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THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT

SECOND SESSION (2014)

THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REPORT

ON THE APPROVAL FOR APPOINTMENT OF KAGWIRIA MBOGORI,SUZANNE SHATIKHA CHIVUSIA,GEORGE MORARA MONYONCHO,VINCENT SUYIANKA LEMPAA AND JEDIDAH WAKONYO WARUHIU AS CHAIRPERSON AND MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Clerk's Chambers,
Parliament Buildings,
NAIROBI
27TH FEBRUARY, 2014

TABLE OF CONTENTS

TABLE OF CONTENTS.....2
1.0 PREFACE.....3
1.1 Committee Membership.....3
1.2 Mandate of the Committee.....4
1.3 Nomination of the Chairperson and Members.....5
1.4 Committee Meetings.....5
1.5 Acknowledgements.....5
2.0 BACKGROUND.....7
2.1 Establishment of the Departmental Committee on Justice and Legal Affairs.....7
2.2 Qualifications for Appointment.....7
2.3 Appointment process of the Chairperson and Members.....8
3.0 APPROVAL OF THE CHAIRPERSON AND MEMBERS.....11
3.1 Appearance before the Committee by the Nominees.....11
3.2 Kagwiria Mbogori.....11
3.3 Suzanne Shatikha Chibusia.....13
3.4 George Morara Monyoncho.....15
3.5 Vincent Suyianka Lempaa.....16
3.6 Jedidah Wakonyo Waruhiu.....18
4.0 COMMITTEE'S OBSERVATIONS.....19
5.0 COMMITTEE'S RECOMMENDATIONS.....31

1.0 PREFACE

On behalf of the Departmental Committee on Justice and Legal Affairs and pursuant to the provisions of Standing Order No. 216(5), it is my pleasure and duty to present to the House, the Committee's Report on the vetting of the Nominees to the positions of Chairperson and Members of Kenya National Commission on Human Rights.

1.1 Committee Membership

The Committee on Justice and Legal Affairs was constituted by the House on Thursday 16th May, 2013 comprising of the following members:

1. Hon. Samuel Chepkonga,M.P,.....Chairperson
2. Hon. Priscilla Nyokabi, M.P.....Vice-Chairperson
3. Hon. Muriithi Waiganjo, M.P
4. Hon. Ndirangu Waihenya, M.P
5. Hon. Florence Kajuju, M.P
6. Hon. Kang'ata Irungu,M.P
7. Hon. Benson Mutura,M.P
8. Hon. Olago Aluoch, M.P
9. Hon. John Njoroge M.P
10. Hon. William Cheptumo, M.P
11. Hon. Njoroge Baiya, M.P
12. Hon. Mohamed Abdi, M.P
13. Hon. Kangongo Bowen, M.P
14. Hon. Sammy Koech, M.P
15. Hon. Moses Cheboi, M.P
16. Hon. Paul Bii, M.P
17. Hon. Charles Gimose,M.P
18. Hon. Johanna Ngeno,M.P
19. Hon. Boniface Otsiula, M.P
20. Hon. David Ouma Ochieng,M.P
21. Hon. Neto Agostinho, M.P
22. Hon. Dr.Christine Ombaka,M.P
23. Hon. Kaluma Peter, M.P
24. Hon. Fatuma Ibrahim, M.P
25. Hon. Ben Momanyi Orori, M.P
26. Hon.Munuve Mati John, M.P
27. Hon. Mwamkale Kamoti,M.P
28. Hon.T.J Kajwang',M.P
29. Hon.Mutua Mutemi,M.P

1.2 Committee Mandate

The Departmental Committee on Justice and Legal Affairs derives its mandate from provisions of standing order 216 (5) which outline functions of the Committee as being:

a)To investigate, inquire into, and report on all matters relating to the mandate,management,activities,administration,operations and estimates of the assigned ministries and departments;

b) To study the Programme and policy objectives of ministries and departments and the effectiveness of their implementation;

c) To study and review all the legislation referred to it;

d) To study, access and analyze the relative success of the ministries and departments measured by the results obtained as compared with their stated objectives;

e) To investigate and inquire into all matters relating to the assigned ministries and departments as may be deemed necessary, and as may be referred to it by the House or a Cabinet Secretary;

f) To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No.204 (Committee on appointments); and

g) To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.

In accordance with Second Schedule of the Standing Orders, the Committee is mandated to consider:-

a) Constitutional Affairs
b) The administration of Law and Justice
c) The Judiciary
d) Public prosecutions
e) Elections
f) Ethics, Integrity and anti-corruption and
g) Human rights

1.3 Nomination of the Chairperson and Members of the Kenya National Commission on Human Rights

Pursuant to Section 11 (6) of the Kenya National Commission on Human Rights, H.E the President, forwarded to the Speaker of the National Assembly, the name of **Kagwiria Mbogori** as Chairperson and **Suzanne Shatikha Chivusia, George Morara Monyoncho, Vincent Suyianka Lempaa and Jedidah Wakonyo Wariuhiu as Members** vide letter dated 31st January, 2014 to consider for approval by the Departmental Committee on Justice and Legal Affairs.

On Wednesday 12th February, 2014, the Honourable Speaker in a Communication to the House, informed the House that his office had received the names of Kagwiria Mbogori as Chairperson and Suzanne Shatikha Chivusia, George Morara Monyoncho, Vincent Suyianka Lempaa and Jedidah Wakonyo Wariuhiu as Members and directed that the names and Curriculum vitae of the said nominees be referred to the Departmental Committee on Justice and Legal Affairs for approval hearings and reporting to the House on or before Thursday 27th February, 2014

1.4 Committee Meetings

The Committee held three Sittings during which the said nominees appeared before the Committee on Tuesday 25th February, 2014 starting at 9.00 a.m and the approval hearing was conducted in accordance with the Public Appointments (Parliamentary Approval) Act No.33 of 2011 for appointment as Chairperson and Members of the KNCHR.

1.5 Acknowledgements

a. The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the National Assembly for the necessary support extended to it in the execution of its mandate.

b. The Chairperson of the Committee takes this opportunity to thank all Members of the Committee for their patience, Sacrifice, endurance and Commitment to Public Service under tight schedules which enabled us to complete the task within the stipulated period.

c. The Committee wishes to record its appreciation for services rendered by the staff of the National Assembly attached to the Committee. Their efforts and

input made the work of the Committee and production of this Report possible.

d. Finally, it is now my pleasant duty, on behalf of the Departmental Committee on Justice and Legal Affairs, to present and recommend this report on the nomination of Kagwiria Mbogori as Chairperson and Suzanne Shatikha Chivusia, George Morara Monyoncho, Vincent Suyianka Lempaa and Jedidah Wakonyo Wariuhiu as Members of the KNCHR to the House for adoption pursuant to Standing Orders of the National Assembly and other enabling provisions of the Law.

Thank you.

Signed.....

Hon. Samuel Chepkong'a, M.P

(Chairperson)

Departmental Committee on Justice and Legal Affairs

Dated this..27th.....**day of**.....May**2014**

2.0 BACKGROUND

2.1 Establishment of the Departmental Committee on Justice and Legal Affairs

The Departmental Committee on Justice and Legal Affairs is one of the Departmental Committees established under Standing Order No.216 (1) with the Mandate to consider for approval by the House, appointments of Chairperson and Members of the KNCHR under Section 11(7) of the KNCHR Act, 2011 which requires H.E the President with the approval of the National Assembly, appoint such Members. Section 7(10) of the Public Appointments (Parliamentary Approval) Act 2011, provides that;

"Where the nomination of a candidate is rejected by Parliament, the appointing authority may submit to the relevant House the name of another candidate, and the procedure for approval specified in this Act shall apply accordingly'.

The positions of the Chairperson and Members of the KNCHR are established under Section 9 of the Kenya National Commission on Human Rights Act (No.14 of 2011).The Section provides that;

"*The Commission shall consist of a chairperson and four other members appointed in accordance with the Constitution and the provisions of this Act*"

2.2 Qualifications for Appointment of Chairperson and Members

A person shall be qualified for appointment as the chairperson of the commission if the person -

- Has knowledge and at least fifteen years experience in matters relating to law and human rights
- Holds a degree from a university recognized in Kenya
- Meets the requirements of Chapter Six of the Constitution.

A person shall be qualified for appointment as a member of the Commission if the person-

- Holds a degree from a university recognized in Kenya
- As knowledge and at least ten years' experience in matters relating to any of the following fields
    i. law;
    ii. public administration;
    iii. economics and finance;

iv. gender and social development;
v. human rights;
vi. management; or
vii. social sciences;

(a) Has had a distinguished career in their respective fields; and
(b) Meets the requirements of Chapter Six of the Constitution.

A person shall not be qualified for appointment as the Chairperson or a Member if such person-

- Is a member of Parliament or a County Assembly
- Is a member of a local authority
- Is a undischarged bankrupt; or
- Has been removed from office for contravening the provisions of the Constitution or any other law.

2.3 Appointment Process of the Chairperson and Members of the Kenya Nation Commission on Human Rights

a. The procedure for appointment of chairperson and members is provided for in Section 11(1) of the Kenya National Commission on Human Rights Act (No.14 of 2011) which provides that:
"*Whenever there is a vacancy in the Commission the President shall within fourteen days of the occurrence of the vacancy ,convene a selection panel for the purpose of selecting suitable candidates for appointment as the Chairperson or member of the Commission*".

b. Pursuant to provisions under section (11)(5) of the Act, a selection panel was constituted to select the chairperson and members of the KNCHR.The selection panel was guided by the KNCHR Act, 2011 and a judgement delivered on 16th August, 2013 in High Court Petition Number 385 of 2012.
c. In a meeting held on 13th September,2013 the panel noted that there was a first selection panel which sat in August,2012 and a second selection panel which met in December,2012.
d. The first selection panel did shortlist eight (8) candidates for the position of Member of the Commission but did not shortlist candidates for the position of Chairperson of the Commission as it did not find three (3) suitable persons as required by the law.
e. H.E the President could not act on the names forwarded to him by the first panel as an entity known as Consortium for the Empowerment and Development of Marginalised Communities challenged the recruitment

exercise and obtained a conservatory order in High Court petition No385 of 2012.

f. The conservatory order obtained in High Court Petition No.385 of 2012 was dismissed following a full hearing on 16th August, 2013 allowing the recruitment process to proceed.

g. The Court reviewed the conservatory order on 28th September, 2012 by allowing the process of appointment of the Chairperson of the Commission to proceed. This paved way to the constitution of the second selection panel.

h. The second selection panel met on 28th September, 2012 shortlisted and forwarded to the President three (3) candidates for nomination. No further action was done on the nomination exercise. This panel resolved to proceed as follows:

i. To submit to H.E the President the eight (8) candidates shortlisted by the first selection panel for nomination as members of the Commission.

ii. To submit to the President the three (3) candidates shortlisted by the second panel for nomination of the Chairperson of the Commission and;

iii. Advise the Hon. Attorney General to take the necessary steps under section 11(15) of the Act which states that;

> *"Despite the foregoing provisions of this section, the President, in consultation with the Prime Minister may by notice in the Gazette extend the period specified in respect of any matter under this section by a period not exceeding twenty-one days"*

i. The Ministry of State for Public Service provided facilitation and support to the panel. This included the Secretariat and facilitating advertisements.

j. The selection process was preceded by advertisement of the position of Chairperson and three Members of the Commission as published in the Daily Nation and Standard Newspaper editions of 6th and 7th August, 2012 respectively.

k. The candidates to be invited for interview were shortlisted on 22nd August 2012.Three applicants were shortlisted for the position of Chairperson while thirteen (13) applicants were shortlisted for the position of member. Names of all the applicants and shortlisted candidates were published in the Daily Nation and Standard Newspaper editions of 23rd August, 2012.

l. Interviews of candidates for the position of Chairperson were conducted on 27th August, 2012 and those of Member were conducted on 27th and 28th August, 2012.

m. The selection panel did not find three (3) persons qualified for appointment to the position of Chairperson. The panel recommended re-advertisement for the post of Chairperson.

n. The persons whose names and curricula vitae were forwarded to H.E the President for consideration for the position of Chairperson are;

i) Mrs. Florence Simbiri-Jaoko
ii) Kagwiria Mbogori
iii) Mr. Jotham Okombe Arwa

The persons whose names and curricula vitae were forwarded to H.E the President for consideration for the position of Member are:

i) Henry Omusundi
ii) Nelly Awori Matheka
iii) Jedidah Wakonyo Waruhiu
iv) Naomi Nyambura Wagereka
v) Eric O. Ogwang
vi) Suzanne Shatikha Chivusia
vii) John Kamanda Mucheke
viii) George Morara Monyoncho

o. A letter dated 31st January, 2014 from H.E the President to the Speaker of the National Assembly indicated that H.E the President had, nominated Kagwiria Mbogori as Chairperson of the KNCHR and Suzanne Shatikha Chibusia,George Morara Monyoncho,Vincent Suyianka Lempaa and Jedidah Wakonyo Waruhiu as Members.

p. On February 12th, 2014, the Honourable Speaker in a communication to the House referred the names of the nominees to the Departmental Committee on Justice and Legal Affairs for approval hearings and directed the Committee to table its report to the House for consideration on or before Thursday February 27th, 2014.

q. The Public was expected to participate in the vetting process through submission of memoranda (affidavit) on the suitability or otherwise of the nominee. On Friday 14th February,2014, the Clerk of the National Assembly placed an advertisement in the print media inviting the public to submit memoranda by Thursday 20th February, 2014 on the suitability or otherwise of the said nominee pursuant to section 6(9) of the public Appointments (parliamentary Approval) Act 2011:

r. The Committee perused the report from the Chairperson of the Selection Panel for the Appointment of Chairperson and Members of the Kenya National Commission on Human Rights, information from Ethics and Anti-corruption Commission, Higher Education Loans Board (HELB),Criminal Investigation Department (CID) and the Kenya Revenue Authority (KRA).

3.0 APPROVAL OF THE CHAIRPERSON AND MEMBERS OF KNCHR

In conducting the approval process, the Departmental Committee on Justice and Legal Affairs examined the nominees against the following criteria, amongst others, in accordance with the Public Appointments (Parliament Approval) Act No.33 of 2011.

(i) Academic qualifications
(ii) Employment record
(iii) Professional affiliations
(iv) Potential conflict of interest
(v) Knowledge of the relevant subject
(vi) Overall suitability for the position
(vii) Tax compliance
(viii) Integrity and morality
(ix) Vision, leadership and judicial reforms
(x) Access to justice
(xi) Expectations and key priorities

During its Sitting held on Tuesday 25th February, 2014, the Committee orally conducted approval hearings of the nominees for appointment as Chairperson and Members.

3.1 Appearance before the Committee by the Nominees

3.2 Kagwiria Mbogori

The nominee to the position of Chairperson Kagwiria Mbogori appeared before the Justice and Legal Affairs Committee on Tuesday February 25th, 2014 and was informed by the Chairperson that despite inviting Memoranda from the Public on her suitability or otherwise for appointment to position of Chairperson, none had been received at the date of the approval hearings. The nominee responded to questions put to her by members of the Committee as follows;

On self introduction, knowledge, experience, qualification, passion and context within the KNCHR;

She informed the Committee that the position of the Chairperson of the KNCHR is an integral office in so far as citizens' rights and liberties are concerned and is ready to deploy her vast International experience to serve the People of Kenya. She further informed the Committee that:

- She hails from Meru County.
- She is an Advocate of the High Court of Kenya and holds a masters degree in law (LL.M) from the University of Notre Dame, Centre for Civil and Human Rights and a Bachelor of Laws Degree (LL.B) from the University of Nairobi.
- She has worked extensively with the United Nations.
- She is passionate about Human Rights and Justice in Kenya and her brand of advocacy will be a departure from activism.

On Challenges including same Sex Relationships:

- Gay and Lesbianism is a complex and controversial issue morally.
- She will be guided by the Constitution of Kenya and enabling statutes.
- Article 21 of the Constitution does not make sexual orientation as a basis for discrimination.
- Values and principles of the Nation must be considered while confronting the debate on this issue.
- There is no legal basis to support gay and lesbianism but will not hesitate to protect their individual rights enjoyed by other citizens.
- She acknowledged that the task awaiting her is huge but she has what it takes to move forward as complex issues require complex redress.

On Institutional framework, perception and vision:

- She will collaborate with critical institutions such as the Judiciary and Parliament.
- She will ensure the KNCHR has capacity to deliver and discharge its mandate as envisaged under a devolved system of government.
- She will build partnership with other Constitutional Commissions and seek adequate funding to realise uninterrupted discharge of their mandate.
- She will strive to change the perception that one must be combative and militant to achieve success at the Commission.
-

On Post Election Violence (PEV) of 2008 and the International Criminal Court experience regarding Sovereignty of the Country:

- She stated that the Human Rights movement grew tremendously after the Second World War following the atrocities committed by Nazi Germany. The urge to punish the perpetrators of the war curtailed sovereignty of nations because of internatiolisation of the conflict through global institutions.
- Treaties and Conventions such as Convention against torture, the Genocide Convention of 1948 and the treaty establishing the ICC have also compromised the sovereignty of states.
- She will ensure compliance with international obligations.

On her long absence from the Country, she stated that:

- At times she was stationed in Nairobi as her duty station and thus closely in touch with events in Country.
- She will have to familiarise with national policies such as gender policy, land policy, human rights policy and national housing policy among others.

On urgent legislation for enforcement of Human Rights, she said that:

- Rights of People with disability should be domesticated through legislation.
- She will be guided by the Constitution on the laws that need implementation.

On Publications and research, she stated that she has published the following:

- Human Rights of Women In Conflict Situations.
- The Rights of 'mistresses' and 'illegitimate children' in Kenya
- Women and the Law in Kenya
- Public perception index in Kenya of the Judiciary
- Existing Legal and Policy Constraints on Media Freedom.

3.3 Suzanne Shatikha Chivusia

The nominee to the position of Member appeared before the Justice and Legal Affairs Committee on Tuesday February 25th, 2014 and was informed by the Chairperson that despite inviting Memoranda from the Public on his suitability or otherwise for appointment to position of Member, none had been received at the date of the approval hearings. The nominee responded to questions put to her by members of the Committee as follows.

On self introduction, knowledge, experience, qualification, passion and context within the KNCHR she stated that:

- She comes from Kakamega County and she is an Advocate of the High Court of Kenya.
- She is currently serving as a researcher in the Commission and will use her experience as an insider to put in place implementable programmes.

- She informed the Committee that the KNCHR is a critical Institution in so far as the Bill of Rights is concerned and is ready to take up her responsibilities as a member if approved by Parliament.

On Rights of Children to free Basic Education she informed members that:

- The basic Education Bill was reviewed by the Commission.
- The Commission has a focal point on Children Rights.
- She is a firm believer in Human Rights and the Environment is conducive for her to raise issues of principle.

On the Police Service Commission Bill before Parliament, She said that:

- There was no adequate public participation on the Bill.
- The Bill does not provide for adequate penalty for Human Rights abuses by police officers.
- The Police should start conducting themselves as police service as envisaged in the Constitution rather than the old style of a police force.

On vision and Challenges, she informed the Committee that:

- The Commission has four regional offices and will strive to partner with other Constitutional Commissions to set-up offices in other parts of the Country.
- The Commission will explore more methods of receiving information besides reliance on hotlines among others.

On the Relationship between the Judiciary, and Parliament, she observed that:

The two arms of Government should respect and complement each other rather than frustrate constitutional roles of another independent institution.

She further stated that Courts should intervene in Parliamentary matters at the end of the process rather than in the middle of the process.

On gay rights she observed that she personally does not approve same sex marriage and marriage in any form although such people can access individual rights such as right to health services, water and education

On what she will contribute to the Commission she said that:

- She will work to set-up a knowledge and information management system to relay information swiftly.
- She will engage more with the National Treasure to raise funds as per the Paris principle that 70 percent should come from government.

3.4 George Morara Monyoncho

The nominee to the position of Member appeared before the Justice and Legal Affairs Committee on Tuesday February 25th, 2014 and was informed by the Chairperson that despite inviting Memoranda from the Public on his suitability or otherwise for appointment to position of Member, none had been received at the date of the approval hearings. The nominee responded to questions put to him by members of the Committee as follows

On self introduction, knowledge, experience, qualification and context within the KNCHR;

He informed the Committee that:

- He is a political scientist, has worked with a number of organisations such as Abantu for Development and youth organisations.
- He is currently employed by the Kenya Human Rights Commission, a non-governmental organisation started in 1991.
- He knows the distinction between KHRC and KNCHR.

On why he wants to move from the NGO world to a Government institution, he stated that he is not motivated by salaries but is driven by the desire to drive the Human rights movement at another level.

On Mau Mau Veterans he informed members that:

- He has been lobbying and presenting their case for the last seven years.
- He has been engaging other groups involved in the struggle for independence from other parts of Country like Western Kenya.
- He has not discriminated against any group and has gone to areas such as Malakisi in Bungoma County gathering for evidence.

- The threshold of the cases is that their must be evidence of torture.
- He will continue with his pursuit for the rights of torture victims such as Mau Mau.
- He has not disclosed the list of Mau Mau compensation claimants on security grounds.
- Some Veterans have been paid while others are in the process of being paid.
- The Victims Lawyers advised the group to file individual claims rather than broad claims against colonialism.
- They had a robust method of identifying victims including perusal of records in detention camps such as Hola.

On Programmes to Pursue Justice and Reparations beyond Mau Mau, he informed members that:

- At the KHRC he started the National memories project to identify people who contributed immensely to the country but have not been recognised or honoured.
- Through the said project they were able to put up a statue in honour to Mekatelili Wa Menza.
- He works closely with the Koitalel Arap Samoei foundation and Dini ya Musambwa associates.
- He is a strong believer in constructive dialogue and this is demonstrated by his ability to engage with police at vigilance House to combat militia groups in Kisii.

On PEV victims, he said that he has been working with IDPS in western Kenya to ensure that they are settled.

On gay Rights he informed members that:

- They are entitled to other rights such as right to life, water and health services among others.
- His intervention will not be to encourage the practise but rather the right to life and guarantees s safeguarded by the law.

3.5 Vincent Suyianka Lempaa

The nominee to the position of Member appeared before the Justice and Legal Affairs Committee on Tuesday February 25th, 2014 and was informed by the Chairperson that despite inviting Memoranda from the Public on his suitability or otherwise for appointment to position of Member, none had been received at the

date of the approval hearings. The nominee responded to questions put to him by members of the Committee as follows

On self introduction, knowledge, experience, qualification and context within the KNCHR;

He informed the Committee that:

- He was born in Kajiado County.
- He is an Advocate of the High Court of Kenya.
- His passion for justice started at Kenyatta University where he was an undergraduate Student.
- He was expelled from Kenyatta and was later to sue the University where he was awarded damages for wrongful action against him.
- He worked for KBC as a journalist and reported extensively on issues of Human Rights and Justice.
- He is a litigation counsel at Katiba institute and managing partner of Lempaa and Company Advocates.

On Public Interest Litigation he informed members that he will abide by the Constitutional provisions as per Article 50 which guarantees a fair hearing to all people.

On Economic-Social and Political Rights, he stated:

That Civil and political Rights are immediate and economic and cultural Rights are progressive.

On his multi-disciplinary background he informed members that:

His background in education, Journalism and law will be valuable to the Commission and the Country.

On Maasai land Rights and ownership, he observed that:

- Maasai land rights constitute historical injustices.
- Land should be used as a means of production.
- Will engage the National Land Commission on land ownership.

On the CDF case Pending in Court he informed, members that:

- Katiba institute is the plaintiff in that matter and he beliefs that the idea Members of Parliament as chair and managers of the fund in conflict with the law and separation of powers.
- CDF should be run by Governors.

On the three arms of Government, he stated that;

- Article 125 of the Constitution empowers Parliament to summon anyone in exercise of its legislative and oversight role.
- A Commissioner should not move from one Commission to another at the expiry of his term.

3.6 Jedidah Wakonyo Waruhiu

The nominee to the position of Member appeared before the Justice and Legal Affairs Committee on Tuesday February 25th, 2014 and was informed by the Chairperson that despite inviting Memoranda from the Public on his suitability or otherwise for appointment to position of Member, none had been received at the date of the approval hearings. The nominee responded to questions put to him by members of the Committee as follows

On self introduction, knowledge, experience, qualification and context within the KNCHR;

- She informed the Committee that she developed keen interest in Human Rights while a student at the University of Nairobi.
- She enrolled with FIDA-Kenya as a member while still a student at the University.
- Has been involved in Human rights for the last twenty three years at both international and national level.
- Worked at the Legal Resource from where she contributed to Constitution of Kenya, 2010.

On vision and Challenges she informed members that:

- A combination of many players such as Judiciary, prisons, civil society among others is critical in combating injustices.
- Challenges start at the time of arrest and prison conditions are the end product of the process.

- Court users Committee is now reflected in the National Administrative Justice system.
- Her transition to the KNCHR will not compromise her work at give her more responsibility to engage at another level.

On the three arms of Goverment, she observed that:

- The basic principles of separation of powers must be respected.
- The rule of law must prevail
- Citizens' engagement and participation is critical.

On Children's Rights and Parental Responsibility, she stated as follows:

- The Constitution is the best reference.
- Interest of the Child is the primary responsibility of any person involved in Children matters.
- The dual responsibility of parents cannot be compromised.
- Chiefs and DO's are still relevant at the local level.

On Gay Rights, Abortion and Capital punishment she stated as follows;

- The law is very clear on abortion and the right to life.
- Marriage is a Union between man and a woman.
- Gay people should not be discriminated when seeking services such as health since they are part of our national values.
- The last capital punishment was in 1987 and courts should not met out capital punishment any more.
- Those on death row sentences are subjected to cruel and inhuman treatment.

4.0 COMMITTEE'S OBSERVATIONS

4.1 Kagwiria Mbogori

1. The Committee having considered the curriculum vitae of Kagwiria Mbogori and having heard her submissions during the approval hearing, made the following observations on her nomination:-

Education and Professional Training

- Master of Law (LL.M) from the University of Notre Dame, *Centre for Civil and Human Rights, South Bend, LL.M. specialising in* International and Regional Human Rights protection systems, International

Humanitarian Law, Transitional Justice, Feminist Jurisprudence, Gender Perspectives in Anthropology, *et al.*

- *Post-Graduate Diploma in Law, from the Kenya School of Law*
- Bachelor of Laws Degree, University of Nairobi

Work Experience

- United Nations Development Program (UNDP) South Sudan as Chief Technical Advisor, Judiciary of South Sudan.
- United Nations Mission in Liberia (UNMIL as head of Advisory Unit, Legal & Judicial System Support Division
- United Nations Development Fund for Women (UNIFEM
- Self employed human rights and governance consultant
- Canadian International Development Agency as governance consultant.
- Kenya Section of the International Commission of Jurists as Executive Director
- Federation of Women Lawyers (FIDA Kenya as senior programme officer
- Jomo Kenyatta University of Agriculture and Technology as a legal officer Waweru Gatonye & Company Advocates as a Legal Associate/Litigator

Selected Publications

1. Human Rights of Women In Conflict Situations, Florence Butegwa, Stella Mukasa and Kagwiria Mbogori, WiLDAF, 1995.
2. The rights of 'mistresses' and 'illegitimate children' in Kenya; a survey of maintenance and inheritance laws. Unpublished. Honor paper written in partial fulfillment of my LL.M degree, 1997.
3. Women and the Law in Kenya – Unpublished. Paper presented in a series of seminars for women managers in the public sector, 2001.
4. Public Perception Index of the Judiciary, a quarterly publication of ICJ Kenya from 2000-2003, Editor.
5. Existing Legal and Policy Constraints on Media Freedom, Legal Resources Foundation, and Research report, 2003.

Professional Membership

1. Law Society of Kenya, member.
2. Federation of Women Lawyers (FIDA), member.
3. Women in Law and Development in Africa (WiLDAF).
4. Nyumbani Home for HIV/AIDS Orphans, Volunteer.
5. Loreto High School, Limuru, Alumni Association.
6. Center for Governance and Development, Board Member.

7. Kenya Section of the ICJ, Member.
8. University of Notre Dame Alumni Club of East Africa, President.

The Committee by majority, found the nominee suitable and qualified for appointment as Chairperson of the Kenya National Commission on Human Rights.

4.2 Suznne Shatikha Chibusia

Education and Professional Training

i). Master of Arts in International Studies (MA) (University of Nairobi, December 2007) *Majored in* Diplomacy, International Law, International Environmental Law, Social Science Research Methods, International Conflict Management, International Relations, International Economics, International Economic Law and Policy, International Organizations, International Relations of African States, International Political Systems, Language Course/French . *Research Project* 'Actualizing Women's Rights under CEDAW-A Case Study of the Practice of Polygamy in the Kabras Community of Kenya and its Impact on the Human Rights of Women.'

ii). Postgraduate Diploma (Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights) August 2007. Focused on international criminal law and international justice, substantive international criminal law and the organisation of international judicial bodies, in particular, the ad hoc Tribunals for the Former Yugoslavia, Rwanda and the International Criminal Court.

iii). Postgraduate Diploma in Law (The Kenya School of Law, 1992) *Majored in*: Legal Education and Service under Pupilage: qualified as an advocate of the high court of Kenya.

iv). Bachelor of laws LL.B (Hons) University of Nairobi, 1991

v). Postgraduate Certificate in The Human Rights of Women (World University Services Austria, in conjunction with Makerere University, Kampala Uganda) 1999.

vi).The Nominee has several Certificates in the following areas:

- Certificate in International Human Rights (Canadian Human Rights Foundation, John Abbott College, Canada).

- Certificate in Financial and Project Management (Heinrich Boll Foundation, Nairobi Kenya) 2002.
- Certificate in Basic Security in the Field-Staff Safety, Health and Welfare (UNDP, Khartoum Sudan) 2004.
- Certificate in Team Building and Interpersonal Skills Development (Independent Communications Associates, Nairobi Kenya).
- Certificate in Facilitation Skills (FIDA-Kenya, Nairobi) 2002.
- Certificate in Lay Counseling (New Life SDA Church, Nairobi Kenya) 1997.
- Certificate in Gender and Development (Kenya Institute of Administration Nairobi Kenya) 2001.
- Certificate in Gender and Disability Mainstreaming from the Gender and Disability Development Centre, 2012.
- Certificate in Monitoring and Evaluation-AMREF, Kenya 2012.
- Certificate in Contemporary Public Administration Management-Galilee International Management Institute, Israel 2013.

Topics covered by the nominee included; Policy and best Practice on Mainstreaming Disability in Institutions, Addressing the Gender Based Violence at Workplace, Local/International best Practices of Mainstreaming Gender, Levels of Disability Mainstreaming, Government Policies and Guidelines for Mainstreaming Gender in organization, Gender & Disability Mainstreaming Monitoring & Evaluation best practice.

She is currently the Principal Human Rights Officer/Head of Research and Compliance Department –Kenya National Commission on Human Rights (KNCHR)

The Nominee had previously worked as, Consultant Researcher, Trainer, and Rapporteur, Legal and Evaluation Consultant for Africa Peace Forum (APFO, Legal Consultant/Researcher, National Democratic Institute for International Affairs (NDI), Election Observer under the auspices of the Federation of Women Lawyer and The East African Society of Proffessional Bodies Association in Kenya,Refugee Status Determination Lawyer, UNHCR; Northern Sudan, Presiding Officer with the Electoral Commission of Kenya, Legal Counsel Federation of Women Lawyers (FIDA) Kenya , Associate Advocate in the Law firms of Asige Keverenge & Anyanzwa Advocates, and Adera & Company Advocates, Mombasa, Legal and Evaluation Consultant for Africa Peace Forum (APFO), 2008 Consultant/Researcher, United States Institute of Peace, 2006 Consultant/Researcher, World Vision International, Consultant, the Coalition on Violence against Women (COVAW)-Kenya, Cradle and Consultant, Refugee Consortium of Kenya (RCK) among others. **Her Publications include: Chivusia S.S 2007** 'Actualizing Women's Rights under CEDAW-A Case Study of the Practice of Polygamy in the Kabras Community of

Kenya and It's Impact on the Human Rights of Women' University of Nairobi, **Chivusia S.S and Karogo M. 2006** Police Training Manual on Gender and Human Rights, Nairobi, **Chivusia et al, 2006** Handbook on Azande Customary Law (pending publication), Nairobi ,**Chivusia et al, 2009** 'Citizens' Participation in Implementing the National Accord: A Peoples' Voice on the Electoral Reforms Agenda in Kenya (APFO)
Chivusia S.S 2007 'Actualizing Women's Rights under CEDAW-A Case Study of the Practice of. Polygamy in the Kabras Community of Kenya and It's Impact on the Human Rights of Women' University of Nairobi, **Chivusia S.S and Karogo M. 2006** Police Training Manual on Gender and Human Rights, Nairobi, **Chivusia et al, 2006** Handbook on Azande Customary Law (pending publication), Nairobi

The Committee by majority, found the nominee suitable and qualified for appointment as Member of the Kenya National Commission on Human Rights.

4.3 George Morara Monyoncho

Education and Professional Training

- University of Windsor, Canada. MA in Political Science
- University of Toronto, Canada. Bachelor of Arts (B.A. Hons.)
- Carleton University, Canada. MA in Legal Studies (EBT)
- Egerton University, Kenya. Three years of Bachelor of Education (B.ED) Degree coursework; Majored in Education, Linguistics and Literature

Work Experience

- Kenya Human Rights Commission as a programme officer in civil and political Rights
- Kenya Human Rights Commission as a programme Officer: Research, Monitoring and Documentation.
- The Commission of Inquiry into Post-Election Violence (CIPEV) as an investigator
- Kenya National Commission on Human Rights (KNCHR) as a Consultant/ Field Researcher.
- Office of the Correctional Investigator (Canada) as a Researcher and Assistant Policy Analyst
- Carleton University, Ottawa, Ontario as a Teaching Assistant/Research Assistant

- The North-South Institute, Ottawa, Ontario as a Researcher (International Trade and Development).
- The University of Windsor, Windsor, Ontario as a Teaching Assistant
- The Law Office of Waldman and Associates, Toronto, Ontario as a Part-time Legal Research Assistant
- Abantu for Development, a Not-for-Profit Organization with offices in London—UK, Accra—Ghana and Nairobi—Kenya as a Gender and Human Rights Community Advocate and Trainer
- The Kenya Human Rights Commission as a Community Mobilizer on the Police Reforms Campaign
- The Release Political Prisoners Pressure Group as a Member of the Executive Committee and General Member

The Committee by majority, found the nominee suitable and qualified for appointment as Member of the Kenya National Commission on Human Rights.

4.4 Vincent Suyianka Lempaa

Education and Professional Training

Master in Laws; International Human Rights Law, University of Essex, 2010-2011, Dissertation title, The Protection and Enforcement of Human Rights in the 2010 Kenyan Constitution.

Diploma in Law: Kenya School of Law: 2008 to 2009. Called to the Bar as an Advocate of the High Court of Kenya on the 11 of March 2010

Bachelor of Laws LLB: University of London External, Degree Programme: 2005 to 2007 University of London awarded on the 1st of August 2007.

Certificate of attendance in International Human Rights Academy: (University of Utrecht)-Netherlands (19th Aug. to 1st Sep 2007.)

Post Graduate Diploma in Mass Communication studies: Award (post Graduate Diploma) University of Nairobi, School of Journalism-Kenya-August 2000-September

Work Experience

Leading Counsel, December 2012 to date 2013, was involved in several petitions before the Constitutional and Human Rights Division of the High Court. Drafted petitions drafted written submission and presented them to court.

Consultant, July- August, 2012 International Center Policy and Conflict (ICPC), researched on transitional justice and reparation on the victims of torture(Compiled a report on the same.)

Advocate of the High Court of Kenya, March 2010 to date, general litigation but majorly in public law and human rights.

Consultant, May-June 2012 International Center Policy and Conflict (ICPC), Leadership and integrity researched on vetting and lustration, compiled a report and facilitated a tow day seminar in Nakuru

Consultant, September 2011, International Center Policy and Conflict, developed an Article on the Jurisprudence on the Confirmation of Charges vis- a-vis the Kenyan cases in the International Criminal Court

Consultant, September 2009- January 2010, International Centre for Peace and Conflict, developed a working manual for the Truth Justice and Reconciliation Commission

Legal Editor, 2009 to July 2012, International Centre for Peace and Conflict, editing human rights
Reports,
Translator, 2002-to date, Nation Media Group and Kenya Broadcasting Corporation, translating court stories from English to Kiswahili and from Kiswahili to English

High Court Reporter January 2003 to January 2005, Kenya Broadcasting Corporation Attending court sessions and writing notes, writing Television and Radio script and news editing for both radio and Television

Lecturer May 2007 to date, Jomo Kenyatta University of Science and Technology, Communication Ethics, Law and Human Rights,. Preparing the course outline notes lecturing setting and marking exams and grading students at the diploma level.

Chief Legal Editor, January 2005 to date , Kenya Broadcasting Corporation Writing and Editing Court and Tribunal stories for television and radio broadcast

General Reporter, September 2002 to January 2003, Nation Television: Going to the field and collecting news, writing radio and TV scripts and editing February 10, 2005news.

Coordinator: People Against Torture January 2002 to July 2002 United Nations International Day in Support of Victims of Torture. Organized the event of that year and wrote a comprehensive report.

Freelance journalist: October 2001Jjuly 2002: Writing analytical Pieces and opinions in Local Magazines, Developing news stories from Press releases and statements. General Reporter

Reporter: August –November 2001, Daily Nation, Attending Political, Social and meetings and press conferences, seminars, listening and taking notes hence filing stories. This also entailed interviews; spot News writing like crime and accidents.

Civic Educator: January 2000 to 2003.Catholic Justice and Peace Commission, Organizing Seminars and talk shops in Nairobi, Narok and Kajiado and Eldoret.

Teacher: Nembu High School, Nairobi, May 1999 to August 1999 Taught English and Literature as a regular teacher in

Administrative Assistance Kenya Farmers Association (K.F.A): November 1992 to July 1994 worked as an administration assistant.

