishers 1989.*
4. *Kariuki, Ngotho* : *Value Added Tax in Kenya 2nd edition.* *Midi Teki Publishers 1992.*
5. *Kariuki, Ngotho* : *Introduction to theory of Taxation* *Midi Teki Publishers1992.*
6. *Kariuki, Ngotho* : *An introduction to Tax law in Kenya* *Oxford University Press 1992.*

### 12.2 CONTRIBUTION TO JOINT AUTHORSHIP

1 *Ed Muroki, Waiguchu* :

*Handbook of management of Organizations in Africa*  
*Greenwood Publishing Group*  
88 Post Road West, PO.Box

5007 Westport

## 13. SAMPLE OF RECENT PAPERS PRESENTED IN CONFERENCES

### 13.1 BLIND REFEREED AND PUBLISHED IN CONFERENCE PROCEEDINGS

*Kariuki, Ngotho 1997-2010:Presented paper in USA, Madison university,University of Leeds UK, Marayland University together with University of Ghana, Abuja under association of African universities, University of Tshwane South Africa,etc*

#### EARLIER PAPERS

*Kariuki, Ngotho* : *Financial Management in Africa (1994 Africa Center, London), in a Conference on Alternatives for Africa's Income Generating Capacity*

2. *Kariuki, Ngotho* : *Financial Problems of African Businessmen (1992 Nairobi), in a conference organized by Institute of Economic affairs on Africa's Economic Empowerment.*
3. *Kariuki Ngotho* : *Fiscal Management and Accountability (1993) in a conference Organized by ICJ/ FORD foundation on Economic Management In Kenya.*

4. *Kariuki, Ngotho* : Indigenisation of Commerce in Zimbabwe  
( problems and Prospects- Lessons from Kenya) April 1995 in a  
conference SCHOLASTIC.BULAWAYO. ORGANISED BY Zimbabwe  
Interactive Trade Fair  
And National University of Science and Technology.
5. *Kariuki, Ngotho*: The Impact of Taxation on Private Sector Development in SADC  
(A case study of Eastern Africa). Conference on: TAXATION and  
ECONOMIC DEVELOPMENT, Windhoek, Namibia, November  
1994 organized by SAFER and FREDRICK NUEMAN  
FOUNDATION.
6. *Kariuki, Ngotho*: Taxation and Privatization in Africa (Leeds Business School April  
1997) Conference on: INTERNATIONAL BUSINESS organized by  
LBS.
7. *Kariuki, Ngotho*: (2003): Problems of visas and Currency exchange  
University without Borders.
8. *Kariuki, Ngotho*: (2004) *Micro-finance as a means of raising capital for SMMES*  
United States International University , Nairobi Kenya,)Conference on  
Entrepreneurship.

#### APPENDIX

#### *A SAMPLE OF MBA PROJECT PAPERS/ DISSERTATIONS/ THESES SUPERVISED IN RECENT YEARS RECENTLY IN THE TWO- YEAR MBA PROGRAMMES*

1. Kofi N. (Ghanaian) (1996) An assessment of success of credit financing of  
small scale Firms in Ghana (The case for the National  
Development Corporation)
2. Dlamini T (Swazi) (1996) Zero Base Budgeting, An assessment of its  
applicability in a manufacturing Firm (the case for a sugar  
processing firm in Swaziland)
3. Nuluyati N.(Ms). (Ugandan) (1996) Financing of Women projects (A case Study of  
women in Business in Uganda)
4. Kanyisile M ( Mrs. )(Swaziland) (1996)Expansion of Tax Revenue Base for local  
Authorities. (The case for Swaziland)
5. Chirwere D ( Malawian) (1996) Management of working Capital of a manufacturing  
Firm (The case for Border Timber, Zimbabwe)
6. Siame C Mrs. (Malawian) (1997) An Assessment of Proper Internal Control Systems  
in a Parastatal Firm ( A case study in Malawi)

7. Babarunde M. ( Nigerian) (1997) Management of Debtors in an Engineering Firm (The Case for Hughes Ltd. Zimbabwe)
8. Tsopotsa V. Ms. (Zimbabwean) (1997) Corporate Restructuring and Value Addition (The Case for BTL, Zimbabwe).
9. Njoroge C (Kenyan) (1998) Planning and Management of Audit Time in a Cost-Effective System. (the Case of Aboo & co- An Audit firm in Kenya)
10. Mrema M. Ms. ( Tanzanian) (1998) Corporate Mergers: An assessment of Synergy (The Case of PG&JF. Zimbabwe).
11. Mongae, V (Botswana) (1998) Cash Management in a manufacturing firm (the case of BTL. Zimbabwe)
12. Marimira, J. (Mrs.) (Zimbabwe) (1998) Short Term financing by Commercial Banks in Zimbabwe (The case of Stanbic Bank)
13. Muridzi G. (Zimbabwean) (1999) Management of Cash Cycle in a Manufacturing Firm. (The case for BTL)
14. Tuheirwe J. Dr (Mrs.) ( Ugandan) (1999) Long Term Project Financing (The case of East of East African Development Bank)
15. Bukenya, K. (Uganda) (1999) Micro Financing in Uganda
16. Mughemuzi C. (Tanzania) (1999) Cost Benefit Analysis of Outsourcing ( Case study of BTI Ltd)
17. Moyo Rex (Malawi) (1999) Cost of Capital of a Parastatal Firm (A case study in Malawi)
18. Ndione C. (Malawian) (1999) Taxation of Capital Gains in Zimbabwe
19. Moyo N. (Zimbabwe) (1999) Tax Factors in Business Investment Decisions
20. Mhlanga K. (Zimbabwe) (1999) Taxation of Real Estate Investment Income in Zimbabwe
21. Mayo K (Zimbabwe) (1999) International Auditing Standards: Scope of its application in developing countries.

MBA SUPERVISION  
UNIVERSITY OF NAMIBIA

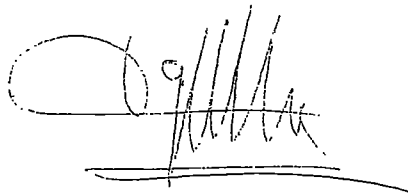


1. Dolly Nashandi (Mrs) (2001) Human Resource Planning in Petroleum Sector in Namibia
2. N.K. Mouton (2001) Financing Higher Education in Namibia (The case of University of Namibia)
3. Mungunda M.M.A. (2001) Government Institutions Pension Fund: Defined Benefit or Defined Contribution?
4. Kavari N (2001) Effectiveness of tax Collection in 5. Kasheeya L (2002) Tender system as a means of Economic Empowerment
5. Tapooji J-(Mrs)----- (2003) Effectiveness of Management of Student Financial Assistance Fund in N Namibia (Mancosa)
6. Akwake. E ( Mrs.) (2004/5) The Marketing Strategy utilized by the Eastern and Southern African Management Institute (ESAMI) in offering Management Training Programmes in Namibia ( regent Business School)

**SUPERVISION IN CAMEROON (2006-2011)**

SUPERVISED 8 MSC IN ACCOUNTING WHO HAVE GRADUATED.

