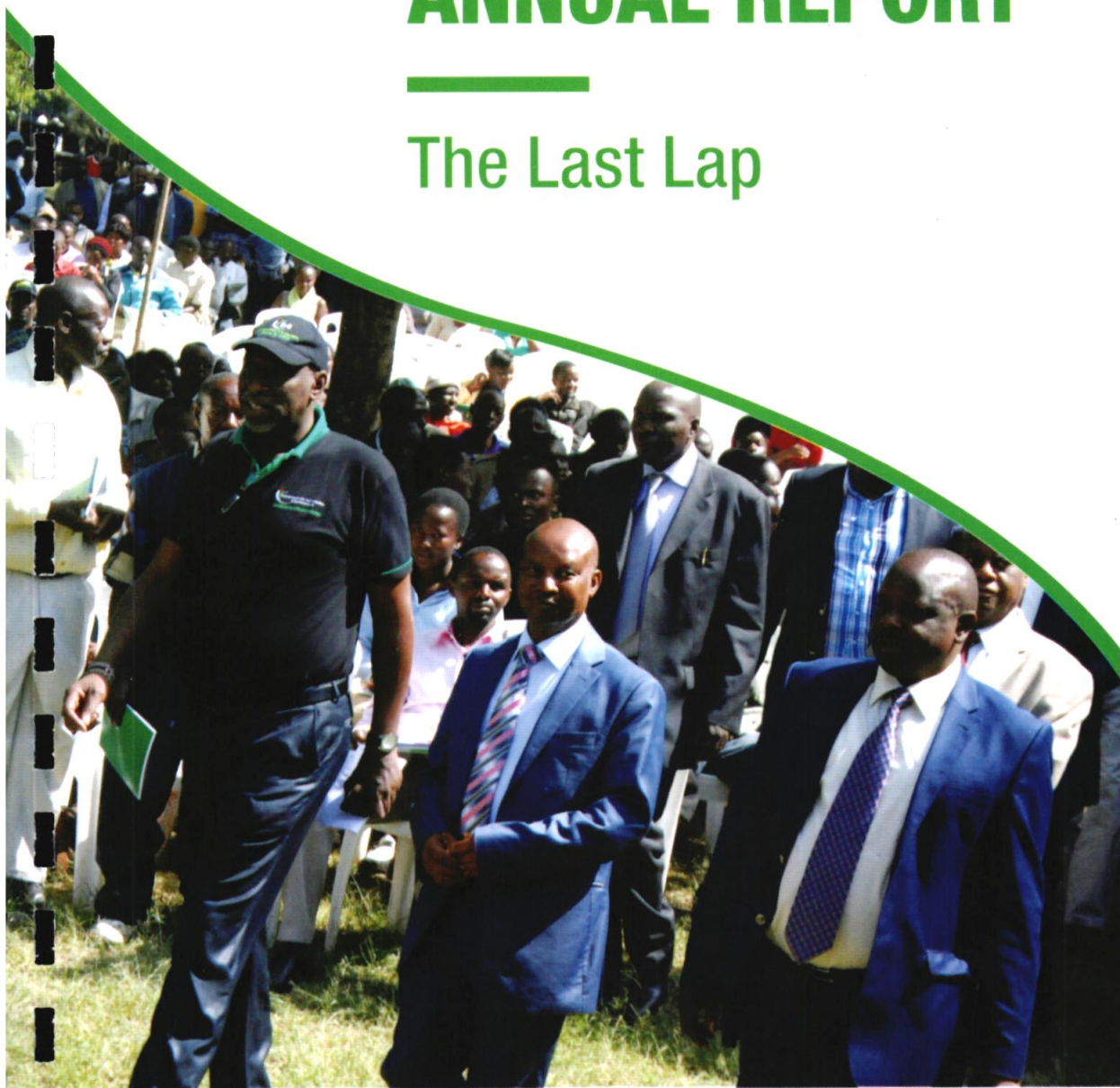




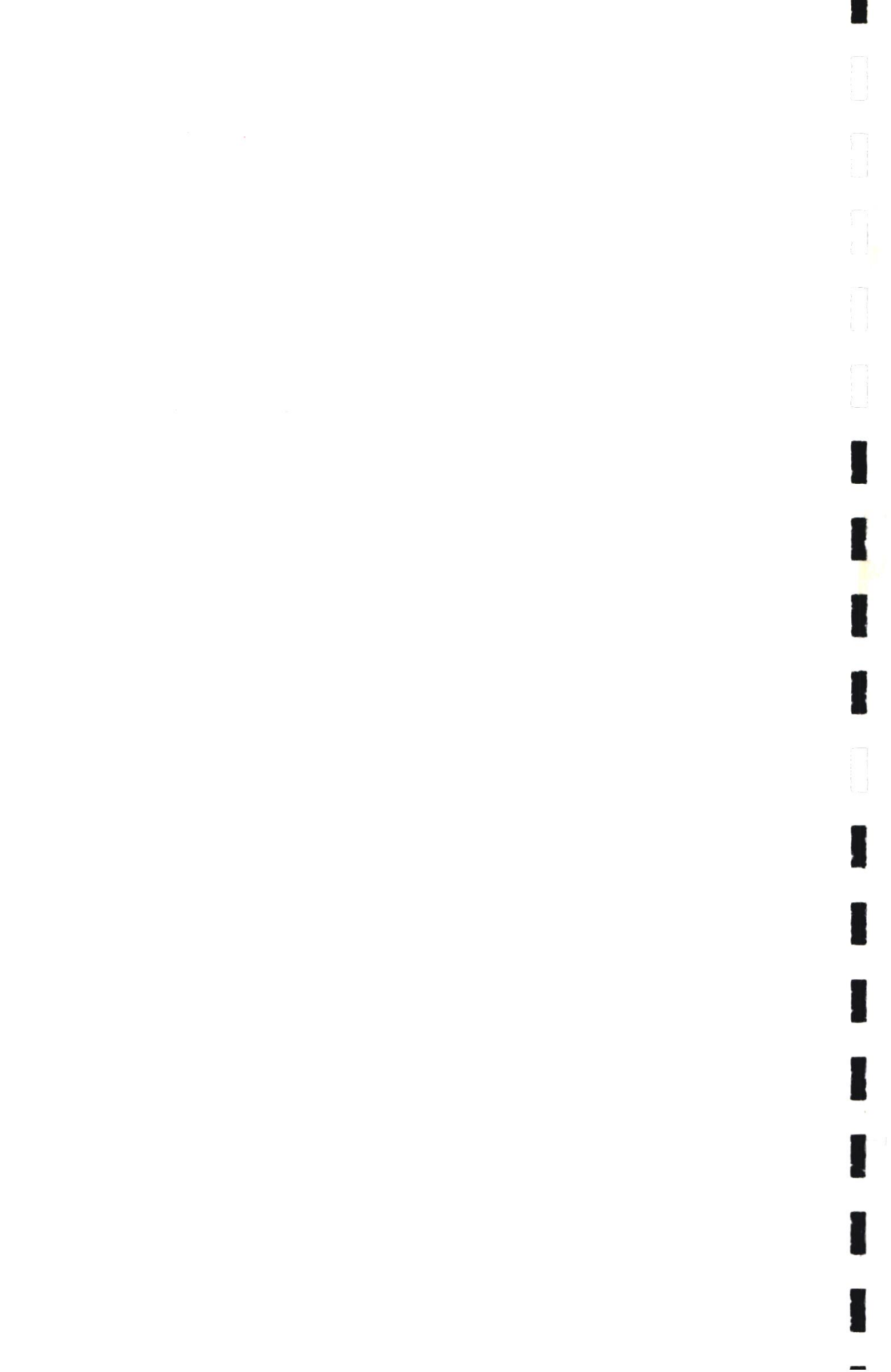
2014 - 2015

ANNUAL REPORT

The Last Lap



AUGUST 2015





Commission for the Implementation
of the Constitution

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2014 - 2015

ANNUAL REPORT

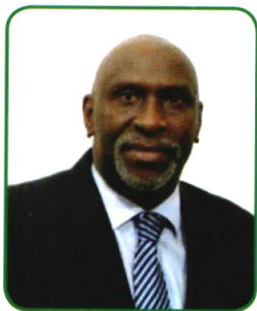
The Last Lap

AUGUST 2015

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MESSAGE FROM THE CHAIRPERSON



On behalf of the Commission for the Implementation of the Constitution, I have the pleasure to present to His Excellency, the President, Parliament and the people of Kenya the Annual Report of the Commission for the period July, 2014 to June, 2015. This report covers the fifth year of implementation of the Constitution of Kenya 2010.