AWARDS

Commonwealth Broadcasting Award in Environment; 2010/2011 Conservation of Mau water tower

International Ford Foundation Fellowship; 2010/2011 8th Cohort,

International Human Rights Academy Scholarship, August 18- September 1st 2007, University of Utrecht, the Netherlands

The Committee having scrutinized the report by the Selection Panel observed that the Nominee was not on the list sent by the Chairman of the Selection Panel to H.E the President for appointment.

In addition the Committee observed that the Nominee did not demonstrate sufficient competence on matters of Human Rights the protection and promotion of which is the mandate of the Committee.

The Committee by majority found the nominee not suitable for appointment as Member of the Kenya National Commission on Human Rights on the following grounds:

(i) The nominee is not in the list forwarded by the Selection panel to his Excellency the President for appointment.
(ii) Lack of competence on matters of human rights.

4.5 Jedidah Wakonyo Wariuhiu

Education and Professional Training

i. Masters of Law (LLM) International Human Rights, Refugee and Humanitarian law and Comparative Justice and Penal law systems, Nottingham University, UK.
ii. Member of the Bar having been duly admitted as an Advocate of the High Court of Kenya.
iii. Post – graduate diploma in law from the Kenya School of Law
iv. Bachelor of Laws degree from the University of Nairobi.
v. Training in lobbying and international advocacy in the UN system in Geneva

Additional training in:

- Resource Mobilization and Networking
- Policy Entrepreneurship - Training in advocacy and policy development and its application in Kenya.
- Human Rights Based approach to Development (HRBAD)
- Corporate governance, directorship and risk management
- Fundraising in the midst of competition and crisis in credibility
- International Human Rights Instruments and their application in Kenya
- Training methodologies for Adult Learners
- International Humanitarian Law and Human Rights.
- Legislative, Regulatory and Administrative drafting, Sunshine Laws, Lexis and Westlaw, Plain Language, Bilingual or Multilingual drafting, Ethic's and Politics' of drafting, human Rights Institutions and Principles of Negotiations.
- International Human Rights Instruments with special focus on torture and forensic investigations.
- Management Skills Development, Policy formulation, public relations and staff management

- Gender, development, planning and politics, feminism history and Developing Terminology's.

Professional Experience

At legal Resources Foundation Trust (LRF), the nominee was involved in:

- Project formulation, leadership and design
- Proposal writing and report writing
- Project monitoring and evaluation
- Programme planning and supervising
- Fundraising and building strategic linkages
- Administrative supervising
- Financial management
- Coordinating and offering link with the Board of Management
- Provide legal assistance and aid
- Profiling of organization

At the UN High commissioner For Refugees (UNHCR)

Branch office, Ghana, she worked as a Protection Officer involving:

- Deputizing and supervising the national Eligibility Officers
- Interviewing, reviewing and follow-up on individual asylum-claims in Ghana
- Training national Eligibility Officers
- Monitoring and analyzing the human rights and security situation in DRC, Rwandan, Burundi and Ugandan for RSD purposes
- Organization for specialized training on the application of 1951 UN Convention's 'Exclusion Clauses'.
- Development of Country Operating Procedures and policy guides for Refugee Determination

At the Branch office for Kenya,she was tasked with:

- Interviewing and evaluating individual asylum-claims in Kenya
- On-the-job legal training of newly recruited Eligibility Officers
- Monitoring and analysing the human rights and security situation in DRC, Rwandan, Burundi and Ugandan for RSD purposes.
- Focal –point for asylum-claims filed by nationals of the a/m countries.
- Organisation of a Refugee Status Determination (RSD) workshop at UNHCR Eligibility Centre on the application of 1951 UN Convention's 'Exclusion Clauses'.
- Presentation of the socio-political situation and background information on the Great Lakes region to the UNHCR Eligibility Centre staff.

Worked with the organization known as People Against Torture (PAT) as a programme officer

- Founder member in the Legal Mobile Clinic, travelling to remote and marginalized areas of Isiolo, Garissa, Kisii and Eldoret.
- Organising grassroots training on legal issues like human rights,
- Para legal training for community leaders in Isiolo.
- Visiting police stations and other detention centres like prison.
- Legal representation of torture survivors in court.
- Visiting of torture survivors in medical institutions for legal assistance, aid and advice.
- Organising pathologist to conduct post mortem on torture victims.
- Giving legal opinions on judicial interventions.
- Proposal development and report writing
- Networking with other community based organisations that focus on development and human rights.

Eligibility Officer for the UNHCR 'Rwandan and Burundian Special Screening Project'

- Interviewing and evaluating individual asylum-claims from Rwanda and Burundi with special focus on the 1994 genocide period
- Providing legal aid and assistance
- Providing input and development of the Country Operating Procedures and policy guides

Programme Officer for Release Political Prisoners Pressure Group (RPP)

- Lobbying and advocacy for the release of political prisoners in Kenya.
- Organising the campaign of the longest and last surviving political prisoner James Apiny Adhiambo.
- Visiting political prisoners in detention centre.
- Legal advises to the families and the political prisoners.
- Legal representation of political prisoners.
- Writing of press statements to pressurise and highlight the plight of political prisoners.
- Co-ordinating with external lawyers to take up pro bono briefs and public interest litigation of political prisoners.
- Social-Legal research on politically motivated judicial cases and precedents.

Volunteer work with the Law Society of Kenya (LSK) in public interest, constitutional reform and human rights committee where she was involved in:

- Monitoring and analysis of the human rights situation in Kenya.
- Organising for seminars and workshops on the constitutional reform process in Kenya.
- Advising the secretariat on unfolding human rights situations and ways of intervening.
- Analysis and review of new Bills introduced in parliament and their impact on the human rights regime.

INTERNATIONAL FEDERATION OF WOMEN LAWYERS (FIDA)
Resource person on Legal Education

- Legal training of women in the grass roots.
- Researcher and report writing on legal precedents that affect the plight of women.
- Monitoring the judicial process on gender related cases.
- Writing of simple publications.
- Monitoring and analysis of the general human rights situation.
- Holding of legal aid day clinics
- providing guidance in policy formulation and issues

NATIONAL COUNCIL OF WOMEN OF KENYA (NCCK)
National Election Observer

- Monitoring the women's campaigns in the rural areas,
- Holding voter education seminars in the villages,
- Monitoring the electoral process,
- Ensuring that women are assisted and vote according to their will,
- Monitoring the transportation and counting of vote

Professional Membership;

Law Society of Kenya (LSK), Federation of Women Lawyers (FIDA Kenya) and International Commission of Jurist (ICJ Kenya)

WRITINGS

Refugee Status determination: Practical Protection for former Child Soldiers in Kenya, LLM Thesis, University of Nottingham, UK, and September 2004
Drawing the Line between Custom and Cruelty: Female Genital Mutilations." LLB Thesis, University of Nairobi, September 1993

The Nominee has written several papers including;

a. <u>The protection of human rights of persons deprived of their liberty,</u> presented during the Human Rights Training for Instructors organized by Raoul Wallenberg Institute of Human Rights and Humanitarian Law and Kenya Institute of Administration.

b. <u>The Role of civil Society in Promoting Rights based Programming by the Government,</u> Paper presented during the Rights Based approach Workshop, Naivasha, Kenya on 7th April 2005

c. <u>The Rights of the Child,</u> paper presented at the Senior Management Course n Education for District Education Officers (DEO).

The Committee by majority found the nominee suitable and qualified for appointment as Member of the Kenya National Commission on Human Rights.

The Committee made a general observation that in future appointments the selection panel and the appointing authority should consider persons with special interests.

5.0 RECOMMENDATIONS OF THE COMMITTEE

THAT Pursuant to section 11(7) of the Kenya National Commission on Human Rights Act, 2011 and Standing Orders 216(5)(f) and 199,the Committee recommends that:

i. This House approves Mrs.Kagwiria Mbogori for appointment as Chairperson of the Kenya National Commission on Human Rights.

ii. This House approves Suzanne Shatikha Chivusia, George Morara Monyoncho and Jedidah Wakonyo Wariuhiu for appointment as Members of the Kenya National Commission on Human Rights.

iii. This House rejects the appointment of Vincent Suyianka Lempaa as Member of the Kenya National Commission on Human Rights on grounds that:
   - The nominee is not in the list forwarded by the Selection panel to his Excellency the President for appointment.
   - Lack of competence on matters of human rights.

-END-

ANNEXTURES

MINUTES

MINUTES OF THE 15TH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS MEETING HELD ON THURSDAY 27TH FEBRUARY 2014 IN MEDIA CENTRE, PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT

1. Hon. Samuel Chepkong'a, M.P - Chairperson
2. Hon. Priscilla Nyokabi, M.P - Vice Chairperson
3. Hon. Neto Agostinho, M.P
4. Hon. Peter Kaluma, M.P
5. Hon. John M. Waiganjo, M.P
6. Hon. Irungu Kang'ata, M.P
7. Hon. Charles Gimose, M.P
8. Hon. William Cheptumo, M.P
9. Hon. Ben Momanyi, M.P
10. Hon. Fatuma Ibrahim, M.P
11. Hon. Benson Mutura, M.P
12. Hon. Olago Aluoch, M.P
13. Hon. John Njoroge, M.P
14. Hon. David Ochieng, M.P
15. Hon. Dr. Christine Ombaka, M.P
16. Hon. Njoroge Baiya, M.P
17. Hon. Moses Cheboi, M.P
18. Hon. Paul Bii, M.P
19. Hon. T. J. Kajwang, M.P
20. Hon. Florence Kajuju, M.P
21. Hon. Munuve Mati John, M.P

ABSENT WITH APOLOGIES

1. Hon. Ndirangu Waihenya, M.P
2. Hon. Ngeno Johanna, M.P
3. Hon. Kangongo Bowen, M.P
4. Hon. Mohamed Abdi, M.P
5. Hon. Sammy Koech, M.P
6. Hon. Boniface Otsiula, M.P
7. Hon. Mwamkale William Kamoti, M.P
8. Hon. Mutua Mutemi, M.P

IN ATTENDANCE	NATIONAL ASSEMBLY
A. M. Wasike	First Clerk Assistant
Hellen Ekadeli	Third Clerk Assistant
Lydia Makaka	Parliamentary Intern

MIN.NO.JLA.65/2014 PRELIMINARIES

The Meeting was called to order and followed by a word of prayer by Hon. Bishop Mutua Mutemi at 10.25 a.m.

MIN.NO.JLA.66/2014 ADOPTION OF MINUTES

Minutes were adopted as follows:

Minutes of 12th Sitting held on 25th February 2014 at 8.30 am were proposed by Hon. Paul Bii and seconded by Hon. Muriithi Waiganjo.

Minutes of 13th Sitting held on 25th February 2014 at. 2.30 pm were proposed by Hon. Fatuma Ibrahim and seconded by Hon. Neto Agostinho.

Minutes of 14th Sitting held on 26th February 2014 were proposed by Hon. Paul Bii and seconded by Hon. Muriithi Waiganjo.

MIN.NO.JLA.67/2014 ADOPTION OF VETTING REPORT ON KNCHR NOMINEES

The report was proposed for adoption by Hon. Bishop Mutua Mutemi and seconded by Hon. Florence Kajuju.

The report was adopted by majority of the members present.

MIN.NO.JLA.68/2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned at 11.30 a.m.

SIGNED .....

CHAIRPERSON

DATE....27th February, 2014.....

MINUTES OF THE 13TH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS MEETING HELD ON TUESDAY 25TH FEBRUARY 2014 IN COMMITTEE ROOM, 4TH FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 1.30 P.M.

PRESENT

1. Hon. Samuel Chepkong'a, M.P - Chairperson
2. Hon. Priscilla Nyokabi, M.P - Vice Chairperson
3. Hon. Neto Agostinho, M.P
4. Hon. Peter Kaluma, M.P
5. Hon. John M. Waiganjo, M.P
6. Hon. Irungu Kang'ata, M.P
7. Hon. Charles Gimose, M.P
8. Hon. William Cheptumo, M.P
9. Hon. Ngeno Johanna, M.P
10. Hon. Kangongo Bowen, M.P
11. Hon. Ben Momanyi, M.P
12. Hon. Fatuma Ibrahim, M.P

ABSENT WITH APOLOGIES

1. Hon. Ndirangu Waihenya, M.P
2. Hon. Florence Kajuju, M.P
3. Hon. Benson Mutura, M.P
4. Hon. Olago Aluoch, M.P
5. Hon. John Njoroge, M.P
6. Hon. Njoroge Baiya, M.P
7. Hon. Mohamed Abdi, M.P
8. Hon. Sammy Koech, M.P
9. Hon. Moses Cheboi, M.P
10. Hon. Paul Bii, M.P
11. Hon. Boniface Otsiula, M.P
12. Hon. David Ochieng, M.P
13. Hon. Dr. Christine Ombaka, M.P
14. Hon. Munuve Mati John, M.P
15. Hon. Mwamkale William Kamoti, M.P
16. Hon. T. J. Kajwang, M.P
17. Hon. Mutua Mutemi, M.P

IN ATTENDANCE	NATIONAL ASSEMBLY
A. M. Wasike	First Clerk Assistant
Hellen Ekadeli	Third Clerk Assistant
Lydia Makaka	Parliamentary InternMIN.NO.JLA.56/2014

PRELIMINARIES

The Meeting was called to order and followed by a word of prayer by the Chairperson at 1.45 a.m.

The Chairperson informed members that the Committee was ready to conduct approval hearings for the remaining nominee to the KNCHR.

MIN.NO.JLA.57/2014 APPROVAL HEARINGS OF NOMINEES TO KNCHR

Jedidah Wakonyo Waruhiu

The nominee to the position of Member appeared before the Justice and Legal Affairs Committee on Tuesday February 25th, 2014 and was informed by the Chairperson that despite inviting Memoranda from the Public on his suitability or otherwise for appointment to position of Member, none had been received at the date of the approval hearings. The nominee responded to questions put to him by members of the Committee as follows

On self introduction, knowledge, experience, qualification and context within the KNCHR;

- She informed the Committee that she developed keen interest in Human Rights while a student at the University of Nairobi.
- She enrolled with FIDA-Kenya as a member while still a student at the University.
- Has been involved in Human rights for the last twenty three years at both international and national level.
- Worked at the Legal Resource from where she contributed to Constitution of Kenya, 2010.

On vision and Challenges she informed members that:

- A combination of many players such as Judiciary, prisons, civil society among others is critical in combating injustices.
- Challenges start at the time of arrest and prison conditions are the end product of the process.

- Court users Committee is now reflected in the National Administrative Justice system.
- Her transition to the KNCHR will not compromise her work at give her more responsibility to engage at another level.

On the three arms of Goverment, she observed that:

- The basic principles of separation of powers must be respected.
- The rule of law must prevail
- Citizens' engagement and participation is critical.

On Children's Rights and Parental Responsibility, she stated as follows:

- The Constitution is the best reference.
- Interest of the Child is the primary responsibility of any person involved in Children matters.
- The dual responsibility of parents cannot be compromised.
- Chiefs and DO's are still relevant at the local level.

On Gay Rights, Abortion and Capital punishment she stated as follows;

- The law is very clear on abortion and the right to life.
- Marriage is a Union between man and a woman.
- Gay people should not be discriminated when seeking services such as health since they are part of our national values.
- The last capital punishment was in 1987 and courts should not met out capital punishment any more.
- Those on death row sentences are subjected to cruel and inhuman treatment.

MIN.NO.JLA.58/2014 COMMITTEE'S OBSERVATIONS

Kagwiria Mbogori

The Committee by majority, found the nominee suitable and qualified for appointment as Chairperson of the Kenya National Commission on Human Rights.

George Morara Monyoncho

The Committee by majority, found the nominee suitable and qualified for appointment as Member of the Kenya National Commission on Human Rights.

Suzanne Shatikha Chibusia

The Committee by majority, found the nominee suitable and qualified for appointment as Member of the Kenya National Commission on Human Rights.

Vincent Suyianka Lempaa

The Committee by majority found the nominee not suitable for appointment as Member of the Kenya National Commission on Human Rights

Jedidah Wakonyo Wariuhiu

The Committee by majority, found the nominee suitable and qualified for appointment as Member of the Kenya National Commission on Human Rights

MIN.NO.JLA.59/2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned at 3.30 p.m.

SIGNED .....

CHAIRPERSON

DATE 27th February, 2014

MINUTES OF THE 12TH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS MEETING HELD ON TUESDAY 25TH FEBRUARY 2014 IN COMMITTEE ROOM, 4TH FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 8.30 A.M.

PRESENT

1. Hon. Samuel Chepkong'a, M.P - Chairperson
2. Hon. Priscilla Nyokabi, M.P - Vice Chairperson
3. Hon. Florence Kajuju, M.P
4. Hon. Bishop Mutua Mutemi, M.P
5. Hon. Benson Mutura, M.P
6. Hon. John M. Waiganjo, M.P
7. Hon. Peter Kaluma, M.P
8. Hon. Ngeno Johanna, M.P
9. Hon. Olago Aluoch, M.P
10. Hon. T. J. Kajwang, M.P
11. Hon. Njoroge Baiya, M.P
12. Hon. Moses Cheboi, M.P
13. Hon. William Cheptumo, M.P
14. Hon. Fatuma Ibrahim, M.P
15. Hon. David Ochieng, M.P
16. Hon. Paul K. Bii, M.P
17. Hon. Kangongo Bowen, M.P
18. Hon. Neto Agostinho, M.P
19. Hon. Irungu Kang'ata, M.P
20. Hon. John Njoroge, M.P
21. Hon. Charles Gimose, M.P
22. Hon. Ben Momanyi, M.P

ABSENT WITH APOLOGIES

1. Hon. Ndirangu Waihenya, M.P
2. Hon. Mohamed Abdi, M.P
3. Hon. Sammy Koech, M.P
4. Hon. Boniface Otsiula, M.P
5. Hon. Dr. Christine Ombaka, M.P
6. Hon. Munuve Mati John, M.P
7. Hon. Mwamkale William Kamoti, M.P

IN ATTENDANCE	NATIONAL ASSEMBLY
A. M. Wasike	First Clerk Assistant
Hellen Ekadeli	Third Clerk Assistant
Lydia Makaka	Parliamentary Intern

MIN.NO.JLA.54/2014 PRELIMINARIES

The Meeting was called to order and followed by a word of prayer by the Chairperson at 8.55 a.m.

The Chairperson informed members that the Committee was ready to conduct approval hearings for nominees to the KNCHR.

He further stated that a report should be tabled on or before 27th February, 2014.

MIN.NO.JLA.55/2014 APPROVAL HEARINGS OF NOMINEES TO KNCHR

Kagwiria Mbogoria

The nominee to the position of Chairperson Kagwiria Mbogori appeared before the Justice and Legal Affairs Committee on Tuesday February 25th, 2014 and was informed by the Chairperson that despite inviting Memoranda from the Public on her suitability or otherwise for appointment to position of Chairperson, none had been received at the date of the approval hearings. The nominee responded to questions put to her by members of the Committee as follows;

On self introduction, knowledge, experience, qualification, passion and context within the KNCHR;

She informed the Committee that the position of the Chairperson of the KNCHR is an integral office in so far as citizens' rights and liberties are concerned and is ready to deploy her vast International experience to serve the People of Kenya. She further informed the Committee that:

- She hails from Meru County.
- She is an Advocate of the High Court of Kenya and holds a masters degree in law (LL.M) from the University of Notre Dame, Centre for Civil and Human Rights and a Bachelor of Laws Degree (LL.B) from the University of Nairobi.
- She has worked extensively with the United Nations.

- She is passionate about Human Rights and Justice in Kenya and her brand of advocacy will be a departure from activism.

On Challenges including same Sex Relationships:

- Gay and Lesbianism is a complex and controversial issue morally.
- She will be guided by the Constitution of Kenya and enabling statutes.
- Article 21 of the Constitution does not make sexual orientation as a basis for discrimination.
- Values and principles of the Nation must be considered while confronting the debate on this issue.
- There is no legal basis to support gay and lesbianism but will not hesitate to protect their individual rights enjoyed by other citizens.
- She acknowledged that the task awaiting her is huge but she has what it takes to move forward as complex issues require complex redress.

On Institutional framework, perception and vision:

- She will collaborate with critical institutions such as the Judiciary and Parliament.
- She will ensure the KNCHR has capacity to deliver and discharge its mandate as envisaged under a devolved system of government.
- She will build partnership with other Constitutional Commissions and seek adequate funding to realise uninterrupted discharge of their mandate.
- She will strive to change the perception that one must be combative and militant to achieve success at the Commission.

On Post Election Violence (PEV) of 2008 and the International Criminal Court experience regarding Sovereignty of the Country:

- She stated that the Human Rights movement grew tremendously after the Second World War following the atrocities committed by Nazi Germany. The urge to punish the perpetrators of the war curtailed sovereignty of nations because of internatiolisation of the conflict through global institutions.
- Treaties and Conventions such as Convention against torture, the Genocide Convention of 1948 and the treaty establishing the ICC have also compromised the sovereignty of states.
- She will ensure compliance with international obligations.

On her long absence from the Country, she stated as follow:

- At times she was stationed in Nairobi as her duty station and thus closely in touch with events in Country.

- She will have to familiarise with national policies such as gender policy, land policy, human rights policy and national housing policy among others.

On urgent legislation for enforcement of Human Rights, she said that:

- Rights of People with disability should be domesticated through legislation.
- She will be guided by the Constitution on the laws that need implementation.

On Publications and research, she stated that she has published the following:

- Human Rights Of Women In Conflict Situations.
- The Rights of 'mistresses' and 'illegitimate children' in Kenya
- Women and the Law in Kenya
- Public perception index in Kenya of the Judiciary
- Existing Legal and Policy Constraints on Media Freedom.

Suzanne Shatikha Chibusia

The nominee to the position of Member appeared before the Justice and Legal Affairs Committee on Tuesday February 25th, 2014 and was informed by the Chairperson that despite inviting Memoranda from the Public on his suitability or otherwise for appointment to position of Member, none had been received at the date of the approval hearings. The nominee responded to questions put to her by members of the Committee as follows

On self introduction, knowledge, experience, qualification, passion and context within the KNCHR she stated as follows;

- She comes from Kakamega County and she is an Advocate of the High Court of Kenya.
- She is currently serving as a researcher in the Commission and will use her experience as an insider to put in place implementable programmes.

- She informed the Committee that the KNCHR is a critical Institution in so far as the Bill of Rights is concerned and is ready to take up her responsibilities as a member if approved by Parliament.

On Rights of Children to free Basic Education she informed members as follows:

- The basic Education Bill was reviewed by the Commission.
- The Commission has a focal point on Children Rights.
- She is a firm believer in Human Rights and the Environment is conducive for her to raise issues of principle.

On the Police Service Commission Bill before Parliament, She said as follows:

- There was no adequate public participation on the Bill.
- The Bill does not provide for adequate penalty for Human Rights abuses by police officers.
- The Police should start conducting themselves as police service as envisaged in the Constitution rather than the old style of a police force.

On vision and Challenges, she informed the Committee as follows:

- The Commission has four regional offices and will strive to partner with other Constitutional Commissions to set-up offices in other parts of the Country.
- The Commission will explore more methods of receiving information besides reliance on hotlines among others.

On the Relationship between the Judiciary, and Parliament, she observed that:

The two arms of Government should respect and complement each other rather than frustrate constitutional roles of another independent institution.

She further stated that Courts should intervene in Parliamentary matters at the end of the process rather than in the middle of the process.

On gay rights she observed that she personally does not approve same sex marriage and marriage in any form although such people can access individual rights such as right to health services, water and education

On what she will contribute to the Commission she said that:

- She will work to set-up a knowledge and information management system to relay information swiftly.
- She will engage more with the National Treasure to raise funds as per the Paris principle that 70 percent should come from government.

George Morara Monyoncho

On self introduction, knowledge, experience, qualification and context within the KNCHR;

He informed the Committee that:

- He is a political scientist, has worked with a number of organisations such as Abantu for Development and youth organisations.

- He is currently employed by the Kenya Human Rights Commission, a non-governmental organisation started in 1991.
- He knows the distinction between KHRC and KNCHR.

On why he wants to move from the NGO world to a Government institution, he stated that he is not motivated by salaries but is driven by the desire to drive the Human rights movement at another level.

On Mau Mau Veterans he informed members that:

- He has been lobbying and presenting their case for the last seven years.
- He has been engaging other groups involved in the struggle for independence from other parts of Country like Western Kenya.
- He has not discriminated against any group and has gone to areas such as Malakisi in Bungoma County gathering for evidence.
- The threshold of the cases is that their must be evidence of torture.
- He will continue with his pursuit for the rights of torture victims such as Mau Mau.
- He has not disclosed the list of Mau Mau compensation claimants on security grounds.
- Some Veterans have been paid while others are in the process of being paid.
- The Victims Lawyers advised the group to file individual claims rather than broad claims against colonialism.
- They had a robust method of identifying victims including perusal of records in detention camps such as Hola.

On Programmes to Pursue Justice and Reparations beyond Mau Mau, he informed members that:

- At the KHRC he started the National memories project to identify people who contributed immensely to the country but have not been recognised or honoured.
- Through the said project they were able to put up a statue in honour to Mekatelili Wa Menza.
- He works closely with the Koitalel Arap Samoei foundation and Dini ya Musambwa associates.
- He is a strong believer in constructive dialogue and this is demonstrated by his ability to engage with police at vigilance House to combat militia groups in Kisii.

On PEV victims, he said that he has been working with IDPS in western Kenya to ensure that they are settled.

On gay Rights he informed members that:

- They are entitled to other rights such as right to life, water and health services among others.

- His intervention will not be to encourage the practise but rather the right to life and guarantees s safeguarded by the law.

Vincent Suyianka Lempaa

On self introduction, knowledge, experience, qualification and context within the KNCHR;

He informed the Committee as follows:

- He was born in Kajiado County.
- He is an Advocate of the High Court of Kenya.
- His passion for justice started at Kenyatta University where he was an undergraduate Student.
- He was expelled from Kenyatta and was later to sue the University where he was awarded damages for wrongful action against him.
- He worked for KBC as a journalist and reported extensively on issues of Human Rights and Justice.
- He is a litigation counsel at Katiba institute and managing partner of Lempaa and Company Advocates.

On Public Interest Litigation he informed members that he will abide by the Constitutional provisions as per Article 50 which guarantees a fair hearing to all people.

On Economic-Social and Political Rights, he stated:

That Civil and political Rights are immediate and economic and cultural Rights are progressive.

On his multi-disciplinary background he informed members that:

His background in education, Journalism and law will be valuable to the Commission and the Country.

On Maasai land Rights and ownership, he observed that:

- Maasai land rights constitute historical injustices.
- Land should be used as a means of production.
- Will engage the National Land Commission on land ownership.

On the CDF case Pending in Court he informed, members that:

- Katiba institute is the plaintiff in that matter and he beliefs that Members of Parliament as patrons are in conflict with the law and separation of powers.

- CDF should be run by Governors.

On the three arms of Government, he stated that;

- Article 125 of the Constitution empowers Parliament to summon anyone in exercise of its legislative and oversight role.
- A Commissioner should not move from one Commission to another at the expiry of his term.

MIN.NO.JLA.56/2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned at 12.30 a.m for the next session at 1.30 pm.

SIGNED .....

CHAIRPERSON

DATE.....27th February, 2014.....

CURRICULUM VITAE

(2)

RESUMÈ
KAGWIRIA MBOGORI

Contact details:
P. O. Box 35064, City Square,
Nairobi, 00200,
Kenya.
Cell: +254.722.522 420
Email : mbogori@gmail.com
kmbogori@yahoo.com

PERSONAL DATA

Date and Place of Birth:	12th July 1965 at Meru, Kenya
Nationality:	Kenyan
Current Residence:	Kenya

ACADEMIC QUALIFICATIONS

University of Notre Dame, *Centre for Civil and Human Rights, South Bend, LL.M., May 1997*
Focus: International and Regional Human Rights protection systems, International Humanitarian Law, Transitional Justice, Feminist Jurisprudence, Gender Perspectives in Anthropology, *et al.*

Kenya School of Law, Nairobi, *Post-Graduate Diploma in Law, September 1990*
Focus: Public and Private Law Procedure, Professional Ethics, Accounting

University of Nairobi, Kenya, *Bachelor of Laws Degree, August 1989*
Focus: Law

WORK EXPERIENCE

Organization: United Nations Development Program (UNDP) South Sudan
Position: Chief Technical Advisor, Judiciary of South Sudan
Duration: April 2013 to January 2014.
Reporting to the Team Leader, Governance and Rule of Law Unit, my duties include (but not limited to):

- Policy advice and strategic technical guidance and leadership to the Judiciary of South Sudan
- Building strategic partnerships and alliances in the justice sector
- Supporting legal and policy reform for increased efficiency and alignment with international human rights standards
- Supporting donor coordination and liaison in the justice sector
- Resource Mobilization

Organization: United Nations Mission in Liberia (UNMIL)
Position: Head of Advisory Unit, Legal & Judicial System Support Division
Duration: April 2011 to April 2013
Reporting to the Division Director, my responsibilities included (but were not limited to):

- Managing the Division's largest Unit and supervising a team of international and national legal professional staff, and support staff;

- Representing the Division in the UN Country Team and participating in UNCT activities and programs - Delivering as One, UNDAF and UNDAF Outcome Groups, Joint Programs on Rule of Law and GBV; Coordinating policy options;
- Providing technical assistance to national partners - the Ministry of Justice; Ministry of Internal Affairs; Ministry of Foreign Affairs-Legal Department; the Judiciary/Judicial Training Institute; Law Reform Commission; Legislature; civil society organizations;
- Serving as member of senior management team in the Division with responsibility for coordination and administrative functions, planning and budgeting functions, programming and implementation, and reporting and documentation, as required;
- Report writing and preparing communications, briefs, statements, code cables, etc.;
- Advising on issues related to gender and the law as Division gender focal point;
- Recruitment and mentoring;
- Deputizing for Division Director on various engagements as directed;

Organization: United Nations Mission in Liberia (UNMIL) Human Rights & Protection Section
Position: Human Rights Officer / Rule of Law Adviser
Duration: January 2007 to March 2011
Reporting to the Section Chief, my duties included (but were not limited to):

- Supervising and conducting monitoring and reporting activities on rule of law matters;
- Reviewing, monitoring and evaluating rule of law institutions;
- Working with UN agencies and non-governmental organizations to mainstream human rights, including women's rights, into national policies, strategies, and programs (including joint UN / Government programs) and coordinate policy options;
- Ensuring up-to-date information regarding substantive matters in the field of human rights, providing guidance for field personnel and recommendations on actions to take;
- Report writing, communications, briefings, statements, code cables, etc.;
- Serving as team leader with responsibility for carrying out, in consultation with the Chief of the Human Rights Section, coordination and administrative functions relating to the staff, planning and budget, as required;
- Providing technical assistance to the Ministry of Justice (departments of corrections, prosecution, human rights unit), the Judiciary/Judicial Training Institute, Liberia National Police, Legislature;
- Recruitment, training and supervision of international and national staff;

Organization: United Nations Development Fund for Women (UNIFEM)
Position: Country Program Manager
Duration: November 2004 to December 2006
Reporting to the Regional Program Director, my duties (included but were not limited to):

- Established UNIFEM presence and ably represented UNIFEM in the UNCT and various UN coordination mechanisms and activities in Liberia, built visibility and raised organizational profile in Liberia
- Managed office operations, set up financial and administrative systems, negotiated and managed cost sharing procedures for common services with UNDP Liberia country office
- Procured office space, equipment, furniture and supplies in accordance with requisite policies, rules and regulations on financial management
- Human resource management – recruited, managed, trained and mentored core staff, consultants, interns
- Developed Country Program in consultation with Regional Program Director for Anglophone West Africa
- Provided technical expertise for UNIFEM Country Program and led direct implementation of the same, ensuring a results based approach

- Prepared program documents, assessed women's organizations and prepared grant making documents, led capacity building activities for partners, drafted funding proposals, project reports and briefs in the context of UNIFEM work in Liberia
- Ensured coordination and harmonization of UNIFEM's collaboration with other UN agencies, UNMIL, other development partners and CSOs
- Provided gender technical support to Ministry of Gender and Development and other partners; including legislators, parliamentary committees, and women's organizations
- Supervised consultants' work, ensuring timely delivery of agreed outputs.
- Engaged in resource mobilization to fund country program.
- Represented UNIFEM in Security Management Team headed by SRSG and ensured adherence to MORSS/MOSS in tandem with UN Field Security Office (UNDSS)

Organization: Self employed human rights and governance consultant
Position: Principal Consultant
Duration: Jan 2004 to November 2004
Duties:
- Provided ad hoc consultancy services to various organizations (facilitated workshops, evaluated project performance, etc)
- Contracted as Interim Executive Director on part-time basis for Center for Governance and Development (an NGO that works with parliament and other institutions on economic governance issues in Kenya)
- Contracted by the Office of the President, Department of Governance and Ethics as lead consultant to organize international Anti-corruption Conference in Kenya, August 2004 to November 2004

Organization: Canadian International Development Agency
Position: Governance Consultant
Duration: August 2003 to December 2003
Duties: (including but not limited to):
- Advised CIDA on governance, human rights and public sector reform and grant-making to civil society organisations
- Represented the Agency in technical committees of the donor-supported Governance, Justice Law and Order Reform Programme (GJLOS), Gender and Governance Programme(GGP), Public Sector Reform Programmes (PSR), National Civic Education Programme (NCEP), and legislative reform initiatives
- Represented CIDA in donor-coordination, harmonization and alignment (HAC) meetings
- Managed and coordinated CIDA governance funds

Organization: Kenya Section of the International Commission of Jurists
Position: Executive Director
Duration: June 1998 to June 2003
Reporting to the Governing Council, my duties included (but were not limited to):
- Managing and providing strategic leadership to professional and support staff
- Designing and initiating governance and human rights activities and programs in Kenya and within the Africa region.
- Developing advocacy expertise in the following areas – rule of law, access to justice, women's rights, ethics and anti-corruption, economic governance, gender mainstreaming
- Undertaking several training programs to enhance skills – eg Finance Management for Non-financial Managers, by the British Council in Nairobi, Kenya; Advanced Training on Women's Rights in Africa, by Women in Law and Development and Associates for Change, in Kampala, Uganda.
- Law and policy research and advocacy
- Managing financial and administrative systems and procedures; was chief accounting officer of the organization

- Fundraising and resource mobilization
- Public relations and profile building for the organization; acting as official spokesperson for the organization
- Negotiating and networking with other like-minded NGOs, Government departments and agencies
- Representing the organization at various fora within the country and abroad

Organization: Federation of Women Lawyers (FIDA Kenya)
Position: Senior Programs Officer/ Ag. Executive Director
Duration: January 1994 to January 1998
Duties (included but not limited to):
- Managed a 'Legal Assistance Program' for indigent women; enhanced existing systems and set up monitoring systems
- Set up and ran the first 'Gender Violence Program' in Kenya in response to the escalating violence against women in the country. Engaged in advocacy and communication strategies, identified and assisted violated women in the 'Legal Assistance Program'
- Founded a 'Coalition on Violence Against Women', now a local NGO with focus on VAW issues in Kenya, with other partners
- Undertook numerous training of trainers (ToT) initiatives on women's rights issues in Kenya and elsewhere
- Trained on a host of other women's rights issues
- Assisted nascent and upcoming organizations to set up and run programs, monitoring systems.
- Undertook research and policy analysis to inform advocacy initiatives

Organization: Jomo Kenyatta University of Agriculture and Technology
Position: Legal Officer
Duration: August 1992 to December 1997
Duties: (including but not limited to):
- Advised the University Administration on legal matters affecting the institution
- Liaised with external lawyers for legal services
- Undertook various administrative duties as assigned

Organization: Waweru Gatonye & Company Advocates
Position: Legal Associate/Litigator
Duration: August 1989 to June 1991
Duties: (including but not limited to):
- Provided legal services to clients, including conducting interviews, and court litigation
- drafted legal documents, opinions and briefs; administrative office work

SELECTED PROFESSIONAL EXPERIENCE

Law Society of Kenya – Select Committee on Constitution Review, January / February 2004. Member.
Appointed by the Council of the Law Society of Kenya as a member of a committee to review the draft constitution prepared by the Constitution of Kenya Review Commission with a view of submitting an alternate draft and/or advising the Council thereon.

Task Force on Public Collections (or 'Harambees'), May – October, 2003. Member and leader of Western Kenya Team.
Appointed by the Minister of Justice and Constitutional Affairs to this Task Force to investigate abuses and linkages to corruption associated with public collections and to make policy and legislative recommendations for related reforms in this area.

Task Force on Legal Issues Relating to HIV/AIDS - National AIDS Control Council, April – June 2002. Gender/Legal Consultant.
Researched on and wrote a paper on the special vulnerability of women and other gender perspectives in HIV/AIDS strategies and responses. My work contributed to the development of a national HIV/AIDs policy and an appropriate legal framework to address the pandemic.

East African Center for Constitutional Development (Kituo cha Katiba), Kampala, Uganda. Feb – March, 2002. Member, East African Fact-Finding Mission
KCK is a regional Center, established in 1997 to promote constitution making and democratic governance in the East African Region. Member of a high-level fact-finding mission from Kenya, Tanzania (and Zanzibar) on the constitutional crisis in Uganda. Assessed constitutional issues arising from the 'Movement system' and the constitutional proscription of multi-party democracy in the country. Interviewed civil society personalities, high-ranking government officers, members of parliament, clergy and the legal fraternity. Prepared report and presented the same at a validation seminar for the Center.

Center for Law and Research International (CLARION), Nairobi, Kenya. August 2002. Strategic Planning Consultant.
Facilitated the first strategic planning exercise for the organization. It outlined their strategic goals and objectives, and thought out a logical framework complete with verifiable indicators.

United Nations Fund for Women (UNIFEM), Lagos, Nigeria. July –December, 2001. Consultant.
International consultant in a CEDAW Advocacy and Monitoring Programme in Africa. Researched on CEDAW compliance in Africa including visiting various African states (Ghana, Burundi, Namibia and Nigeria) and wrote recommendations on programme design and content.

Kenya Section of the International Commission of Jurists (ICJ), Nairobi, Kenya. April, 2001.
Initiated and coordinated a regional fact-finding mission to Zanzibar and Pemba to investigate and report on the human rights situation following the January 2001 post-electoral violence in the two islands.