CURRENTLY SUPERVISING ONLINE 22 MSC ACCOUNTING AND 4 PHD ACCOUNTING.



# MEULEDI MABRUKI ISEME

PERMANENT ADDRESS P. O. BOX 4232-30200 KITALE - KENYA

CONTACT ADDRESS P.O.BOX 1205-00621 NAIROBI-KENYA

TELEPHONE +254 716 859 008; +254 772 894 807

EMAIL CONTACT [mmiseme8@gmail.com](mailto:mmiseme8@gmail.com)

## BIO DATA

Nationality: Kenyan

Civil Status: Widow

Gender : Female

Age : Adult

## CAREER OBJECTIVE:

I seek to improve the performance of individuals and institutions through information sharing, organisational development and change process, project and business management solutions that are sustainable in a dynamic environment. My goal is to enhance productivity, eliminate waste, improve quality, increase customer satisfaction and ensure accountability for results drawing from more than twenty years work experience coupled with skills, knowledge and professional development acquired.

## BRIEF PROFILE

I have more than 15 years experience in senior level management with a bias in financial management, business organization and strategic planning. I have played an instrumental role in business turnaround, financial project appraisal and evaluation in both private and public sector organizations. I have demonstrated managerial qualities in leadership, strategic thinking, organisation and planning, administration and financial acumen with visionary skills in leading work teams.

## ACADEMIC BACKGROUND

- MBA (Finance Major), University of Nairobi – Field of Research “An Empirical Study of Locational Determinants of Foreign Direct Investment in Kenya”.
- Bachelor of Commerce (Accounting Major), University Of Nairobi.
- CPA (Kenya) Part II.



## **WORK EXPERIENCE**

### **Current Engagement;**

#### **1) Board Director – Kenya Investment Authority**

##### **Key Responsibilities:**

Chairperson of the Audit & Governance Committee of the Board

#### **2) Member Local Committee-KRA Eldoret.**

#### **3) Board of Governor in the following schools in Trans Nzoia East County;**

- St. Augustine Secondary School Munyaka; Chairperson of the BOG.
- Wiyeta Girls Secondary School; Chairperson of the Planning and Development Committee.
- St Christopher's Secondary School.

#### **4) Consultancy and Training**

##### **Key Responsibilities & Accomplishments:**

- Focusing on CBO's, SME's I provide training needs to enhance entrepreneurial and business management skills.
- Reviewed the financial operations of Thika Coffee Mills and put in place a Financial Management Procedure Manual and internal controls to enhance operational efficiency.

### **June 2005-July 2008: Kenya Seed Company Ltd- Deputy Managing Director**

#### **Key Responsibilities & Accomplishments:**

- Worked closely with the Managing Director as his principal deputy with oversight responsibility for coordinating and monitoring performance focusing on result based outcomes.
- Instrumental in setting key companywide targets and cascaded the same to departmental heads ensuring integration with the annual strategic business plans and budgets as the lead coordinator of the performance management process.
- Successfully chaired and provided leadership to several Committees of the management to mention a few; - Production Marketing & Planning Committee, Credit Committee, Ad Hoc Technical Committee on Review of

Seed Prices, ERP Steering Committee. Senior Management Recruitment and Selection Committee respectively.

- Successfully led the ERP Systems procurement negotiations among others
- Employed prudent financial management practices that resulted in a turnaround cash deficit into a cash surplus position thus availing internal resources for capital projects.
- Reviewed, integrated and refined the internal business processes thus enhanced quality of the products, improved logistics and quality of services and reduced operational costs among others.
- Skilfully negotiated better trade terms improving export prices and expanding overseas trade thus growing the annual export trade from a low of 350 metric tons of white sunflower seed to 800 metric tons.
- Actively participated in formulating the corporate vision and strategic direction for the new strategic planning period 2009/10 to 2012/13 while undertaking the mid-term review of the 2005/06 – 2009/10 periods.
- Successfully deploying debt recovery strategies that realised significant reduction in the trade debt portfolio.
- As a Trustee of the Staff Retirement Pension Scheme participated in guiding the investment decisions ensuring the investment profile provided a stream of income in line with the staff age profile.
- Worked closely with the management team improving the quality and reliability of the Company's work processes by attaining the ISO 9001:2000 certification in a record one year in June 2007.

**January 2003 to June 2005: K-REP Group Ltd and Manasseh Associates  
(Micro lending and tax consultancy) - Consultant**

- Writing funding proposals and successfully finalised the Programme related Investment Loan Proposal to Ford Foundation.
- Finalised the Group accounts and coordinated the statutory audit.
- Carried out Appraisals on a number of investment projects and made recommendations thereof to the K-REP Group Board of Management.
- Provided secretarial services to the Group Board Committees i.e. Finance

Committee and Property Development Committee amongst others.

- Performed tax and financial management consultancy services.

**October 2000 to December 2002: Pursuing Postgraduate studies and overseeing construction of our residential house.**

**August 1988 to September 2000: Industrial Development Bank Ltd-  
Principal Accountant**

- 12 years development banking experience as a Principal financial accountant with oversight for the accuracy of the General Ledger, financial year end accounts and coordinating the statutory audit. Annual review of the Investment Portfolio and provisioning for bad debts/write backs/write offs accordingly. Assist in consolidating the annual budget and submitting periodic management reports.
- Part of the technical team trained in Globus Banking Software in South Africa.
- As a Senior Internal Auditor performed companywide reviews to ensure compliance with company regulations and laid down procedures.

**November 1979 to July 1988: Public Service Commission of Kenya-Senior Accountant**

- Ministry of Lands & Settlement; Settlement Fund Trustee Unit;
- Ministry of Transport & Communication; Branch Accountant Chief Engineer & Roads department.

## **INTERESTS AND HOBBIES**

Community Service, Reading and Sports.

- Member Lions Club of Kitale
- Committee member Kitale Club

## **PROFESSIONAL DEVELOPMENT**

- June 2011 participated in the Strategic Leadership and Change Management Program for Directors of State Corporation at KIA- Nairobi.
- February 2010 participated in a Training of Trainers Course organised by the Export Promotion Council of Kenya in collaboration with JICA.



- April 2009 participated in the Lions Regional Leadership Institute(Multiple District 411) in Mombasa, Kenya.
- February 2008 attended the African Seed Trade Congress in Casablanca, Morocco.
- December 2007 attended the Corn Seed Treatment seminar in Bayer Crop Science Application Centre in Monheim, Germany.
- October 2007, Certificate in Corporate Governance – Institute of Corporate Governance-Kenya.
- March 2007, Certificate in Performance Contracting – Boston Institute for Developing Economies, in Nairobi, Kenya.
- March 2006, Certificate in Effective Performance Management – Dominion Strategies Limited, Nairobi, Kenya.
- March 2006 attended the African Seed Trade Congress in Entebbe, Uganda.
- October 2005 attended the 1<sup>st</sup> Regional Grain Trade Summit -- Eastern Africa Grain Council in Nairobi, Kenya.
- May 2004, Certificate course Enhancing Consulting Skills Programme- African Project Development Facility (APDF) -Nairobi, Kenya.
- August 1999, Certificate course user and super users, and Basic administration in Globus International Banking Software at Global Technology Park – Sunning hill, Johannesburg, South Africa.
- November 1997, Certificate course Ms Excel Part I and II.
- May 1995, Certificate course Budgeting and Budgetary Control Programme – ESAMI, Arusha, Tanzania.
- May 1993, Certificate course Performance Appraisal Programme - Know-How International Ltd, Nairobi, Kenya.
- July 1990, Certificate course Financial Management Programme- ESAMI- Harare, Zimbabwe.