During the reporting period, CIC worked with different stakeholders and partners to ensure that the implementation of the Constitution was on course. On the legislative front, CIC engaged the national executive and other state organs in ensuring that requisite legislation was prepared and submitted to Parliament for enactment. Notwithstanding meetings at which it was mutually agreed that all Bills would be published by May, some laws with a deadline of 27th August, 2015 were not submitted within agreed timelines. This poses the challenge that the Bills may be processed hurriedly at the expense of adequate stakeholder and public consultations. It is important for all state organs implementing laws to audit them for compliance with the Constitution.

The last year witnessed a number of insecurity incidents in Kenya leading to loss of innocent lives specifically in Mandera, Garissa and Baringo counties. The security of life and property for all Kenyans is a constitutional right, and national security organs must take all necessary measures to deliver on this right within the confines of the Constitution and the law.

The system of devolved government, in its last year of transition, continues to take root and find its rightful place in the system of governance under the Constitution. Unfortunately, as we submit this report, Makeni County government faces the possibility of dissolution following the establishment of a Commission in that regard. As county governments continue to put in place systems and structures for improved service delivery, CIC is gratified to note that despite transitional teething problems, devolution has taken off and every county government must now stand to be counted for its successes and challenges.

Notwithstanding some challenges encountered as reported in this report and our quarterly reports, overall constitutional implementation is largely on course. As the five-year term of the Commission comes to a close all the people of Kenya must be vigilant to protect their constitution. They must enforce their rights and be diligent in discharging their duties. The governed must hold those who govern to account, to ensure that we are a nation guided by a culture of constitutionalism and the rule of law.

This report captures all activities undertaken by CIC in the last one year. In particular, we report progress in the development of legislation and administrative procedures, activities undertaken to promote constitutionalism, stakeholder engagements and monitoring the effective implementation of the system of devolved government.

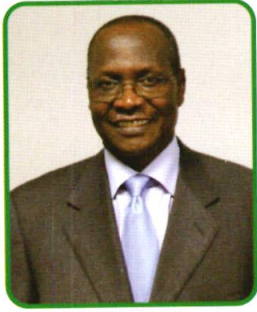
The activities undertaken by CIC during the reporting period, were realized due to the commitment of CIC commissioners and staff, the participation of stakeholders in CIC activities, technical and financial support received from the Government and our development partners. We acknowledge and commend the people of Kenya for their vigilance to ensure full and faithful implementation of their Constitution.

On the behalf of the Commission, I thank you all for your support and urge you to keep up the constitution implementation momentum.

A handwritten signature in black ink, appearing to read 'Charles Nyachae', written in a cursive style.

Charles Nyachae
CHAIRPERSON

STATEMENT OF THE SECRETARY/CHIEF EXECUTIVE OFFICER



It is with great pleasure that I present the Commission's Annual report for the year 2014/15. This being 5th year since the promulgation of the Constitution and subsequent implementation, the reporting period has been one of reflection and acknowledgement of the major milestones achieved in ensuring that the letter and spirit of the Constitution is respected and upheld.

During the period under review, the Commission worked hard to ensure that all legislation required by the 5th Schedule to the Constitution was reviewed to ensure compliance with the letter and spirit of the Constitution within the stipulated timelines. Further, as the implementation of the system of devolved government gained momentum, the Commission worked closely with county governments. Some of the key activities undertaken with county governments in this period include the review of County Transition Implementation Plans (CTIPs), the development of Health Charters in selected counties, sensitization on the inclusion of rights for persons with disability in the counties and national governments as well as capacity building for County Government officials. As we come to the last lap of the life of CIC, we are alive to the fact that the implementation of the Constitution should and must be a continuous process. We shall therefore engage with relevant actors in the implementation process to ensure continuity.