Legal and Human Rights Center, Dar es Salaam, Tanzania. July – August, 2000. Consultant.
Institutional and program evaluation consultant for the Legal and Human Rights Center, a leading human rights organization in Tanzania. Undertook programme evaluation including visiting actual program sites in diverse locations across the country.

Collaborative Center for Gender and Development, Nairobi, Kenya. 2000. Consultant.
Provided leadership and professional expertise in the process leading to the development of the "Affirmative Action Bill (2000)", a Bill seeking to empower the political participation of women in Kenya.

SELECTED PUBLICATIONS

1. Human Rights Of Women In Conflict Situations, Florence Butegwa, Stella Mukasa and Kagwiria Mbogori, WiLDAF, 1995.
2. The rights of 'mistresses' and 'illegitimate children' in Kenya; a survey of maintenance and inheritance laws. Unpublished. Honor paper written in partial fulfillment of my LL.M degree, 1997.
3. Women and the Law in Kenya – Unpublished. Paper presented in a series of seminars for women managers in the public sector, 2001.
4. Public Perception Index of the Judiciary, a quarterly publication of ICJ Kenya from 2000-2003, Editor.
5. Existing Legal and Policy Constraints on Media Freedom, Legal Resources Foundation, Research report, 2003.

Selected MEMBERSHIPS AND community service

1. Law Society of Kenya, member.
2. Federation of Women Lawyers (FIDA), member.
3. Women in Law and Development in Africa (WiLDAF).
4. Nyumbani Home for HIV/AIDS Orphans, Volunteer.
5. Loreto High School, Limuru, Alumni Association.
6. Center for Governance and Development, Board Member.
7. Kenya Section of the ICJ, Member.
8. University of Notre Dame Alumni Club of East Africa, President.

REFEREES

Mr. Kathurima M'Inoti, **Justice of Appeal** PO Box 1632-00502 Nairobi, Kenya Tel: + 254 721 374400 minoti@wananchi.com	**Prof. Wanjiku Mukabi-Kabira** P. O. Box 4869 Nairobi, Kenya Tel: +254 722 904887/728 907978 wkabira@yahoo.com
Mrs. Florence Butegwa Representative to the African Union and UNECA UNWomen Addis Ababa, ETHIOPIA Tel: +251 11-5221067 or +251 913-202231 florence.butegwa@unwomen.org	**Mr. George Kegoro** Executive Director ICJ Kenya Section P O Box 59743-00100 Nairobi, Kenya info@icj-kenya.org

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Miss Suzanne Sh[illegible]kha Chivusia
P.O. Box 407-045,
Ongata Rongai,
Kenya
Tel. 0723-131443/
0735-402 918
E-mail; schivusia@yahoo.com
10th August 2012

The Secretary,
Selection Panel for the Appointment of Chairperson/Members
Kenya National Commission on Human Rights
Harambee House Rm 1214, 14th Flr
NAIROBI



Dear Sir,

RE: APPLICATION FOR MEMBER OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

I read with interest the advertisement for the above position in the Kenya National Commission on Human Rights and I hereby tender my application as I am of the humble opinion that I posses the qualifications, skills and personality required.

An advocate by profession, I have over 19 years' knowledge and progressive work experience as a human rights defender both at national and regional level. My professional experience spans across variety of areas including work in private practice in the Kenyan bar, Senior Legal Counsel with the Federation of Women Lawyers (FIDA)-Kenya providing legal aid services to indigent women, work as a legal consultant/researcher in Southern Sudan on projects with the National Democratic Institute for International Affairs (NDI) on Sudan's Interim Constitutions, the United States Institute for Peace (USIP) and World Vision South Sudan Program (WVSS) on projects to ascertain customary/community and their interface with human rights, gender, access to justice and peace-building. I have also worked as a refugee status determination lawyer/protection officer with the United Nations High Commissioner for Refugees in the Sudan. Further to the above is my work experience in programme management and administration with solid field experience.

I am currently employed by the Kenya National Commission on Human Rights as the Principal Human Rights Officer/Head of the Research and Compliance department whereby my work entails the design, development and implementation of research on identified human rights issues, analysis, review and critique of legislation and policies to ensure compliance with international human rights standards, principles and the Constitution of Kenya; preparation of policy briefs, advisories and position papers on selected human rights issues and responsibility for performance management of staff within the department. I am also in charge of the preparation of departmental workplans and reports , among others. Details of my academic background, qualifications and experience are provided in my curriculum vitae a copy of which is herewith provided.

Apart from the above, I possess excellent educational qualifications commensurate with this position and I am also a person of integrity with the ability to work well with people from diverse cultures. My work with different organizations both at national and international level testifies to my professionalism, ability for teamwork and to work well under varied conditions. I have substantive knowledge of human rights and posses excellent communication and presentation skills.

I hope my application shall merit your kind consideration.

Yours sincerely,

Shatikha S. Chivusia

Suzanne Shatikha Chivusia
Cell:+254-/0735-402912/0723-131443
P. o .Box 407-045 Ongata Rongai, Kenya
E-mail:schivusia@yahoo.com

Biographical Sketch

A highly motivated and experienced Lawyer, Advocate of the High Court of Kenya and Human Rights Defender having over 18 years of progressive legal practice with solid field experience. Experience spans across variety of areas since admission to the Kenyan Bar Association in 1993, including 1993-1998 as a private practitioner; 1998-2002 with the Federation of Women Lawyers (FIDA-Kenya) as the Senior Legal Counsel, a Refugee Status Determination Lawyer with UNHCR in the Sudan and as a Legal Researcher/Consultant since July 2004 up to date. Assignments as consultant include work as the lead researcher/consultant on a project to review Kenya's electoral laws and procedures and to make recommendations for a conflict-sensitive approach to electoral reforms for Africa Peace Forum, developing a Women's Guide to Sudan's Constitutions for the National Democratic Institute (NDI), ascertaining community/customary laws in access to justice and interrogating the interface with gender and human rights for both World Vision International and United States Institute for Peace (USIP) in Southern Sudan. In addition is provision of legal aid services, research, training and rapporteur services, creating legal awareness through public fora and the media, lobbying for laws that are responsive to the needs of children, refugees, women' and other marginalized members of society; fundraising, proposal and report writing; workshop planning, organization and facilitation plus project evaluations/assessments.

Work with international agencies has enabled me to make contact with other sectors of the UN, particularly UNMIS, UNDP, other international organizations and government departments on coordination and policy matters. Been able to brief Agency and Government representatives and provide them with advisories and recommendations on issues relating law, human rights, gender and development. Has also assisted in the review and implementation of training programs and manuals in the fields of human rights, international humanitarian law, democracy and the rule of law.

Professional experience in diverse capacities with different organizations has enhanced ability to conduct in-depth studies and reach meaningful conclusions on a range of socio-legal and development issues including possible causes and solutions to human rights problems in specific societies and systems. It has also built the capacity to address sensitive and complex issues.

Possess excellent communication skills; various reports produced attest to the written part of excellent drafting skills. Proficient in computer and internet use. Enjoys motivating and organizing others; numerous field assignments having contributed to the development of skills for team work and the ability to work well with people from diverse socio-economic; religious and cultural backgrounds. Works well under pressure, without supervision and has the ability to meet deadlines.

Objective in life is to work in development and legal initiatives whose aim is to alleviate human suffering and to foster socio-economic development.

Education and Professional Training

Master of Arts in International Studies (MA) (University of Nairobi, December 2007) *Majored in* Diplomacy, International Law, International Environmental Law, Social Science Research Methods, International Conflict Management, International Relations, International Economics, International Economic Law and Policy,

International Organizations, International Relations of African States, International Political Systems, Language Course/French . *Research Project* '**Actualizing Women's Rights under CEDAW-A Case Study of the Practice of Polygamy in the Kabras Community of Kenya and its Impact on the Human Rights of Women.'**

Postgraduate Diploma (Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights) August 2007. Focused on international criminal law and international justice, substantive international criminal law and the organisation of international judicial bodies, in particular, the ad hoc Tribunals for the Former Yugoslavia, Rwanda and the International Criminal Court.
Postgraduate Diploma in Law (The Kenya School of Law, 1992) *Majored in*: Legal Education and Service under Pupilage: qualified as an advocate of the high court of Kenya

Bachelor of laws LL.B (Hons) University of Nairobi, 1991

Postgraduate Certificate in The Human Rights of Women (World University Services Austria, in conjunction with Makerere University, Kampala Uganda) 1999

Certificate in International Human Rights (Canadian Human Rights Foundation, John Abbott College, Canada)
Certificate in Financial and Project Management (Heinrich Boll Foundation, Nairobi Kenya) 2002

Certificate in Basic Security in the Field-Staff Safety, Health and Welfare (UNDP, Khartoum Sudan) 2004
Certificate in Team Building and Interpersonal Skills Development (Independent Communications Associates, Nairobi Kenya)

Certificate in Facilitation Skills (FIDA-Kenya, Nairobi) 2002

Certificate in Lay Counseling (New Life SDA Church, Nairobi Kenya) 1997

Certificate in Gender and Development (Kenya Institute of Administration Nairobi Kenya) 2001
Topics covered included; Gender and Project management, Strategic Management, Gender And Environment, Gender and Law, Time Management, Gender and Institutional Change, Mainstreaming and Positioning, Effective Communication, Gender Issues in Organizations, Gender Desegregated Data, Gender Roles and Poverty Alleviation.

Certificate in Gender and Disability Mainstreaming from the Gender and Disability Development Centre, 2012
Topics covered included; Policy and best Practice on Mainstreaming Disability in Institutions, Addressing the Gender Based Violence at Workplace, Local/International best Practices of Mainstreaming Gender, Levels of Disability Mainstreaming, Government Policies and Guidelines for Mainstreaming Gender in organization, Gender & Disability Mainstreaming Monitoring & Evaluation best practice.

Career History:

2010-to date; **Principal Human Rights Officer/Head of Research and Compliance Department –Kenya National Commission on Human Rights (KNCHR)**

- Design, development and implementation of research on identified human rights issues

- Analysis, review and critique of legislation and policies to ensure compliance with international human rights standards, principles and the constitution of Kenya
- Preparation of policy briefs, advisories and position papers on selected human rights issues
- Formulation, implementation and supervision of programmes to raise public awareness of the rights and obligations of Kenyan citizens

- Timely Preparation of departmental workplans, Budgets and Reports (annual, quarterly, monthly)
- Performance Management for staff in the department-supervision of team members and allocation of assignments
- Responsibility for departmental activities assigned to self (review of legislation and policy, representation of department and commission at various fora, presentation of papers, reports and making contributions etc as appropriate)
- Convening of departmental meetings and ensuring consistent flow of information within the department
- Provision of approval for activities and procurements within the Department
- Ensuring that departmental work is in line with Commission's objectives
- Proper Financial and budget management

June 2004-to Date , **Consultant Researcher, Trainer, and Rapporteur**
Engaged in the provision of consultancy services and design of research work; training of communities and stakeholders in human rights, gender, conflict management and resolution, the rights of children, women, refugees and other vulnerable persons; facilitation and organization of workshops, participatory analyses and planning, preparation of reports and documents and engagement in resource mobilization *inter alia.*

June 2009-to Date; **Legal and Evaluation Consultant for Africa Peace Forum (APFO)**

- Contracted to undertake external evaluation APFO'S Project 'Towards Developing A Regional Security Architecture for the Horn of Africa'
- Engaged as the Legal Expert in the project 'Citizens' Participation in Implementing the National Accord: A Peoples' Voice on the Electoral Reforms Agenda in Kenya
- Duties entail a critical review of Kenya's electoral laws and processes
- A determination and analysis of causes and areas of electoral violence
- The effects of electoral violence on women, the youth and specialized groups (persons with disabilities, the illiterate) as aspirants, election officials, observers and voters
- Collect and collate citizen's views on electoral reforms at regional and national public for a
- Provide recommendations for reforms to ensure future electoral laws and processes are conflict sensitive
- Presentation findings to the media, strategic partners and policy makers
- Any other project assignments that require legal input

3rd January -to June 2009; **Legal Consultant/Researcher, National Democratic Institute for International Affairs (NDI)**

- Contracted to provide support to the NDI Sudan Civic Engagement Program in developing a Guide to Women's Rights and Participation in Sudan's Interim Constitutions.
- Responsible for the content, analysis and writing style of the Guide
- Responsible for the research and compilation of the said Guide.
- Coordinated with NDI and Sudan Radio Service staff to develop questions for in-person radio interviews as a complement to the Guide

1st Jan -August 2008; **Legal Consultant/Researcher, United States Institute of Peace; South Sudan**

- Facilitated Traditional Leaders' Councils in determining rules of community/Customary laws in access to justice and human rights within selected states of Southern Sudan
- Collected court decisions on community laws; fed the same into a digitized records management system,
- Reviewed, monitored and evaluated the penal justice systems and their interface with gender and human rights concerns in the said States and made appropriate recommendations; Worked with UN, Government , Non-Governmental, National and other International Agencies on coordination and policy matters
- Served as team leader, managed and assisted with mentoring and training of USIP field research team. Organized , facilitated and wrote reports of workshops for traditional leaders
- Assisted in communicating relevant research findings at meetings with external actors
- Wrote and ensured timely delivery of various reports, communications, briefings and statements
- Served as main contributor to the design of research focus and methodology
- Coordinated and performed administrative duties; budgets and plans for the team
- Performed other related duties as required.

September-December 2007; **Election Observer under the auspices of the Federation of Women Lawyer and The East African Society of Proffessional Bodies Association; Nairobi Kenya**

- Observed the Political parties' preparations and campaigns in the run up to the 2007 presidential, parliamentary and civic elections in Kenya.
- Observed the conduct of elections in several polling stations in various constituencies within Nairobi.
- Produced a report of findings that was part of the two organizations' official response to the 2007 Kenya elections.

1st Sept-Dec 12th 2006; **Consultant/Researcher, World Vision International Southern Sudan,**

- Team leader for the research team on the documentation and compilation of Azande customary law in access to justice and human rights within Western Equatoria, Southern Sudan
- Conducted a desk research in Nairobi and Sudan on Azande customary law
- Organized and led interviews, focus group discussions and workshops for collection of data
- Organized and facilitated the conference to disseminate of research findings

2003-June2004; **Refugee Status Determination Lawyer, UNHCR; Northern Sudan**
Interviewed refugees to determine their legal Status both at first instance and appellate levels, adjudicated on resettlement claims, counseled refugees and motivated and inspired colleagues to achieve optimum results while working under difficult conditions.

Nov-Dec 2002; **Presiding Officer with the Electoral Commission of Kenya; Nairobi Kenya**
Responsible for Presiding over the voting exercise in Makadara Constituency of Nairobi;
Notably-

- Trained polling/electoral clerks on democracy, governance and the voting exercise

- Supervised clerks, security personnel and the public to ensure a conducive atmosphere for
- peaceful elections
- Organized the station into different sections and gave those working under me responsibilities
- Counted and announced election results for the station

July 2000-Dec.2002; **Senior Legal Counsel**

April 1998-July 2000; **Legal Counsel Federation of Women Lawyers (FIDA) Kenya**

Responsible for supervising and managing effective work relations in the legal aid department, making program work plans, enhancing teamwork within the organization and helped raise it's stature , Popularizing FIDA Kenya and enhanced the understanding of its role among professional colleagues, the judiciary and other publics;

Notably-

- Provided legal aid services to indigent women and children
- Drafted correspondence to legal counterparts, police, Attorney General, State Counsels, Corporate bodies, the Judiciary, Administrative officials and clients
- Provided counseling services to victims of gender and violence and trauma
- Meditated and arbitrated on clients' matters
- Educated and empowered women on gender and human rights with specific emphasis on women and children's right through holding seminars workshops and media, etc
- Conducted workshops and seminars to educate the public on Violence against women and its socio-economic impact.
- Engaged in training the police, military and medical personnel on gender and human rights
- Planned organized, facilitated, made presentations and prepared budgets for workshops.

1993-April 1998 **Associate Advocate in the Law firms of Asige Keverenge & Anyanzwa Advocates, and Adera & Company Advocates, Mombasa Kenya**

Attended clients and prosecuted court cases apart from supervising junior and support staff

Key Competencies

- Vast experience in Legal and related work
- Ability to work well under pressure and meet deadlines
- A team player with the ability to work independently/ without supervision.
- Strong analytical and interpersonal skills
- Ability to work with ease in a multicultural environment
- Trained in results based management
- Research skills
- Ability to motivate and organize colleagues to achieve intended objectives
- Skilled in Report writing and Fundraising
- Good organizer and resolver of conflicts
- Computer literate

Relevant Recent Assignments and Consultancies

June 24-to Date Legal and Evaluation Consultant for Africa Peace Forum (APFO)

- Contracted to undertake external evaluation APFO'S Project 'Towards Developing A Regional Security Architecture for the Horn of Africa'
- Engaged as the Legal Expert in the project 'Citizens' Participation in Implementing the National Accord: A Peoples' Voice on the Electoral Reforms Agenda in Kenya
- Duties entail a critical review of Kenya's electoral laws and processes
- A determination and analysis of causes and areas of electoral violence
- The effects of electoral violence on women, the youth and specialized groups (persons with disabilities, the illiterate) as aspirants, election officials, observers and voters
- Collect and collate citizen's views on electoral reforms at regional and national public for a
- Provide recommendations for reforms to ensure future electoral laws and processes are conflict sensitive
- Presentation findings to the media, strategic partners and policy makers

January-June 2009 **Consultant/Researcher, National Democratic Institute of International Affairs**
Consultant seconded to the NDI Sudan Civic Engagement Program in developing a Guide to Women's Rights and Participation in Sudan's Interim Constitutions. Guide also used in developing questions for in-person radio interviews.

January-August 2008 **Consultant/Researcher, United States Institute of Peace**
Facilitated Traditional Leaders' Councils in determining community laws in access to justice and human rights in selected States of the transitional government of Southern Sudan. Assignment also entailed the collection of court judgments on community/customary laws and feeding the same into a digitized records management system; making recommendations to participants in workshops on penal justice and traditional justice mechanisms in Southern Sudan, workshop facilitation and participation as designated.

September-December 2006 **Consultant/Researcher, World Vision International**
Worked as a legal consultant and team leader in a project to research and document Azande customary law in Western Equatoria, Southern Sudan. Organized and facilitated the conference to disseminate research findings.

2003-to Date, Consultant /Trainer, Federation of Women Lawyers (FIDA)-Kenya
Consultant and trainer on Gender, Human rights, Sexual Offences Act Reviewed and Revised the Police Training Manual on Gender and Human Rights

2004 Consultant /Trainer, Centre for Rehabilitation and Empowerment of Abused Women (CREAW)
Trained Head teachers and Principals of schools within Nairobi on Gender and Human Rights as a precursor to setting up human rights clubs in the said schools.

June –Dec 2004 Consultant, Refugee Consortium of Kenya (RCK)
Conducted a series of workshops within Nairobi and at Kakuma and Dadaab refugee camps in Kenya to sensitize the police, immigration officials and provincial administration on the plight of refugees by training them on Human Rights, International Country Obligations, Refugee Law , Conflict management and peace-building.

2004-to Date Consultant, the Coalition on Violence against Women (COVAW)-Kenya, Cradle
Consultant and Pro-bono lawyer conducts training workshops on diverse topics such as gender, human rights, violence against women/gender violence and self- empowerment. Also trains paralegals in matters of law, mediation, arbitration, court procedures and self-representation; International, Regional and National Frameworks for the protection of children.

June –Oct 2005 the Christian Lawyer's Fellowship-Kenya
Volunteer advocate and trainer on Civic education, governance, human rights with particular emphasis on the rights of accused persons, people in remand and prisoners.

June-Oct 2005 New Life Seventh Day Adventist Church
Conducts civic education programmes for the church and legal awareness seminars amongst members on diverse issues

Relevant Recent Publications

Chivusia S.S 2007 'Actualizing Women's Rights under CEDAW-A Case Study of the Practice of Polygamy in the Kabras Community of Kenya and It's Impact on the Human Rights of Women' University of Nairobi

Chivusia S.S and Karogo M. 2006 Police Training Manual on Gender and Human Rights, Nairobi FIDA-Kenya

Chivusia et al, 2006 Handbook on Azande Customary Law (pending publication), Nairobi World Vision International, Southern Sudan Programme

Chivusia et al, 2009 'Citizens' Participation in Implementing the National Accord: A Peoples' Voice on the Electoral Reforms Agenda in Kenya (APFO)

Membership of Professional Organizations

- International Commission of Jurists-Kenya Chapter
- Law Society of Kenya
- International Federation of Women Lawyers

Personal Data

Nationality Kenyan

Gender Female

Languages

- Luhya (mother tongue) Kiswahili / English-fluent / full working knowledge
- French-Fair knowledge

Interests Sports, gardening, reading, voluntary work, theatre, travel and adventure

Referees

1. Dr. Dr. Christina Jones-Pauly
   United States Institute of Peace
   Rule of Law Programme, Snr. Consultant
   1200 17th Street NW Washington, DC
   20036- 3011; Tel +1.202.429-4728 or +1.202.429 4737
   Email; cj212@gmx.net

2. Mr. Mohamed Hallo
   Secretary, Kenya National Commission on Human Rights,
   P.o Box 74359 00200
   NAIROBI
   Tel. 0723 859 082 Email: mhallo@knchr.org

3. Dr. Malulu Injendi
   Lecturer & Registrar, Catholic University of Eastern Africa
   P.o Box 62157-00200
   Nairobi
   Tel 0722 638376 Email: injendi@cuea.edu

Kenya Revenue Authority

DOMESTIC TAXES DEPARTMENT

TAX COMPLIANCE CERTIFICATE

Certificate Serial No:

KRA 05/023612/2012

THIS CERTIFICATE CONFIRMS THAT

CHIVUSIA SUZANNE SHATIKHA

Holder of Tax Registration Personal Identification Number A00238595911

has fulfilled the obligation to file relevant tax returns and to pay taxes due as provided by law

This certificate will be valid for *six(6) months* up to 10TH February 2013

Issued by :

Name: OBAE ELIUD PETER Designation: Ass: Commissioner

Signature: ..... Date of Issue: 10TH August 2012

Caveat

a) This certificate is issued on the basis of information available to the Authority as at the date shown above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

b) Confirm genuineness and validity of the certificate using the TCC checker available at: http: www.kra.go.ke/notices/tcc-checker.html or contact the nearest DTD office.

10 C 5

Customs House
4th & 5th Floor, P.O. Box 85745, Mombasa (Kenya)
Tel: 2313639, 2313869, 2313871, 2313753.
Fax: 222624.

Our Ref. EACC.6/42 Vol. V/ (188) **8th August 2012**

Suzanne Shatikha Chirusia
P. O. Box 407 - 045
ONGATA RONGAI

Tel: 0723 – 131 443

Dear Madam,

RE: CLEARANCE CERTIFICATE: THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

The Commission is in receipt of your request for clearance certificate dated **8th August, 2012** as a condition precedent to applying for the position of a member of the referenced Commission.

Please note that a report will be forwarded to the Kenya National Commission on Human Rights upon request.

Yours faithfully,

ABDI A. MOHAMUD
FOR: AG. SECRETARY/CHIEF EXECUTIVE OFFICER

AAM/dso

CRN. No. 00013002921

CRB
www.crbafrica.com

Date of Issue: 13/08/2012

CREDIT REFERENCE BUREAU CERTIFICATE

We hereby confirm, having searched Credit Reference Bureau Africa records, that:

MS. SUZANNE SHATIKHA CHIVUSIA OF NATIONAL ID NUMBER 10071441

Has a credit report with status as:

[X] **Not listed** [ ] Paid [ ] Paying [ ] Not paid

This certificate has been issued without any alteration or erasure. The validity of the information on this Certificate is as at the date of issue.

Authorized Signatories:

For: CRBAfrica Limited

CREDIT REFERENCE BUREAU
AFRICA LIMITED
Westlands Road, Off Museum Hill,
CBA Centre, Prosperity House,
P.O. Box 46400 - 00100,
NAIROBI.
Tel: +254 20 3751990/3713[illegible]
Fax: +254 20 3751344

For: CRBAfrica Limited

The conclusions herein are based on information obtained from public record and other third-party sources. CRBAfrica makes no representation as to the accuracy of this information and shall not be liable for any loss, damage or claim whatsoever howsoever arising following the use of or reliance upon the opinions expressed herein.

CHIVUSIA SUZANNE S.

10071441

G34/2080/88

UNIVERSITY OF NAIROBI

19 Jul 2012

19 Jul 2012

Law Society of Kenya

LAW SOCIETY OF KENYA

Lavington, opp Valley Arcade, Gitanga Road
P.O Box 72219-00200 Nairobi, Kenya
Dropping Zone 149 – Revlon Plaza
Tel:+254-20-3874664,3865013/4,
020-2625391, 0208155295
Cell: +254 720 904983
Fax: +254 20 387 5534
Website: www.lsk.or.ke

Our Ref: P.105/2537/93

Your Ref:

Date: 7th August 2012

TO WHOM IT MAY CONCERN

Dear Sir/Madam,

RE: CERTIFICATE OF GOOD STANDING FOR SUZANNE CHIVUSIA, ADVOCATE

This is to confirm that as at 7th August 2012, Suzanne Chivusia is an Advocate of the High Court of Kenya and a member of the Law Society of Kenya having signed the Roll in 1993.

There are no complaints against her, nor does she have any past or pending cause before the Disciplinary Committee. She last held a practising certificate in 2003.

Yours faithfully,

APOLLO MBOYA
SECRETARY/CEO

/BO

Eric Mutua (Chairman), Lilian Renee Omondi (Vice-Chairperson),
Grace Akinyi Okumu (Coast Representative), Godfrey Nathan Kitiwa (Up country Representative),
Caroline Khasoa Wanyonyi (Up-Country Representative), Faith Waguthi Waigwa, Allen Waiyaki Gichuhi,
Ambrose Otieno Weda, James Aggrey Mwamu, Judith Achieng Sijeny, Charles Njiru Kanjama,
Gertrude Nyausi Angore

Federation of Women Lawyers - Kenya

Ambosell Road Off Giranga Road P.O. Box 46324 - 00100, Nairobi Tel: +254 020 3870444/3873511/3864030
Fax: +254 (020) 3876374 Mobile: +254 733 845003/ +254 732 509760 Website: www.fidakenya.org Email: info.fidakenya.org
RECAP OFFICE P.O. Box 10[illegible] 10113 Tel: 03/ 2025580 MOMBASA OFFICE: P.O. Box 80682 - 80100 Tel: 041 2[illegible]

9 August 2012

TO WHOM IT MAY CONCERN

Dear Sir/ Madam

RECOMMENDATION FOR SUZANNE CHIVUSIA

This is to confirm that the above-named person is a member of FIDA Kenya and has been actively engaged in the activities of the organization geared towards transforming the lives of women in accessing justice in Kenya.

FIDA Kenya is a non-profit, non-partisan and non-governmental membership organization committed to the creation of a society that is free from all forms of discrimination against women through provision of legal aid, women's rights monitoring, advocacy, education and referral.

Suzanne is a diligent and committed lawyer and a dedicated defender of human rights, who has demonstrated a high sense of responsibility, discipline and a strong commitment to women's rights issues. I can vouch for her excellent leadership, communication and organizational skills.

I would therefore have no hesitation in recommending her to you

Yours faithfully

Grace Maingi-Kimani
Executive Director

7th August 2012

TO WHOM IT MAY CONCERN

RE: CERTIFICATE OF CLEARANCE - MS SUZANNE SHATIKHA CHIVUSIA

This is to confirm that the above named person is a member in good standing of the Kenyan Section of the International Commission of Jurists (ICJ Kenya).

Ms Chivusia is a committed member and has been a great supporter of the work of the ICJ Kenya.

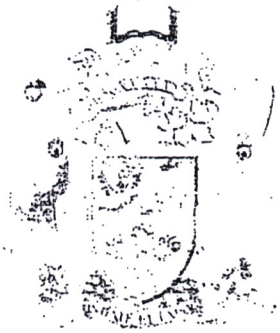
Thank You

Yours faithfully,

George Kegoro

Executive Director

UNIVERSITY OF NAIROBI



This is to certify that

Chivusia Suzanne Shatikha

having satisfied the requirements
for the award of the degree of the

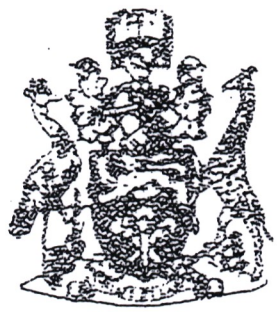
was admitted to the degree
at a Congregation held at
this University on the

Seventh Day of December in the Year
2007

VICE-CHANCELLOR

DEPUTY VICE-CHANCELLOR (ACADEMIC AFFAIRS)

UNIVERSITY OF NAIROBI



This is to certify that

Suzanne E. Shitikna Chivusia

having satisfied the requirements
for the award of the degree of the

BACHELOR OF LAWS

Second Class Honours (Lower Division)

was admitted to the degree
at a Congregation held at
this University on the
Eighth Day of September in the Year
1992

VICE-CHANCELLOR

DEPUTY VICE-CHANCELLOR (ACADEMIC AFFAIRS)

Council of Legal Education
Kenya

Advocates Act—Section 13A

This is to certify that—

Suzanne Shitaka Chivusia

was admitted to the Kenya School of Law on 16th September, 1991 *and duly passed the examinations for admission to the Roll of Advocates in* August, 19[illegible], *satisfactorily completed a course of legal education, service under pupillage and was awarded a Diploma in Law.*

Secretary of the Council

Principal of the Kenya School of Law

HIGH COURT OF KENYA

THE OATHS AND STATUTORY DECLARATIONS ACT, (CAP. 15)
LAWS OF KENYA

A C O M M I S S I O N

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING:
BE IT KNOWN THAT on the fourteenth day of November, one thousand nine hundred and ninety-six, SUZANNE SHATIKHA CHIVUSIA, an Advocate of the High Court of Kenya was appointed to be a Commissioner for Oaths under the above mentioned Act for as long as she continues to practise as such Advocate and this Commission is not revoked.

GIVEN under my hand and the Seal of the Court, this 14th day of November, 1996, at Nairobi.

CHIEF JUSTICE
HIGH COURT OF KENYA

SALZBURG LAW SCHOOL

ON INTERNATIONAL CRIMINAL LAW, HUMANITARIAN LAW AND HUMAN RIGHTS LAW

in association with

FACULTY OF LAW, SALZBURG UNIVERSITY

certifies that

Ms. Suzanne Chivusia

has participated in its 9th session, Sunday 5 to Friday 17 August 2007, titled

THE COURT AND APPLICABLE LAW UNDER REVIEW (PART 1)

and underwent an examination, thereby gaining 4 credits according to the European Credit Transfer System. The candidate was graded

Very Good (2)

issued this sixteenth day of August, two thousand and seven

PROFESSOR DR. KURT SCHMOLLER
DEAN

Salzburg Law School
on International Criminal Law

PROFESSOR DR. OTTO TRIFFTERER
DIRECTOR

WORLD UNIVERSITY SERVICES
AUSTRIA

MAKERERE UNIVERSITY
KAMPALA

Certificate of Participation

This is to certify that

Chivusia Suzanne Shatikha

has participated in

6th Postgraduate Course
on Human Rights of Women

Kampala, Uganda
16 August - 12 September 1999

Sponsored by the Federal Ministry of Foreign Affairs of the Republic of Austria, Department of Development Co-operation and presented a paper on:

The Legal Status of women in Kenya in selected Areas.

Kampala, 10th September, 1999

For the Faculty

Chairman WUS Austria
University of Graz

Human Rights and Peace Centre
Faculty of Law
Makerere University

Certificate No. 7802

CP 7802

KENYA INSTITUTE OF ADMINISTRATION

This is to certify that

Suzanne S. Chivusia

attended Gender and Development Seminar No2/2001

from 23rd – 27th April 2001

and is hereby awarded this

CERTIFICATE

Head of Department

Date 27th April 2001

Director

Canadian Human Rights Foundation
Certificate of Participation
awarded to

Suzanne Chivusia

for having successfully completed
the 22nd Annual

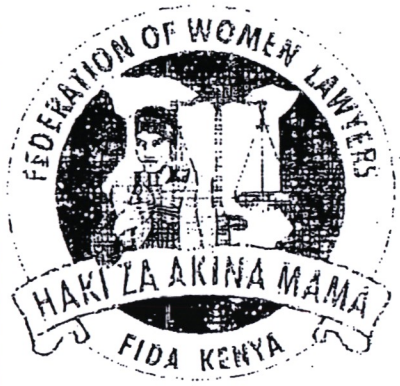
International Human Rights Training Program

held at John Abbott College,
Ste. Anne-de-Bellevue, Québec, Canada
10-29 June 2001.

Ruth Selwyn, Executive Director

Alena Perout, President

June 29, 2001



CERTIFICATE OF PARTICIPATION

Is hereby granted to:

SUZANNE CHIVUSIA

For participation in a Facilitation Skills Training

Organized by the Federation of Women Lawyers (FIDA Kenya)

Location: Agricultural Finance Training Centre, Nairobi

Dates: 22nd – 26th April 2002

Ajondi Nyanggaya
AJONDI NYANG'AYA
TRAINER

OKUMBA MIRUKA
TRAINER

JANE KIRAGU, EXECUTIVE DIRECTOR
FIDA KENYA

New Life SDA Church

Certificate of Completion

This is to Certify that SUSAN CHIVUSYA

has successfully completed the

LAY COUNSELOR TRAINING — INTRODUCTION

and is hereby conferred with this Certificate
with all Rights, Privileges and Honours attaining thereto.

Given at New Life Church, Nairobi - Kenya

on this 4 TH day of OCTOBER 1997

NICHOLAS ONYANGO
Instructor

KIGUNDU NDWIGA
Church Pastor

HEINRICH BÖLL FOUNDATION

Regional Office, East and Horn of Africa, Nairobi, Kenya

Certificate

Awarded to

Ms.Suzanne Chivusia

for participation in the

Financial and Project Management Workshop

held in Nairobi from 29th July to 2nd August 2002

The workshop provided an overview of

project cycle management

and detailed insight of

the Heinrich Böll Foundation

Financial and Reporting Guidelines.

G. S. CONSULT
P. O. Box 7238
NAIROBI

Kesete Abraha
Finance & Administration Officer
Heinrich Böll Foundation

Stanley Munyuri Mbagathi
Director
G S Consult

REPUBLIC OF KENYA

OFFICE OF THE PRESIDENT

NATIONAL YOUTH SERVICE

PRE-UNIVERSITY TRAINING PROGRAMME

Certificate

This is to certify that ~~xxxx

INDEPENDENT COMMUNICATIONS ASSOCIATES

Certificate

Awarded to

Suzanne Chibusia

For participating in a Team Building and Interpersonal Skills Development training programme

Managing Director

Director

Registration

of

Certified Public Secretaries Board

Certificate of Registration

This is to certify that

Suzanne Leah Bhatikha Chimsia

Registration No. R/CPSB/1107

is hereby registered as a Certified Public Secretary in accordance with the provisions of the Certified Public Secretaries Act (Cap 534).

Given under our hand and the Common Seal of the Board at Nairobi this 25th day of Feb. 19 93

Chairman

Member

AMREF

Better Health for Africa

This is to certify that

Suzanne S. Chivusia

Has successfully completed a short course in
MONITORING AND EVALUATION PLANNING
conducted by the African Medical and Research Foundation (AMREF)
at the Kenya School of Monetary Studies in Nairobi, Kenya
awarded on 8th December, 2011

Units covered:

- *Introduction to planning, monitoring and evaluation*
- *Monitoring and evaluation concepts and principles*
- *Planning and implementing participatory monitoring and evaluation*
- *Result based management*
- *Report writing using Result Based Management: An overview*
- *Qualitative data analysis: An overview*
- *Developing performance monitoring indicators*

Mr Nzomo Mwita
Technical Specialist - Training

Dr Peter M Ngatia
Director of Capacity Building

No. C. 24 A

KENYA

POLICE

B

N° 374338

[illegible] DEPARTMENT
[illegible]
[illegible] KENYA

Ref No. CID/SEC/6/7/2/A/VOL.XLV.283802 Date 10/11/2011

CERTIFICATE OF GOOD CONDUCT

I hereby certify that the fingerprints attached to this Certificate are those of

SUZANNE SHATIKHA CHIVUSIA

and that they have been searched in the criminal records office and no criminal record has been traced. The validity of the information on this Certificate is as at the date of issue.

This Certificate has been issued without any alteration or erasure.

cnm

(G.O. Munyisia)

for: Director of Criminal Investigation

C 345—15m—11/2011

Gender and Disability Development centre

NETOVATIONS

Certificate Of Participation

This Certificate is awarded to

Chivusia Suzanne

for having attended the Conference on Gender and Disability Mainstreaming Conference - GDMC 2012 on the theme:

Mainstreaming Gender & Disability as Paradigm Shift to Inclusive National development

which took place between 17th & 18th May 2012
at AACC Desmond Tutu Conference Centre, Westlands Nairobi

Secretary General

Ministry of Gender, Children & Social Development

ADVANCED SECURITY IN THE FIELD

Suzanne
Chivusia

HAS SUCCESSFULLY COMPLETED
"ADVANCED SECURITY IN THE FIELD."

UNITED NATIONS DEPARTMENT OF SAFETY AND SECURITY

3/30/2012

JAMHURI YA KENYA

REPUBLIC OF KENYA

SERIAL NUMBER: 214592018

ID NUMBER: 10071441

FULL NAMES

SUZANNE SHATIKHA CHIVUSIA



DATE OF BIRTH

1968

SEX

FEMALE

DISTRICT OF BIRTH

KAKAMEGA

PLACE OF ISSUE

KIBERA

DATE OF ISSUE

27.06.2000

HOLDER'S SIGN.



DISTRICT

KAKAMEGA

DIVISION

KABRAS

LOCATION

KABRAS WEST

SUB-LOCATION

LUKUME

N. B010071441X

PRINCIPAL REGISTRAR'S SIGN.