## REFEREES

1. Mr. Patrick Wandabwa  
Past Chairman of the Board of Directors  
(Kenya Seed Company Ltd)  
P.O.Box 805-30200  
KITALE, KENYA  
Tel: + (254) 722 249 610
  
2. Mr. Kimanthy Mutua  
Past Chief Executive Officer  
K-Rep Bank  
Naivasha Road, Riruta  
P.O.Box 25363 00603  
NAIROBI, KENYA  
Tel : +254 722 511 785  
E-mail : [Kimanthy@k-rep.co.ke](mailto:Kimanthy@k-rep.co.ke)
  
3. Commissioner Dr Yusuf Abdulrahman Nzibo  
Independent Interim Electoral Commission  
P.O. 15580-00100  
NAIROBI, KENYA  
Tel : +254 020 712010  
E-mail : [yanzibo@yahoo.com](mailto:yanzibo@yahoo.com)

**Resume**

**Abdirashid Abdullahi  
Hussein  
Tel: 0720-413983**

### Objectives

To develop and implement programs in governance, democracy, humanitarian assistance, conflict analysis and resolution.

- Develop emergency assistance needs and programming as well as short term and long term exit strategies.
- Work in negotiation, mediation and problem solving situations and environment.
- Researching and data collection in conflict analysis and resolution, human rights issues and development and participatory approaches to various issues.
- Influencing and lobbying for policy changes (Advocacy) that would improve the deliverance of quality humanitarian, development and governance assistance and conflict resolution programs, sectoral monitoring and evaluation plans.

### Personal Information

Name Abdirashid Abdullahi  
Date of Birth January 15 1964  
Marital Status Married  
Languages Kiswahili, English, Somali and Arabic  
Nationality Kenyan  
Address P.O.Box 61980, 00200, Nairobi Kenya  
E-mail: [abdi47@yahoo.com](mailto:abdi47@yahoo.com)

Year	Degrees	Institute/College	Address
1999	Masters of Science, Conflict Analysis and resolution	ICAR – George Mason Univ.	Fairfax, Virginia, USA.
1996	Masters in Arts, African History	Rhodes University	Grahamstown, S. A
1989	Bachelors of Education	Kenyatta University	Nairobi, Kenya.
<b>Professional Certificates</b>			
2006	Safety and Security	Armelleous/UK	UK
2005	HIV/AIDS in the Workplace	Nairobi, Kenya(WFP)	Nairobi, Kenya.
2004	Policy and Quality Program	WFP-ODK-Kampala	Kampala, Uganda
2003	Certificate in Household Food Economy Approach	FAO/FSAU, Hargeysa Somaliland	FSAU Nairobi, Kenya
1999	Certificate in Peacekeeping operations	UNITAR, New York	UN training School, New York, USA
1998	Certificate in Logistics of Peacekeeping Operations	UNITAR, New York	UN training School, New York, USA

### Professional Experience

- Oct 2010-Present**      **Independent Consultant:** Undertake assignments in
- Quality programming in long-term development work, Conflict resolution, and emergency humanitarian work.
  - Monitoring and evaluation in development and emergency interventions.
- March 09-Oct '10**      **Committee of Experts-Member/Expert/Commissioner**
- Review existing constitutional drafts and other documents, identify contentious issues, not agreed upon issues and find

resolutions and consensus among Kenyans and come up with a draft constitution that will be put to a referendum in the country by 4<sup>th</sup> August 2010.

- To successfully deliver a new constitution for Kenya.

- May '08-March '09**  
**Duties**
- Muslim Aid UK: Regional Coordinator, Nairobi.**
- Design and implement regular humanitarian program  
In charge of all program activities in Kenya, Ethiopia, Somalia and Tanzania.
  - Officer in charge of the organization for both programming and administration.
- Feb '08-March '08**  
**Duties**
- PACT –Kenya (Consultant)**
- Trained local and international NGOs in Conflict Sensitivity in Service Delivery targeting Senior and mid-level managers. Using Mary Anderson's theories of 'Do No Harm' we identified and evaluated NGO programs in Kenya, Ethiopia and Somalia.
- May '07-Jan '08**  
**Duties**
- Independent Consultant (Various Organizations)**
- Carried various assignments requested by different organizations. I.e designing, assessments of programs, monitoring and evaluation.
- May 2006-May '07**  
**Duties**
- Horne Relief and Development Organization**  
**Senior Program Manager**
- In charge of Emergency Drought Relief Program in its entirety
  - Distributed cash relief and CFW to the identified vulnerable HHs..
  - Oversaw the distribution of cash relief to poor HHs that lost livestock to the recent drought.
- June 2005-March 06**  
**Duties**
- Development Alternative, Inc.(DAI)**  
**Team leader, Darfur, Sudan**
- Lead a team of national and international staff in the implementation of USAID/OTI small grants disbursement in all the three Darfur states.
  - Identify national NGOs and community and youth groups to build their physical and technical capacities.
  - Set strategies for implementation in a given period of time.
- October 2001-May 05**  
**Duties**
- UN World Food Program, Somali**  
**Program Assistant**
- Assist the Senior Programme officers and other staff in all matters of the program, logistics, and administrative issues
  - Contracting and monitoring of various developmental, rehabilitation and social support programs
  - Take the lead role in office reports ie monthly, project tracking, database, CO/SO proposals, LOUs etc.
  - Perform conflict analysis and resolution work among and between the communities in Bay and Bakool regions
  - Assist the national and international staff in administrative and programming matters.



- JAN 2001-Oct 2001**  
**Duties**
- Kampala University, Kampala, Uganda**  
**Lecturer**
- Disaster Management and Conflict Resolution courses
  - Theory and practice of Disaster Management and Conflict Resolution
  - Analyze conflicts and proffer possible conflict resolution programs.
  - Policy implementation and advocacy for various development issues
  - Giving Learners practical guide on various topical issues.
  - Research and planning in Disaster Management, Conflict Analysis and Resolution
- 11<sup>th</sup> –15<sup>th</sup> Sept. '00**  
**Duties**
- Wajir Peace and Development Committee (Kenya)**  
**Trainer**
- Facilitated the 2<sup>nd</sup> Regional Women workshop to enhance capacity of pastoralists women in Peace-building in Northern and North Eastern provinces of Kenya.
  - Imparted conflict transformation and peace-building skills such as mediation, negotiation, problem-solving workshops, mapping of a conflict.
  - Conducted cross-border mediation and conflict containment along Kenya - Ethiopia and Kenya –Somalia borders.
- Fall 1999-May 1999**  
**Duties**
- Institute of Conflict Analysis & Resolution, George Mason University, Fairfax, Virginia, USA**
- Project design in conflict analysis and resolution involving deep rooted, intractable situation.
  - Data collection, analysis and implementation
  - Organized Africa Work Group (AWG) seminars & conferences
  - Trained Inter-racial schools in Northern Virginia to live harmoniously
  - Representative of ICAR student to various University groups such as African Student Organization.
- World Vision, Uganda**
- POKATUSA Peace Building Project**
- Trainer**  
Training of Trainers (ToTs) in Conflict analysis and Resolution skills  
Imparting various skills of conflict analysis models and conflict resolution strategies such as mediation and negotiation policy makers.
- May –October '01**  
**Duties**
- African Center for Technology Studies (Nairobi)**  
**Consultant researcher**
- A policy research on ecological sources of conflict in Somalia
  - Prepare a policy document on regional conflict management for TNG government in Somalia and IGAD member countries.
- April 19-20 '01**  
**Duties**
- Uganda parliamentary Commission on Regional Cooperation**  
**Consultant**
- Trained Ugandan parliamentarians and councilors in skills in conflict analysis and resolution.
  - Courses taught include mediation, reconciliation, community development, peace-building

April 8-11 2001

**Center for Conflict Resolution (Uganda) & Co-Existence Initiatives (NY) USA**

**Duties**

**Consultant Trainer**

- Trained regional NGO coordinators in conflict analysis and resolution
- Issues of community development and poverty eradication
- Peace-building and conflict transformation, monitoring and evaluation skills

**SUMMARY OF QUALIFICATIONS**

**General**

- Over 10 years of progressive humanitarian work in chronic food insecure environment.
- Monitored Mozambique's elections in 1994 as independent observer
- Excellent communication and motivational skills that effectively interact with management, staff and clients
- Strong history of coordination, and team-work efforts in projects designs and program implementations
- Strong analytical and evaluative skills in refugee and relief work
- Extensive experience in mediation, facilitation and problem-solving workshops
- Excellent computer knowledge and skills

**Management:**

- Supervised over 100 staff working in a multi-cultural organizations
- Supervised learning institutions of 250 students, 50 teaching and non-teaching staff
- Maintained overall budgetary policies of diverse institutions
- Scheduled and supervised meetings/conferences for large institutions
- Assessed and analyzed conflict situations and proposed long term solutions
- Organized and prioritized workload and exhibited time management techniques
- Networked with agencies, liaison with other program directors and coordinators
- Organized problem-solving workshops, seminars and conferences
- Worked under extreme pressures and situations with no supervision

**Human Resources:**

- Implemented aggressive plans to recruit personnel and establish institutional reputation
- Trained community leaders, parents and woman-based organizations and conducted evaluation and monitoring strategies
- Proven leadership and strong team building ability
- Excellent inter-personal skills and diplomacy
- Transformed win-lose and adversarial relationship into positive, win-win and non-adversarial relationship

**Administration:**

- Worked in various humanitarian and learning institutions in Kenya, Swaziland, South Africa and USA at senior management levels.
- Proposed and implemented various policies and programs in different institutions in different countries

- Prepared and presented various annual reports for different institutions to Board of Governors.
  - Can work with a wide variety of computer applications and systems.
- Publications:**
- 1) 'Degan' as a source of conflict in south Somalia in 'Scarcity and Surfeit: The ecological sources of conflict in Sub-Saharan Africa. Cape Town (UCT press 2000).
  - 2) Word of Advice to President of Somalia' Daily Nation of April 200: An Opinion.
- Languages:** English, Kiswahili, and Somali spoken and written very well.

**Referees**

- 1) **Nzamba Kitonga/Chairman**  
Committee of Experts on Constitution Review  
E-mail :[law@iconnect.co.ke](mailto:law@iconnect.co.ke)  
Tel : 0722728792
- 2) **Dr. Ibrahim Mohamed Ali**  
Tel. 0722842516  
E-mail: [imafarah@yahoo.co.uk](mailto:imafarah@yahoo.co.uk)
- 3) **Dr. Idle Omar Farah, Director,**  
National Museums Of Kenya. P.O.Box 24481 Nariobi,  
Tel: 02-882571/4,  
0722-742639  
E-mail: [iofarah@africaonline.co.ke](mailto:iofarah@africaonline.co.ke)

## **The Rt Hon Lord Justice Stephen Sedley**

Sir Stephen Sedley is a Lord Justice of Appeal for England and Wales and President of the British Institute of Human Rights. Born on 9 October 1939, Sir Stephen studied at the University of Cambridge. He was called to the Bar (Inner Temple) in 1964. He was involved in many high-profile cases and inquiries, from the death of Blair Peach and the Carl Bridgewater murder case to the contempt hearing against Kenneth Baker, then Home Secretary.

In 1983 he became a QC and in 1992 he was appointed a High Court judge, serving in the Queen's Bench Division. In 1999 he was appointed to the Court of Appeal. He writes on legal topics for The London Review of Books.

**Below is a Resume on Sir Stephen Sedley:**

The Rt. Hon. Sir Stephen Sedley practised at the Bar of England and Wales for 28 years, specialising in public law and discrimination law, before being appointed a judge of the High Court in 1992. He became a Lord Justice of Appeal in 1999, and has sat on the Judicial Committee of the Privy Council and as a judge adhoc of the European Court of Human Rights. He retired from the bench in March 2011.

He has been awarded honorary doctorates by eight British universities, is an honorary professor of law at Warwick and Cardiff Universities and has since 2000 been president of the British Institute of Human Rights. He writes in legal periodicals and for the London Review of Books. A collection of his essays, Ashes and Sparks, was published by Cambridge University Press in 2011.

He is currently an Associate adviser to Cloisters on various legal issues that range from employment, discrimination & equality, personal injury, clinical negligence, commercial law to regulatory & public law.



# Chief Justice Georgina Wood

Her Ladyship Justice Georgina Wood  
*Chief Justice, Supreme Court, Ghana*



Lady Justice Mrs. Georgina Theodora Wood has had a distinguished career on the Bench spanning over thirty-five years.

She is the Chief Justice of the Republic of Ghana, having been appointed in June of 2007, the first woman in Ghana to be elevated to this high office, constitutionally the fourth position after the President, Vice President and the Speaker of Parliament.

Justice Georgina Wood was educated at the University of Ghana, Legon and the Ghana School of Law and served for three years in the Police Service as a Public Prosecutor.

She was appointed to the Bench as a Magistrate of the District Court in 1973 and rose through the hierarchy of the court system culminating in her appointment to the highest judicial office in Ghana.

Between 2003 and 2007, she served as a justice of the Supreme Court of Gambia when in session. She is also a dedicated advocate of Alternative Dispute Resolution (ADR), having received extensive training from the USA, and a distance learning modular program from the World Bank. She was a member of the task force which designed the Ghana Court-connected ADR program and was the Chairperson of the working committee which drafted the manuals on Court connected ADR and pre-trials in the Commercial Court of Ghana. She also chaired the committee responsible for mainstreaming ADR in the courts in Ghana.