IDKYA2145920186<<816<<<<<<<431

6800006F0006273<B010071441X<<5

SUZANNE<SHATIKHA<CHIVUSIA<<<<<

(9)

George Morara Monyoncho

P.O. Box 41079-00100 Nairobi

Email: gmorara@khrc.or.ke

OR morarag@yahoo.com

Cell phone: 0712-288-400

Dated: 16th August, 2012

The Secretary,

Selection Panel for the Appointment of Chairperson and

Members of the Kenya National Commission on Human Rights

Harambee House

P.O Box 30050-00100, Nairobi

Dear Sir/Madam,

RE: Application for the Position of Member of the Kenya National Commission on Human Rights (KNCHR)

Kindly accept my application for the position of Member of the Kenya National Commission on Human Rights (KNCHR). I have looked at the qualifications required for the position as per your advert placed in the Daily Nation newspaper of Monday August 6, 2012 and I am confident that I have the requisite qualifications for the position.

I have over eighteen years of active participation and involvement in matters dealing with social justice, human rights, gender and social development, social sciences research and law. My first involvement in social justice work began in 1993 shortly after I had joined Egerton University to pursue a Bachelor of Education Degree, majoring in Linguistics and Literature. At Egerton University, I was popularly elected as the Vice-Chairperson of the Students Union of Egerton University, Laikipia Campus, in 1993. I served in this position up to 1996 when I was elected Chairman of the Students Union.

During my tenure in student politics, I championed the interests of the students firmly but also with a fair and open mind to dialogue and always reminded my colleagues at the University that as young and upcoming members of society, the university provided us with

both the privilege and the opportunity to make meaningful contributions to Kenya's socio-economic and political development. In fact, one of the statements that used to upset me most was the image that society had formed then about university students being 'good-for-nothing' hooligans whose only pre-occupation was carrying out meaningless demonstrations and throwing stones at people's property.

I never subscribed to the notion that University students were hooligans. I held then and I still hold now, that University students had very genuine concerns that they needed addressed and that most of them held a deep sense of commitment to the well-being of our country. The only unfortunate thing was that their views were oftentimes dismissed through a highhanded approach that had come to be the hallmark of the fairly autocratic rule of an all powerful executive president at that time.

From 1996 to 1999, I had the opportunity to serve in different capacities at different human rights organisations. Some of the key organisations I worked with include: the Release Political Prisoners Pressure group where I was a member of the Executive Committee; the Youth Agenda where I was one of the two researchers who worked in Nyanza province to collect the views of the youth on how best they thought their lot could be empowered socially, economically and politically. The foregoing research was instrumental in the development of the first Youth Agenda's National Youth Policy in 1997. During this period, I also worked with the Kenya Human Rights Commission as an elections monitor for the 1997 General Elections. At Abantu for Development, a women's NGO that focused on harnessing the North-South linkages for active women participation in Kenya's governance processes, I worked on a project entitled : *"The Other Side of Prison: The Role of the Women Left Behind"*. The goal of this project was to highlight the role of Kenyan women in the democratisation process of the country during the infamous Nyayo House detention era.

However, what was most important for me during this period was my involvement with the National Convention Executive Council (NCEC). The NCEC brought together Kenya's human rights workers and members of the opposition in a united mission to force the KANU government to open up Kenya's democratic space. I was a Youth Representative at the NCEC and had the opportunity to work with leading human rights luminaries like Dr. Willy Mutunga (our current Chief Justice); Prof. Kivutha Kibwana (who is currently the President Mwai Kibaki's Advisor on Constitutional Affairs); Madam Amb. Tabitha Seii; reputable environmentalist Davinder Lamba and Mr Maina Kiai (the founding chair of KNCHR) among others. I also had the opportunity to work with leading opposition politicians then, like our current President, H.E Mwai Kibaki and our current PM, the Rt. Hon. Raila Odinga. Every Tuesday and Thursday, we would meet as members of the NCEC at the Professional Centre to plan on how to mobilise Kenyans to support constitutional changes and reforms since we strongly held the view that the 1963 Independence Constitution (the Lancaster House Constitution) had been badly mutilated over the years as to render it a tool for an all powerful executive president who did not exercise sovereign authority for the welfare of Kenyan people. We did manage to have a number of constitutional reform rallies and I was an active organiser and participant in these rallies. The rallies were part of the long and arduous journey that Kenyan's had to walk before finally getting a new constitution in 2010.

From 1999 to 2007, I was a student in Canada. While studying there, I had an opportunity to conduct graduate research work in politics and legal studies and also worked as a Teaching Assistant in the Political Science Department of the University of Windsor and the Legal Studies Department of Carleton University. I also worked as a Policy Analyst with the Office of the Corrections Investigator, Canada and the North-South Institute, a think-tank in social policy research based in Ottawa, Canada.

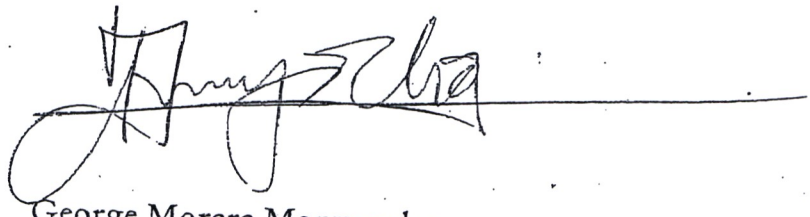
Upon returning to Kenya in 2007, I joined the KNCHR as a Consultant from November 2007 to April 2008 where I worked in documenting both pre and post 2007 General Elections human rights violations. From May to October 2008, I worked as an Investigator at the Commission of Inquiry into Post-Election Violence (CIPEV), otherwise popularly known as the Waki Commission. I joined the Kenya Human Rights Commission (KHRC) in January 2009 as Programme Officer in charge of Research and Monitoring work and was recently promoted to the position of Senior Programme Officer in charge of the Civil and Political Rights Programme at the Commission. One of the key highlights of my work at the KHRC has been my leadership over the current Mau Mau case in the UK where our ex-freedom fighters have sued the British Government for the acts of torture perpetrated by that Government during the repression and suppression of freedom fighters during Kenya's Emergency Period of 1952 to 1960. The case has taught me vital lesions in human rights: **that even the mighty and powerful must be held to account where or when they commit egregious human rights violations.**

Over the last five years, I have also had the opportunity to work with various government ministries and agencies as a consultant in human rights work. Some of the key ministries I have worked with include the Ministry of Justice, National Cohesion and Constitutional Affairs where I am currently in the process of developing a manual on the human rights dimension of the HIV/AIDS pandemic; the Ministry of State for Development, National Planning and Vision 2030 where I have trained staff in the monitoring department on how to make the Vision 2030 more human rights compliant in line with the Constitution of Kenya (COK) 2010 and the UN principles of Human Rights Based Approaches to programming. I have also worked with the Police through Vigilance House, where I have partnered with the Director of Community Policing to enhance awareness among citizens on what community policing entails. I have worked with international organisations like the UNDP and the OHCHR where I actively participated in the development of the latest shadow report on Kenya's compliance with its obligations under the International Covenant on Civil and Political Rights (ICCPR) that was presented before the Human Rights Council in Geneva in August 2012.

Based on the foregoing and the enclosed testimonials, I believe I have what it takes to make a positive and meaningful contribution to the furtherance of human right in our country in line with the COK 2010 and regional as well as international human rights instruments. We have a great country, a great people and a great many opportunities to move our country forward socially, economically and politically if we all played our part honestly and diligently. Serving as a Member of the KNCHR will offer me a great opportunity to make my contribution to this great and beautiful land of Kenya and her people. It will be an honour and an immense

privilege if the country, through your esteemed selection panel, accorded me that opportunity to serve.

Sincerely,



George Morara Monyoncho

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Carleton UNIVERSITY

Official Transcript

Monyoncho, George Morara
14-FEB
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19 OCT 2006 Page 1 Of 1

Department and Course Title	Course Number	Credit Value	Grade	Grade Point	Comments
Fall 2005 (September-December)					
MASTER OF ARTS LEGAL STUDIES					
Intl.Affairs: Reg Cooperation Among I	INAf 5801	0.50	A-	5.00	
Law: Theories of Law & Soc Trans	LAWS 5000	0.50	A-	5.00	
Law: Int'l Econ Law: Regul of Trade	LAWS 5200	0.50	A	5.50	
Winter 2006 (January-April)					
MASTER OF ARTS LEGAL STUDIES					
Law: Int'l Law: Theory and Practice	LAWS 5603	0.50	A-	5.00	
Law: Legal Method & Social Inquiry	LAWS 5001	0.50	A-	5.00	
Pol.Sci.: Politics of Third World De	PSCI 5202	0.50	B+	4.50	
Summer 2006 (May-August)					
MASTER OF ARTS LEGAL STUDIES					
Law: M.A. Thesis	LAWS 5909	0.00	INP		
Fall 2006 (September-December)					
MASTER OF ARTS LEGAL STUDIES					
Law: M.A. Thesis	LAWS 5909	0.00	CUR		
Winter 2007 (January-April)					
MASTER OF ARTS LEGAL STUDIES					
Law: M.A. Thesis	LAWS 5909	0.00	CUR		

Department and Course Title	Course Number	Credit Value	Grade	Grade Point	Comments

**********End of Transcript**********

ref:DA-222013-10

CURRICULUM VITAE OF GEORGE MORARA MONYONCHO

GEORGE MORARA MONYONCHO
PO BOX 41079-00100
Nairobi, Kenya
Mobile Phone: 0712 288 400
Email: morarag@yahoo.com or gmorara@khrc.or.ke

Objective: **My career goal and objective is to make a positive contribution aimed at informing and influencing the constantly changing socio-economic and political environment in Kenya with the goal of creating a stronger and more united Kenya through working, conducting research and offering consultancy services in the areas of human rights governance, and policy formulation**

I. HIGHLIGHT OF QUALIFICATIONS:

- Over fourteen (18) years experience in the human rights and development sectors and competent in human rights policy formulation and implementation processes; as well, strong passion and commitment to human rights and development issues and strong commitment to addressing governance challenges—like rampant corruption and failure to follow the rule of law—in Kenya.
- Extensive training skills on human rights and development using the Human Rights Based Approaches and Participatory Learning Approaches with a focus on the MDGs. Some of the key trainings conducted include: training of Ministry of Development, National Planning and Vision 2030 staff on how to make their Vision 2030 indicators HRBA compliant; training of twenty one (21) human rights networks drawn from every region and affiliated to the Kenya Human Rights Commission (KHRC) on how to monitor and document civil and political as well as economic, social and cultural human rights violations within their respective areas of operation; the training of community paralegals working under Kituo Cha Sheria and the International Commission of Jurists-Kenya Section on how to enhance access to justice for the poor and marginalised segments of society; as well, conducted a training of trainers for the paralegals so as to enable them become effective trainers of trainers in their respective areas/regions of work; and the training of KNCHR staff on how to investigate human rights violations.

- Solid work experience both national and internationally. Some of the work undertaken include: One and a half years as a researcher with the North-South Institute, a not-for-profit policy and research think-tank based in Ottawa, Canada; two years as trainer of community leaders in the North-Eastern Kenya region with a focus on the Dadaab Refugee Camp; two years as a Teaching and Research Assistant at the Department of Law, Carleton University, Canada; two years as a Teaching and Research Assistant at the Political Science Department, University of Windsor; and over ten years experience in human rights advocacy work both nationally and internationally. Some of the national organisations I have worked for or with include Abantu for Development, KHRC, NCEC, the KNCHR and UNDP-AMKENI WAKENYA.
- Solid knowledge of and experience in the field of political analysis, governance, democracy, development and human rights work acquired through working with national as well as international organizations in the promotion of good governance practices in the developing countries with particular reference to Kenya . Some of the organisations I have worked for or with include the UNDP AMKENI WAKENYA, the OHCHR, the North-South Institute, the KNCHR, the KHRC, Kituo cha Sheria, FIDA-K, the Kenya Land Alliance, the International Commission of Jurists, Kenya Section. As well, I have worked with key government ministries, like the Office of the President, Office of the Prime Minister, Ministry of National Planning and Vision 2030, the Ministry of Justice, the Attorney General's Office and the Ministry of National Heritage and Culture among others.
- Experience in pre-elections and post-elections research with an excellent understanding of the socio-economic and political factors obtaining in Kenya's pre-election as well as post-election environments; key work done here was conducted in my capacity as a Field Researcher and Monitor with the Kenya National Commission on Human Rights and as an Investigator at the Waki Commission of Inquiry into Post-Election Violence (CIPEV). The work included research and investigations into electoral malpractices in the 2007 pre-elections environment as well as research and investigations into the causes and reasons of the 2007 post-elections violence and the identification (through interviews with witnesses and government security and intelligence agencies) of key perpetrators of the said violence
- Extensive experience in national and international development contexts with a bias in research, advocacy, policy, academic and human rights environments; As

well, an excellent understanding of UN human rights accountability mechanisms such as the Universal Periodic Review and regional mechanisms such as the African Peer Review Mechanism under NEPAD.

- Excellent knowledge and experience in human rights and gender mainstreaming in development programmes as well as solid knowledge in monitoring and evaluating programmes and projects.
- Extensive knowledge working with Women, Youth and marginalised communities in Kenya; for instance, participated in research that was crucial in developing the first National Youth Policy in 1997 and currently working closely with marginalised communities in the Arid and Semi-Arid area to develop effective strategies for addressing the long-standing issues of economic, social and political marginalization suffered by the marginalised communities.
- A good understanding of some of the main socio-economic and political violations that have taken place in Kenya since independence acquired through conducting a nation-wide research (under Abantu for Development) on a project called, *"The Other Side of Prison: The Role of the Women Left Behind"*. This research project sought to find out the nature of the violations as well as the socio-economic and political impact on the women spouses/partners of the men who had been detained without trial during the infamous Mwakenya and Nyayo House torture years.
- A solid understanding of the roots of impunity in Kenya and the challenges of establishing a human-rights respecting state through working with the Mau Mau War Veterans Association in a legal suit instituted against the British Government at the Royal Courts of Justice in London to seek legal redress for acts of gross human rights violations committed by the British Colonial Government following the Declaration of the State of Emergency in Kenya in 1952.
- Excellent communications and relationship-building skills as well as solid policy analysis, research and problem solving skills
- Solid understanding and appreciation of diversity and alive to cultural as well as ethnic sensibilities grounded in excellent problem-solving and negotiation skills
- An excellent understanding of donor relations and donor development work acquired in the course of my professional work. Currently, I am the donor liaison person between KHRC and the UNDP-AMKENI WAKENYA grant where I am responsible for ensuring that KHRC adheres to the donor requirements of UNDP as well as on writing donor reports on funds advanced to KHRC. In addition, I am a representative of the civil society organizations funded by UNDP-AMKENI where I am a member of the Stakeholders' Reference Group (SRG) tasked with

coordinating issues relating to the "Access to Justice" thematic cluster of UNDP-AMKENI. WAKENYA

- Excellent verbal and written proficiency in English, Kiswahili and Ekegusii with a good grasp of Kiluhya, Kigikuyu and Dholuo
- Competent in Microsoft Word, Excel, Outlook and Internet Explorer

II. PERSONAL CHARACTERISTICS:

- Diplomatic, enthusiastic, adaptable, detail-oriented and resourceful
- Excellent team leadership skills and respected team player
- Conceptual thinker and innovative problem solver
- Strong interpersonal and excellent cross-cultural skills
- Effective at multi-tasking, prioritizing and working under pressure
- Independent decision-maker with sound judgement

III. EDUCATION:

- 2003 -2005: University of Windsor, Canada. MA in Political Science
- 2000-2003: University of Toronto, Canada. Bachelor of Arts (B.A. Hons.)

  Majored in Political Science and Linguistics
- 2005-2007: Carleton University, Canada. MA in Legal Studies (EBT)
- 1993-1996: Egerton University, Kenya. Three years of Bachelor of Education (B.ED) Degree coursework; Majored in Education, Linguistics and Literature

III. EMPLOYMENT HISTORY:

- September 2008 to date:

  Organization: Kenya Human Rights Commission,

  Position: Programme Officer: Research, Monitoring and Documentation.

  Duties:

  - Was responsible for conceptual development and research co-ordination for the production of KHRCs Bi-Annual Human Rights Report on the state of human rights in Kenya; The report highlights major human rights violations in the context of both Civil and Political Rights as well as Economic, Social and Cultural Rights

- Leads the Kenya Human Rights Commission on its Fact-Finding research missions to investigate major violations committed in any part of the country with the sole goal of gathering sufficient and credible information for remedial measures from the relevant duty-bearers; the latest such mission was conducted in Samburu and Isiolo following the conflict in Kanampiu (Samburu) where 32 people lost their lives due to inter-ethnic conflict between members of the Pokot and the Samburu communities. I coordinated the publication of a report entitled: *"Morans No More: The Changing Face of Cattle-Rustling in Kenya"* arising of the fact-finding mission
- In collaboration with other Program Officers, KHRC's human rights networks and partners, carries out trainings on how to conduct research, how to monitor and how to document human rights violations; some of these trainings were undertaken in collaboration with FIDA-Kenya, the Kenya Land Alliance and ICJ where I led nationwide training sessions on the key components of monitoring and documenting human rights violations as part of the preparatory work needed to enable Kenyans effectively engage with the TJRC process.
- In collaboration with the Mau Mau War Veterans Association, conducted a substantial amount of research into the roots of impunity in Kenya; the focus of this research is on the massive socio-economic and political violations that were committed in Kenya prior to 1963 by the British Colonial Government and the evidence so far gathered has been useful in pursuing justice for the victims through a suit instituted at the Royal Court of Justice, London.
- Performing any other duties assigned by the KHRC.

- May 2008 to October 2008:

  Organization: **The Commission of Inquiry into Post-Election Violence**

(CIPEV),

Position: Investigator

Duties:

- Carried out research and investigations into the causes and reasons of the 2007 post-election violence in line with the constitutive mandate of the Commission of Inquiry into Post Election Violence (CIPEV)
- In line with CIPEV's mandate and in collaboration with the other members of the investigation and legal team, visited the hot-spots of the 2007 post-election violence (ahead of the CIPEV Commissioners) to collect relevant information from concerned government officials, the affected and/or concerned persons or communities as well as the government security agencies in preparation for CIPEV's sittings and hearings.
- Analysed the information gathered to identify and prepare witnesses for testifying before CIPEV; as well, analysed the information gathered to identify causes and reasons for the 2007 post-election violence and sought to establish patterns of human rights violations as well as those who bore the greatest responsibility for the human rights violations committed.
- Performing any other duties assigned by CIPEV.

- November 2007 to May 2008:

Organization: Kenya National Commission on Human Rights (KNCHR),

Position: Consultant/ Field Researcher.

Duties:

- Monitored the pre-electoral process of the December 27th Kenyan General Elections in Nairobi and Nyanza provinces.
- Conducted research into the causes of 2007 post-election violence in the Rift Valley and Nyanza provinces
- Recorded acts of electoral offences and other national and international human rights violations in the run up to the 2007 General Elections and sent field reports to

the KNCHR head office for report writing and compilation

- In collaboration with the affected and/or concerned communities, the police and the provincial administration, conducting research and investigating the 2007 post-election violence in Rift Valley and Nyanza in terms of the kinds of violence experienced, the reasons behind the violence and those who bore the greatest responsibility for the violence
- In collaboration with Mr. Kamanda Mucheke, Senior Programmes Officer at the KNCHR, wrote reports on acts of electoral malpractice in Kenya.
- Performed any other duties assigned by the KNCHR.

- January 2007 to November 2007:

  Organization: Office of the Correctional Investigator (Canada),

  Position: Researcher and Assistant Policy Analyst

  Duties:

  - Carried out—under Dr. Ivan Zinger—project monitoring and policy evaluation for Corrections Service Canada, the federal government agency mandated with ensuring both the promotion of and the protection of the human rights of inmates held in federal penitentiaries.
  - Critically analyzed government policies at both the House of Common's and Senate's Committee and Sub-committee levels to monitor Canada's compliance with both national and international standards of inmates' human rights issues
  - Conducted critical policy analysis of Correctional Service of Canada overall prison management operations to, among other things, ensure Canada's compliance with the legislative requirements of protecting inmates' human rights
  - Conducted research on the Policy Options Project, a project run in partnership between the Office of the Correctional Investigator and the Government of China,

and aimed at promoting best policy options in China's human rights and prison management system

- Conducted research on Canada's commitment to the ratification of the UN's Optional Protocol to the Convention against Torture
- Wrote policy reports and briefings for official presentations

- September 2005 to April 2007:
  Organization: Carleton University, Ottawa, Ontario
  Position: Teaching Assistant/Research Assistant
  Duties:
  - Prepared lesson plans and conducted tutorial sessions for Laws 1000, an undergraduate course whose focus is on the socio-economic and political dynamics between law and society
  - Conducted research for Dr. Obi Aginam on the impact of HIV/AIDS in Western, Eastern and Southern Africa regions with a focus on HIV/AIDS fatalities among the military personnel in these regions and how this could affect the regions' capacity to contribute to peace-keeping and/or peacemaking initiatives in Africa.
- September 2006 to May 2007:
  Organization: The North-South Institute, Ottawa, Ontario
  Position: Researcher (International Trade and Development).
  Duties:
  - Conducted research on International Trade and Development issues at the North-South Institute under the guidance of Dr. Chantal Blouin, a senior researcher in Trade and Development issues
  - Wrote policy briefs on Canada's international trade competitiveness under the GATT/WTO framework
  - Conducted research on Canada's guest-worker program with a focus on the program's legal and institutional framework and its impact on the rights and protections accorded to guest-workers

- Conducted research on the GATT/WTO rules in the agricultural sector and how these rules affect both the food security and the health status of people living in developing countries.

- 2003 to 2005:

  Organization: The University of Windsor, Windsor, Ontario
  Position: Teaching Assistant
  Duties: -Prepared lesson plans and conducted teaching lab sessions in fall 2004 for POL 160 (Issues in World Politics); Conducted research—for Dr. Anna Lanoszka—on the impact of HIV/AIDS on the socio-economic and political development prospects of Eastern Africa with a focus on Kenya, Uganda and Tanzania.

- 2003 to 2006:

  Organization: The Law Office of Waldman and Associates, Toronto, Ontario
  Position: Part-time Legal Research Assistant
  Duties:

  - Working under, Mr. Waikwa Wanyoike, a Lawyer at Waldman and Associates, conducted research on refugee and immigration issues
  - Gave advice to potential newcomers from the US, Kenya, Uganda and Tanzania on Canada's immigration and settlement process
  - Met with clients from Africa, Latin America and Asia over refugee and immigration issues, drafted legal opinions and prepared and filed court documents on their behalf

- 1996 to 1998:

  Organization: Abantu for Development, a Not-for-Profit Organization with offices in London—UK, Accra—Ghana and Nairobi—Kenya
  Position: Gender and Human Rights Community Advocate and Trainer
  Duties: Operating from the Nairobi Office, I was responsible for:

  - Capacity building for local NGOs and CBOs in order to enhance their capacity for advocacy on, among other issues, women and youth development concerns

- Writing project proposals to secure funding from CIDA, USAID, DFID, DANIDA to finance Abantu's programs which included: *"The Gendered Nature of Poverty"*—a project examining gender dynamics in Kenya and how these dynamics lead to higher levels of poverty among women in Kenya; *"The Many Faces of Conflict"*—a project focusing on the socio-economic and political factors in the Great Lakes Region and the Horn of Africa conflicts; and *"The Other Side of Prison"*—a project focusing on the role of women in the democratization process in Kenya.
- Holding workshops to train representatives from various non-governmental organizations (NGOs) in Kenya, Uganda, Tanzania, Somalia, Ghana, Nigeria, Zimbabwe and Zambia on topical gender and policy issues
- Lobbying the Kenyan government to develop and mainstream women's development needs in its policy planning initiatives.

- 1998 to 1999:

  Organization: **The Kenya Human Rights Commission**
  Position: **Community Mobilizer on the Police Reforms Campaign**
  Duties:

  - Participated in human rights awareness-raising events—such as mass protests and demonstrations—against acts of human rights violations, like extra-judicial police killings, in Kenya
  - In collaboration with other human rights organizations like the Release Political Prisoners, the Youth Agenda, the National Convention Executive Council and the Citizens Coalition for Constitutional Change, organized and participated in mass action protests to demand for more democratic space in Kenya .
  - Monitored the print and electronic media coverage in the countdown to the 1997 general elections and identified incidents of political bias in favour of the then ruling party KANU. In collaboration with other stakeholders,. put pressure on the government to accord equal and fair coverage to all political parties.

- 1996-1999:

  Organization: **The Release Political Prisoners Pressure Group**

Position: Member of the Executive Committee and General Member

Duties:

- Served in the executive committee and also worked with the general membership to agitate for the release of political prisoners in Kenya
- In collaboration with other human rights organizations, participated in public campaigns and demonstrations to open up democratic space in Kenya.

REFERENCES:

1. Atsango Chesoni, Executive Director
   Kenya Human Rights Commission
   P.O BOX 41079-00100 Nairobi
   Telephone Contact: 0733 788 392

2. George Kegoro, Executive Director
   The International Commission of Jurists—Kenya Section
   Telephone Contact: 0727 641 866

3. Samwel M. Mohochi
   Senior Legal Advisor- Social Justice, Reconciliation & National Cohesion Project
   Investigations, Legal and Enforcement Department (NCIC-GIZ)
   National Cohesion and Intergration Commission, Deutsche Gesellschaft fuer Internationale Zusammenarbeit (GIZ) GmbH
   P.O. Box 41607 -00100 Nairobi Kenya
   Tel +254 0739 649224

University of Toronto

This is to certify that

George Morara Monyoncho

has fulfilled the requirements of the
University of Toronto
and has been admitted under the
authority of the Governing Council of the
University of Toronto to the degree of

Honours Bachelor of Arts

In witness whereof we have hereto
subscribed our names and affixed the
academic seal of the University

JUNE 19, 2003

Petka K. Sinevo

INTERIM DEAN OF THE FACULTY OF
ARTS AND SCIENCE

Muriel O'Neill Kaufman

PRINCIPAL OF WOODSWORTH COLLEGE

Robert J. Birgeneau

PRESIDENT

SECRETARY OF THE GOVERNING COUNCIL

BONITATEM DISCIPLINAM SCIENTIAM

UNIVERSITY OF WINDSOR

The Senate of the University has conferred upon

GEORGE MORARA MONYONCHO

upon recommendation of the Faculty of Graduate Studies and Research
and in recognition of fulfilment of the
prescribed requirements, the degree of

MASTER OF ARTS

POLITICAL SCIENCE

with all the Rights, Privileges, and Honours here and
elsewhere thereunto appertaining.
In witness whereof the seal of the University and the signatures of the
authorized officials thereof are hereunto affixed.

UNIVERSITY OF WINDSOR SEAL

President and Vice-Chancellor

Registrar

Given at Windsor, Ontario, Canada, the 15th day of October,
in the year two thousand and five.

CRN. No. 00009494286

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Date of Issue: 17/08/2012

CREDIT REFERENCE BUREAU CERTIFICATE

We hereby confirm, having searched Credit Reference Bureau Africa records, that:

MR. GEORGE MORARA MONYONCHO OF NATIONAL ID NUMBER 11506113

Has a credit report with status as:

[X] **Not listed** [ ] Paid [ ] Paying [ ] Not paid

This certificate has been issued without any alteration or erasure. The validity of the information on this Certificate is as at the date of issue.

Authorized Signatories

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CRB Centre, Prosperity House,
P. O. Box 46406 - 00100,
NAIROBI.
Tel: +254 20 3751799/3713603/2/4
Fax: +254 20 3751344

For: CRBAfrica Limited

For: CRBAfrica Limited

The conclusions herein are based on information obtained from public record and other third-party sources. CRBAfrica makes no representation as to the accuracy of this information and shall not be liable for any loss, damage or claim whatsoever howsoever arising following the use of or reliance upon the opinions expressed herein.

CONSUMER CREDIT REPORT
Credit Reference Bureau Africa Limited
All Trade Sectors Credit Report
Report requested by Names: MR GEORGE MORARA MONYONCHO

PERSONAL PROFILE

CRN: **00009494286**

Names: MR GEORGE MORARA MONYONCHO

ID:11506113 PIN:A004330157I

Sex: M Date of Birth: 14/02/1973 Nationality: KENYAN

Postal Address(es)

41079, Post Code: 00100, NAIROBI
P.O.BOX 2182, KISII, KENYA

Physical Address(es)

KIRICHWA ROAD, HSE NO.24, NAIROBI
House Type: Not Known

Phones

Mobile Phone 254-0712-288400

Employment

KENYA HUMAN RIGHTS COMMISSION
Postal Address: 41079-00100, NAIROBI
Postal Address:
Position: PROGRAMME OFFICER

SUMMARY

	Your Sector	Other Sectors
Total Delinquencies	0	0
Total Collection Accounts	0	0
Total Accounts	0	0
Total Bounced Cheques	0	0
Total Fraudulent Cases	0	0
Total Credit Applications	0	0
Total Legal Suits	0	0
Last Delinquency Date	-	-
Last Collection Account Date	-	-
Last Legal Suit Date	-	-
Enquiries - Last 30 Days	0	0
Enquiries - 31 - 60 Days	0	0
Enquiries - 61 - 90 Days	0	0
Enquiries > 91 Days	0	0

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CONSUMER CREDIT REPORT
Credit Reference Bureau Africa Limited
All Trade Sectors Credit Report
Report requested by Names: MR GEORGE MORARA MONYONCHO

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Westlands Road, Off Museum Hill,
CRB Centre, Prosperity House,
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P. O. Box 30050 - 00100, NAIROBI

HIGHER EDUCATION LOANS BOARD

Tel: 2278000, 0722205292, 0733205292
Fax: 2252330
E-mail: ceo@helb.co.ke
Website: www.helb.co.ke

Anniversary Towers
18th Floor, University Way
P.O. Box 69489-00400
Nairobi, Kenya

HELB/REC/21/CERT/XV/1

16th August, 2012

The Secretary
Kenya National Commission on Human Rights Selection Panel for
the appointment of Chairperson & Members
P. O Box 30050 00100
NAIROBI

Dear Sir/Madam,

EX-UNIVERSITY STUDENTS' LOAN RECOVERY
MORARA GEORGE MONYONCHO ID/NO 11506113

The above subject refers.

Please note that the above named person was a beneficiary of Higher Education Loans Board Scheme and is currently servicing his loan as per the attached statement.

In the event of any queries, please do not hesitate to contact the undersigned.

This letter is valid until 16th February, 2013.

Thank you.

Yours faithfully,

NAFTAL MICHIRA
FOR: BOARD SECRETARY/CEO

c.c Morara George Monyoncho

KENYA REVENUE AUTHORITY

TAX COMPLIANCE CERTIFICATE

Certificate Serial No:

KRA 19/024412/2012

THIS CERTIFICATE CONFIRMS THAT

MONYONCHO GEORGE MORARA

Holder of **Tax Registration Personal Identification Number A004330157I**

has fulfilled the obligation to file relevant tax returns and to pay taxes due as provided by law

This certificate will be valid for *six(6) months* up to **17TH February 2013**

Issued by:

Name: D.M.MWANGI Designation: Assistant Commissioner

KENYA REVENUE AUTHORITY Senior Assistant Commissioner 17 AUG 2012 SOUTH OF [illegible] DOMESTIC

Signature:..... Date of Issue: **17TH August 2012**

Caveat

a) This certificate is issued on the basis of information available to the Authority as at the date shown above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

b) Confirm genuineness and validlty of the certificate using the TCC checker available at: http://www.kra.go.ke/notices/tcc-checker.html or contact the nearest DTD office.

TCC3

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130–00200, NAIROBI, Kenya
Tel.: +254–20–2717318/310722, Cellphone: +254–729–888881/2/3
Fax: +254–20–2719757, Email: eacc@integrity.go.ke, Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC.6/42 VOL. VI/ (140) **17th August, 2012**

George Morara Monyoncho
P.O Box 41079 - 00100
NAIROBI

Tel: 0712 – 288 400

Dear Sir,

RE: CLEARANCE CERTIFICATE: THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

The Commission is in receipt of your request for a clearance certificate dated **16th August, 2012** as a condition precedent to applying for the position of a Commissioner with the referenced Commission.

Please note that a report will be forwarded to the Kenya National Commission on Human Rights upon request.

Yours faithfully,

ABDI A. MOHAMUD
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

AAM/doo

(5)

Lempaa Vincent Suyianka
P.O. Box 5436-00100
Nairobi
wolvinso@yahoo.com
6/08/2012
Secretary
Selection Panel Appointment of Chairperson and Members of the Kenya National Commission on Human Rights,
Harambee House
P.O. Box 30050 00100
Nairobi
Dear Sir/Madame
Re: **APPLICATION FOR A POSITION OF A MEMBER KENYA NATIONAL COMMISION ON HUMAN RIGHTS**

I submit my application for the above mentioned position. I hold a master degree in International Human Rights Law of the University of Essex, a Post Graduate Diploma in Mass Communication of the University of Nairobi, a Bachelors Degree in Laws of the University of London, a Post Graduate Diploma in Laws of the Kenya School of Law and a Bachelors Degree in Education of Kenyatta University.

I have in the past worked as a journalist, at the Nation Media Group and legal editor at the Kenya Broadcasting Corporation in the last ten years. I have also been a part time lecturer, lecturing Media Law, Communication Ethics and Human Rights at the Jomo Kenyatta University of Science and Technology (JKUAT) since 2007.

I am also worked as a consultant with the International Center for Peace and Conflict that is involved in transitional justice and good governance since 2010. I am also a member of the Human Rights Committee of the Law Society of Kenya and an advocate of the High Court of Kenya.

I have also worked as an advocate with Gitobu Imanyara and Company Advocates. Besides I have done advocacy work with the Catholic Justice and Peace Commission since the year 2000. I have also litigated in the area of human rights in the High Court of Kenya

Attached, Kindly find copies of my CV and other testimonials for your review. I look forward to hearing from you in the near future.

Yours Faithfully

Lempaa .V.S

CURRICULUM VITAE

LEMPAA VINCENT SUYIANKA

LLM International Human Rights Law UoE
Dip in Laws, Kenya School of Law, Nairobi
LLB (UoL Hons) United Kingdom

PG, DIP mass com. (UoN) Kenya
B Ed (hons), KU-Kenya

P.O. Box 5436 (00100)
Nairobi GPO,
Kenya

Telephone: Mobile 254-0722320522
E-mail: vslempaa@gmail.com
E-mail: wolvinso@yahoo.com
Date of Birth: January 19th, 1972

GENERAL PROFILE

Experienced in advocacy legal writing and drafting news writing, qualified in mass communication as a journalist and public relations management, photojournalism, editing, editorial writing, writing press statement and organizing media events. Has experience in publishing and has done communication research and content analysis and has worked in a challenging newsroom as a reporter.

Keen in participating at all levels in legal, human rights policy debate and analysis and new communication World order. Also keen in pursuing professional Legal and human rights, both at the international and national arena.

PROFFESSIONAL OBJECTIVES AND INTEREST

Has interest in:

- A position that would expose and enable me exploit my multilingual experience as an advocate and a journalist and understand the dynamics of modern human rights law and communication both at the national and international level.
- To gain national and international exposure and recognition in the fields of law and human rights.
- To play a role in professionalisation and development of law and human rights
- To have a more challenging and rewarding job for the next cycle of 10 yrs.

PROFESSIONAL TRAINING

Master in Laws in international human rights law, University of Essex, 2010-2011, Coursework at 65.4%, Dissertation title, **The Protection and Enforcement of Human Rights in the 2010 Kenyan Constitution Mark 68%, Degree** award, Merit

Diploma in Law: Kenya school of law: 2008 to 2009. Called to the Bar as an Advocate of the High Court of Kenya on the 11 of March 2010

Bachelor of Laws LLB: University of London External Degree programme: 2005 to 2007 University of London awarded on the 1st of August 2007.

Certificate of attendance in International Human Rights Academy: (University of Utrecht)-Netherlands (19th Aug. to 1st Sep 2007.)

Post Graduate Diploma in Mass Communication studies: Award (post Graduate Diploma) University of Nairobi, School of Journalism-Kenya-August 2000- September

Subjects

Term 1: News writing, Public Relations, Communication Research Methods, Editorial Writing, Feature Writing and Radio Theory.

Term 2: Specialized Writing, Public Relations, Media Management, Television Screen Writing, and Communication Research Methods.

Term 3: Photojournalism, Media law and Ethics, Public Relations Communications Theory

Research Paper: The Coverage of Schools Unrest By Nation and East African Standard. A Content Analysis for two Months.

Diploma level In French, French Cultural Center of Nairobi, Alliance Française.

Units, French Grammatical Competence, Spoken French, Understanding spoken French. Written French.

Civic Education Certificate, Sponsored by Ngong Diocese, Catholic Peace and justice Commission, Between January 2000 to June 2000.

Topics
Good Governance, Evolution of Democracy, Responsible Citizenship, Human Rights and Women and decision Making.

Computer seminar; Certificate of attendance, Kenyattaa University Exhibition; April 1999 – Sponsored by Kenyatta University.

Bachelor of Education (Arts) (Hons), 1994- 1999 Kenyatta University: Focus on English and literature.

EXPERIENCE

Consultant, July- August, 2012 International Center Policy and Conflict (ICPC), researched on transitional justice and reparation on the victims of torture. Compiled a report on the same
Advocate of the High Court of Kenya, March 2010 to date, general legal work

Consultant, May-June 2012 International Center Policy and Conflict (ICPC), Leadership and integrity researched on vetting and lustration, compiled a report and facilitated a tow day seminar in Nakuru

Consultant, September 2011, International Center Policy and Conflict, developed an Article on the Jurisprudence on the Confirmation of Charges vis- a-vis the Kenyan cases in the International Criminal Court

Consultant, September 2009- January 2010, International Centre for Peace and Conflict, developed a working manual for the Truth Justice and Reconciliation Commission

Legal Editor, 2009 to July 2012, International Centre for Peace and Conflict, editing human rights Reports,

High Court Reporter January 2003 to January 2005, Kenya Broadcasting Corporation Attending court sessions and writing notes, writing Television and Radio script and news editing for both radio and Television.