She has also lectured extensively in ADR (theory and practice) at the Judicial Training Institute, training key personnel including judges, lawyers and civil society organizations. She taught Civil Procedure and ADR in the Judicial Service Career Magistrates Programme, and was an external examiner in advocacy and ethics, Ghana School of Law for more than 10 years.

Justice Wood also co-authored the practice manual on the Gambian ADR court-connected programme and has also been a Judicial educator in ADR for the Bench, the Bar and court officials in the Gambia.

In 2007, she received Ghana's highest National Award, the Order of the Star of Ghana for meritorious public service and in August 2008 was given an LLD (Honoris Causa) from the University of Ghana. She has also received an award from the Faculty of Law, University of Ghana for outstanding Judicial Career.

In April of 2008, Her Ladyship Georgina Theodora Wood was invited by Fordham Law School in New York, where she delivered a paper on the topic *The Dynamic of Law and Development in Ghana; The case for Judicial Reform in an Emergent Democracy*. She was the keynote speaker for the 16th Commonwealth Law Conference (CLC2009) in Hong Kong, where she spoke on the topic *Democracy, Good Governance and the role of the Legal Profession: The case of Ghana* in April 2009.

In September last year, Chief Justice Wood was appointed a member of the special team of the International Bar Association (IBA) and International Legal Assistance Consortium (ILAC) to Kenya at the invitation of the Kenya Law Society on Judicial Reforms.

*THE HONOURABLE LOUISE OTIS*

Female

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[sito7852@yahoo.com](mailto:sito7852@yahoo.com)  
Web site: [www.louiseotis.com](http://www.louiseotis.com)  
Telephone: +1 (514) 887-0778

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Louise Otis works as a civil and commercial mediator and arbitrator at the Canadian and international levels. She is a Distinguished Fellow of the Internal Academy of Mediators.

In 2008, Louise Otis was appointed Deputy Judge for the Administrative Tribunal of the Organisation for Economic Co-operation and Development (OECD).

Since 2009, she is a Guest researcher at the International Studies Center of the University of Montreal (CERIUM) specialised in Peace operations and international conflicts resolution.

In September 2010, Louise Otis joined the Faculty of Law at McGill University as a Senior Boulton Fellow.

In October 2010, Louise Otis was appointed as President of the Tribunal of Appeal at the International Organization of the Francophonie.

Louise Otis regularly participates in international governance and justice reform missions. Louise has created a system of transitional justice for countries affected by armed conflicts and/or environmental disasters.

Louise Otis worked as a lawyer between 1975 and 1990. In 1990, she was appointed as a Judge to the Quebec Superior Court. Between 1993 and 2009, she was a Judge at the Quebec Court of Appeal, participating in over 3000 judgements. The Quebec Court of Appeal has general appellate jurisdiction over all courts in Quebec and also performs a judicial review function in relation to all administrative tribunals. It is one of the two largest appellate courts in Canada, and hears matters governed by both civil law and common law principles.

*LEGAL CAREER PROFILE*

Louise Otis is a graduate of Laval University and was called to the Quebec Bar in 1975. Prior to 1990, Louise Otis practiced law for fifteen years, specializing in Public Law, Labour Law and Administrative Law.

From 1983 onwards, she specialized in public, labour and constitutional law, pleading cases before the courts of first instance, Quebec Court of Appeal, and the Supreme Court of Canada.

In the course of her career, Louise Otis taught Civil Procedure at the Laval University Faculty of Law in Quebec City (1984-1987). She also lectured in Civil Procedure, Criminal Law, Administrative Law and Labour Law at the Quebec Bar School (1978-1988).

She was a member of the Professional Training Committee of the Quebec Bar where she initiated and participated actively in developing a course entitled *The Drafting of Legal Texts* at Quebec Bar School (1984-1987).

She was also involved in several professional activities directly related to the practice of law. From 1981 to 1985, she was a member of the Quebec Justice Advisory Council, advising the Quebec Minister of Justice on all matters relating to the administration of justice, particularly with regards to legislative reforms. She was also a member of the Board of Directors of *SOQUEM (Société québécoise d'exploitation minière)* (1985-1987).

In 1997, Louise Otis instituted one of the world's first programs of integrated judicial mediation. In Quebec, all the courts and tribunals have since developed a judicial mediation program, integrated to the traditional system of justice. This program offers citizens the chance to meet with a judge in a mediation session in order to seek a final resolution to their commercial, civil, administrative, or family disputes. Since 2004, a program of facilitation in criminal matters has also been launched at the Quebec Court of Appeal.

Since 1997, Louise Otis has conducted over 500 mediation sessions in commercial and civil law.

Throughout her career, Louise Otis has acted as a member of the jury in several moot court competitions. Since 2005, she has been a member of the Award Committee of the *Bora Laskin Award* established to recognize outstanding contributions to Labour Law.

Since 2005, she is a member of the Board of Directors of *Equitas –International Centre for Human Rights Education*.

Since 2007, she is a fellow of the *International Academy of Mediators*.

Since January 2009, she is on the Advisory Board of the *Chaire de droit et gouvernance de la Santé* of the University of Sherbrooke.

In March 2009, Louise Otis founded the *Canadian Conference for Judicial Mediation* intended to encourage the emergence, establishment and the advancement of judicial mediation in Canada.

Since October 2009, she is president of the *International Conference on Mediation for Justice* (ICMJ), a newly created international institution committed to advancing mediation among the judiciary around the world.

### *INTERNATIONAL CAREER PROFILE*



In September 2010, Louise Otis participated, as a consultant, in a mission on Transitional Justice in Haiti in order to implement a system of Front line Justice in the refugee camps. The project is conducted by Lawyers with no borders and the Canadian Department of Foreign Affairs and International Trade (DFAIT)

In July 2010, Louise Otis offered an intensive training course on *Dispute Resolution Mediation Skills for Judges from around the Globe* at Pepperdine University School of Law in Malibu, California. This unique Mediation skills training program for judges was a result of a partnership between the Conference for International Mediation for Justice (CIMJ) and the Straus Institute at Pepperdine University School of Law (Straus).

In June 2010, Louise Otis was invited as a guest lecturer at the International Studies Center of the University of Montreal (CERIUM). She lectured on: *Setting the Political Stage for Deployment: Mediation Efforts in Perspective*. This summer lecture provided an overview of international mediation and its connections to peace operations.

In March 2010, as a legal expert, Louise Otis accompanied Her Excellency, The High Honourable Michaëlle Jean during a State visit in Senegal, Congo, Rwanda and Cape Verde. During these visits, the governor general has built on existing international relationships and strengthened ties across a broad range of sectors of Canadian life.

In October 2010 and May 2009, she was invited by The Honourable Rob Hulls, Attorney General of the State of Victoria, *Australia*, to deliver a series of twelve Conferences and training courses on Commercial and civil mediation to members of the Judiciary and the Bar.

In September 2009, Louise Otis participated in an assessment mission on prisoners' detention in *Haiti*. The goal of the mission was to conduct a pilot project on release from custody according to the Haitian Law. This assessment mission was monitored by the Canadian Department of Foreign Affairs and International Trade (DFAIT) and Lawyers without Borders, Canada.

In June 2009, she was invited by DFAIT to join a 25-person panel of experts on International mediation, and to participate in a Mediation Policy Forum on the resolution of international conflicts.

In May 2009, she lectured on Commercial mediation at the University of *New Zealand's* Faculty of Law and at the High Court of Auckland.

In February 2009, Justices from Appellate Courts of *Brazil* attended a specialized judicial mediation training course at McGill University in Montreal. The training was organized and directed by Louise Otis and the University of Sherbrooke.

In February 2008, Louise Otis carried out an information and training mission at the request of the Consulate in Sao Paulo and in Rio de Janeiro to present the model of Quebec judicial mediation. This mission resulted in an agreement to offer a training course in judicial mediation to justices from Federal and Appellate Courts of *Brazil*.

In November 2006, Louise Otis, in collaboration with a representative from the Netherlands, prepared a report intended to establish the scope of intervention of Canada and the Netherlands as part of the Canadian Support Project to implement the Ten-Year Justice Development Program in *Mali* (PACMO-PRODEJ).

In January 2006, Louise Otis was appointed as an expert in alternative dispute resolution, by the *United Nations* Secretary-General Kofi Annan for a period of 6 months from February 1 to July 31, 2006. She was part of a 5-member panel of independent international experts in charge of redesigning the United Nations system of administration of Justice, including the creation of a mediation system. On April 2007, Secretary-General Ban Ki-Moon and a resolution of the General Assembly of the United Nations approved the essence of the recommendations of the Redesign Panel.

At the request of the Canadian Government, Louise Otis served as an expert consultant in the development of an interim cooperation framework for the reform of justice in *Haiti* (2004-2005). She also participated in the drafting of the judicial reform plan currently implemented by *International Organisation of La Francophonie (OIF)* on behalf of *Canada* and the *European Union*. In April 2007, she was mandated by OIF to implement a frontline justice plan in Haiti, a transitional justice programme designed to meet the immediate legal needs of the people of Haiti.

In 2005, Louise Otis was invited to *Australia* to present the Quebec system of criminal mediation and facilitation to the Ministers of Justice of Australian States as well as the Federal Minister of Justice. In September 2008, Rob Hulls, Deputy Premier of the



State of Victoria, came to Montreal for a training program with Louise Otis for the implementation of the first judicial mediation program in civil matters in Australia.

In October 2005, Louise Otis served as an expert consultant on case management in the *Canada-China Judicial Linkages Project* (National Judicial Institute and CIDA).

In May 2005, at the request of the *Council of Europe*, Louise Otis prepared and facilitated a 5-day seminar on negotiation and mediation to the representatives of 19 European countries.

In March 2004, at the request of the Commissioner for Federal Judicial Affairs, Louise Otis gave lectures on commercial mediation at the Supreme Arbitration Court of the Russian Federation in *Russia*.

In 2000, at the request of the Canadian Ambassador to Mali and of the Canadian International Development Agency (CIDA), Louise Otis and Jacques Frémont, Dean of the Faculty of Law at the University of Montreal, co-chaired a Canadian Mission to set priorities for the development of justice in *Mali* and produced a report and recommendations aimed at guiding judicial reform (July-December 2000).

#### *PAPERS PRESENTED*

As a practicing lawyer, Louise Otis was involved in training and education initiatives for numerous associations and was frequently invited as a guest lecturer to seminars on labour and administrative law organized by the Continuing Education Service of the Quebec Bar. Since her appointment to the judiciary in 1990, she has participated in many professional workshops and international conferences, notably on dispute resolution and human rights:

*Dispute Resolution Mediation Skills for Judges from around the Globe*,  
Pepperdine University, California, July 26-31, 2010

- *Commercial and Civil Mediation*  
Nova Scotia Court of Appeal  
Halifax, December 15, 2009
- *The Place of Commercial Mediation*  
Vietnamese Mission to Canada  
Montreal, University McGill, November 30, 2009
- *Ethical dilemmas in Mediation : Judging Skills Program (NJI)*  
Supreme Court of British Columbia  
Vancouver, November 11-12, 2009
- *The United Nations' Administrative System of Justice*  
École Nationale d'Administration Publique(ENAP)

Montreal, October 7, 2009

- *The Panel to redesign Justice at the United Nations*  
Association des étudiants en droit international de McGill  
Université McGill  
Montreal, March 4, 2009
- *Administrative Justice Reform at the United Nations*  
McGill International Law Society  
McGill University  
Montreal, March 4, 2009
- *Explore the Benefits of Commercial Arbitration and Mediation*  
ADR Institute of Canada, Inc.  
Montreal, October 17, 2008
- *Dispute Resolution: Ethical Principles*  
Training Program in Judicial Ethics under the direction of Madam Justice  
Georgina Jackson, Saskatchewan Court of Appeal  
National Judicial Institute  
Montreal, September 11, 2008
- *Mediation and Ethical Principles in Brazilian Law*  
Creating Integrated Systems of Judicial Mediation in Brazil  
Conference Series at State and Federal Appellate Courts of Sao Paulo and of  
Rio de Janeiro and State Universities  
Department of Foreign Affairs and International Trade  
Sao Paulo, Brazil, February 17-20, 2008  
Rio de Janeiro, Brazil, February 20-25, 2008
- *The Protection of Individual Rights in the Context of International Justice*  
American Society of International Law  
World Bank Administrative Tribunal, ASIL Colloquium on International  
Administrative Tribunals and the Rule of Law  
Washington, U.S.A., March 27, 2007
- *Justice in the 21<sup>st</sup> Century*  
Inaugural Conference at the Annual General Assembly of the Court of Quebec  
Quebec City, QC, November 9, 2006
- *Building Justice in Fragile States*  
Roundtable hosted by the Department of Foreign Affairs and International  
Trade and the Department of Justice Canada  
Ottawa, June 28-29, 2006
- *Front-Line Justice*

Harvard University, Harvard Fellows  
 Foreign Visitors Program (BCP)  
 Minister of International Relations  
 Quebec City, QC, September 1, 2005

- *Mediation and Negotiation*  
 International Academy of Mediators  
 Montreal, May 12, 2005
- *Judicial Mediation in Canada*  
 Supreme Court of Sydney (Appeal Court and Trial Division)  
 State of New South Wales  
 Sydney, Australia, April 7, 2005
- *Front Line Justice: A New Model for International Justice*  
 International conference on  
 "Peace, Justice and Reconciliation in the Asia Pacific Region"  
 The Australian Centre for Peace and Conflict Studies  
 University of Queensland  
 State of Queensland  
 Brisbane, Australia, April 2, 2005
- *Judges and Mediation*  
 Supreme Court of Brisbane (Appeal and Trial Division)  
 State of Queensland  
 Brisbane, Australia, March 28–April 3, 2005
- *Teaching Legal Ethics*  
 LawAsia Conference 2005  
 The Law Association for Asia and the Pacific  
 State of Queensland  
 Gold Coast, Australia, March 22, 2005
- *Judicial Mediation*  
 Court of Appeal and Supreme Court of Perth  
 State of Western Australia  
 Perth, Australia, March 18, 2005
- *Access to Justice*  
 District Court of Perth  
 State of Western Australia  
 Perth, Australia, March 17, 2005
- *Case Management in Criminal Law*  
 Supreme Court of Melbourne (Appeal and Trial Division)  
 State of Victoria  
 Melbourne, Australia, March 10-16, 2005