Lecturer May 2007 to date, Jomo Kenyatta University of Science and Technology, Communication Ethics, Law and Human Rights,. Preparing the course outline notes lecturing setting and marking exams and grading students at the diploma level.

Chief Legal Editor, January 2005 to date , Kenya Broadcasting Corporation Writing and Editing Court and Tribunal stories for television and radio broadcast

General Reporter, September 2002 to January 2003, Nation Television: Going to the field and collecting news, writing radio and TV scripts and editing February 10, 2005news.

Coordinator. People Against Torture January 2002 to July 2002 United Nations International Day in Support of Victims of Torture. Organized the event of that year and wrote a comprehensive report.

Freelance journalist: October 2001July 2002: Writing analytical Pieces and opinions in Local Magazines, Developing news stories from Press releases and statements.
General Reporter

Reporter: August –November 2001, Daily Nation, Attending Political, Social and meetings and press conferences, seminars, listening and taking notes hence filing stories. This also entailed interviews; spot News writing like crime and accidents.

Civic Educator: January 2000 to 2003.Catholic Justice and Peace Commission, Organizing Seminars and talk shops in Nairobi, Narok and Kajiado and Eldoret.

Teacher: Nembu High School, Nairobi, May 1999 to August 1999 Taught English and Literature as a regular teacher in

Administrative Assistance Kenya Farmers Association (K.F.A): November 1992 to July 1994 worked as an administration assistant.

AWARDS

Commonwealth Broadcasting Award in Environment; 2010/2011 Conservation of Mau Water Tower

International Ford Foundation Fellowship; 2010/2011 8th Cohort,

International Human Rights Academy Scholarship, August 18- September 1st 2007, University of Utrecht, the Netherlands

PERSONAL ATTRIBUTES

- Excellent interpersonal skills.
- Good leadership qualities
- Computer literate.
- Excellent written and oral communication skills.
- Capable of working under pressure
- Capable of adapting to changes, Quick leaner.

LANGUAGES

- English: Excellent both spoken and written.
- French: Good both spoken and written.
- Kiswahili: Excellent both written and spoken.

PERSONAL INTERESTS

- Keen interest in community service.
- Local and international social economical and political dynamics.
- Current affairs.
- Sports.
- Reading and traveling.

MEMBERSHIP:

Past

- Kenyatta University Students Association was a special envoy.
- Chairman and founding member Kenyatta University Journalism Club.
- Kenyatta University Computer Association.

Current:

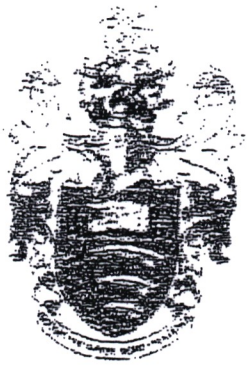
1) The Law Society of Kenya
2) The Human Rights Committee, Law Society of Kenya
3) Catholic Justice and Peace Commission.
4) Alumni- University of Nairobi; School Of Journalism
5) Alumni- Kenyatta University
6) Alumni University of London
7) Alumni, University of Essex

REFEREES

1 Ms. Wambui Kiai
Director School of Journalism
University of Nairobi
P.O. Box 30197,
Nairobi.
Tel: 318262
Email: wkiai@uonbi.ac.ke
Cellophane No 0733734818

2 David Aduda
Training Editor Nation Media Group P.O. Box 49010,
Nairobi
Tel: 2255278
Email dadula@nation.coke.ke
Cellophane 0722765856

3 Prof. Paul Hunt, former UN Rapporteur on Health currently Senior Lecturer, Human Rights Center, University of Essex
Wivenhoe Park
Colchester CO4 3SQ UK
Tel: 00-44-1206-826931
Email paulhunt28@yahoo.co.uk



UNIVERSITY OF ESSEX

This is to certify that the degree of

Master of Laws
in

INTERNATIONAL HUMAN RIGHTS LAW

was conferred on

VINCENT SUYIANKA LEMPAA

(with merit)

on the 8th day of December, 2011

Registrar and Secretary

University of Essex

Academic Transcript

Student Information

Student Name: MR VINCENT SUYIANKA LEMPAA

University Number: 1004412

Date of Birth: 19/01/1972

HESA Number: 1011180044127

Academic Information

Teaching Institution(s): University of Essex

Language of instruction: English

NQF Level: 7

Award: MASTER OF LAWS IN INTERNATIONAL HUMAN RIGHTS LAW

Awarding Institution: University of Essex

Classification: Pass with Merit

Date of Award: December 2011

Record of Academic Achievement

2010/2011 YEAR 1: LLM INTERNATIONAL HUMAN RIGHTS LAW

Component	Module Code	Title	Coursework	Exam	Aggregate	Component Mark	Class	Credit Obtained	Credit Level
01	LW900	DISSERTATION: LLM INTERNATIONAL HUMAN RIGHTS LAW	68.0		68.0	68.0	N/A	60	7
02	LW901	INTERNATIONAL HUMAN RIGHTS LAW: GENERAL SEMINAR		64.3	64.0	64.0	N/A	45	7
03	LW998	RESEARCH ESSAY: LLM INTERNATIONAL HUMAN RIGHTS LAW	60.0		60.0	60.0	N/A	15	7
04	LW902	PUBLIC INTERNATIONAL LAW		68.0	68.0	68.0	N/A	15	7
05	LW906	ECONOMIC, SOCIAL AND CULTURAL RIGHTS		64.0	64.0	64.0	N/A	15	7
06	LW805	INTERNATIONAL CRIMINAL LAW FOR HUMANITARIAN SITUATIONS		67.0	67.0	67.0	N/A	15	7
	LW919	PROMOTION AND PROTECTION OF HUMAN RIGHTS IN AFRICA		70.0	70.0	70.0	N/A	15	
07	LW997	FOUNDATION ESSAY: LLM INTERNATIONAL HUMAN RIGHTS LAW				0.0	N/A	0	7
					Year:	Mark	N/A	Credits	180

Authentication

This transcript is valid if it bears the University seal and a signature.

Registrar and Secretary

Date of Issue: 09 February 2012

UNIVERSITY OF LONDON

Vincent Suyianka Lempaa

having studied as an External Student and passed the approved examinations has this day been admitted by the University of London to the Degree of

BACHELOR OF LAWS

with Third Class Honours

BRITISH COUNCIL
P. O. Box 40751-00100
NAIROBI. KENYA
02 FEB 2009
Certified as a true Copy
By.....

Graeme J Davies

Vice-Chancellor

1 August 2007

Section 56(2) of the Statutes of the University states "Candidates granted degrees and other awards shall have attained the same academic standard irrespective of mode or place of

University of London
DIPLOMA SUPPLEMENT
Transcript of Academic Records

4.3 Programme Details

Vincent Suyianka LEMPAA	
Mode of Study:	Distance Learning
Student Number:	030263727
Date of Registration:	May 2004
Qualification:	Bachelor of Laws

Unit Name	Unit Level	Value	Mark	Equivalent ECTS Credits
YEAR 2005				
Criminal Law	Year 1	1	43	15
Public Law	Year 1	1	58	15
Common Law Reasoning and Institutions	Year 1	1	54	15
Overall result for year			Pass	
YEAR 2006				
Elements of the Law of Contract	Year 2	1	49	15
Law of Tort	Year 2	1	40	15
Law of Trusts	Year 2	1	42	15
Overall result for year			Pass	
YEAR 2007				
Land Law	Year 3	1	43	15
Evidence	Year 3	1	48	15
Administrative Law	Year 3	1	51	15
Overall result for year			Pass	

University of London
DIPLOMA SUPPLEMENT
Transcript of Academic Records

4.3 Programme Details *(continued...)*

Vincent Suyianka LEMPAA

Mode of Study:	Distance Learning
Student Number:	030263727
Date of Registration:	May 2004
Qualification:	Bachelor of Laws

Unit Name	Unit Level	Value	Mark	Equivalent ECTS Credits

Total Equivalent ECTS Credits awarded by University of London: 135

Total Equivalent ECTS Credits awarded for prior learning: 45

Vincent Suyianka LEMPAA

Awarded: Bachelor of Laws with: Third Class Honours

Date: 1 August 2007

Official Seal:

Graeme J Davies

Vice-Chancellor

The awarding body is the University of London unless otherwise stated. Students who have studied this award under Graduate Entry Route A or B have been given credit for prior learning to the value of 45 credits.

The Examinations Board reserves the right to condone a failure at a mark above 30% in the final year, if it considers there is sufficient compensation in the other subjects.

Prior to the 2003 Examination session, the paper Public Law was known as Constitutional Law. Prior to the 2005 Examination session the paper Common Law Reasoning and Institutions was known as The English Legal System.

The Solicitors Regulation Authority and the Bar Standards Board of both recognise this qualification as a "Qualifying Law Degree" provided the period of study involved is not more than six years and the graduate has passed the assessments in the Foundations of Legal Knowledge in not more than three attempts. The Foundations of Legal Knowledge subjects are Criminal Law, Public Law, Elements of the Law of Contract, Law of Tort, Law of Trusts, Land Law and (for students who registered after September 2001) EU Law.

The University of London statute 66(2), states that: "Candidates granted degrees and other awards shall have attained the same academic standard irrespective of mode or place of study or examination." Degrees and Diplomas awarded to External students are, therefore, examined to the same standard as those granted to students registered at Colleges or Institutes of the University of London.

UNIVERSITY OF NAIROBI



Certified as a true Copy

22-08-03

THE BRITISH COUNCIL
P. O. Box 40751
NAIROBI, KENYA

This is to certify that

S. Vincent Lempaa

having satisfied the requirements
for the award of the

POSTGRADUATE DIPLOMA IN MASS COMMUNICATION

Credit

was presented
at a Congregation held at
this University on the

Twenty Sixth Day of November in the Year
2001

VICE-CHANCELLOR

DEPUTY VICE-CHANCELLOR (ACADEMIC AFFAIRS)

3451

KENYATTA UNIVERSITY

Certified as a true Copy
22-08-03
THE BRITISH COUNCIL
P O. Box 40751
NAIROBI, KENYA

This is to certify that

Vincent Lempaa

having satisfied all the requirements
was awarded the degree of

BACHELOR OF EDUCATION
(ARTS)
SECOND CLASS HONOURS (UPPER DIVISION)

at a congregation held at this University
on the Fifteenth Day of October
in the Year
One Thousand Nine Hundred and Ninety Nine

P. S. Domwani

Vice Chancellor

Registrar (Academic)

Certificate Number 99350959

The Kenya National Examinations Council

This is to certify that the candidate named below sat for the Kenya Certificate of Secondary Education examination in the subjects named below and qualified for the award of a

Kenya
Certificate of Secondary Education

THE CANDIDATE REACHED THE GRADE SHOWN IN THE SUBJECTS NAMED

LEMPAA VINCENT SUYIANKA *1* 54038/115

SATERO SECONDARY SCHOOL

		GRADE
101	ENGLISH	B-(MINUS)
102	KISWAHILI	B+(PLUS)
111	HISTORY AND GOVERNMENT	B+(PLUS)
112	GEOGRAPHY	B-(MINUS)
121	MATHEMATICS	D (PLAIN)
134	PHYSICAL SCIENCE	C-(MINUS)
135	BIOLOGICAL SCIENCES	B-(MINUS)
312	CHRISTIAN RELIGIOUS EDUCATION	B (PLAIN)
332	AGRICULTURE	B (PLAIN)
426	COMMERCE	B (PLAIN)

SUBJECTS NAMED TEN MEAN GRADE B-(MINUS)

EXAMINATION OF NOVEMBER/DECEMBER 1992

Certified as a true Copy
22-08-03
THE BRITISH COUNCIL
P. O. Box 40751
NAIROBI, KENYA

Secretary
Kenya National Examinations Council

Chairman
Kenya National Examinations Council

This document has a watermark MITIHANI.
It should be held to the light to verify.

KCSE 506648

(See overleaf)

CERTIFICATE OF ATTENDANCE

This is to certify that :

LEMPAA S. VINCENT

Was a student in this Institution attending French classes from May 1998 to July 2001 and completed the diploma course.

Any assistance accorded to him will be appreciated.

Nairobi, 28th November 2001

ALLIANCE FRANÇAISE

Timothy MUCHERU
Assistant to the Director

Tel. +254 2 34 00 54 / 34 00 79
Fax +254 2 31 52 07
Email alliance@africaonline.co.ke

Alliance Française

KENYA

Certificat Elémentaire de Français Pratique

Année 2000

Le Comité de l'Alliance Française de Nairobi atteste que LEMPAA VINCENT

né(e) le 19 janvier 1972 à Nairobi de nationalité kenyane a satisfait aux épreuves écrites

et orales prescrites pour l'obtention du Certificat Elémentaire de Français Pratique.

En foi de quoi le présent certificat lui a été délivré avec mention passable.

Nairobi, le 3 mars 2000

Le Président

ALLIANCE FRANÇAISE
Le Président
NAIROBI

Le Titulaire

Le Directeur

ALLIANCE FRANÇAISE
Le Directeur
NAIROBI

Association nationale reconnue d'utilité publique

AMERICAN UNIVERSITY

Universiteit Utrecht

SIM

HUMAN RIGHTS CENTRE

CERTIFICATE OF ATTENDANCE

-PRESENTED TO-

Lempaa Vincent Suyianka

International Human Rights Academy

20 August - 01 September 2007

Utrecht, The Netherlands

Professor Jeremy Sarkin
University of the Western Cape

Professor Leo Zwaak
Netherlands Institute of Human Rights (SIM)

FACULTEIT DER RECHTSGELEERDHEID U.U. UTRECHT

Johan Vande Lanotte
Human Rights Centre, Gent University

Professor Claudio Grossman
Washington College of Law, American University

DIOCESE OF NGONG

CERTIFICATE

This is to certify that

LEMPAA S. VINCENT

was trained as a Civic Education Trainer of Trainers in the areas of Governance, Democracy, Responsible Citizenship, Human Rights, Constitution, Church and Politics and Women in Decision making at a workshop held from 28TH MAY to 1ST JUNE 2000 at WATAKATIFU WOTE SENTA and is a member of NAIRAGI - ENKARE Parish TOTs Team.

Fr. Richard Tenior.

For Diocesan Justice and Peace Chairman

Diocesan Justice and Peace Coordinator

Canadian International Development Agency | Agence canadienne de developpment International | Canada

INDEPENDENT MEDICO-LEGAL UNIT

Certificate

This certificate is awarded to

Lempaa Soika

For Participating in a training on
Media and Human Rights
held at Naivasha on 10th and 11th March 2007

SAM MOHOCHI
EXECUTIVE DIRECTOR (IMLU)

ANIK DES MARAIS
CO-ORDINATOR
CANADA FUND FOR LOCAL INITIATIVE

EAST AND HORN OF AFRICA HUMAN RIGHTS DEFENDERS PROJECT (EHAHRDP)

DEFEND

CERTIFICATE OF ATTENDANCE

Lempaa Vincent

attended the

JOURNALISTS' CONFERENCE FOR THE EAST AND HORN OF AFRICA

"Journalists on the Frontline of Human Rights Defense"

27 – 29 November 2006
Windsor Lake Victoria Hotel
Entebbe, Uganda

H.A Nora

Hassan Shire Sheikh

Chairperson/ East and Horn of Africa Human Rights Defenders Project/Network

Regional Coordination Office
Human Rights House, Lulume Rd., Plot 1823, Nsambya
P.O. Box 11027 Kampala, Uganda
Tel: +256-41-267118
Fax: +256-41-267117
Email: ehahrdp@yahoo.ca

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130–00200, NAIROBI, Kenya
Tel.: +254–20–2717318/310722, Cellphone: +254–729–888881/2/3
Fax: +254–20–2719757, Email: eacc@integrity.go.ke, Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC.6/42 VOL. V / (150) **7th August, 2012**

Lempaa Vincent Soyianka
P.O Box 5436, 00100
NAIROBI

0722320522

Dear Sir,

RE: CLEARANCE CERTIFICATE: KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

The Commission is in receipt of your request for a clearance certificate dated **7th August, 2012** as a condition precedent to applying for the position of a Commissioner at the above Commission.

Please note that a report of our vetting will be forwarded to the **Kenya National Commission on Human Rights** upon request.

Yours faithfully,

ABDI A. MOHAMUD
FOR: AG. SECRETARY/CHIEF EXECUTIVE OFFICER

AAM/cn

CRN. No. 00009323519

CRBAfrica
www.crbafrica.com

Date of Issue: 20/07/2012

CREDIT REFERENCE BUREAU CERTIFICATE

We hereby confirm, having searched Credit Reference Bureau Africa records, that:

MR. VINCENT SUYIANKA LEMPAA OF NATIONAL ID NUMBER 11155411

Has a credit report with status as:

[X] **Not listed** [ ] Paid [ ] Paying [ ] Not paid

This certificate has been issued without any alteration or erasure. The validity of the information on this Certificate is as at the date of issue.

Authorized Signatories:

For: CRBAfrica Limited

CREDIT REFERENCE BUREAU AFRICA LIMITED
Westlands Road, Off Museum Hill,
Prosperity House,
P. O. Box 100,
NAIROBI.
Tel: +254 20 3751344
Fax: +254 20 3751344

For: CRBAfrica Limited

The conclusions herein are based on information obtained from public record and other third-party sources. CRBAfrica makes no representation as to the accuracy of this information and shall not be liable for any loss, damage or claim whatsoever howsoever arising following the use of or reliance upon the opinions expressed herein.

HIGHER EDUCATION LOANS BOARD

Tel: 2278000, 0722205292, 0733205292
Fax: 2252330
E-mail: ceo@helb.co.ke
Website: www.helb.co.ke

Anniversary Towers
18th Floor, University Way
P.O. Box 69489-00400
Nairobi, Kenya

HELB/REC/21/CERT/X/38

18th July, 2012

Human Resource Manager
Kenya Broadcasting Corporation
P. O Box 30456
NAIROBI

Dear Sir/Madam,

EX-UNIVERSITY STUDENTS' LOAN RECOVERY –
LEMPAA VINCENT SUYIANKA ID/NO. 11155411

The above subject refers.

Please note that the above named person was a beneficiary of Higher Education Loans Board Scheme and is currently servicing his loan.

Any assistance accorded to him will be highly appreciated.

Thank you.

Yours faithfully,

RACHEL KENEI (MRS)
Ag.LOAN REPAYMENT & RECOVERY MANAGER
FOR: BOARD SECRETARY/CEO

c.c Lempaa Vincent Suyianka

KENYA REVENUE AUTHORITY

TAX COMPLIANCE CERTIFICATE

Certificate Serial No:

KRA 16/021335/2012

THIS CERTIFICATE CONFIRMS THAT

LEMPAA SOYIANKA VINCENT

Holder of **Tax Registration Personal Identification Number A003892167F**

has fulfilled the obligation to file relevant tax returns and to pay taxes due as provided by law

This certificate will be valid for ***six(6) months*** up to **19TH January 2013**

Issued by:

Name: **D.O.OBURE** Designation:

KENYA REVENUE AUTHORITY Compliance & Debt Management SENIOR ASSISTANT COMMISSIONER 19 JUL 2012 Port of Mombasa LARGE TAXES DEPT.

Signature:..... Date of Issue: **19TH July 2012**

Caveat

a) This certificate is issued on the basis of information available to the Authority as at the date shown above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

b) Confirm genuineness and validity of the certificate using the TCC checker available at: http://www.kra.go.ke/notices/tcc-checker.html or contact the nearest DTD office.

TCC3

No. C. 24 A

KENYA POLICE

C Nº 177494

CRIMINAL INVESTIGATION DEPARTMENT
P.O. BOX 30036
NAIROBI, KENYA

Ref. No. CID/SEC/6/7/2/A/VOL.XLV.164035 Date 24/07/2012

CERTIFICATE OF GOOD CONDUCT

I hereby certify that the fingerprints attached to this Certificate are those of

VINCENT SUYIANKA LEMPAA

and that they have been searched in the criminal records office and no criminal record has been traced. The validity of the information on this Certificate is as at the date of issue.

This Certificate has been issued without any alteration or erasure.

jkm

(P.M.Onyango)
for: Director of Criminal Investigation

GPK 5869—30m—5/2012

REPUBLIC OF KENYA

HIGH COURT OF KENYA

PRACTISING CERTIFICATE FOR THE YEAR 2012

Pursuant to the Advocates Act, 1989, I hereby certify that

Lempaa Vincent Suyianka

is duly enrolled as an Advocate of this Court and is entitled to practice as such Advocate

Dated this 1st Day of January 2012

SERIAL NO.JUD/2012/001400

Chief Registrar of the Judiciary

Law Society of Kenya

LAW SOCIETY OF KENYA

Lavington, opp Valley Arcade, Gitanga Road
P.O Box 72219-00200 Nairobi, Kenya
Dropping Zone 149 – Revlon Plaza
Tel:+254-20-3874664,3865013/4,
020-2625391, 0208155295
Cell: +254 720 904983
Fax: +254 20 387 5534
Website: www.lsk.or.ke
Our Ref: P 105/ 7914/10

Your Ref:
Date; 8th August, 2012.

TO WHOM IT MAY CONCERN

Dear Sir/Madam,

RE: CERTIFICATE OF GOOD STANDING AGAINST LEMPAA VINCENT SUYIANKA - ADVOCATE

This is to confirm that **Lempaa Vincent Suyianka** is an Advocate of the High Court of Kenya and member of the Law Society of Kenya in good standing, holding a current practicing certificate for the year 2012. He signed the Roll on the 10th March 2010.

There are no complaints against him, nor does he have any past or pending cause before the Advocates Disciplinary Committee.

Yours faithfully,

MERCY K.WAMBUA,
DEPUTY SECRETARY/CEO.
(COMPLIANCE & ETHICS).

Eric Mutua (Chairman), Lilian Renee Omondi (Vice-Chairperson),
Grace Akinyi Okumu (Coast Representative), Godfrey Nathan Kitiwa (Up-country Representative),
Caroline Khasoa Wanyonyi (Up-Country Representative), Faith Waguthi Waigwa, Allen Waiyaki Gichuhi,
Ambrose Otieno Weda, James Aggrey Mwamu, Judith Achieng Sijeny, Charles Njiru Kanjama,
Gertrude Nyausi Angote

JAMHURI YA KENYA REPUBLIC OF KENYA

SERIAL NUMBER 22763620 ID NUMBER 1165811

FULL NAMES
VINCENT SUYIANKA LEMPAA

DATE OF BIRTH
05.09.1972

SEX
MALE

DISTRICT OF BIRTH
NAROK

PLACE OF ISSUE
PUMWANI

DATE OF ISSUE
10.03.2010

HOLDER'S SIGN.





DISTRICT:
NAROK
DIVISION:
MAU
LOCATION:
KEEKONYOKIE
SUB-LOCATION:
KEEKONYOKIE

N. B011155411Z

PRINCIPAL REGISTRAR'S SIGN.

0063261754

IDKYA2276336232<<731<<<<<<<481
72<<<<5M1003101<B011155411Z<<1
VINCENT<SUYIANKA<LEMPAA<<<<<<<

(6) (12) 71

Mrs Jedidah Wakonyo Waruhiu
P.O.BOX 11436-00100 GPO
Nairobi County, Kenya
Mobile: +254 722 377641 Email: jedidahwwaruhiu@gmail.com

17th August 2012

The Secretary
Selection Panel for the Appointment of
Chairperson and Member of the
Kenya National Commission on Human Rights
12th Floor, Harambee House, Rm. 1214,
P. O. Box 30050 – 00100 GPO
Nairobi City, Kenya.

MINISTRY OF STATE FOR PUBLIC SERVICE
RECEIVED
21 AUG 2012
OFFICE OF THE PUBLIC SERVICE

Dear Sir,

RE: APPLICATION FOR THE POSITION OF MEMBER OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS (KNCHR)

I take this opportunity to submit my application for consideration for selection as a member of the Kenya National Commission on Human Rights as advertized in the Standard Newspaper dated 6th August 2012.

I am an advocate of the High Court of Kenya since 1995, holder of Bachelors Degree in Law from University of Nairobi and Masters Degree in Law from the Nottingham University where i specialised in international human rights knowledge and applicable practice. Currently I am the Chief Executive Officer of Legal Resources Foundation Trust (LRF) where i have gained indepth knowledge and experience on human rights education, organizational programme development, management skills, research and policy advocacy on matters of access to and administration of justice.

Mrs Jedidah Wakonyo Waruhiu
P.O.BOX 11436-00100 GPO
Nairobi County, Kenya
Mobile: +254 722 377641 Email: jedidahwwaruhiu@gmail.com

For over twelve (12) years my human rights experiences have been diverse in both Kenya and Africa. Specific achievements include development of curriculum and implementing trainings in paralegal approaches, contributed to penal reforms, practiced positive human resource management, developed and implemented institutional 5-year strategic plans. This has culminated in national legislative proposals, public interest litigation and LRF being crowned the 2009 overall Civil Society of the Year Award Winner (CSOYA).

I am a team player, inspiring trainer, mentor and results oriented. This has enabled me provide leadership and technical support to staff, consultants and public institutions including the Kenya Prisons Service, the Judiciary, Probation and Aftercare Services on matters of persons in custody, legal aid and legal awareness, paralegal approach and courts jurisdictions that has led to the push for establishment of Small Claims Courts, Courts of Petty Sessions and Traditional Dispute Resolution Mechanisms.

My knowledge and skills will be instrumental in providing leadership, technical support and mentorship to the secretariat at the KNCHR and also in partnership with various complementary Commissions and other state agencies at international, national and local levels.

Further, I believe that my passion in human rights, commitment to serve the people fairly, equitably including the poor and marginalised, my humility, academic and work experience will inspire the work and working relationships at the KNCHR. Enclosed is my CV, certificates and testimonials and look forward to your positive response.

Yours Faithfully,



Jedidah Wakonyo Waruhiu

1. FAMILY NAME: WARUHIU [Mrs.]
2. FIRST NAME: JEDIDAH WAKONYO
3. DATE OF BIRTH: 21ST NOVEMBER 1969
4. NATIONALITY: KENYAN
5. MAIL ADDRESS: P.O. BOX 11436 00100 NAIROBI CITY COUNTY, KENYA
   TEL.: +254 0722 377 641 [personal] or +254 2 2720669 or 2720598 or + 254 735 513 910 or +254 722 209 822 [office]
   EMAIL: jedidahwwaruhiu@gmail.com or atn@africaonline.co.ke

6. EDUCATION

September 2003 Nottingham, UK **Course:**	**NOTTINGHAM UNIVERSITY** Masters of Law (LLM) International Human Rights, Refugee and Humanitarian law and Comparative Justice and Penal law systems.
June 1996	**ADMITTED TO THE HIGH COURT OF KENYA** Member of the National Bar Association
Sept.'94-Sept.'95 Nairobi **Degree:** **Course:**	**KENYA SCHOOL OF LAW** Diploma Criminal and Civil Procedure, Professional ethic, Law of Trusts and Accounts.
Sept.'90 – Sept.'93 Nairobi **Degree:** **Course:**	**UNIVERSITY OF NAIROBI (UON)** Faculty of Law Bachelors of Laws (LLB) Constitutional law, Contracts, Jurisprudence, land, law, Criminal Law, Evidence, Insurance, Family Law, Company Law, Administrative Law and Torts.

Additional Training

Aug. '11 – Feb. '12 Nairobi City, Kenya **Course:**	**KENYA INSTITUTE OF ADMINISTRATION (KIA)** Crime Prevention Seminar Series
November 2010 Nairobi City, Kenya **Course:**	**CENTRE FOR CORPORATE GOVERNANCE KENYA** Training of Trainers (ToT) for Directors Corporate governance delivery skills
June 2010 Montreal, Canada **Course:**	**INTERNATIONAL HUMAN RIGHTS TRAINING PROGRAMME** International Human Rights Law and Practice
May 2010 Geneva, Switzerland **Course:**	**INTERNATIONAL SERVICES FOR HUMAN RIGHTS** Training of Trainers (ToT) International Advocacy
November 2009 Nairobi City, Kenya **Course:**	**KENYA SCHOOL OF LAW** Legislative Drafting, Module I
March 2009 Geneva, Switzerland **Course:**	**INTERNATIONAL SERVICES FOR HUMAN RIGHTS** International Advocacy Training in lobbying and international advocacy in the UN system

November 2008 Mombasa, Kenya **Course:**	**KENYA FUNDRAISERS OF EAST AFRICA** Resource Mobilization and Networking
December 2005 Nairobi City, Kenya **Course:**	**DFID AND TROCAIRE** Policy Entrepreneurship Training in advocacy and policy development and its application in Kenya
September 2005 Naivasha, Kenya **Course:**	**KENYA NATIONAL COMMISSION ON HUMAN RIGHTS/ and EMBASSY OF SWEDEN** Training of Trainers Human Rights Based approach to Development (HRBAD)
March 2005 Nairobi City, Kenya **Course:**	**CENTRE FOR CORPORATE GOVERNANCE KENYA AND COMMONWEALTH SECRETARIATE LONDON** Training for Directors Corporate governance, directorship and risk management
March 2005 Nairobi City, Kenya **Course:**	**ZAPP KAAS and NON PROFIT MANAGEMENT SOLUTIONS INC. USA** Fundraising Fundraising in the midst of competition and crisis in credibility
March 2002 Nairobi City, Kenya **Course:**	**AMNESTY INTERNATIONAL** Legal Training International Human Rights Instruments and their application in Kenya
November 2001 Naivasha, Kenya **Course:**	**INTERNATIONAL FEDERATION OF WOMEN LAWYERS [FIDA]** Facilitation Training Training methodologies for Adult Learners.
Nov. 2000 Nyeri, Kenya **Course:**	**INTERNATIONAL COMMITTEE OF THE RED CROSS** Legal Training International Humanitarian Law and Human Rights.
June 2000 Louisiana, USA **Course:**	**UNIVERSITY OF TULANE** **PUBLIC LAW CENTRE** Legislative, Regulatory and Administrative drafting, Sunshine Laws, Lexis and Westlaw, Plain Language, Bilingual or Multilingual drafting, Ethic's and Politics' of drafting, human Rights Institutions and Principles of Negotiations.
May 2000 Nairobi City, Kenya **Course:**	**KENYA MEDICAL ASSOCIATION COMMITTEE ON HUMAN RIGHTS** Legal Training International Human Rights Instruments with special focus on torture and forensic investigations.
June 1997 Nairobi City, Kenya **Course:**	**FROMAT MANAGEMENT SERVICES** Management Skills Development Policy formulation, public relations and staff management
Nov. 1995	**SOUTHERN SAPES - TRUST** **SAPRIS GENDER DIVISON**

Harare, Zimbabwe **Course:**	Seminar Gender, Development, Planning and Politics, Feminism History, and Developing Terminology's.
7. LANGUAGE:	English, Kiswahili, Kikuyu with passive knowledge of Sign, Kinyarwanda and French languages
8. COMPUTER SKILLS:	Driving Licence Module 1, Information and communication, Microsoft, PowerPoint 2000 and Excel.

9. PROFESSIONAL EXPERIENCE

Work

October 2004 to date **LEGAL RESOURCES FOUNDATION TRUST (LRF)**
Nairobi City, Kenya
Nature of work: **Executive Director**

- Coordinate day to day activities at the secretariat
- Provide overall leadership and resource mobilisation for programmes and grant making for institutional sustainability
- Providing leadership, guidance to the management team in Strategic Planning (SP 2009 – 2013), development and implementation (SP 2003 – 2008)
- Provide strategic leadership in strategy development, programme formulation, implementation and sustainability
- Provide policy leadership, training and manuals or booklets development for networks and individual institutions i.e. PASUNE, K-HURINET, JJN, FIDA, LSK
- Liaison and Secretary to the Board of Trustees (policy makers) and the standing committees; Executive, and Finance and Audit Committees
- Overall management, direction, policy drafting and implementation
- Develop and enhance national level advocacy in policy and linkage with relevant stakeholders in the administration of justice, paralegal approach with the prisons, judiciary, provincial administration and security agencies
- Raise high level profile of LRF through lobby and networking
- Conceptualisation and engagement in Public Interest Litigation: 1998 *James Apinyi Vs AG* (Habeas Ceapus), 2005 *Patrick Onyango & 13 Others Vs AG* and 3 Others (Constitution), 2010 *Richard Musysua Vs AG & 3 Others* (Intersex), among others
- Assists in the conceptualisation and implementation of evaluations, research and policy proposals on Sentencing trends, Courts of Petty Sessions, Small Claims Court, Torture, Provincial Administration among others
- Human resource management; supervision, mentorship and appraisal
- Financial management: donor management, compliance and contracting, imprest management, monthly and quarterly accounts, annual audit

Feb. to October '04 **LEGAL RESOURCES FOUNDATION TRUST (LRF)**
Nairobi City, Kenya
Nature of work: **Programme Coordinator and Ag. Executive Director**

- Project formulation, leadership and design
- Proposal writing and report writing
- Project monitoring and evaluation
- Programme planning and supervising
- Fundraising and building strategic linkages
- Administrative supervising
- Financial management
- Coordinating and offering link with the Board of Management
- Provide legal assistance and aid

- Profiling of organisation

Oct. '03 to Feb. '04 **UN HIGH COMMISSIONER FOR REFUGEES (UNHCR)**
Accra, Ghana **BRANCH OFFICE, GHANA**
Nature of work: **Protection Officer**

- Deputizing and supervising the national Eligibility Officers .
- Interviewing, reviewing and follow-up on individual asylum-claims in Ghana
- Training national Eligibility Officers
- Monitoring and analysing the human rights and security situation in DRC, Rwandan, Burundi and Ugandan for RSD purposes
- Organisation for specialized training on the application of 1951 UN Convention's 'Exclusion Clauses'.
- Development of Country Operating Procedures and policy guides for Refugee Determination

Sept. '00 to August '02 **UN HIGH COMMISSIONER FOR REFUGEES (UNHCR)**
Eligibility Project
Nairobi City **BRANCH OFFICE FOR KENYA**
Nature of work: **Eligibility Officer/Protection**

- Interviewing and evaluating individual asylum-claims in Kenya
- On-the-job legal training of newly recruited Eligibility Officers
- Monitoring and analysing the human rights and security situation in DRC, Rwandan, Burundi and Ugandan for RSD purposes.
- Focal –point for asylum-claims filed by nationals of the a/m countries.
- Organisation of a Refugee Status Determination (RSD) workshop at UNHCR Eligibility Centre on the application of 1951 UN Convention's 'Exclusion Clauses'.
- Presentation of the socio-political situation and background information on the Great Lakes region to the UNHCR Eligibility Centre staff.

Dec. '99 – Aug. '00 **PEOPLE AGAINST TORTURE (PAT)**
Nairobi City, Kenya
Nature of work: **Programme Officer**

- Founder member in the Legal Mobile Clinic, travelling to remote and marginalised areas of Isiolo, Garissa, Kisii and Eldoret.
- Organising grassroots training on legal issues like human rights,
- Para legal training for community leaders in Isiolo.
- Visiting police stations and other detention centres like prison.
- Legal representation of torture survivors in court.
- Visiting of torture survivors in medical institutions for legal assistance, aid and advice.
- Organising pathologist to conduct post mortem on torture victims.
- Giving legal opinions on judicial interventions.
- Proposal development and report writing
- Networking with other community based organisations that focus on development and human rights.

June'98 -Dec.'99 **UN HIGH COMMISSIONER FOR REFUGEES, UNHCR**
Nairobi City **BRANCH OFFICE, KENYA**
Nature of work: **Eligibility Officer** for the UNHCR 'Rwandan and Burundian Special Screening Project'.

- Interviewing and evaluating individual asylum-claims from Rwanda and Burundi with special focus on the 1994 genocide period
- Providing legal aid and assistance
- Providing input and development of the Country Operating Procedures and policy guides

Jan.'97-May '98 **RELEASE POLITICAL PRISONERS PRESSURE**
Nairobi City, Kenya **GROUP (RPP)**
Nature of work: **Programme Officer**

- Lobbying and advocacy for the release of political prisoners in Kenya.
- Organising the campaign of the longest and last surviving political prisoner James Apiny Adhiambo.
- Visiting political prisoners in detention centre.
- Legal advises to the families and the political prisoners.
- Legal representation of political prisoners.
- Writing of press statements to pressurise and highlight the plight of political prisoners.
- Co-ordinating with external lawyers to take up pro bono briefs and public interest litigation of political prisoners.
- Social-Legal research on politically motivated judicial cases and precedents.

10. Volunteer work

1999 to 2002 **LAW SOCIETY OF KENYA (LSK)**
Nairobi City, Kenya **PUBLIC INTEREST, CONSTITUTIONAL REFORM AND HUMAN RIGHTS COMMITTEE**

Nature of work: **Committee Member**

- Monitoring and analysis of the human rights situation in Kenya.
- Organising for seminars and workshops on the constitutional reform process in Kenya.
- Advising the secretariat on unfolding human rights situations and ways of intervening.
- Analysis and review of new Bills introduced in parliament and their impact on the human rights regime.