- *The Transformation of How We Relate to the Law by Judicial Mediation*  
Albert-Mayrand Conference  
Faculty of Law, University of Montreal  
Montreal, November 11, 2004
- *Judicial Mediation at the Quebec Court of Appeal – To State or Not to State the Law: That is the Question – Judicial Mediation and its Rules*  
Seminar entitled *Stating the Law*  
Faculty of Law and Political Science  
University of Quebec at Montreal  
Montreal, November 4, 2004
- *The New Way to Render Civil, Commercial and Criminal Justice in the Province of Quebec*  
Harvard University, Harvard Fellows  
Foreign Visitors Program (BCP)  
Minister of International Relations  
Quebec City, QC, September 2, 2004
- *New Trends in Commercial Mediation: Worldwide Overview*  
Conference on Recent Developments in International Commercial Dispute Resolution  
Canadian Bar Association ADR Section/United Nations Commission on International Law and the Continuing Legal Education Committee  
Ottawa, June 11, 2004
- *Judicial Mediation in Canada: When Judges Act as Mediators for the Benefit of Citizens and Lawyers*  
American Bar Association, Dispute Resolution Section  
Sixth Annual Conference  
New York, U.S.A., April 17, 2004
- *Making Justice Accessible and Increasing the Efficiency of the Judicial System*  
Lecture and Workshop on Commercial Mediation  
Supreme Arbitration Court of the Russian Federation  
Moscow, Russia, March 19, 2004
- *Early Settlement of Disputes and the Role of Judges*  
Council of Europe  
Palais de l'Europe  
Strasbourg, France, November 25, 2003
- *How to Establish a System of Mediation*  
2003 Masters Forum  
The Straus Institute for Dispute Resolution

Pepperdine University School of Law  
Malibu, California, October 17-18, 2003

- *Implementation and Administration of a Judicial Mediation Program*  
Court of Appeal of British Columbia  
Vancouver, B.C., October 10, 2003
- *Judicial Mediation in Canada*  
American Bar Association, Dispute Resolution Section  
Fifth Annual Spring Conference  
San Antonio, Texas, March 20-22, 2003
- *Judicial Mediation Service of the Quebec Court of Appeal*  
Conference of the *Institut international de droit d'expression  
et d'inspiration françaises (IDEF)*  
Luxembourg Palace  
Paris, France, March 6-8, 2003
- *Judicial Mediation in Belgium*  
Egmont Palace  
Brussels, Belgium, October 9, 2002
- *Commercial Mediation*  
Quebec Franchise Council  
Montreal, September 5, 2002
- *Philosophy of Conciliation: Daring to Render Justice in a Different Manner*  
Commencement Speech  
University of Montreal, Faculty of Law  
Montreal, August 27, 2002
- *Beyond Accommodation to Equality in the Courtroom – Gatekeepers, Advocates or Referees?*  
New Brunswick Education Program  
Chair of the Roundtable “*Access to the Courts for Peoples  
With Disabilities*” (Case Studies and Law)  
St-Andrews-by-the-Sea, New Brunswick, June 26-27, 2002
- *Comments on the Conditions and Foundations of the Transformation of Modes of Social Regulation*  
International Seminar on Reparatory Justice and Criminal Mediation  
L'Estérel, Montreal, May 22, 2002
- *Family Mediation*  
Montreal Bar Association Week  
Montreal, May 3, 2002



- *Mediation: Legal Perspectives for Arbitrators and Mediators*  
*Conférence des Arbitres du Québec*  
Montreal, April 27, 2002
- *Special Issues for Sitting Judge Mediators*  
Masters Forum, Straus Institute for Dispute Resolution  
Pepperdine University School of Law  
Malibu, California, March 15-16, 2002
- *Mediation in Insurance Law*  
Risk Management Day  
Quebec Risk & Insurance Management Association (QRIMA)  
Montreal, February 20, 2002
- *Taming the Differences*  
12<sup>th</sup> Annual Conference of the *Institut québécois de la*  
*déficience intellectuelle*  
Longueuil, QC, November 3, 2001
- *Alternative Forms of Dispute Resolution*  
Lord Reading Law Society  
Montreal, November 1, 2001
- *New Tools for Justice in the 21<sup>st</sup> Century: The Use of Videoconferencing and*  
*Electronic Communication Technologies*  
Court of Appeal of Versailles  
Paris, France, October 26, 2001
- *Judicial Conciliation*  
Tulane University's Lecture, McGill University  
Montreal, July 10, 2001
- *Legislative Changes to the Code of Civil Procedure*  
Seminar - Appellate Courts, Quebec Bar Association  
Montreal, June 14, 2001
- Commentator at the *Roundtable on Social Relationships in Transition*  
Law Commission of Canada  
Ottawa, May 1, 2001
- *Role of the modern judiciary*  
University of Sherbrooke, Convocation address  
Longueuil, QC, March 30, 2001

- *A Different Way of Rendering Justice in a Diverse Society*  
University of Sherbrooke, Faculty of Law  
Sherbrooke, QC, November 10, 2000
- *Role of Judges in Managing the Court and Case Management*  
International Commission of Jurists Seminar  
*Conference of Croatian Judges on Judicial Independence*  
Montreal, November 7, 2000
- *Setting up an Extrajudicial Conflict Resolution Program*  
Conference for Judges of the Court of Quebec  
Montreal, November 2, 2000
- *The Quebec Charter is Twenty-Five Years Old*  
Seminar organized by the Quebec Bar Association  
Montreal, October 27, 2000
- *Access to justice: Getting closer to the litigants*  
Training Advisory Committee: Court of Quebec  
Montreal, June 16, 2000
- *The Conciliation Service Program of the Court of Appeal of Quebec*  
Appellate Courts Seminar/National Judicial Institute:  
*How Will We Do Our Work in the Millennium - Conciliation, Mediation, Management*  
Ottawa, April 11, 2000
- *The Duty to Act in a Reserved Manner and the Freedom of Expression of the Magistrate*  
Workshop entitled *Democracy – Media*  
Bamako, Mali, February 11, 2000
- *The Conciliation Service Program of the Court of Appeal of Quebec*  
Faculty of Law, University of Sherbrooke  
Sherbrooke, QC, January 27, 2000
- *The Conciliation Service Program of the Court of Appeal of Quebec*  
Court of Appeal of Ontario  
Toronto, January 21, 2000
- *Methods of Conflict Resolution and Judicial Conciliation*  
Quebec Association of Insurers  
Montreal, December 8, 1999
- *An Alternative to the Trial System*  
Quebec Rental Board Annual Conference

Montreal, October 1999

- *Sentencing and The Fair Treatment of Minorities*  
National Judicial Institute Conference entitled "*Rendering Justice in a Diverse Society*"  
Montreal, October 1999
- *Judicial Conciliation at the Quebec Court of Appeal*  
Canadian Bar Association  
Montreal, October 15, 1999
- *The Conciliation Service Program of the Court of Appeal of Quebec*  
International Symposium on Alternative Dispute Resolution sponsored by the Advisory Committee on Private Commercial Disputes of the North American Free Trade Agreement (NAFTA)  
Mexico City, Mexico, June 3-4, 1999
- *Judicial Conciliation and the Trial System*  
Conference on Judicial and Extrajudicial Modes of Conflict Resolution  
Bar Association of Laval  
Laval, QC, April 16, 1999
- *Conciliation Methods at the Quebec Court of Appeal*  
Colloquium for a New Civil Justice: The Crisis of Efficiency for European Justice - European Judges and Public Prosecutors for Democracy and Fundamental Rights (MEDEL)  
Paris, France, January 1999
- *Labour Relations and Public Order*  
Conference of the *Association Henri Capitant* on Public Order  
Beirut, Lebanon, May 1998
- *Portrait of the Civil Justice System*  
Laval University, Faculty of Law  
Ste-Foy, QC, September 1997
- *Conciliation at the Court of Appeal*  
Court of Appeal Committee: Quebec Bar Association  
Quebec City, QC, April 1997
- *Sexual Equality in the Legal Profession*  
Quebec Junior Bar Association  
Quebec City, QC, 1993
- *The Future of the Legal Profession*  
Laval University, Faculty of Law

Ste-Foy, QC, 1993

- *Does Sexual Prejudice Have Free Reign in the World of Law?*  
Conference of Superior Courts of Quebec  
Quebec City and Montreal, 1991

#### PUBLICATIONS

“A conciliação judicial no Tribunal de Segunda instância do Québec” in Fernanda Maria Dias de Araújo Lima, Rosane Maria Silva Vaz Fagundes & Vânia Maria Vaz Leite Pinto, eds., *Manual de Mediação: Teoria e Prática* (Belo Horizonte: New Hampton Press, 2007) 137.

“Judicial Mediation in Quebec” in Nadja Alexander, ed., *Global Trends in Mediation*, 2<sup>nd</sup> ed. (Alphen aan den Rijn: Kluwer Law International BV, 2006) 107 (with Eric H. Reiter).

“Mediation by Judges: A New Phenomenon in the Transformation of Justice” (2006) 6 *Pepperdine Dispute Resolution Law Journal* 351 (with Eric H. Reiter).

“Front-Line Justice” (2006) 46 *Va. J. Int'l. L.* 677 (with Eric H. Reiter).

“La médiation judiciaire à la Cour d'appel du Québec” in André Riendeau, ed., *Dire le droit: pour qui et à quel prix?* (Montréal: Wilson & Lafleur, 2005) 57.

*La transformation de notre rapport au droit par la médiation judiciaire. 8<sup>th</sup> Albert-Mayrand Conference 2004* (Montréal: Éditions Thémis, 2005).

“Alternative Dispute Resolution: Judicial Mediation” in *The Early Settlement of Disputes and the Role of Judges. Proceedings of the 1<sup>st</sup> European Conference of Judges, Strasbourg, 2003* (Strasbourg: Council of Europe publishing, 2005) 67.

“Judicial Mediation in Canada: When Judges Act as Mediators for the Benefit of Citizens and Lawyers”, (Address delivered at the 6<sup>th</sup> Annual Conference of the American Bar Association Section of Dispute Resolution: Resolution and Resilience, New York City, 17 April 2004) [unpublished].

“La conciliation judiciaire à la Cour d'appel du Québec” (2003) 1:2 *R.P.R.D.* 1.

“La justice conciliatoire: l'envers du lent droit” (2001) 3:2 *Éthique publique* 63.

“The Conciliation Service Program of the Court of Appeal of Quebec” (2000) 11 *World Arb. & Mediation Rep.* 80.

“L'ordre public dans les relations de travail” (1999) 40 *C. de D.* 379.

“Éthique au travail: Un défi vers l'égalité” in *L'éthique au quotidien* (Montréal: Les Éditions Québec/Amérique, 1990) 51.

### *TRAINING AND PROGRAM DESIGN*

Drawing on her extensive experience as a mediator, Louise Otis designed an elaborate training program in mediation for judges, jurists and non-jurists. The program pursues many objectives, namely:

- to understand the nature and development of conflicts
- to understand the role of the judge-mediator, the mediator, and the negotiator
- to acquire the knowledge and skills of a negotiator
- to develop an understanding of the dynamics of negotiation and possible intervention strategies
- to acquire the skills for moving past an impasse in negotiations
- to understand the ethical rules that govern the judge-mediator, the mediator and the negotiator (ethics and immunity)
- to master the process of negotiation
- to design a system of mediation

Louise Otis has directed intensive training sessions for jurists and non-jurists from Canada, France, Belgium, Morocco, Mali, Rwanda, Uganda, Switzerland, Australia, Russia, Serbia, Norway, Denmark, Finland, Ukraine, Romania, Brazil, Argentina and *CARICOM* member states.

On April 22 and 23, 2003, Louise Otis offered an intensive training program in judicial mediation in Antwerp to magistrates of Belgium from the Courts of Appeal of Brussels, Antwerp, Mons, and Liège, from the Courts of First Instance and Specialized Jurisdictions and from the Court of Appeal of Grenoble, France.

In March 2004, at the initiative of Justices Louise Otis and Michel Proulx, the Court of Appeal of Quebec, the Superior Court of Quebec and the Court of Quebec adopted a common judicial policy establishing a pilot program in criminal mediation for "*Pre-trial management conferences and facilitation conferences in criminal matters*". Louise Otis has designed the first training program in collaboration with the University of Sherbrooke.

### *CITATIONS*

On June 17, 2000, Louise Otis received a *Doctorate "honoris causa"* from the University of Sherbrooke in recognition for her work in implementing the first appellate level judicial mediation program in North America.

In 2002, she received the "*Distinguished Service Award*" from The Straus Institute for Dispute Resolution (Pepperdine University School of Law) for her contribution to the development and advancement of judicial methods of conflict resolution.



On October 28, 2003, Louise Otis received the title of *Officer* of the "*Ordre National du Québec*" in recognition for conceiving and implementing one of the first appellate level judicial mediation programs in the world.

In November 2008, *CNMAC* (Canadian National Mediation Advocacy Competition) created *Louise Otis Award for Excellence in ADR* in order to recognize the excellence of a law school in Alternative Dispute Resolution education.

#### *PROFESSIONAL MEMBERSHIPS*

Louise Otis is a member of the following associations:

- International Academy of Mediators (Fellow)
- International Commission of Jurists, Canadian Section (ICJ)
- Canadian Conference of Judicial Mediation
- International Conference on Mediation for Justice(ICMJ)

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