1992 to date **INTERNATIONAL FEDERATION OF**
Nairobi City, Kenya **WOMEN LAWYERS (FIDA)**
Nature of work: **Resource person on Legal Education and Criminal Justice**

- Legal training of women in the grass roots.
- Researcher and report writing on legal precedents that affect the plight of women.
- Monitoring the judicial process on gender related cases.
- Writing of simple publications.
- Monitoring and analysis of the general human rights situation.
- Holding of legal aid day clinics
- providing guidance in policy formulation and issues

Dec.1992 **NATIONAL COUNCIL OF WOMEN OF KENYA (NCCK)**
Kiambu, Kenya **National Election Observer**
Nature of work:

- Monitoring the women's campaigns in the rural areas,
- Holding voter education seminars in the villages,
- Monitoring the electoral process,
- Ensuring that women are assisted and vote according to their will,
- Monitoring the transportation and counting of votes,

11. Team consultancy

November 2008 to May 2011 Ministry of Justice, National Cohesion and Constitution Affairs (MoJNCCA) in Kenya
Task **Development of Draft Legal Aid and Awareness Policy**

May to December 2010 Danish Institute for Human Rights/East African Law Society
Task **Research – The Roles and Policy Status of Paralegals in Kenya**

November 2008 to May 2009 Danish Institute for Human Rights/Legal Aid Forum in Rwanda

Task	**Development of Paralegal Practice Manual, Training and Development of Monitoring, Evaluation and Learning tools**

12. Recognition

Institutional: LRF

Dec. 2011	**5th Edition: Winner Civil Society of the Year Award (CSOYA)** (LRF) Human Resource and Talent Management Category
Aug.2009	**3rd Edition: Winner Civil Society of the Year Award (CSOYA)** Best overall CSO (LRF) of the year
Aug.2008	**2nd Edition: Civil Society of the Year Award (CSOYA)** Best CSO (LRF) of the year in respect to performance, monitoring and evaluation management
Aug.2007	**1st Edition: Civil Society of the Year Award (CSOYA)** Best CSO (LRF) of the year in respect to performance, financial, monitoring and evaluation management

Individual

December 2009	**Human Rights Defender, Amnesty International, Sicily, Italy** Recognised for long history of work in respect to human rights defence and leadership role at LRF played in response to post election violence in Kenya in 2008
Nov. 2006	**Edumed Educational Trust** Long service support
Nov. 2004	**International Commission of Jurist (ICJ Kenya)** Consistent commitment to human rights, democracy and the rule of law
Sept. 2002 - 2003	**Chevening Scholarship** To pursue Masters Degree in international human rights in United Kingdom
2002	**Junior Achievement Kenya** Volunteered for the Economic Education Programme on Empowering the Youth
1996	**National Council of Women of Kenya (NCWK).** Contribution towards the preparatory meeting held in Dakar, Senegal in 1994 and world conference on women in Beijing, China in 1995
Nov. 1988	**Best History Student** in Kiambu High School

13. **Membership;** Law Society of Kenya (LSK), International Federation of Women Lawyers (FIDA), International Commission of Jurist (ICJ Kenya) and Akina Mama Self Help Group

14. WRITINGS

Thesis

a. **Refugee Status determination: Practical Protection for former Child Soldiers in Kenya,** LLM Thesis, University of Nottingham, UK, September 2004
b. **Drawing the Line Between Custom and Cruelty: Female Genital Mutilations."** LLB Thesis, University of Nairobi, Kenya, September 1993

Papers

c. **Constitutional Community Justice Systems in Kenya** paper written jointly with Prison and Community Paralegal and published in AWAAZA Journal May 2011, http://www.awaazmagazine.com/showpage.php?category=OtherArticles&storyID=157

d. **The protection of human rights of persons deprived of their liberty,** presented during the Human Rights Training for Instructors organized by Raoul Wallenberg Institute of Human Rights and Humanitarian Law and Kenya Institute of Administration, KIA, Lower Kabete, Nairobi, Kenya on 18th to 22nd September 2006

e. **Access to justice: the case of the poor, vulnerable and marginalised in respect to the small claims court (SCCt) and court of petty sessions (CtPS),** presented at the Kenya Law Reform Commission (KLRC) during the provincial consultation visits on the development of a policy and legal framework for the small claims court on 23rd June 2006 at K.I.C.C.

f. **The role of MDG's and PRSP in support of Africa's development,** position paper presented during the UN 4th Annual meeting of NGO/CSO Focal Points of International and Regional Organisations, 5 – 7th June 2006, UNHQ, Nairobi, Kenya

g. **The Paralegal Case – Kenya,** position paper presented during the East Africa Legal Aid Workshop, organized by the Canadian Bar Association (CBA), held in Zanzibar, Tanzania on 17th – May 2006

h. **The Role of civil Society in Promoting Rights based Programming by the Government,** Paper presented during the Rights Based approach Workshop, Naivasha, Kenya on 7th April 2005

i. **The Rights of the Child,** paper presented at the Senior Management Course n Education for District Education Officers (DEO) organised by Kenya Education Staff Institute (KESI), Nakuru, Kenya on 19th to 24th April 2004

j. **An Analysis of The Industrial Property Bill Of March 1999 In Kenya,** Position Paper for Centre For Governance and Development [CGD], 2000.

k. **Foundation Information on Constitutions Including the Historical evolution of Kenya's Constitution,** Paper presented at The Education Centre for Governance and Democracy [ECWD] workshop, co-authored, February 1999.

l. **Composition and Functions of State Organs: The Executive, Legislature and Judiciary,** Paper presented at The Education Centre for Governance and Democracy [ECWD] workshop February 1999

Research

a. **'Sentencing Trends in Kenya',** LRF, 2011, assisted with the conceptualized, formulated the points of inquiry to assisted in the policy development. These findings are being used in the development of the first sentencing policy for Kenya.

b. **'The Case of the Provincial Administration',** LRF, 2008, assisted with the conceptualized, formulated the points of inquiry to assisted in the policy development. These findings were used during the review of the Chiefs Act in 2008 and Constitutional review in 2010.

c. **'The place of Small Claims Court',** LRF, 2006, assisted with the conceptualized, formulated the points of inquiry to assisted in the policy development. These findings were used during the review of the SCCt Bill under my guidance in 2007.

d. **'The Place of Courts of Petty Sessions',** LRF, 2006, assisted with the conceptualized, formulated the points of inquiry to assist in the policy development. These findings were used during the Rapid Response Initiative (RRI) and Pre Bail Assessments workshop by Kenya Prisons and Probations respectively to guide the policy directions in 2007.

e. **'Who is responsible for my Pain?',** LRF, June 2004, assisted with the conceptualized, formulated and supervised the lead researcher. These findings have been used in advocacy for the place of Courts of Petty Sessions, Constitutional reform in matters of bail and human dignity and recently they were used in the CSO alternative report to the UN Committee Against Torture in 2009 and Intersex Case in 2010. It is the only report in Kenya that documents torture systematically in prison.

f. **'Non Custodial Sentencing in Kenya',** LRF, June 2004, assisted with the conceptualized, formulated and supervised the lead researcher.

Booklets

a. **The Women's Guide to Law,** FIDA, co-authored, 1998. Revised 2010

b. **Your Aid Against Torture,** Booklet, co-authored, PAT. March 1999

c. **Election and Democracy,** Citizens Coalition for Constitutional Change (4 C's), co-authored, 1997

d. **Bunge: You and The Constitution,** Centre for Governance and Development [CGD], 1997

e. **Domestic Violence Against Women and the Judicial Process,** FIDA, co-authored , 1996

REFEREES

1. Mr. John Nyerere
   Consultant
   P.O. Box 10676, 00400
   Nairobi City County, Kenya

   Tel: +254 722 613 556 or 02 0 204 289
   Email: jnyerere2000@yahoo.com

2. Ms. Kertsy McCourt
   Open Society Justice Initiative
   New York, USA

   Tel: +32 496 258 636
   Email: kmccourt@justiceinitiative.org
3. Prof. Kimani Njogu

Chair, Legal Resources Foundation Trust (LRF)
P.O. Box 66872 Westlands
Nairobi City County, Kenya

Tel: +254 – 729 892 999 or 733 757 166 or 20 3 753 009
Email: kimani.njogu@gmail.com

CRN. No. 00003731993

CRBAfrica
www.crbafrica.com

Date of Issue: 21/08/2012

CREDIT REFERENCE BUREAU CERTIFICATE

We hereby confirm, having searched Credit Reference Bureau Africa records, that:

MS. JEDIDAH WAKONYO WARUHIU OF NATIONAL ID NUMBER 10087121

Has a credit report with status as:

[X] **Not listed** [ ] Paid [ ] Paying [ ] Not paid

This certificate has been issued without any alteration or erasure. The validity of the information on this Certificate is as at the date of issue.

Authorized Signatories

For: CRBAfrica Limited

CREDIT REFERENCE BUREAU AFRICA LIMITED
Westlands Road, Off Museum Hill,
CRB Centre, Prosperity House,
P.O. Box 46406 - 00100,
NAIROBI
TEL: +254 20 3751799/3713603/2/4
FAX: +254 20 3751344

For: CRBAfrica Limited

The conclusions herein are based on information obtained from public record and other third-party sources. CRBAfrica makes no representation as to the accuracy of this information and shall not be liable for any loss, damage or claim whatsoever howsoever arising following the use of or reliance upon the opinions expressed herein.

KENYA REVENUE AUTHORITY

TAX COMPLIANCE CERTIFICATE

Certificate Serial No:

KRA 17/024308/2012

THIS CERTIFICATE CONFIRMS THAT

WARUHIU JEDIDA WAKONYO

Holder of **Tax Registration Personal Identification Number A002526697M**

has fulfilled the obligation to file relevant tax returns and to pay taxes due as provided by law

This certificate will be valid for *six(6) months* up to **17TH February 2013**

Issued by: Assistant

Name: **GILBERT ATIKA** Designation: Commissioner

Signature: ..... Date of Issue: **17TH August 2012**

KENYA REVENUE AUTHORITY
Senior Assistant Commissioner
COLLECTION & COMPLIANCE
17 AUG 2012
North of Nairobi
P.O. Box 28528
Nairobi
TAXES DEPARTMENT

Caveat

a) This certificate is issued on the basis of information available to the Authority as at the date shown above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

b) Confirm genuineness and validlty of the certificate using the TCC checker available at: http://www.kra.go.ke/notices/tcc-checker.html or contact the nearest DTD office.

TCC3

No. 023773

HIGHER EDUCATION LOANS BOARD

Certificate of Clearance

UNIVERSITY STUDENT LOAN

This Certificate is awarded to *WAMBARI JEDIDAH WAKONYO*

ID No. *10087121* University Registration No. *G34/2481/90*

University attended *UNIVERSITY OF NAIROBI*

For having repaid in full the Principal Loan and interest thereon.

Signature CEO/BOARD SECRETARY — Date *03 December 2010*

Signature HEAD OF OPERATIONS — Date *03 December 2010*

MINISTRY OF JUSTICE, NATIONAL COHESION AND CONSTITUTIONAL AFFAIRS

Telegrams: "JUSTICE", Nairobi
Telephone: Nairobi 2224029/2240337
When replying please quote

CO-OPERATIVE BANK HOUSE
HAILE SELASSIE AVENUE
P.O. Box 56057-00200
NAIROBI, KENYA

Ref. No. MOJCA/LJM/2/45/VOL.V/(17)
and date

....., 20 .....

24th October, 2011

NATIONAL LEGAL AID AND AWARENESS PROGRAMME
RECEIVED
DATE: 31/10/11
TIME: 10:25

To Whom It May Concern

This serves to confirm that Legal Resources Foundation Trust (LRF) under the leadership of Jedidah Wakonyo Waruhiu, Njeri Kangethe and Bonita Ayuko were contracted to conduct the following assignment for us:-

Development of a Legal Aid and Awareness Policy;
Date of Assignment: November 2008 to June 2011 in Nairobi City, Kenya.

Brief Description of Assignment

The consultant was to develop a legal aid and awareness policy for the Ministry of Justice, National Cohesion and Constitutional Affairs (MoJNCCA) to facilitate the institutionalization of the National Legal Aid and Awareness Pilot (NALEAP). The task involved undertaking a comparative analysis with other jurisdiction and taking into consideration the lessons learnt during the pilot phase, and thereby develop a draft legal aid and awareness policy for the Government's consideration.

The consultant was involved in a number of consultative forums with key stakeholders during the development and review of the draft legal aid and awareness policy. These included both State and Non-State Actors during the course of the period.

We further confirm that such contract was conducted with due professionalism and diligence.

Amb. David M. Mutemi, MBS
DIRECTOR OF ADMINISTRATION

LEGAL RESOURCES
RECEIVED
14 NOV 2011

Federation of Women Lawyers - Kenya

Amboseli Road, Off Gitanga Road P.O. Box 46324 - 00100, Nairobi Tel: +254 020 3870444/3873511/3864030
Fax: +254 (020) 3876372 Mobile: +254 733 845003/ +254 722 509760 Website: www.fidakenya.org Email: info.fidakenya.org
KISUMU OFFICE: P.O. Box 19219 - 40123 Tel: 057 2025560 MOMBASA OFFICE: P.O. Box 80687 - 80100 Tel: 041 2224500

9 August 2012

TO WHOM IT MAY CONCERN

Dear Sir/ Madam

RECOMMENDATION FOR JEDIDAH WAKONYO WARUHIU

This is to confirm that the above-named person is a member of FIDA Kenya and has been actively engaged in the activities of the organization geared towards transforming the lives of women in accessing justice in Kenya.

FIDA Kenya is a non-profit, non-partisan and non-governmental membership organization committed to the creation of a society that is free from all forms of discrimination against women through provision of legal aid, women's rights monitoring, advocacy, education and referral.

Jedidah is a diligent and committed lawyer and a dedicated defender of human rights, who has demonstrated a high sense of responsibility, discipline and a strong commitment to women's rights issues. I can vouch for her excellent leadership, communication and organizational skills.

I would therefore have no hesitation in recommending her to you.

Yours faithfully,

Grace Maingi-Kimani
Executive Director

Chairperson: Ruth Aura Odhiambo, **Vice Chairperson:** Jamila Mohammed, **Secretary:** Salome Muhia, **Treasurer:** Dorcas Kitaa,
Council Members: Betty Achieng, Josephine Wambua - Mong`are, Nancy Kang`ethe - Ikinu, **Upcountry Representative:** Grace C. Nyongesa,
Coast Representative: Lucy Momanyi, **Executive Director:** Grace Maingi - Kimani

UNHCR

Délégation pour le Kenya

Branch Office for Kenya
P.O. Box 43801
Nairobi
Kenya

10th September 2002

Our Code: KEN/NBI/PROT/02/2382

TO WHOM IT MAY CONCERN

Ms. Jedidah Wakonyo Waruhiu is a Kenyan advocate. She has been working with the UNHCR Office in Nairobi since **September 2000** up to **August 2002**. She was mainly based in the Branch Office with occasional trips to the camps or transit centers.

Ms. Wakonyo worked in the Eligibility Centre within the Protection Unit. Her main functions included:-

1. Refugee status determination [RSD] especially with a speciality to Great Lakes cases,
2. Protection related matters with liaison with the Kenyan Government authorities in detention centers and court to secure the physical protection of refugees and asylum seekers,
3. Drafting resettlement submissions,
4. On the job training of interpreters,
5. Training other Eligibility, Protection Officers on the Country of Origin Information in respect to Rwanda, Uganda, Burundi and the DRC.

During her time with UNHCR, Ms Wakonyo was committed and dedicated to the protection of asylum seekers and refugees in Kenya. Her truck record of legal and human rights practice, coupled by her people centered capacity was instrumental in ensuring that she met her objectives within the organization's objectives and demands. She had a good understanding and analysis of protection related issues which benefited the office on many occasions.

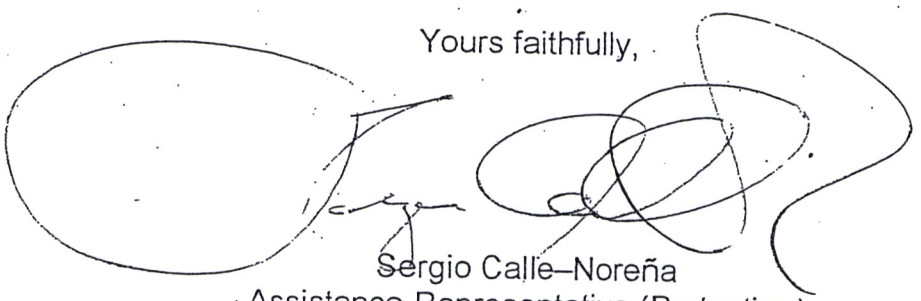
Ms. Wakonyo is principled, has integrity and stays focused in her work. She needs no supervision on initiatives that she undertakes. She is always eager to improve her experience and knowledge in areas that will not only enhance her professionalism but also be beneficial and have a positive impact to the community at large. She is pleasant and reliable to work with. Her written reports and her good organizational skills benefited the office greatly.

Further, Ms. Wakonyo's wealth of experience that she has acquired while dealing with the refugee community and her positive interpersonal skills, assisted her working in a multicultural environment that the office provided. This also made her able to adopt to new situations easily.

UNHCR

Ms. Wakonyo leaves the organization to further her education. She is a human rights lawyer who is determined to make a difference for humanity. When given the opportunity her excellent hard work in Nairobi, we know that she is capable of continuing her work within the human rights and humanitarian arena.

Yours faithfully,



Sergio Calle–Noreña
Assistance Representative (Protection)

RELEASE POLITICAL PRISONERS (PRESSURE GROUP)

Tel. 254-02-240300
P.O. Box 50613
Nairobi, Kenya

NACICO Chambers
Mondlane Street
3rd Floor

25th May 1998.

To Whom It May Concern:

RE: MS JEDIDAH WAKONYO.

The above named person worked for the Release Political Prisoners (RPP) Pressure Group as a Legal Officer between 1st February 1997 and 1st May 1998. Her duties included; attending court to monitor proceedings in political case; mobilising both lawyers and members of the Pressure Group to attend court in political cases and organising and carrying out prison visits.

Jedidah played her part in laying a firm foundation for the implementation of these activities. She worked well with the RPP members to achieve the objectives of the Programme.

We at the RPP wish her success in her new appointment.

Yours faithfully,

Tirop Kitur.
Co – ordinator.

/mm/



THE UNIVERSITY OF NOTTINGHAM

It is hereby certified that

JEDIDAH WAKONYO WARUHIU

after having satisfied all the conditions

prescribed by the University, was on

the eleventh day of December, 2003

duly admitted to the degree of

Master of Laws

in Human Rights Law

Colin M. Campbell
Vice-Chancellor

K. U. Jones
Registrar

1st March 2

HIGH COURT OF KENYA

THE OATHS AND STATUTORY DECLARATIONS ACT, (CAP.15)
LAWS OF KENYA

A C O M M I S S I O N

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING:

BE IT KNOWN that on the eighteenth day of September, two thousand, JEDIDAH WAKONYO WARUHIU, an Advocate of the High Court of Kenya, was appointed to be a Commissioner for Oaths under the above mentioned Act for as long as she continues to practise as such Advocate and this Commission is not revoked.

GIVEN under my hand and the Seal of the Court this, 18th day of September, 2000.

B. CHUNGA, MBS, EBS
CHIEF JUSTICE
HIGH COURT OF KENYA

REPUBLIC OF KENYA

HIGH COURT OF KENYA

CERTIFICATE OF ADMISSION

This is to certify that JEDIDAH WAKONYO WARUHIU

having this day signed the Roll of Advocates of the High Court of Kenya is admitted to practise as an Advocate of the High Court and is entitled to practise in the Courts Subordinate thereto, as from the 5th day of June, 1996

Given under my hand and the Seal of the High Court of Kenya at Nairobi this fifth day of June in the Year of Our Lord One Thousand Nine Hundred and ninety-six

Chief Justice,
High Court of Kenya

Certified that the name of the said JEDIDAH WAKONYO WARUHIU has this day been entered on the Roll of Advocates on payment of the prescribed fee.

Dated this 5th day of June, 1996

Deputy Registrar

Council of Legal Education Kenya

Advocates Act—Section 13A

This is to certify that—

Fedida Wakonyo Waruhiu Nee Kambari

was admitted to the Kenya School of Law on 16th September, 1994 *and duly passed the examinations for admission to the Roll of Advocates in* December, 1995, *satisfactorily completed a course of legal education, service under pupillage and was awarded a Diploma in Law.*

Secretary of the Council

Principal of the Kenya School of Law

Chairman of the Council

UNIVERSITY OF NAIROBI



This is to certify that

Jedidah Wakonyo Wambari

having satisfied the requirements
for the award of the degree of the

BACHELOR OF LAWS

Second Class Honours (Upper Division)

was admitted to the degree
at a Congregation held at
this University on the
Tenth Day of December in the Year
1994

VICE - CHANCELLOR

DEPUTY VICE - CHANCELLOR (ACADEMIC AFFAIRS)

THE KENYA NATIONAL EXAMINATIONS COUNCIL

This is to certify that the candidate named below sat for the Examination for the Kenya Advanced Certificate of Education and qualified for the award of a

KENYA

ADVANCED CERTIFICATE OF EDUCATION

SUPPLEMENTARY

The candidate passed at the level shown (Principal or Subsidiary) in the subject(s) named and attained the Grade(s) as indicated.

25081/615

WAMBARI JEDIDAH WAKONYO

KIAMBU HIGH SCHOOL

		Grade
GENERAL PAPER	SUBSIDIARY	
HISTORY	PRINCIPAL	B
CHRISTIAN REL EDUC	PRINCIPAL	A
LITERATURE IN ENGLISH	PRINCIPAL	B

SUBJECTS RECORDED FOUR

EXAMINATION OF NOVEMBER/DECEMBER 1989

Secretary
Kenya National Examinations Council

Philip M. Mbithi

Chairman
Kenya National Examinations Council

(See overleaf)

A 215154

THE KENYA NATIONAL EXAMINATIONS COUNCIL

This is to certify that the candidate named below sat for the Examination for the Kenya Certificate of Education and qualified for the award of a

KENYA CERTIFICATE OF EDUCATION

DIVISION [illegible]

THE CANDIDATE MARCHED THE GRADE SHOWN IN THE SUBJECTS NAMED

JEDIDAH [illegible] [illegible]

KANGAJU SCHOOL [illegible]

	Grade
ENGLISH LANGUAGE	6
LITERATURE IN ENGLISH	7
CHRISTIAN REL. EDUCATION	5
HISTORY	1
GEOGRAPHY	4
LUGHA YA KISWAHILI	7
MATHEMATICS	5
BIOLOGY	8
HOME MANAGEMENT	5

SUBJECTS NAMED NINE SUBJECTS PASSED NINE

EXAMINATION OF NOVEMBER/DECEMBER 1986

Secretary
Kenya National Examinations Council

Chairman
Kenya National Examinations Council

O 504153

(See overleaf)

CENTRE FOR CORPORATE GOVERNANCE

This Certificate is in Recognition of the Attendance and Participation of

Jedidah W. Waruhiu

During the 3-Day Training of Trainers Workshop in Corporate Governance Conducted by the Centre for Corporate Governance

Held at the Sarova Stanley Hotel, Nairobi, Kenya
December 1- 3, 2010

Job K. Kihumba
Chairman, Board of Directors
Centre for Corporate Governance

Dr. Joshua A. Okumbe
Chief Executive Officer
Centre for Corporate Governance

CHEVENING
SCHOLARSHIPS

LEADERGEN™
MENTORING AND COACHING THE BEST

UK
TRADE &
INVESTMENT

CERTIFICATE

This to certify that

Jedidah Waruhiu

Has successfully completed the LeaderSet Trade Development Programme

Signed _____

Marilyn Comrie OBE
Leadergen Ltd

21st October 2010

ISHR | INTERNATIONAL SERVICE FOR HUMAN RIGHTS

Certificate

This is to certify that

Jedidah Wakonyo Waruhiu

Has successfully completed the training of trainers course and delivered presentations during the Geneva Training Course on the Treaty Monitoring Bodies and the Universal Periodic Review, from 3 to 14 May 2010, organised and conducted by the International Service for Human Rights in parallel with the 44th sessions of the Committee Against Torture and the Committee on Economic, Social and Cultural Rights as well as the 8th session of the Universal Periodic Review.

Geneva, 14 May 2010.

B. Petterson

Bjorn Petterson
Director

Lizzy Openshaw
Training specialist

LAWYERS WITHOUT BORDERS
Crossing Borders to Make a Difference

NITA
National Institute for Trial Advocacy

Trial Advocacy Training Program

Certificate of Completion

recognizes the participation and successful completion by

Jedidah Wakonyo Waruhiu

Nairobi, Kenya
August 12, 2008 - August 16, 2008

Christina M. Storm	Hon. Ann Claire Williams	Susan Ross Steingass
Executive Director	Team Leader	Chair Elect
Lawyers Without Borders	Trial Advocacy Training Program	NITA Board of Trustees

Kenya National Commission On Human Rights in conjuntion with Embassy of Sweden

Certificate of Training

is hereby granted to

JEDIDAH WAKONYO

For Participating in a Training of Trainers Workshop on the Human Rights Based Approach to Development held on 12th - 16th September, 2005.

Maina Kiai

Maina Kiai, Chairman, KNCHR

Embassy of Sweden

Kenya National Commission On Human Rights

NATIONAL COUNCIL OF WOMEN OF KENYA

Certificate of Participation

This certificate is awarded to

JEDIDAH WAKONYO WARUHIU- WAMBARI

in recognition of your contribution towards African Regional Preparatory Meeting held in Dakar in November 1994 and the 4th UN World Conference on Women held in Beijing, China, September 1995

Lilian Wakiiya Mwaura
National Co-ordinator NGO Steering Committee
Chairperson National Council of Women of Kenya

THE INTERNATIONAL COMMITTEE OF THE RED CROSS

presents this

CERTIFICATE OF PARTICIPATION

to

Wakonyo Waruhiu

for attending

THE INTERNATIONAL HUMANITARIAN LAW SEMINAR

FOR LEGAL AND MEDICAL PRACTITIONERS

held at Outspan Hotel, Nyeri
21 - 22 November 2000

p.o. C. Gudra

Vincent Nicod
Head of Regional Delegation

FORM PIN 1

Kenya Revenue Authority

INCOME TAX DEPARTMENT

PERSONAL IDENTIFICATION NUMBER CERTIFICATE

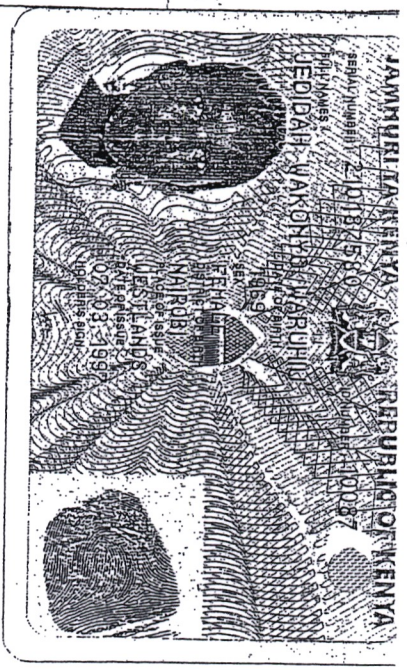
PIN:	A002526697M
NAME:	WARUHIU JEDIDA WAKONYO
DATE OF BIRTH:	21/11/69
PLACE OF BIRTH:	KIAMBU

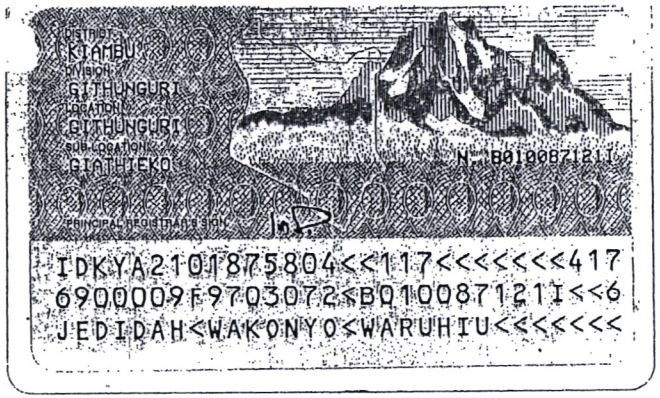
Date: 25.07.97

GPK (L)

25 JUL 1997

Signature

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KIAMBU
DIVISION
GITHUNGURI
LOCATION
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SUB-LOCATION
GIATHIEKO
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JEDIDAH<WAKONYO<WARUHIU<<<<<<<

FORM PIN 1

Kenya Revenue Authority

INCOME TAX DEPARTMENT

PERSONAL IDENTIFICATION NUMBER CERTIFICATE

PIN: A002526697M

NAME: WARUHIU JEDIDA WAKONYO

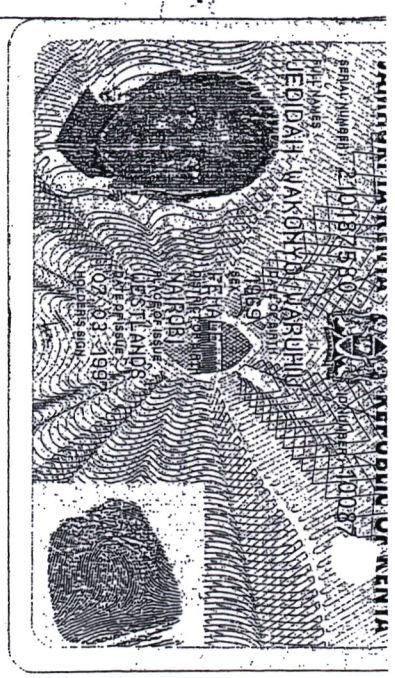
DATE OF BIRTH: 21/11/69

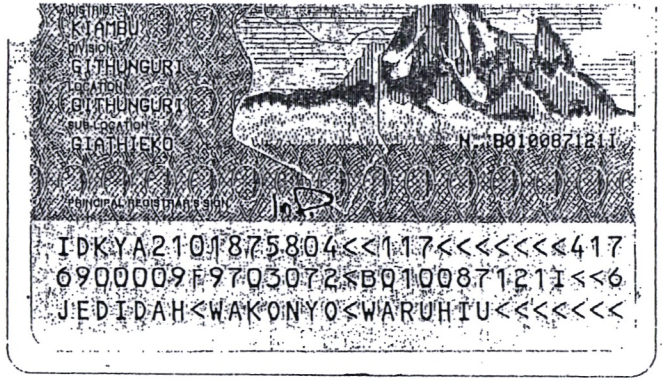
PLACE OF BIRTH: KIAMBU

Date: 25.07.97

GPK (L)

Signature

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JEDIDAH<WAKONYO<WARUHIU<<<<<<<

CORRESPONDENCE

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VERY URGENT

STATE HOUSE
P.O. BOX 40530
NAIROBI, KENYA

OP/CAB.17/99A

31st January, 2014

Mr. Justin Muturi, MP
Speaker of the National Assembly
Parliament Buildings
NAIROBI

(1) Noted. CNA to prepare the necessary communication to the House as soon as possible
PS SNA
12/2/14

Dear Justin,

RE: APPOINTMENTS FOR CHAIRPERSON AND MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Pursuant to the Kenya National Commission on Human Rights Act, No.14 of 2011, I have nominated the following persons for appointment to the Kenya National Commission on Human Rights:-

1. **Chairperson**

   - Kagwiria Mbogori

2. **Members**

   - Susan Shatikha Chivusia
   - George Morara Monyoncho
   - Vincent Suyianka Lempaa
   - Jedidah Wakonyo Waruhiu

(2) Abednego Makhwaca
TNA.
Sidai
12/2/14.

The principles of regional balance and gender equality have been considered and a Kenyan who is physically challenged included.

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STATE HOUSE
P.O. BOX 40530
NAIROBI, KENYA

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The purpose of this letter is to request you to submit the names to the National Assembly for approval.

The report of the Selection Panel, Score Sheet and the nominated candidate's CV's are attached.

Yours

UHURU KENYATTA, C.G.H
PRESIDENT.

Encls.

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(1)

SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON AND MEMBERS, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

REF: MDP/DPSM/10/28A VOL.II/73 **18th September, 2013**

Mr. Francis T. Kimemia, EGH
Secretary to the Cabinet
NAIROBI

SELECTION OF PERSONS FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

This is in reference to your letter Ref. No. OP/CAB.17/99A of 9th September, 2013 which constituted the Selection Panel to select the Chairperson and Members of the Kenya National Commission on Human Rights (KNCHR) pursuant to Section 11(5) of the KNCHR Act, 2011.

In a meeting of the Selection Panel held on 13th September, 2013, the Panel deliberated on the Terms of Reference and its mandate. In so doing the Panel was guided by the Kenya National Commission on Human Rights Act, 2011 and a judgement delivered on 16th August, 2013 in High Court Petition Number 385 of 2012. The Panel noted that there was a first Selection Panel which sat in August, 2012 and a second Selection Panel which met in December, 2012. The first Selection Panel did shortlist eight (8) candidates for the position of Member of the Commission but did not shortlist candidates for position of Chairperson of the Commission as it did not find three (3) suitable persons as by law required.

Before H.E. the President could act on the names forwarded to him by the first Selection Panel, an entity/group known as Consortium for the Empowerment and Development of Marginalized Communities filed a petition No. 385 of 2012 to challenge the recruitment exercise. They obtained a conservatory order but, following a full hearing of the Petition on 16th August, 2013, the Court dismissed the Petition and allowed the recruitment process to proceed.

On 28th September, 2012, the Court reviewed the conservatory order by allowing the process of appointment of the Chairperson of the Commission to proceed. This paved way to the constitution of the second Selection Panel.

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The said second Selection Panel met on 28th December, 2012 shortlisted and forwarded to the President three (3) candidates for nomination. No further action was taken on the nomination exercise.

In view of the above, the Panel resolved to proceed as follows:

i) To submit to H.E. the President the eight (8) candidates shortlisted by the first Selection Panel for nomination of Members of the Commission;
ii) To submit to the President the three (3) candidates shortlisted by the second Selection Panel for nomination of the Chairperson of the Commission; and
iii) Advise the Hon. Attorney General to take the necessary steps under section 11(15) of the Act.

Attached are copies of relevant documents for the Selection process.

Eric Mutua
Chairperson
Selection Panel for the Appointment of Chairperson and Members of the Kenya National Commission on Human Rights

Encls.

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SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON AND MEMBERS, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

REF: MDP.DPSM/10/28A VOL.II/74 **18th September, 2013**

His Excellency Hon. Uhuru Kenyatta, CGH,
President and Commander-In-Chief of the Kenya Defence Forces
NAIROBI

SELECTION OF PERSONS FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Pursuant to Section 11(5) of the Kenya National Commission on Human Rights Act, 2011, the third Selection Panel for the selection of persons for appointment of Chairperson and Members of the Commission held a meeting on 13th September, 2013. The Panel reviewed the terms of reference, the undertakings by the first and second Selection Panels, the Kenya National Commission on Human Rights Act, 2011 together with a judgement dated 16th August, 2013 delivered in High Court Petition Number 385 of 2012 and resolved to forward the following eight (8) names of shortlisted persons who are qualified for appointment to the three (3) vacant positions of Member and three (3) candidates for the position of Chairperson.

This is therefore to submit the names of the below shortlisted candidates in order of performance.

(a) Chairperson

S/NO.	NAME OF CANDIDATE	AVERAGE SCORE (%)	COUNTY
1.	Mrs. Florence Sambiri-Jaoko	79.1	Kisumu
2.	Ms. Kagwiria Mbogori	75.5	Meru
3.	Ms. Consolata Wanjiku Ngondi	73.3	Embu
4.	Mr. Jotham Okome Arwa	68.7	Siaya
5.	Mrs. Jane Frances A. Nyangoma	57.8	Siaya

(b) Member

S/NO	NAME OF CANDIDATE	AVERAGE SCORE (%)	COUNTY
1	Henry Omusundi Maina	76.9	Kakamega
2	Nelly Awori Matheka	76.1	Machakos
3	Jedidah Wakonyo Waruhiu	75.7	Kiambu

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4	Naomi Nyambura Wagereka	75.7	Nakuru
5	Eric O. Ogwang	73.7	Homabay
6	Suzanne Shatikha Chivusia	73.0	Kakamega
7	John Kamanda Mucheke	73.0	Nakuru
8	George Morara Monyoncho	71.8	Kisii

Attached also are score sheets for all the candidates interviewed by the first and second Selection Panels for the position of Chairperson and Member together with the respective reports on the selection process.



Eric Mutua
Chairperson
Selection Panel for the Appointment of Chairperson and Members of the Kenya National Commission on Human Rights

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SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON AND MEMBERS, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

REF: MSPS.10/28A/46

28th August, 2012

His Excellency Hon. Mwai Kibaki, CGH., M.P
President and Commander-In-Chief of the Kenya
Defence Forces
NAIROBI

SELECTION OF PERSONS FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Pursuant to Section 11(5) of the Kenya National Commission on Human Rights Act, 2011, the Selection Panel for the selection of persons for appointment as Chairperson and Members of the Commission has interviewed applicants and shortlisted eight (8) persons who are qualified for appointment to the three (3) vacant positions of Member of the Commission. The Panel did not find at least three (3) applicants qualified as Chairperson of the Commission and has therefore recommended re-advertisement of the position.

This is therefore to submit the names of the shortlisted candidates listed below in order of performance as required in the above Act of Parliament.

S/NO	NAME OF CANDIDATE	AVERAGE SCORE (%)	COUNTY
1	Henry Omusundi Maina	76.9	Kakamega ✗
2	Nelly Awori Matheka	76.1	Machakos
3	Jedidah Wakonyo Waruhiu	75.7	Kiambu ✓
4	Naomi Nyambura Wagereka	75.7	Nakuru
5	Eric O. Ogwang	73.7	Homabay
6	Suzanne Shatikha Chivusia	73.0	Kakamega ✓
7	John Kamanda Mucheke	73.0	Nakuru
8	George Morara Monyoncho	71.8	Kisii ✓

Attached also is a score sheet for all the candidates interviewed for the position of member and a report on the selection process.

Eric Mutua
Chairperson
Selection Panel for the Appointment of Chairperson and Members of the Kenya National Commission on Human Rights

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Copy to: The Right Hon. Raila Odinga, EGH., M.P.
Prime Minister of the Republic of Kenya
NAIROBI

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REPORT ON THE SELECTION OF PERSONS QUALIFIED FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Introduction

The Selection Panel for the appointment of Chairperson and Members of the Kenya National Commission on Human Rights was convened pursuant to Section 11(1) of the Kenya National Commission on Human Rights Act, 2011. The Membership of the panel comprised representatives from:-

(i) Office of the President
(ii) Office of the Prime Minister
(iii) Ministry of Justice, National Cohesion and Constitutional Affairs
(iv) Ministry of Gender, Children and Social Development
(v) Public Service Commission
(vi) Law Society of Kenya
(vii) The Association of Professional Societies in East Africa (2 members)
(viii) The National Council for Persons with Disabilities

The Ministry of State for Public Service provided facilitation and support to the Panel. This included provision of an interview venue at Harambee House, the Secretariat and facilitating advertisements.

Number of Vacant Positions

Besides the position of Chairperson, there are three vacant positions of Member.

Advertisement of Positions

Advertisement of the position of Chairperson and three Members of the Commission was published in the Daily Nation and Standard Newspaper editions of 6th and 7th August, 2012 respectively.

Shortlisting of Applicants for Interviews

The Panel adopted shortlisting criteria that took into account the following:

(i) Minimum requirements as provided in law and the advertisement;
(ii) Quality/relevance and level of experience;
(iii) Observe the principal of regional and ethnic balance; and
(iv) Principal of fair representation for Persons with Disabilities.

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Shortlisting of candidates to be invited for interview was done on 22nd August, 2012. Three applicants were shortlisted for the position of Chairperson while thirteen (13) applicants were shortlisted for the position of Member. Names of all applicants and shortlisted candidates were published in the Daily Nation and Standard Newspaper editions of 23rd August, 2012.

Interviews

Interviews of candidates for the position of Chairperson were conducted on 27th August, 2012 and those of Member were conducted on 27th and 28th August, 2012.

Results of Interviews

1. **The Selection Panel did not find three (3) persons qualified for appointment to the position of Chairperson. The Panel therefore recommends re-advertisement for the post of Chairperson.**
2. **The Selection Panel selected eight (8) persons qualified for appointment as members of the Commission.**

Eric Mutua
CHAIRPERSON
Selection Panel for the Appointment of Chairperson and Members of the Kenya National Commission on Human Rights

28th August, 2012

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INTERVIEWS FOR MEMBERS, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

27TH AND 28TH AUGUST, 2012

SCORE SHEET

	NAME OF CANDIDATE	OOP	OPM	MJNC & CA	PSCK	APSEA (W)	APSEA (O)	NCP WD	MGC &SD	LSK	TOTAL SCORE	AVERAGE SCORE (%)	RANK	COUNTY
1.	Henry Omusundi Maina	62	78	70	74	74.5	84	85	84	81	692.5	76.9	1	Kakamega
2.	Nelly Awori Matheka	67	75	82	89	69	68	84	79	72	685	76.1	2	Machakos
3.	Jedidah Wakonyo Waruhiu	70	76	75	87	72.5	66	86	76	73	681.5	75.7	3	Kiambu
4.	Naomi Nyambura Wagereka	66	75	79	77	70	82	77	80	76	682	75.7	3	Nakuru
5.	Eric O. Ogwang	66	76	69	80	67	77	72	79	78	664	73.7	4	Homabay
6.	Suzanne Shatikha Chivusia	63	76	67	88	65	83	74	74	67	657	73.0	5	Kakamega
7.	John Kamanda Mucheke	56	73	61	87	74	85	76	73	72	657	73.0	5	Nakuru
8.	George Morara Monyoncho	66	74	67	74	72	79	79	74	62	647	71.8	6	Kisii
9.	Jemimah Wanza Keli	71	64	62	86	65	72	74	81	71	646	71.7	7	Makueni
10.	Dr. Samuel Njuguna Kabue	68	73	63	74	65	67	64	80	69	623	69.2	8	Kiambu
11.	Vincent Suyianka Lempaa	72	72	70	60	65	62	71	72	69	613	68.1	9	Narok
12.	Robert Francis Shaw	54	74	65	72	66.5	51	64	73	66	585.5	65.0	10	Nairobi
13.	Jane Frances A. Nyangoma	54	69	55	60	55	43	52	58	50	496	55.1	11	Siaya

PANEL MEMBERS		SIGNATURE
1.	Mr. Eric K. Mutua	.....
2.	Mr. Kennedy W. Kihara, EBS	.....
3.	Mr. Caroli Omondi, CBS	.....
4.	Mrs. Alice Otwala, MBS	.....
5.	Ms. Mary Wairagu	.....
6.	Amb. Franklin Esipila	.....
7.	Mr. Vincent O. Oluoch	.....
8.	Ms. Irene Wanyoike	.....
9.	Mr. Patrick O. Onyango	.....

CONFIDENTIAL

INTERVIEWS FOR CHAIRPERSON KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

27TH AUGUST, 2012

SCORE SHEET

	NAME OF CANDIDATE	OOP	OPM	MJNC & CA	PSCK	APSEA (W)	APSEA (O)	NCPWD	MGC & SD	LSK	TOTAL SCORE	AVERAGE SCORE (%)	RANKING
1.	Florence Simbiri-Jaoko	64	82	82	83	74	83	75	85	73	701	77.8	1
2.	Jotham Okome Arwa	60	70	78	82	62	67	63	82	62	626	69.5	2
3.	Jane Frances A. Nyangoma	54	69	55	60	55	43	52	58	50	496	55.1	3

PANEL MEMBERS		SIGNATURE
1.	Mr. Eric K. Mutua	
2.	Mr. Kennedy W. Kihara, EBS	
3.	Mr. Caroli Omondi, CBS	
4.	Mrs. Alice Otwala, MBS	
5.	Ms. Mary Wairagu	
6.	Amb. Franklin Esipila	
7.	Mr. Vincent O. Oluoch	
8.	Ms. Irene Wanyoike	
9.	Mr. Patrick O. Onyango	

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SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

REF: MSPS 10/28A

28th December, 2012

Mr. Francis T. Kimemia, EGH,
Permanent Secretary, Secretary to the Cabinet,
and Head of the Public Service,
Office of the President,
NAIROBI.

Dear

APPOINTMENT OF CHAIRPERSON OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Pursuant to Section 11(5) of the Kenya National Commission on Human Rights Act, 2011, the Selection Panel that was convened to select the Chairperson of the Kenya National Commission on Human Rights has interviewed and shortlisted persons who are qualified for appointment to the Commission.

This is therefore to submit the attached names, listed in order of performance, for forwarding to H. E. the President as required in the above Act of Parliament. Attached also is a report on the Appointment of Chairperson of the Commission.

By the time the Selection Panel completed the interviews of the candidates, it was yet to receive clearance certificates for all the shortlisted persons from the Ethics and Anti-Corruption Commission. The same will be forwarded to your office once they are received by the Panel.

The Panel would wish to assure the Government that the Selection exercise has been carried out to the highest possible standards of integrity and professionalism.

Yours

Eric K. Mutua
Chairperson
Selection Panel for the Appointment of Chairperson of the
Kenya National Commission on Human Rights

c.c. **Mr. Mohamed Isahakia, CBS**
Permanent Secretary,
Office of the Prime Minister,
NAIROBI.

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REPORT OF THE SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

28TH DECEMBER, 2012

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REPORT OF THE SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

1.0 Introduction

The Selection Panel for the appointment of Chairperson of the Kenya National Commission on Human Rights was convened pursuant to Section 11(1) of the Kenya National Commission on Human Rights Act, 2011. The Membership of the Panel comprised representatives from:-

1. Office of the President
2. Office of the Prime Minister
3. Ministry of Justice, National Cohesion and Constitutional Affairs
4. Ministry of Gender, Children and Social Development
5. Public Service Commission
6. Law Society of Kenya
7. The Association of Professional Societies in East Africa (2 members)
8. The National Council for Persons with Disabilities

The Ministry of State for Public Service provided facilitation and support to the Panel. This included provision of an interview venue at Harambee House.

1.1 Vacant Positions

The position of Chairperson is vacant arising from the expiry of the term of the previous holder at the Commission.

1.2 Advertisement of Positions

Advertisement of the position of Chairperson of the Commission was published in the Daily Nation and Standard Newspaper editions of 7th December, 2012.

2.0 Applications

The Panel received a total of ten (10) applications for the position of Chairperson.

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2.1 Shortlisting of Applicants for Interviews

The Panel adopted shortlisting criteria that took into account the following:

(i) Qualifications;
(ii) Relevance and level of experience;
(iii) Regional and ethnic balance;
(iv) Gender; and
(v) Disability.

Shortlisting of candidates was done on 22nd December, 2012. Five (5) applicants were shortlisted for the position of Chairperson.

2.2 Publication of Applicants

Names of all applicants and their qualifications and names of the shortlisted candidates were published in the Daily Nation and Standard Newspaper editions of 24th December, 2012, and in the Gazette.

2.3 Interviews and Ranking

Interviews of candidates for the position of Chairperson were conducted on 28th December, 2012. The candidates were ranked in order of performance as per the lists in **Appendix I.**

2.4 Results of Interviews

The Selection Panel selected the following three (3) persons qualified to be considered for appointment as Chairperson of the Commission:-

1. Mrs. Florence Simbiri-Jaoko
2. Ms. Kagwiria Mbogori
3. Mr. Jotham Okome Arwa

Eric K. Mutua
CHAIRPERSON
Selection Panel for the Appointment of Chairperson
of the Kenya National Commission on Human Rights

28th December, 2012

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Appendix I

INTERVIEWS FOR CHAIRPERSON, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

28TH DECEMBER, 2012

SCORE SHEET

Name of Candidate	REPRESENTATIVES									Total score	Average score (%)	Rank	County
	OOP	OPM	MJNC & CA	PSCK	APSEA (K)	APSEA (W)	NCPWD	MGC&SD	LSK				
Mrs. Florence Simbiri-Jaoko	62	84	86	76	85	76	87	84	72	712	79.1	1	KISUMU
Ms. Kagwiria Mbogori	68	74	72	75	83.5	74	85	75	73	679.5	75.5	2	MERU
Ms. Consolata Wanjiku Ngondi	63	75	84	79	69	67	84	75	64	660	73.3	3	EMBU
Mr. Jotham Okome Arwa	62	76	61	65	62	77	83	69.5	63	618.5	68.7	4	SIAYA
Mrs. Jane Frances A. Nyangoma	46	72	68	52	58	59	66	51	49	521	57.8	5	SIAYA

	PANEL MEMBERS	SIGNATURE
1.	Mr. Eric K. Mutua	28/12/12
2.	Mr. Kennedy W. Kihara, EBS	28/12/12
3.	Mr. Caroli Omondi, CBS	28/12/2012
4.	Mrs. Carol Mutung'a Kariuki	28/12/2012
5.	Mrs. Florence N. Wachira	28/12/12

	PANEL MEMBERS	SIGNATURE
6.	Mr. Patrick O. Onyango	28/12/2012
7.	Mr. Ahmed Hussein, MBS	28/12/2012
8.	Mrs. Emily Chweya	28/12/2012
9.	Mr. Joshua W. Wambua, MBS	28/12/2012

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130–00200, NAIROBI, Kenya
Tel.: +254–20–2717318/310722, Cellphone: +254–729–888881/2/3
Fax: +254–20–2719757, Email: eacc@integrity.go.ke, Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC 6/42 VOL. XIII (3739) **3rd January 2013**

Eric K. Mutua
Chairperson, Selection Panel for the appointment of
Chairperson, Kenya National Commission on Human Rights
P.O. Box 30050 - 00100
NAIROBI

Dear Sir,

RE: CLEARANCE OF CANDIDATES FOR THE POSITION OF CHAIRPERSON, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Reference is made to a letter; **MSPS/10/7A/** dated **24th December 2012,** on the above matter. A search in our reports database revealed the following: -

S/No.	Name	ID/No.	Report	Status
1.	Jotham Okome Arwa	11302036	No adverse report	-
2.	Kagwiria Mbogori	7010401	No adverse report	-
3.	Florence Simbiri - Jaoko	3082287	No adverse report	-
4.	Consolata Wanjiku Ngondi	5454049	No adverse report	-
5.	Jane Frances A. Nyangoma	5789987	No adverse report	-

Absence of records in our current database is not a guarantee of absolute integrity of the applicants.

Kindly note that persons seeking clearance from the Commission are also required to complete a self-declaration form as provided for under the Leadership and Integrity Act, 2012. The form is issued free in all our offices or can be downloaded from our website.

Yours faithfully,

ABDI A. MOHAMUD
AG. SECRETARY/CHIEF EXECUTIVE OFFICER
AAM/doo

47

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130–00200, NAIROBI, Kenya
Tel.: +254–20–2717318/310722, Cellphone: +254–729–888881/2/3
Fax: +254–20–2719757, Email: eacc@integrity.go.ke, Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC 6/42 Vol. VI (368) **27th August, 2012**

Erick K. Mutua,
Chairperson
Selection Panel for the Appointment of Chairperson and Member, Kenya National Commission on Human Rights
Harambee House 12th Floor Room 1214
P.O. Box 30050 - 00100
NAIROBI

Dear Sir,

RE: CLEARANCE OF CANDIDATES FOR THE POSITION OF CHAIRPERSON AND MEMBER, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Reference is made to your letter Ref **MSPS.10/28A (60)** dated **24th August, 2012.** A data search conducted in our reports database revealed the following:

Chairperson			
	Name	**Report**	**Status**
1	Jotham Okome Arwa	No adverse report	-
2	Florence Simbiri-Jaoko	No adverse report	-
3	Jane Frances A. Nyangoma	No adverse report	-
Member			

	Name	Report	Status
1	Vincent Suyianka Lempaa	No adverse report	-
2	Nelly awori Matheka	No adverse report	-
3	Suzanne Shatikha Chivusia	No adverse report	-
4	Dr. Samuel Njuguna Kabue	**43439** – Allegations of mismanagement of the disability funds by the National Council of People with disabilities and United Disabled Empowerment of Kenya (UDEK) officials.	The matter is under investigations.
5	Naomi Nyambura Wagereka	No adverse report	-
6	Robert Francis Shaw	No adverse report	-
7	Eric O. Ogwang	No adverse report	-
8	George Morara Monyoncho	No adverse report	-
9	Jemimah Wanza Keli	No adverse report	-
10	John Kamanda Mucheke	No adverse report	-
11	Henry Omusundi Maina	No adverse report	-
12	Jedidah Wakonyo Waruhiu	No adverse report	-
13	Jane Frances A. Nyangoma	No adverse report	-

Note that, the Commission is in the process of developing an objective criterion for vetting of persons aspiring leadership positions in line with chapter 6 of the constitution. Absence of records in our current database is not a guarantee of absolute integrity of the applicants.

Yours faithfully,

J. K. MUE
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

-REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

PETITION NO 385 OF 2012

CONSORTIUM FOR THE EMPOWERMENT & DEVELOPMENT OF MARGINALIZED COMMUNITIES .....1ST PETITIONER

NATIONAL MUSLIM LEADERS FORUM .....2ND PETITIONER

CENTRE FOR LAW AND RESEARCH INTERNATIONAL .....3RD PETITIONER

VERSUS

THE CHAIRMAN THE SELECTION PANEL FOR APPOINTMENT OF CHAIRPERSON AND COMMISSIONERS TO KENYA NATIONAL HUMAN RIGHTS COMMISSION .....1ST RESPONDENT

MINISTER FOR JUSTICE NATIONAL COHESION & CONSTITUTIONAL AFFAIRS.....2ND RESPONDENT

NATIONAL COHESION AND INTEGRATION COMMISSION ..... 3RD RESPONDENT

COMMISSION ON IMPLEMENTATION OF CONSTITUTION ..... 4TH RESPONDENT

ATTORNEY GENERAL.....5TH RESPONDENT

JUDGMENT

Introduction

1. This petition challenges the appointment of members of the Kenya National Commission on Human Rights (KNCHR) on the basis that the 1st, 2nd and 5th respondents failed to meet the constitutional criteria for regional diversity in shortlisting persons for appointment as commissioners. The petitioners, who describe themselves as a consortium of organizations representing marginalized groups, allege that the 1st respondent, (hereafter the **'Selection Panel'**) has breached the provisions of Article 19, 20, 21(3) 22, 23, 35(1) 56, 250(4) and Section 11(3) of the Kenya National Human Rights Act

(The Act).

2. In the petition dated 3rd September 2012, the petitioners seek the following orders:

> 1. *A declaration that the 1st, 2nd and 5th Respondents contravened provisions of Article 56 and Article 250(4) of the Constitution.*
> 2. *A declaration that the 1st, 2nd and 4th Respondents have contravened the provisions of Section 11(3) of the Kenya National Human Rights commission Act, 2011.*
> 3. *An order restraining the 1st, 2nd and 5th Respondents from selecting and or gazetting the names of Chairperson and Commissioners to the Kenya National Human Rights Commission.*
> 4. *A declaration that the 1st, 2nd and 5th Respondents contravened constitution and should be ordered to comply with the provisions of the Constitution and Kenya National human Rights commission Act.*
> 5. *A restraining order be issued against the 1st, 2nd and 5th Respondents and their officers, agents and or servants from appointing or recommending the appointment of the Chairperson or members to the Kenya National Commission of Human Rights.*
> 6. *A restraining order be issued against the 1st, 2nd and 5th Respondents and their officers, agents and or servants from implementation their proposal to appoint to the Kenya national commission of Human Right the Chairperson and members from*

only the members who have been shortlisted in the daily nation advertisement dated Aug 23rd, 2012.

7. *A restraining order be issued against the 1st, 2nd and 5th Respondents from using the flawed report shortlisting candidates which is in contravention with the Constitution and the Kenya National Human Rights Commission Act.*

8. *An order be issued against the 1st, 2nd and 5th Respondents directing them to stop the process of appointing, nominating or recommending Chairperson and Member of the Kenya National Human Rights Commission to anybody or authority.*

9. *A declaration that the 1st, 2nd and 5th Respondent comply with the Provisions of the Constitution and any other written law.*

10. *An order that the 1st, 2nd and 5th Respondent pay the Petitioner's cost of this Petition.*

11. *Any other orders as this Honourable Court shall deem just.*

3. This petition first came before the court under a certificate of urgency on 3rd September 2012 when the petitioners sought conservatory orders to stop the recruitment of the KNCHR Commissioners. The basis of their claim was that the Selection Panel had shortlisted proposed members of the Commission in what they termed as a breach of section 11(13) of the Act and Article 250(4) of the Constitution. They alleged that the shortlisting did not take into account regional balance as it did not include persons from North

Eastern and Coast regions. The matter was certified urgent and the application for conservatory orders set for inter partes hearing on 5th September 2012.

4. When the matter came up on that day, the court (Mabeya J) granted conservatory orders for a period of 30 days in light of the fact that the process being impugned in the petition was still ongoing.

5. On 28th September 2012, on the application of Mr. Bitta for the state and with the consent of the other parties, I varied the orders issued on 5th of September 2012 to allow the process of appointment of the Chairperson of KNCHR to start afresh and directed that the Selection Panel be permitted to re-advertise and commence the process of recruiting the KNCHR Chairperson. I also directed that the interim orders restraining the appointment of the members of the Commission do remain in force pending the hearing and determination of the petition. I also gave directions with regard to the filing of submissions on the petition and scheduled the matter for mention for further directions on 9th November 2012.

6. On that date, the matter was mentioned before Lenaola, J who fixed it for mention on 27th November 2012. It was not listed on that date and was again scheduled for mention on 14th December 2012. There was no appearance for the petitioners on that day, and the matter was again set for mention on 12th February 2013. The court record indicates that it was not listed on that date and was next scheduled for mention on 18th February 2013 before Lenaola, J, but the court was not sitting.

7. I note from the letter from the petitioners' Advocates, Garane and Company Advocates, dated 3rd June 2013 that an attempt had been made in April 2013 to fix the matter for mention but the petitioners had been informed by the Registry that the file could not be located. The petitioners were eventually able to take a date in June 2013 when the matter was listed for mention before Majanja on 4th June 2013 and the court directed that it be listed for mention before me on 21st June 2013. On 6th June 2013, the KNCHR applied and was permitted to participate in the proceedings as an Interested Party. There was thus quite a regrettable delay in the hearing and disposition of the matter.

8. The matter was canvassed before me on 26th June 2013 and judgment reserved for 26th July 2013. Mr. Kibungi presented the case for the petitioners, Mrs Ngugi for the Interested Party, while Mr. Bitta appeared for the 1st, 2nd and 5th respondents (hereafter the respondents). Mr. Jotham Arwa, who, it appears, had been interviewed for the position of Chairperson of the KNCHR, had applied and been permitted to participate in the proceedings as an interested Party. He did not, however, subsequent to filing his affidavit sworn on 21st September 2012, take part in the rest of the proceedings. The 3rd and 4th respondents did not file any pleadings or participate in any way in the matter.

The Petitioners' Case

9. The case for the petitioners is simple. It is their contention that the Selection Panel contravened, among others, the provisions of Article

56 of the Constitution and section 11 of the KNCHR Act as it did not shortlist the people of North Eastern and Coast regions for interviews as members of the Commission. The petitioners allege that no reasons were given for not shortlisting persons from the two regions, and that it was not just members of the Muslim faith who were left out but entire regions.

10. Mr. Kibungi relied on the affidavit sworn on 3rd September 2012 by Mr Yasin Mugeni Ibrahim in support of the petition as well as the petitioners' written submissions dated 7th November 2012. In his affidavit, Mr. Ibrahim avers that he and the other petitioners are adversely affected in their individual capacity and collectively as organization working with members of minority and marginalized communities. He asserts that minority and marginalized groups are protected under the Constitution and denying them representation is a violation of their fundamental rights. The petitioners aver that they are aggrieved by the decision of the Selection Panel published in the Daily Nation on Thursday 23rd August 2012 as the Selection Panel did not take into consideration the provisions of the Constitution and in particular contravened the provisions of Articles 19, 20, 21(3), 22, 23, 35(1), 56, 250(4) as well as section 11(3) of the Kenya National Human Rights Act (KNCHR Act). They allege that they wrote to the Selection Panel requesting it to comply with the Constitution but their letter was not responded to. They have annexed to the affidavit of Mr. Ibrahim as YMI1 and YM12 respectively what they state is a copy of the list published in the Daily Nation of 23rd August 2012 and their letter dated 28th August 2012.

11. The petitioner's contend that the Selection Panel did not take into consideration relevant provisions of the Constitution in selection of the members of the Commission such as regional and ethnic diversity and its decision is therefore a nullity; and that as organizations representing the interests of marginalized communities, they are entitled to ensure enforcement of the provisions of the Constitution relating to minority and marginalized communities and ensuring that constitutional commissions are representative in accordance with the Constitution.

12. The petitioners allege in their written submissions that the Selection Panel did not shortlist anyone from the Northern or Coast region, or ***'persons whose ethnicity or religious persuasion is from the Islamic region, despite these people making up a large portion of the population.'***

13. In his oral submissions, Mr. Kibungi distinguished the decision of the court in **Mohamed Osman Wafra & Others –vs- Public Service Commission High Court Petition No. 77 of 2013** on the basis that in the present case, it is not just Muslims who had been left out but people from the entire region. He contended that while not all regions can be represented in all commissions, persons from all regions should be shortlisted to be interviewed. He asked the court to grant the orders sought in the petition.

The Respondents' Case

14. In presenting the case for the respondents, Mr. Bitta relied on the

affidavit of Mr. **Gichira Kibara** sworn on 20th September 2012 and the written submissions dated 6th November 2012. In the said affidavit, **Mr. Kibara,** then the Acting Permanent Secretary in the Ministry of Justice, National Cohesion and Constitutional Affairs, deponed that the Ministry was represented in the Selection Panel as provided under Section 11(2) of the KNCHR Act, and that the panel completed its work and forwarded the names of eight persons interviewed and shortlisted to the President as required under Section 11(5) of the Act on 30th August 2012.

15. Mr. Kibara avers that the shortlisting of candidates was in accordance with the provisions of the Constitution as well as the KNCHR Act, and the shortlisting process was transparent and open. He has set out in the said affidavit at some length the process that the Selection Panel followed in arriving at the names of the eight persons shortlisted and the criteria for selection which included the constitutional provisions and consisted of academic and professional qualifications, knowledge and relevance of the qualifications, diversity of Kenya's people, representation of persons with disabilities and minorities, gender equity, and compliance with Chapter 6 of the Constitution with regard to integrity.

16. According to the respondents, the issues raised in this petition have been dealt with by the High Court in its decision in the case of **Mohamed Osman Wafra & Others –vs-Public Service Commission (supra)**, where the arguments advanced then were exactly the same as in this case. Mr. Bitta pointed out that the court in

that case had also quoted with approval two other decisions on the same issue, namely **John Waweru Wanjohi & Others –vs-Attorney General High Court Petition No. 373 of 2012** as consolidated with **Kipngetich Maiyo & Others –vs-Kenya Land Commission Selection Panel & Others High Court Petition No. 426 of 2012.**

17. Mr. Bitta submitted that in those cases, the court had considered the provisions of Article 250 of the Constitution and set the principle that the party alleging breach of the Article must present a list of all other appointees to all other commissions as the appointments to constitutional commissions are to be taken cumulatively. He contended that it is humanly impossible for regional, ethnic and other considerations to be balanced in one commission.

18. On the facts, Mr. Bitta pointed out that from the affidavit in support of the petition, it was clear that the petitioner did not annex the entire list of those shortlisted. He drew attention to the affidavit sworn by Gichira Kibara, specifically annexure '**GK1**' which is a list of the persons who were shortlisted by the Selection Panel and submitted that all regions in the country were represented, as were minorities as defined under Article 260.

19. According to the respondents, Kenya is now divided, under Article 8 of the Constitution, into Counties; that Counties are the constitutionally contemplated basis of regional representation; and it would be fallacious for any party to rely on the former provinces as a basis for

regional representation. He asked that the petition be found to be without merit and dismissed with costs.

The Interested Party's Case

20. KNCHR's application for joinder as an interested Party was supported by the affidavit of **Ms. Evelyne Samba,** the Deputy Secretary of the Commission, sworn on 3rd June 2013. This is the affidavit relied on at the hearing together with written submissions dated 19th June 2013. According to Ms. Samba, the membership of the Commission consists of a Chairperson and four other members appointed in accordance with the Constitution and the provisions of the KNCHR Act. The term of the previous Chairperson ended on 26th November 2012 and the appointment process for the new Chairperson commenced in 2012 but is yet to be concluded. Consequently, the Commission does not have a substantive Chair. She avers that the Commission can only function effectively if the Chairperson and all the four members are appointed and in office. However, the terms of three of the Commissioners expired on 26th November 2012, leaving only one Commissioner. She avers that KNCHR is therefore not properly constituted as required under its constituting Act and cannot fully carry out its functions under the law.

21. KNCHR submitted that the petitioners were no longer interested in pursuing this matter and were only intent on maliciously using the judicial process to hamper the functioning of a constitutional commission.

22. In her submissions at the hearing of this matter, Mrs. Ngugi submitted that the intention of the Interested Party in seeking to appear in the petition was to point out the adverse effect that the petition was having on its operations. She submitted that the Commission had been grounded for 7 months, and relied on the decision in **Trusted Society of Human Rights -vs- The Attorney General High Court Petition No. 292 of 2012** where the court pointed out that a petitioner should be vigilant to file and present its matter expeditiously. She urged that the matter be dispensed with expeditiously and guidelines set with regard to such matters so that government processes are not held hostage.

Determination

23. Having considered the pleadings and the respective submissions, oral and written, of the parties in this matter, I believe that this petition raises a sole issue for determination: **whether the Selection Panel violated any of the provisions of the Constitution or the rights of the petitioners in shortlisting the candidates for the positions of members of the KNCHR.**

24. In dealing with this issue, I will not address the matter in so far as it concerns the appointment of the Chairperson of KNCHR. I had made an order, as far back as 28th September 2012 and with the consent of all the parties, that the position of the Chairperson could be re-advertised and filled. It is not clear from the submissions made before

me by the parties on 26th June 2013 why that has never been done.

25. The petitioners are aggrieved by what they perceive as the failure of the Selection Panel to shortlist persons from North Eastern and Coast regions, or members of the Muslim faith, for selection for membership of the KNCHR. They allege violation of the provisions of Articles Article 19, 20, 21(3) 22, 23, 35(1) 56, 250(4) and Section 11(3) of the KNCHR Act.

The Applicable Law

26. Articles 19, 20, 21(3) 22, and 23 fall under Part I of the Constitution titled **General Provisions Relating to the Application of The Bill of Rights.** They present the general principles with regard to the Bill of Rights, including who may file a petition alleging violation of constitutional rights and the powers of the court in dealing with such a petition. They do not contain any substantive right capable of violation. Article 35 contains the constitutional guarantee to access information, while at Article 56, the Constitution guarantees the rights of minorities and marginalized groups by providing as follows:

> ***56. The State shall put in place affirmative action programmes designed to ensure that minorities and marginalized groups—***
>
> ***(a) participate and are represented in governance and other spheres of life;***
>
> ***(b) are provided special opportunities in educational and economic fields;***

(c) are provided special opportunities for access to employment;

(d) develop their cultural values, languages and practices; and

(e) have reasonable access to water, health services and infrastructure.

27. With regard to constitutional commissions such as the KNCHR, as indeed with all other appointments to elective and appointive positions, the Constitution requires adherence to the national values and principles of governance contained in Article 10:

(1) The national values and principles of governance in this Article bind all State organs, State officers, public officers and all persons whenever any of them—

(a) applies or interprets this Constitution;

(b) enacts, applies or interprets any law; or

(c) makes or implements public policy decisions.

(2) The national values and principles of governance include—

(a) patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;

(b) human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;

(c) good governance, integrity, transparency and accountability; and

(d) sustainable development.

28. Article 250 contains provisions with regard to the mandate and composition of constitutional commissions, and provides in specific terms at Article 250 (4) that:

> ***(4) Appointments to commissions and independent offices shall take into account the national values mentioned in Article 10, and the principle that the composition of the commissions and offices, taken as a whole, shall reflect the regional and ethnic diversity of the people of Kenya.***

29. This provision is partly echoed in section 11(13) of the KNCHR Act where it requires, in the process of appointment of the Chairperson and members of the commission, that:

> ***(13) In short listing, nominating or appointing persons as chairperson and members of the Commission, the selection panel, the National Assembly and the President shall ensure that not more than two-thirds of the members are of the same gender, shall observe the principle of gender equity, regional and ethnic balance and shall have due regard to the principle of equal opportunities for persons with disabilities.***

30. These two provisions form the core of the petitioners' grievance in that the petitioners assert that the failure by the Selection Panel to shortlist a person from what they refer to as the North Eastern and Coast regions or of the Muslim faith is a violation of their rights and of

the constitutional and statutory provision.

31. Two questions arise in this matter. First, was there a failure by the Selection Panel to observe any of the constitutional provisions cited in this matter, and therefore a violation of the petitioners' rights? In his affidavit in support of the petition, Mr. Ibrahim depones as follows at paragraphs 2-18:

> *2. That the Petitioners are adversely affected in their individual capacity and collectively as organization working with members of minority and marginalized communicates.*
>
> *3. That I am advised by my advocates on record which advice I verily believe to be true that minority, marginalized and groups are protected under the Constitution and denying us them representation is a violation of our fundamental rights.*
>
> *4. That the Petitioners are aggrieved by the decision of the Selection Panel for the Selection of Candidates for Appointment of Chairperson and Members of the Kenya national Commission on Human Rights ("Selection Panel") published in the daily nation on Thursday August 23rd, 2012. Annexed hereto and marked to as "YMII" is the said publication. The Petitioners wrote to the Selection Panel requesting for compliance with the Constitution, which letter was never replied to. Annexed hereto and marked as "YM12" is a copy of the said letter.*
>
> *5. That I am advised by my Advocates that the*

Selection Panel in short listing candidates did not take into any consideration provisions of Constitution. In particular the Selection Panel contravened the provisions of Articles 19, 201 21(3), 22, 23, 35(1), 56, 250(4) and Section 11(3) of the Kenya National Human Rights Act.

6. *That I am advised by my advocates that Article 19 of the Constitution protects the rights of every Kenyan including marginalized and minority groups.*

7. *That I am advised by my Advocates that Article 21 mandates that all State organs and all public officers have the duty to address the needs of vulnerable groups within society, including women, older members of society, persons with disabilities, children, youth, members of minority or marginalized communities, and members of particular ethnic, religious or cultural communities and the State shall enact and implement legislation to fulfill its international obligations in respect of human rights and fundamental freedoms.*

8. *That I am advised by my advocates that under Article 22 of the constitution that every person has the right to institute Court proceedings claiming that a right or fundamental freedom in the Bill of Rights has been denied, violated or infringed, or is threatened.*

9. *That I am further advised by my advocates on record that under Article 56 of the Constitution the State is required to put in place affirmative*

action programs designed to ensure that minorities and marginalized groups.

a) participate and are represented in governance and other spheres of life;

b) are provided special opportunities in educational and economic fields;

c) are provided special opportunities for access to employment;

d) develop their cultural values, languages and practices; and

e) have reasonable access to water, health services and infrastructure.

10. That I am further advised by my advocate's record that Article 250(4) of the Constitution provides that Appointments to commissions and Independent Offices shall take into account the national values.

11. That I am advised by my advocates that under Article 250(4) that Appointments to Commissions and Independent Offices shall take into account the national values.

12. That I am advised by my advocate on record that Section11(3) of the Kenya National Human Rights Commission Act of 2011 mandates the selection panel to observe principles of regional and ethnic balance.

13. That the Selection Panel did not take into consideration relevant provisions of the Constitution. The said decision is a nullity and

should not stand.

14. *That I am advised by my advocates on records that the Selection Panel did not consider the provision of Article 250(4) of the Constitution and its said decision should not stand.*

15. *That I am further advised by my advocates on record that by not ensuring there is regional diversity the Selection Panel contravened the provisions of Article 250(4) of the Constitution and it said decision should not stand.*

16. *That as organizations representing the interests of marginalized communities petitioners are entitled to ensure enforcement provisions of the Constitution relating to minority and marginalized communities ensuring that Constitutional Commissions are representative in accordance with the Constitution.*

17. *That the Selection Panel has already undertaken the process of interviewing the shortlisting candidates and would be recommending the same for appointment to the relevant authority.*

18. *That unless injunction is granted, the 1st and 5th Respondents will pursue and implement their illegal decisions and the minority and marginalized community their fundamental rights of fair and equitable representation would be breached.*

32. As a basic minimum, the petitioners are required to not only cite the provisions of the constitution which have been violated, but also the

manner in which they have been violated with regard to them-see **Anarita Karimi Njeru (1976-80) 1 KLR 1272** and **Trusted Society of Human Rights Alliance -v- Attorney General & Others High Court Petition No. 229 of 2012.** In demonstrating the manner in which there has been a violation of their rights or of the Constitution, the petitioners should present before the court evidence or a factual basis on which the court can make a determination whether or not there has been a violation. From the averments by the petitioners set out above, there is not a single fact adduced on the basis of which the court could conclude that there has been a violation of rights. What the petitioners have done in their affidavit is set out matters of law on the basis of advice from their advocates, which clearly do not in any way demonstrate a violation of rights. This is the kind of pleading that Majamja J decried in his judgment in **John Waweru Wanjohi & Others –vs- Attorney General** (supra) when he observed at paragraph 71 thereof as follows:

> *71. Before I conclude this matter I would be remiss if I did not comment on the pleadings and depositions filed in Petition No 373 of 2012. The key purpose of pleadings is to set out facts which constitute a cause of action. Similarly, the purpose of an affidavit is to depone to facts which the deponent known of his knowledge, information and belief. Affidavits should not express the deponent's opinions or those of the advocate. These matters are better left for submissions. I do not think that this obligation is lessened merely because the matter is one filed to enforce fundamental rights and freedoms*

under Article 22 of enforce the constitution under Article 258. Argumentative pleadings, devoid of facts obscure the real issues in controversy and more often than not undermine the objective of expeditious disposal of matters (see Meme v Republic [2004] 1KLR 645 and Tito Alai Okumu v Commissioner of Customs and Another Nairobi No. 240 of 2011 (unreported).

33. I wholly agree with this view. Such evidence as there is can only be gleaned from the annexures in the affidavit in support of the petition and in the affidavit sworn in opposition to the petition by the respondents.

34. The evidence before me indicates that the Selection Panel, constituted in accordance with the provisions of section 11 of the KNCHR Act, advertised the positions in question, and invited all who were interested in the positions to apply. From the newspaper advertisement annexed to the affidavits in support and in opposition to the petition, it is clear that Kenyans from various parts of the country and diverse ethnic origin applied for the positions. The petitioners have not questioned the composition of the Selection Panel or the process that it followed in arriving at the short-list published on 23rd August 2012. What they are aggrieved by is that none of the shortlisted candidates is from the North Eastern or Coast region, or of the Muslim faith.

35. Article 250(4) and section 11(13) of the KNCHR Act do indeed require

that there should be regional and ethnic balance in the appointment of commissioners, and that there should be a reflection of the regional and ethnic diversity of Kenya. The question is how this is to be achieved in a situation, such as the case now before me, where only a limited number of positions is to be filled. According to section 9 of the KNCHR Act:

> ***The Commission shall consist of a chairperson and four other members appointed in accordance with the Constitution and the provisions of this Act.***

36. As correctly argued by the respondents, the Constitution has now divided the country into 47 Counties, so that the administrative units known as provinces or regions on which this petition is based are no longer in existence. Would regional diversity require that all the 47 counties have representation in every commission? Does consideration of regional and ethnic diversity demand that every ethnic group in Kenya is represented in every institution that is established under the Constitution in order for the institution to be deemed to have been constituted in compliance with the constitution? What happens, were that argument to be carried to its logical conclusion, when an institution under the Constitution requires only a specific, limited, number of persons, such as in this particular case, where there are only five positions?

37. Happily, with regard to constitutional commissions and independent offices, the Constitution itself provides an answer in Article 250(4), which is worth setting out again:

> ***Appointments to commissions and independent offices shall take into account the national values mentioned in Article 10, and the principle that the composition of the commissions and offices, taken as a whole, shall reflect the regional and ethnic diversity of the people of Kenya.*** (Emphasis added)

38. I believe that the operative words in this provision are ***'taken as a whole,'*** implying that one cannot take a single constitutional commission or independent office and argue that, because a particular region or ethnic group has not been represented, or the appointee(s) are not from particular ethnic groups or regions, then there has been a breach of the Constitution. To hold otherwise is to lead to an absurdity, and to make the composition of any commission or appointment to an office well-nigh impossible.

39. To impugn the decision of the Selection Panel in this case on the basis that it has left out persons from the North East and Coast region successfully, the petitioners must show that after considering all appointments to all other constitutional commissions and independent offices, there has been no representation from these regions, and it was therefore necessary for them to be represented in this particular commission. My view of this matter is bolstered by decisions of the court in recent cases in which similar arguments as are raised in this case have been the subject of determination.

40. In the case of **John Waweru Wanjohi & Others -vs- Attorney**

General (supra) as consolidated with **Kipngetich Maiyo & Others –vs-Kenya Land Commission Selection Panel & Others**, the complaint before the court was that some specific regions of the country had been excluded in the appointment of commissioners to the National Land Commission. In particular, it was argued that the Coast, Central, Masaailand, Kisii and Nairobi were excluded from consideration; that members of the Kalenjin community were left out, and that the Somali community was over represented. In his judgment in which he dismissed the consolidated petitions, Majanja J observed at paragraph 66 as follows:

> *66. The petitioners seem to ignore the fact that there (sic) country has at least 42 ethnic groups and 47 counties. The ethnic groups are not even homogeneous. As provided in the Constitution there can only be nine members of the Commission and I do not think it would be realistic to expect the Commission to have representation of all the ethnic groups. What the appointing authorities are required to do is do the best they can to accommodate the requirement of diversity in all its form.*

41. In **Mohamed Osman Wafra & Others –vs- The Office of the President and Others High Court Petition No. 77 of 2013**, the Court (Majanja J) observed as follows:

> *14. The nucleus of the petitioners' case rested on the allegation that there was a breach of Article 250(4). In order to prove non-compliance with*

this provision, the petitioner bears the burden of showing that the Commissions and independent offices, taken as a whole, do not reflect ethnic diversity.

42. The Court further observed in the said case as follows:

In John Waweru Wanjohi & Others v the Attorney General & Others, Kipngetich Maiyo & Others v the Kenya Land Commission Selection Panel (Supra), a similar issue was raised in reference to the National Land Commissions, the Court stated, "[65]The petitioners complain that the Kalenjin Community was under represented in the Commissions that had been constituted contrary to Article 250(4). The petitioners cited two commissions to make its case; that is the Independent Electoral and Boundaries Commission (IEBC) and the Commission on the Implementation of the Constitution. In my view, the Commissions cited are not the only commissions established under the Constitution and the law. There are other Commissions established in the Constitution like the Judicial Service Commission, the Salaries and Remuneration Commission, the Public Service Commission, the Teachers Service Commission, National Human Rights Commission and others whose membership was not put into the matrix of the petitioners' complaint. I also take judicial notice of the fact that the other Commissions continue to be constituted. I consequently find that no merit in this argument."

> *15. Likewise in this case, the petitioners have not provided any evidence of the composition of the other Commissions and Independent offices. Without such evidence, the Court cannot proceed to carry out an inquiry to interrogate compliance with Article 250(4).*

43. Similarly, nothing has been presented before me by the petitioners on the basis of which I can find reason for impugning the decision of the Selection Panel in selecting the candidates that it did. As submitted by the respondents, the Selection Panel shortlisted 8 candidates who included, among others, the following:

    i. *Vincent Lempaa, who is from a marginalized community;*
    ii. *Mr. Robert Shaw from a minority community;*
    iii. *Mr. Eric Ogwang who is a person with physical a disability; and*
    iv. *Dr. Samuel Kabue who has a visual disability.*

44. The court takes judicial notice of the composition of other constitutional commissions as set out in the same submissions, including the composition of the **Independent Electoral & Boundaries Commission (IEBC)**, the **Commission on Administrative Justice CAJ)**, and the **National Cohesion and Integration Commission (NCIC)** in which, as submitted by Mr. Bitta, there is representation of persons from the Northeast and the Coast, and from the Muslim community. The composition of these

commissions is as follows:

IEBC

Ahmed Isaack Hassan (Chair)
Lilian Bokeeye Mahiri-Zaja
Albert Bwire
Kule Galma Godana
Amb. Yusuf Nzibo
Eng. Abdullahi Sharawe
Thomas Letangule
Muthoni Wangai
Mohammed Alawi Hussun

CAJ

Otiende Amollo (Chair)

Regina Mwatha

Saadia Mohammed

NCIC

Mzalendo Kibunja (Chair)
Milly Lwanga
Fatuma Mohammed
Alice Nderitu
Halakhe Wago
Jane Kiano
Lawrence Bomet
Ahmed Yassen

45. It is a regrettable illustration of the divisions, within our society that while the petitioners in the case of **John Waweru Wanjohi & Others –vs- Attorney General (supra)** as consolidated with

Kipngetich Maiyo & Others –vs- Kenya Land Commission Selection Panel & Others were complaining about over-representation of persons from the Northeast and Coast and members of the Muslim Faith in the National Land Commission, the petitioners in this case are complaining about the exclusion of the same communities. Hopefully, the day will come when the people of Kenya will begin to look at institutions, not to check who is from which ethnic or religious community, but to see whether the institution is serving the people of Kenya, regardless of their ethnic or social origin, or their religious persuasion, efficiently, competently and with integrity. It is also our hope as a society, I believe, that the day will come when one is appointed to public office, not because of his or her ethnic or social background or religious belief, but on the basis of his or her competence, suitability for the job and personal and professional integrity as Article 73 of our Constitution demands of holders of public office.

46. In any event, before we reach that happy dawn, the constitutional requirement is that there should be regional and ethnic diversity in the composition of constitutional commissions and independent offices, *'taken as a whole.'* There is no requirement, and it is humanly impossible in any event, to have every shade of difference in Kenya represented in every commission. There is therefore no basis for impugning the decision of the Selection Panel in this matter, particularly so in the absence of any evidence from the petitioners that would justify interference by the court with the Selection Panel's decision, and in light of the fact that persons from the North east and

Coast of Kenya are clearly well represented in other constitutional commissions.

47. In the circumstances, I find that there is no merit in this petition and it is hereby dismissed but with no order as to costs.

48. The Interested Party has called on the court, in view of the delay in hearing and determination of this petition, to issue guidelines with respect to the hearing of petitions such as this so that the work of government is not adversely affected or held hostage. The court notes that the parties had filed their pleadings and respective submissions by November 2012, and the reason the petition did not proceed to hearing expeditiously was due, partly to the court's diary but mostly to inefficiencies in the Court Registry which resulted in the file not being listed when it should have been and thereafter not being available to the petitioners for the purpose of taking a hearing date.

49. Such a situation is regrettable, but is one that is becoming increasingly rare and should have been brought to the court's attention as soon as it arose. In the circumstances, there are no guidelines necessary as the rule is that all matters are disposed of expeditiously.

50. I am grateful to the parties for their respective submissions and authorities in this matter.

Dated Delivered and Signed at Nairobi this 16th day of August 2013

MUMBI NGUGI

JUDGE

Mr. Kirunga instructed by the firm of Garane & Co. Advocates for the Petitioners

Mr. Bitta instructed by the State Law Office for the 1st, 2nd and 5th Respondents

Mrs. Ngugi instructed by the Interested Party.

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130–00200, NAIROBI, Kenya
Tel.: +254–20–2717318/310722, Cellphone: +254–729–888881/2/3
Fax: +254–20–2719757, Email: eacc@integrity.go.ke, Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC 6/42 VOL. XIII (3739) **3rd January 2013**

Eric K. Mutua
Chairperson, Selection Panel for the appointment of
Chairperson, Kenya National Commission on Human Rights
P.O. Box 30050 - 00100
NAIROBI

Dear Sir,

RE: CLEARANCE OF CANDIDATES FOR THE POSITION OF CHAIRPERSON, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Reference is made to a letter; **MSPS/10/7A/** dated **24th December 2012,** on the above matter. A search in our reports database revealed the following: -

S/No.	Name	ID/No.	Report	Status
1.	Jotham Okome Arwa	11302036	No adverse report	-
2.	Kagwiria Mbogori	7010401	No adverse report	-
3.	Florence Simbiri - Jaoko	3082287	No adverse report	-
4.	Consolata Wanjiku Ngondi	5454049	No adverse report	-
5.	Jane Frances A. Nyangoma	5789987	No adverse report	-

Absence of records in our current database is not a guarantee of absolute integrity of the applicants.

Kindly note that persons seeking clearance from the Commission are also required to complete a self-declaration form as provided for under the Leadership and Integrity Act, 2012. The form is issued free in all our offices or can be downloaded from our website.

Yours faithfully,

ABDI A. MOHAMUD
AG. SECRETARY/CHIEF EXECUTIVE OFFICER
AAM/doo

47

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130–00200, NAIROBI, Kenya
Tel.: +254–20–2717318/310722, Cellphone: +254–729–888881/2/3
Fax: +254–20–2719757, Email: eacc@integrity.go.ke, Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC 6/42 Vol. VI (368) **27th August, 2012**

Erick K. Mutua,
Chairperson
Selection Panel for the Appointment of Chairperson and Member, Kenya National Commission on Human Rights
Harambee House 12th Floor Room 1214
P.O. Box 30050 - 00100
NAIROBI

Dear Sir,

RE: CLEARANCE OF CANDIDATES FOR THE POSITION OF CHAIRPERSON AND MEMBER, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Reference is made to your letter Ref **MSPS.10/28A (60)** dated **24th August, 2012.** A data search conducted in our reports database revealed the following:

Chairperson			
	Name	**Report**	**Status**
1	Jotham Okome Arwa	No adverse report	-
2	Florence Simbiri-Jaoko	No adverse report	-
3	Jane Frances A. Nyangoma	No adverse report	-
Member			

	Name	Report	Status
1	Vincent Suyianka Lempaa	No adverse report	-
2	Nelly awori Matheka	No adverse report	-
3	Suzanne Shatikha Chivusia	No adverse report	-
4	Dr. Samuel Njuguna Kabue	**43439** – Allegations of mismanagement of the disability funds by the National Council of People with disabilities and United Disabled Empowerment of Kenya (UDEK) officials.	The matter is under investigations.
5	Naomi Nyambura Wagereka	No adverse report	-
6	Robert Francis Shaw	No adverse report	-
7	Eric O. Ogwang	No adverse report	-
8	George Morara Monyoncho	No adverse report	-
9	Jemimah Wanza Keli	No adverse report	-
10	John Kamanda Mucheke	No adverse report	-
11	Henry Omusundi Maina	No adverse report	-
12	Jedidah Wakonyo Waruhiu	No adverse report	-
13	Jane Frances A. Nyangoma	No adverse report	-

Note that, the Commission is in the process of developing an objective criterion for vetting of persons aspiring leadership positions in line with chapter 6 of the constitution. Absence of records in our current database is not a guarantee of absolute integrity of the applicants.

Yours faithfully,

J. K. MUE
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

CLEARANCE DOCUMENTS

KAGWIRIA

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 8

SCHEDULE
[Section 6(8).]

CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT QUESTIONNAIRE

Notes:

a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
c) The questionnaire shall be filled and submitted by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
d) The submission of false information in the questionnaire is an offence and may result in prosecution.
e) Any form of canvassing by a nominee shall lead to disqualification.
f) The nominee must answer all the questions.

1. **Name:** (State full name) KAGWIRIA MBOGORI
2. **Position:** ~~(State office to which you have been nominated).~~ CHAIRPERSON, KNCHR
3. **Sex:** F
4. **Date of Birth:** (State year and place of birth) 12 JULY 1965, MERU, KENYA
5. **Marital Status:** DIVORCED
6. **Daytime phone number:** +254 - 722 - 522420
7. **Mobile phone number:** "DITTO"
8. **Email Address:** mbogori@gmail.com; kagwiria.mbogori@undp.org
9. **ID Number:** 7010401

10. **PIN Number:** A001 227 358 V

11. **Nationality:** KENYAN

12. **Postal Address:** BOX 35064, 00200, NAIROBI

13. **Town/City:** NAIROBI

14. **Knowledge of Languages:** (Specify Languages): ENGLISH, KISWAHILI, KIMERU

15. **Education:** (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

1. UNIVERSITY OF NOTRE DAME, IN, USA; 1996-1997; LL.M. in INTERNATIONAL HUMAN RIGHTS LAW, 1997.
2. UNIVERSITY OF NAIROBI; 1986-1989; LL.B, 1989
3. [Kenya School of Law; 1989-1990; Certificate of Council of Legal Education; qualification to be admitted to Roll of Advocates 17.1.91]

Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant).

1. Chief Tech. Adviser, Judiciary of South Sudan - UNDP
2. Chief of Unit, Legal Advisory Unit, UN Mission in Liberia (UNMIL)
3. Rule of Law Advisor, Human Rights & Protection Section of UNMIL
4. Country Programme Manager, UNIFEM, Liberia.
5. Executive Director, ICJ Kenya Section
6. Programme Officer, FIDA Kenya.
7. Legal Officer, JKUCAT, Juja
8. Legal Associate, Waweru Gatonye & Co Advocates NAIROBI.

16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

Student Fellowship Awarded by University of Notre Dame, IN; 1996-1997

17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

Law Society of Kenya, member

18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).

1. Nyumbani Home; volunteer fundraiser
2. Ciothirai MCK Church Medical Centre; Sponsor
3. Loreto High School Alumni Association; Member
4. Nairobi Royal Golf Club, member.
5. Vetlab Golf club, member.
6. MOW Sports Club, member.
7. PCEA Woman's Guild, member.
8. Various philanthropic initiatives.

19. **Published Writings:**

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

1. I edited ICJ Kenya Section publications from June 1998 to June 2003 e.g: The Public Perception Index (PPI) series

2. Human Rights of Women in Conflict, with Florence Butegwa & Stella Mukasa, 1995, WILDAF

3. Existing Legal & Policy Constraints on Media Freedom, LRF Report, 2003

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member.

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

Harambee Taskforce, Ministry of Justice & Const. Affairs Member, 2003

(b)List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

N/A

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

NO.

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

NO.

21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

DUES FROM MY CONTRACT WITH THE UN UPON TERMINATION OF SERVICE:
- Relocation grant; Repartiation grant; Education grant; UN Joint Pension Scheme; Terminal dues.
- SACCO dividends
- STOCK dividends

22. . **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

I plan to engage in community service & charitable endeavors.

23. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

1. USD 210,000 (from salary & allowances) APPROX.

2. KSH 720,000 (from rental income)

24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

I have.

CHIVUSIA

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 8

SCHEDULE
[Section 6(8).]

CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT QUESTIONNAIRE

Notes:

a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
c) The questionnaire shall ~~be filled and submitted~~ by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
d) The submission of false information in the questionnaire is an offence and may result in prosecution.
e) Any form of canvassing by a nominee shall lead to disqualification.
f) The nominee must answer all the questions.

1. **Name:** (State full name) CHIVUSIA SUZANNE SHATIKHA

2. **Position:** (State office to which you have been nominated).
MEMBER - KENYA NATIONAL COMMISSION ON HUMAN RIGHTS (KNCHR)

3. **Sex:** FEMALE

4. **Date of Birth:** (State year and place of birth) 1ST OCT 1968, MALAVA

5. **Marital Status:** SINGLE

6. **Daytime phone number:** 0723 131 443 / 2717908 / 7908

7. **Mobile phone number:** 0723 131 443

8. **Email Address:** schivusia@yahoo.com

9. **ID Number:** 10071441

10. **PIN Number:** A002385959H

11. **Nationality:** KENYAN

12. **Postal Address:** 407 - 0511 ONGATA RONGAI

13. **Town/City:** KAJIADO

14. **Knowledge of Languages:** (Specify Languages): LUHYA, KISWAHILI, ENGLISH, BASIC FRENCH

15. **Education:** (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

UNIVERSITY OF NAIROBI	2005 - 2007	MASTER OF ARTS INTERNATIONAL
SALZBURG LAW SCHOOL	AUGUST 2007	POSTGRADUATE DIPLOMA IN
KENYA SCHOOL OF LAW	1991 - 92	"
UNIVERSITY OF NAIROBI	1988 - 1991	BACHELOR OF LAWS

Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

- KENYA NATIONAL COMMISSION ON HUMAN RIGHTS 2010 - TO DATE
  PRINCIPAL HUMAN RIGHTS OFFICER / HEAD OF DEPARTMENT
- LEGAL CONSULTANT/RESEARCHER - AFRICA PEACE FORUM
  - NATIONAL DEMOCRATIC INSTITUTE FOR INT AF
  - UNITED STATES INSTITUTE FOR PEACE
  - WORLD VISION INTERNATIONAL (SS)
  - FEDERATION OF WOMEN LAWYERS (FIDA K)
  - CENTRE FOR REHABILITATION & EMPOWERMENT O ABUSED WOMEN (CREAW)
  - REFUGEE CONSORTIUM OF KENYA
  - COALITION ON VIOLENCE AGAINST WOMEN (COVA
  - THE CRADLE CHILDREN'S FOUNDATION
  - INTERNATIONAL COMMISSION OF JURISTS (K
  - THE CHRISTIAN LAWYERS' FELLOWSHIP (IC
  - NEW LIFE SDA CHURCH
- 2003 - 2004 REFUGEE STATUS DETERMINATION LAWYER UNHCR/U
- 1998 - 2002 (SENIOR) LEGAL COUNSEL - FIDA KENYA

1993 - 1998 ASSOCIATE ADVOCATE ADERA & CO ADVOCATES, ASIGE, KEVERENGE & ANYANZWA A

16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

FORD FOUNDATION GRANT (INSTITUTE OF INTERNATIONAL EDUCATION)

GALILEE INTERNATIONAL MANAGEMENT INSTITUTE

17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

FEDERATION OF WOMEN LAWYERS (FIDA) - KENYA
INTERNATIONAL COMMISSION OF JURISTS (ICJ) - KENYA CHAPTER
LAW SOCIETY OF KENYA
EAST AFRICAN LAW SOCIETY

18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).

THE EAST AFRICAN SOCIETY OF PROFESSIONAL BODIES ASSOCIATION
CHRISTIAN LAWYERS FELLOWSHIP

ASSOCIATION OF ADVENTIST LAWYERS
S.T. JOHN'S AMBULANCE
ICEMA GIRL GUIDES ASSOCIATION
SCHOOL ALUMNI

19. **Published Writings:**

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

- POLICE TRAINING MANUAL ON GENDER & HUMAN RIGHTS, NBO, FIDA
- CITIZEN'S PARTICIPATION IN IMPLEMENTING THE NATIONAL ACCORD A PEOPLES' VOICE ON THE ELECTORAL REFORMS AGENDA IN KENYA CAPI
- ACTUALIZING WOMENS RIGHTS UNDER CEDAW - A CASE STUDY OF THE PRACTICE OF POLYGAMY IN THE RABRAS COMMUNITY OF ICEMA & ITS IMPAC ON THE HUMAN RIGHTS OF WOMEN
- GENDER CRIMES & THE INTERNATIONAL CRIMINAL COURT (FIDA, Adm RPT

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member.

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

PRINCIPAL HUMAN RIGHTS OFFICER/ HEAD OF RESEARCH & COMPLIANCE DEPT. (KNCHR)

(b)List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including

the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

N/A

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

NO

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

NO

21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

N/A

22. . **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

NO

23. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

SALARY /PR DEIMS/ ALLOWANCES = 3,000 000

24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

YES

MORARA

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 8

SCHEDULE
[Section 6(8).]

CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT QUESTIONNAIRE

Notes:

a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
c) The questionnaire shall ~~be filled and~~ submitted by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
d) The submission of false information in the questionnaire is an offence and may result in prosecution.
e) Any form of canvassing by a nominee shall lead to disqualification.
f) The nominee must answer all the questions.

1. **Name:** (State full name) MR. GEORGE MORARA MONYONGHO
2. **Position:** (State office to which you have been nominated). COMMISSIONER, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS
3. **Sex:** MALE
4. **Date of Birth:** (State year and place of birth) 14TH FEBRUARY, 1973, NYAMIRA
5. **Marital Status:** MARRIED
6. **Daytime phone number:** 0712-288-400
7. **Mobile phone number:** SAME AS (6) ABOVE
8. **Email Address:** gmorara@khrc.or.ke OR morarag@yahoo.com
9. **ID Number:** 11506113

10. **PIN Number:** A004330157I

11. **Nationality:** KENYAN

12. **Postal Address:** P.O. BOX 41079-00100

13. **Town/City:** NAIROBI.

14. **Knowledge of Languages:** (Specify Languages): EXCELLENT IN KISWAHILI, EKEGUSII AND ENGLISH. GOOD GRASP OF DHOLUO, KIKUYU & LUHYA.

15. **Education:** (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

1. THE UNIVERSITY OF WINDSOR; AWARDED A MASTERS IN POLITICAL SCIENCE IN 2005. DATES OF ATTENDANCE: 2003-2005.
2. 2000-2003: THE UNIVERSITY OF TORONTO; AWARDED A BACHELOR OF ARTS (B.A HONS) IN 2003.
3. 2005 - 2007: CARLETON UNIVERSITY; MA IN LEGAL STUDIES (EBT); GOT ADVANCED GRADUATE CREDITS TRANSCRIPTS.
4. 1993-1996: EGERTON UNIVERSITY; THREE YEARS 4th DEGREE COURSE WORK IN BACHELOR OF EDUCATION.

Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

1. THE KENYA HUMAN RIGHTS COMMISSION
2. THE COMMISSION OF INQUIRY INTO POST-ELECTION VIOLENCE
3. THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS
4. OFFICE OF THE CORRECTIONAL INVESTIGATOR, CANADA.
5. CARLETON UNIVERSITY, CANADA.
6. THE UNIVERSITY OF WINDSOR, CANADA.
7. THE NORTH/SOUTH-INSTITUTE, CANADA.
8. THE LAW OFFICE OF WALDMAN AND ASSOCIATES
9. ABANTU FOR DEVELOPMENT.
10. RELEASE POLITICAL PRISONERS PRESSURE GROUP.
11. THE UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)
12. THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR).
13. THE THEN MINISTRY OF JUSTICE, NATIONAL COHESION & CONSTITUTIONAL AFFAIRS (MOJNCCA)
14. THE THEN MINISTRY OF DEVELOPMENT, NATIONAL PLANNING VISION 2030.

15. THE INTERNATIONAL COMMISSION OF JURISTS, KENYA SECTION
16. THE NATIONAL COALITION OF HUMAN RIGHTS DEFENDER

16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

1. THE GRADUATE TEACHING ASSISTANT SCHOLARSHIP; GIVEN IN 2003, BY THE UNIVERSITY OF WINDSOR.
2. THE BARBARA FARIA GRADUATE SCHOLARSHIP; BY THE UNIVERSITY OF WINDSOR, 2004.
3. THE GRADUATE TEACHING ASSISTANT SCHOLARSHIP, BY CARLETON UNIVERSITY 2005.
4. UNIVERSITY ADVANCEMENT SCHOLARSHIP; BY THE UNIVERSITY OF TORONTO IN 2002.

17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

1. THE GRADUATE STUDENTS ASSOCIATION, CARLETON UNIVERSITY, 2005 - TO DATE, MEMBER
2. THE AFRICAN STUDENTS ASSOCIATION, THE UNIVERSITY OF TORONTO, 2000 - 2003, MEMBER
3. THE GRADUATE STUDENTS ASSOCEATION, UNIVERSITY OF WINDSOR, 2003 - 2005, MEMBER

18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).

SAME AS ABOVE -

19. **Published Writings:**

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

1. "THE OTHER SIDE OF PRISON: THE ROLE OF THE WOMEN LEFT BEHIND" BY ABANTU FOR DEVELOPMENT, 1999.
2. "MORANS NO MORE: THE CHANGING FACE OF CATTLE-RUSTLING IN KENYA" BY K-H-R-C, 2010.
3. "BI-ANNUAL HUMAN RIGHTS REPORT: VOL 12 NUMBER1 JANUARY - JUNE 2010" BY KENYA HUMAN RIGHTS COMMISSION, 2010.
4. "IMPLEMENTING THE BILL OF RIGHTS: A NON-STATE ACTORS (NSAs) PRACTITIONERS' PROGRAMMING REFERENCE GUIDE" BY MOJUCCA 2012.
5. "TRANSITIONAL JUSTICE IN KENYA: A TOOLKIT FOR TRAINING AND ENGAGEMENT" BY KHRC, ICJK AND ECPC 2011.

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member. COPIES TO BE SUPPLIED TO THE PANEL DURING ~~FOREIGN~~ GM VETTING PROCESS.

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

I HAVE NOT HELD AN ELECTIVE OR APPOINTIVE POSITION BEFORE.

(b)List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including

the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

I HAVE NOT BEEN A MEMBER OF OR HELD AN OFFICE, OR RENDERED SERVICES, WITH OR WITHOUT COMPENSATION, TO ANY POLITICAL PARTY OR ELECTION COMMITTEE. MOST OF MY CAREER WORK IN HUMAN RIGHTS HAS REQUIRED ME TO ACT IN A NON-PARTISAN MANNER IN DISCHARGING MY DUTIES AND RESPONSIBILITIES.

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

NO.

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

NO.

21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

I HAVE NO ANTICIPATED RECEIPTS FROM DEFERRED INCOME OR FUTURE BENEFITS

22. . **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

I HAVE NO PLANS, COMMITMENTS OR AGREEMENTS TO PURSUE OUTSIDE EMPLOYMENT WITH OR WITHOUT COMPENSATION DURING MY SERVICE IN OFFICE. BESIDES, I UNDERSTAND THAT THE POSITION FOR WHICH I AM BEING VETTED IS A FULL-TIME POSITION.

23. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

1. CONSULTANCIES : KES. 1,420,500

2. SALARY : KES 1,464,000

TOTAL: KES 2,884,500.

24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

I HAVE FULLY COMPLIED WITH MY TAX OBLIGATIONS TO THE STATE UP TO THE END OF THE FINANCIAL YEAR IMMEDIATELY PRECEDING MY NOMINATION FOR APPOINTMENT AS SUPPORTED BY THE CLEARANCE CERTIFICATE ISSUED TO ME BY KRA ON 18.02.2014.

LEmpaa

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 8

SCHEDULE
[Section 6(8).]

CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT QUESTIONNAIRE

Notes:

a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
c) The questionnaire shall be filled and ~~submitted by the nominee to the~~ relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
d) The submission of false information in the questionnaire is an offence and may result in prosecution.
e) Any form of canvassing by a nominee shall lead to disqualification.
f) The nominee must answer all the questions.

1. **Name:** (State full name) LEMPAA VINCENT SUYIANKA
2. **Position:** (State office to which you have been nominated).
   MEMBER: KENYA NATIONAL COMMISSION ON HUMAN RIGHTS.
3. **Sex:** MALE.
4. **Date of Birth:** (State year and place of birth) 19/1/197 NAROK.
5. **Marital Status:** MALE.
6. **Daytime phone number:** 0722 320522
7. **Mobile phone number:** 0722 320522
8. **Email Address:** wolvinso@yahoo.com
9. **ID Number:** 11153411

25/2/2014

10. **PIN Number:** A003892167F

11. **Nationality:** KENYAN.

12. **Postal Address:** BOX 5036 00100 NAIROBI

13. **Town/City:** NAIROBI

14. **Knowledge of Languages:** (Specify Languages): KIMAASAI, KIKUYU, ENGLISH, FRENCH

15. **Education:** (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

1) UNIVERSITY OF ESSEX 2010/2011 LLM
2) KENYA SCHOOL OF LAW DIP. LAWS JAN 2010
3) UNIVERSITY OF LONDON. AUGUST 2007.
4) UNIVERSITY OF NAIROBI NOVEMBER 2001
5) KENYATTA UNIVERSITY OCTOBER ~~2000~~ 1999
6) ALLIANCE FRANCAISE 2000 ~~DIPLOMA~~ ATTENDANCE CERTIFICATE)

Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

1) 2013 - TO DATE LITIGATION COUNSEL KATIBA INSTITUTE KENYA.
2) 2012 - 2013 CONSULTANCY INTERNATIONAL CENTRE FOR POLICY AND CONFLICT
3) 2004 - 2007 KENYA BROADCASTING CORPORATION REPORTER
4) 2002 - 2002 NATION MEDIA GROUP REPORTER

20/2/2014

16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

2010 - 2011

1) INTERNATIONAL FORD FOUNDATION FELLOWSHIP - 2010 COHORT.

2) 2007 UNIVERSITY OF UTRECH - THE NETHERLANDS INTERNATIONAL HUMAN RIGHTS ACADEMY. CERTIFICATE OF ATTENDANCE.

3) THE DANISH EMBASSY - JOURNALISM SCHOLARSHIP - 2006 - 2007 DIP. MASS COM.

4) COMMONWEALTH BROADCASTING CORPORATION AWARD 2010.

17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

1) LAW SOCIETY OF KENYA.

2) MEMBER, PUBLIC INTEREST LITIGATION KENYA SECTION LAW SOCIETY OF KENYA.

3) ALUMNUS - UNIVERSITY OF ESSEX

4) ALUMNUS UNIVERSITY OF LONDON

5) ALUMNUS UNIVERSITY OF NAIROBI SOJ

6) ALUMNUS KENYATTA UNIVERSITY

18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged). SAME AS ABOVE. IE TO PARAGRAPH (17).

22/2/2014

19. **Published Writings:**

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

1) THE ENFORCEMENT OF FUNDAMENTAL FREEDOMS IN THE CONSTITUTION OF KENYA 2010 DISSERTATION TOWARDS LLM UNIVERSITY OF ~~EGETA~~.

2) SEVERAL ARTICLES IN ~~DAILY~~ THE NATION LAW MONTHLY AND OTHER PUBLICATIONS.

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member.

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

N/A

(b)List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including

25/2/2014

the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

N/A

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

N/A

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

N/A

21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

1) I HAVE SHARES IN THE WARRAN SECURITY EXCHANGE OF ABOUT 120,000 FROM VARIOUS COMPANIES.

1) I HAVE ABOUT 200,000 ARREARS PENDING FROM CLIENTS

25/2/2014

22. . **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

N/A

23. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

1) KATIBA INSTITUTE - KSL 900,000

2) LEMAA SUYIANKA ADVOCATES 400,000

24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

YES

20/2/2014

JEDIDAH

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 8

SCHEDULE
[Section 6(8).]

CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT QUESTIONNAIRE

Notes:

a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
c) The questionnaire shall be filled and submitted by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
d) The submission of false information in the questionnaire is an offence and may result in prosecution.
e) Any form of canvassing by a nominee shall lead to disqualification.
f) The nominee must answer all the questions.

1. **Name:** (State full name) JEDIDAH WAKONYO WARUHIU
2. **Position:** (State office to which you have been nominated).
   MEMBER OF THE ILGW-TA NATIONAL COMMISSION ON HUMAN RIGHTS
3. **Sex:** FEMALE
4. **Date of Birth:** (State year and place of birth) 1969 - NAIROBI
5. **Marital Status:** MARRIED
6. **Daytime phone number:** 0722 377 641
7. **Mobile phone number:** 0722 377 641
8. **Email Address:** jedidahwwaruhiu@gmail.com
9. **ID Number:** 10067121

10. PIN Number: A002526697M

11. Nationality: KENYAN

12. Postal Address: 11436 00100

13. Town/City: NAIROBI

14. Knowledge of Languages: (Specify Languages): ENGLISH, KISWAHILI KIKUYU, PASSIVE SIGN & FRENCH.

15. **Education:** (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

UNIVERSITY OF NOTTINGHAM 2002/3 LLM 11.12.20

KENYA SCHOOL OF LAW 1994/5 DIP. LAW DEC. 19

UNIVERSITY OF NAIROBI 1990/93 LLB 10.12.19

Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

2013 - TO DATE PROGRAMME MANAGER DIAKONIA - SWE

2004 - 2012 EXECUTIVE DIRECTOR LEGAL RESOURCE (LRF) FOUNDATION TRUS

2003 - 2004 Feb' PROTECTION OFFICER UNHCR - GHANA

2000 - 2002 PROTECTION OFFICER UNHCR - KENYA

1999 - 2000 Aug' PROGRAMME OFFICER PEOPLE AGAINST TORTURE (PAT)

1998 - 1999 Dec. ELIGIBILITY OFFICER UNHCR - KENYA

1997 - 1998 May PROGRAMME OFFICER RELEASE POLITI PRISONERS (RPP)

1996 - 1997 LEGAL OFFICER MUKIRI ADVOCATES

16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

2009 HUMAN RIGHTS DEFENDER AMNESTY INTERNATIONAL, SICILY ITALY

2004 HUMAN RIGHTS COMMITMENT INTERNATIONAL COMMISSION OF JU (ICJ KENYA)

2002 CHEVENING SCHOLARSIP BRITISH COUNCIL UNITED KINGDOM

1998 BEST HISTORY STUDENT KAMBA HIGH SCHOOL

17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

LAW SOCIETY OF KENYA

INTERNATIONAL COMMISSION OF JURIST (ICJ KENY

FEDERATION OF WOMEN LAWYERS (FIDA KENYA

18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 17) to which you belong or have belonged).

SECOND CHANCES TRUST

GROOTS KENYA

SHACKELS MINISTRY - BAMALA BIBLE CLUB

CITIZENS COALITION FOR CONSTITUTIONAL CULTURE (4

WAMUMULI W SELF HELP GROUP

19. **Published Writings:**

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

'CONSTITUTIONAL COMMUNITY JUSTICE SYSTEMS IN KENYA - 2011 MA
AWAMZA JOURNA

'THE WOMEN'S GUIDE TO LAW - 1998, FIDA KENYA

'YOUR AID AGAINST TORTURE' - 1999, PEOPLE AGAINST
TORTURE (PAT)

'BUNGE: YOU AND THE CONSTITUTION' - 1997, CENTR
FOR GOVERNANCE AND
DEVELOPMENT (CGD)

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member.

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

N/A

(b)List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including

the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

N/A

(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

NO.

(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

NO.

21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

NONE

22. . **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

NONE

23. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

2013 DIAMONIA SWEDEN — KES 3.9m per Annum

HURI SACCO — KES 1.2m

2014 DIAMONIA SWEDEN — KES 358,000/=

24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

YES

110 158

KENYA REVENUE AUTHORITY

ISO 9001:2008 CERTIFIED

MEDIUM AND SMALL TAXPAYERS

(1) D/Committee

18th February 2014

(2) WASIKE pls def FA 19/2

NATIONAL ASSEMBLY RECEIVED 19 FEB 2014

Ref: CDT/MST/HQ/57

National Assembly
Clerk's Chambers
Parliament Building
P.O Box 41842 - 00100
NAIROBI, Kenya

VETTING OF NOMINEES FOR THE APPOINTMENT AS MEMBERS OF THE KENYA NATIONAL COMMISSION OF HUMAN RIGHTS

Your letter Ref. KNA/DC. JLA/2014 dated 13th February 2014 refers.

Attached is a list of tax compliant applicants.

All applicants not appearing in the list should be referred to KRA offices.

Alice A. Owuor, OGW.
COMMISSIONER OF DOMESTIC TAXES
MEDIUM AND SMALL TAXPAYERS

NOMINEES FOR THE APPOINTMENT AS MEMBERS OF THE KENYA NATIONAL COMMISSION OF HUMAN RIGHTS

NO	NAME OF APPLICANT	PIN NO	STATUS
1	KAGWIRA MBOGORI	A001227358V	COMPLIANT
2	SUSAN SHATIKHA CHIVUSIA	A002385959H	COMPLIANT
3	GEORGE MORARA MONYONCHO	A004330157I	COMPLIANT
4	VINCENT SUYIANKA LEMPAA	A003892167F	COMPLIANT

ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd. /Milimani Rd. Junction) P.O. Box 61130 -00200, NAIROBI, Kenya
TEL.: 254 (020) 2717318/ 310722, MOBILE.: 0729 888881/2/3
Fax: 254 (020) 2719757 Email: eacc@integrity.go.ke Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC. 6/42 VOL. XVII/ (127)

URGENT

RECEIVED
21 FEB 2014
CLERK'S OFF

19th February 2014,

Mr. Justin Muturi, CBS
Clerk of the National Assembly
National Assembly
P. O. Box 41842-00100
NAIROBI

Dear Sir,

RE: VETTING OF NOMINEES FOR APPOINTMENT AS MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Reference is made to your letter **KNA/DC.LSW/CORR/2014/22** dated **13th February 2014** received on 18th February received on **18th February 2014** on the above matter.

The Commission has no outstanding matters or ongoing investigations against the nominees for the above post whose names are given below.

No.	Name	Remarks
Chairperson		
1.	Kagwiria Mbogori	-
Members		

1.	Susan Shatikha Chivusia	-
2.	George Morara Monyoncho	-
3.	Vincent Suyianka Lempaa	-
4.	Jedidah Wakonyo Waruhiu	-

Please note that absence of records in our database is not a guarantee of absolute integrity of the nominees.

Yours faithfully

Michael K. Mubea
Deputy Secretary/CEO – Operations
For: Secretary/Chief Executive Officer

HIGHER EDUCATION LOANS BOARD

Tel: 0711052000, 2278000, 0722205292, 0733205292,
0704333035, 0704333036, 0737205292, 0754556899
Fax: 2252330
E-mail: ceo@helb.co.ke
Website: www.helb.co.ke

Anniversary Towers
18th Floor, University Way
P.O. Box 69489-00400
Nairobi, Kenya

HELB/RD/56593/POV/128

17th February, 2014

RECEIVED
18 FEB 2014
CLERK'S OFFICE

Justin Bundi, CBS
The Clerk, National Assembly
P.O Box 41842-00100
NAIROBI.

Dear Justin,

CLEARANCE OF NOMINEES FOR APPOINTMENT AS MEMBER OF THE KENYA NATIONAL COMMISSION OF HUMAN RIGHTS

We acknowledge receipt of your letter **Ref No. KNA/DC. JLA/2014** regarding the clearance of shortlisted applicants for the position of Members of the Kenya National Human Rights Commission.

Please find a list confirming the loan status of the applicants with the board.

S/NO	NAME	ID NO.	STATUS
1	Kagwiria Mbogori	7010401	Cleared
2	Susan Shatikha Chivusia	10071441	Cleared
3	George Morara Monyoncho	11506113	Still servicing
4	Vincent Suyianka Lempaa	11155411	Cleared
5	Jedidah Wakonyo Waruhiu	10087121	Cleared

We urge you to encourage the applicants to seek their clearance and compliance certificates from HELB as part of testimonials and conformity to Chapter six of the constitution of Kenya.

We wish to thank you most sincerely for allowing us to provide you this information as this kind of collaboration goes a long way in assisting HELB finance needy Kenyans pursuing higher education now and in the future.

Yours sincerely

CHARLES M. RINGERA
CHIEF EXECUTIVE OFFICER &BOARD SECRETARY