The Commission is especially grateful for the financial and technical support provided by various development partners towards the actualization of its mandate. The Partners that have immensely contributed to our success throughout the period include the United Nations Development Programme (UNDP), International Development Law Organization (IDLO), The Royal Netherlands Government, the Swedish International Development Agency (SIDA), Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and the Danish International Development Agency (DANIDA). The other partners that ensured our success were the United States Agency for International Development (USAID), the United Nations High Commissioner for Refugees (UNHCR), the United Nations High Commissioner for Human Rights (OHCHR), Worldwide Fund for Nature (WWF), Open Society Initiative for Eastern Africa (OSIEA), State University of New York (SUNY-Kenya), the International Republic Institute (IRI), UN Women, United Nations Office on Drugs (UNODC), International Budget Partnership and Mercy Corps Kenya. We also appreciate the support and cooperation received from the national and county governments, Constitutional Commissions and Independent Offices. We are also grateful to the people of Kenya whose confidence in us was unwavering through the period.

I also take this opportunity to thank our Secretariat team who with the able leadership of the Commissioners, worked tirelessly, with zeal and commitment. When we embarked on this journey five years ago, we were alive to the great expectations that Kenyans placed on our shoulders and I am pleased to confirm that the team took this with stride and delivered. For us at the Commission, it has been indeed, a privilege to serve the people of Kenya.

Finally, our appeal to the people of Kenya is that the implementation of the Constitution must continue. Kenyans must remain vigilant to ensure that the gains made in the five years are not eroded and that constitutionalism and the respect of the rule of law become a way of life for Kenya. Only then will Kenyans have realized the full fruits of the Constitution of Kenya, 2010.

A handwritten signature in black ink, appearing to be 'J.N. Kosure', written over a horizontal line.

Joseph N. Kosure

SECRETARY/CHIEF EXECUTIVE.

ABBREVIATIONS

AG	Attorney General
CAJ	Commission on Administrative Justice
CBO	Community Based Organization
CC	Constitutional Commissions
CDF	Constituency Development Fund
CEC	County Executive Committees
CIC	Commission for the Implementation of the Constitution
CIDP	County Integrated Development Plan
CIOC	Constitution Implementation Oversight Committee
CSO	Civil Society Organisations
CTIPs	County Transition Implementation Plans
CUC	Court User Committee
DANIDA	Danish International Development
DPP	Director of Public Prosecutions
EACC	Ethics and Anti-Corruption Commission
FBO	Faith Based Organisation
FY	Financial Year
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
IBEC	Intergovernmental Budget and Economic Council
IBP	International Budget Partnership
IDLO	International Development Law Organization
IEBC	Independent Electoral and Boundaries Commission
IO's	Independent Offices
IRI	International Republic Institute
KDF	Kenya Defence Forces
KLRC	Kenya Law Reform Commission
KWS	Kenya Wildlife Service
MCAs	Members of County Assemblies
MDAs	Ministries, Departments and Agencies
NAGEC	National Gender and Equality Commission
NGO	Non-Governmental Organization
NIS	National Intelligence Service
NPS	National Police Service
NYS	National Youth Service
OHCHR	United Nations High Commissioner for Refugees
OSIEA	Open Society Initiative for Eastern Africa
PFM	Public Finance Management
PSC	Public Service Commission
PWD's	Persons with Disabilities
SIDA	Swedish International Development Agency
SUNY	State University of New York
TA	Transitional Authority
TIPs	Transition Implementation Plans
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs
USAID	United States Agency For International Development
WWF	Worldwide Fund for Nature

EXECUTIVE SUMMARY

On the 27th of August 2015, Kenya celebrates the fifth anniversary since the promulgation of the Constitution of Kenya 2010. During the period under review, the commission, in line with its mandate, undertook activities to monitor, facilitate and oversee the development of legislation and administrative procedures required to implement the Constitution, and to monitor the effective implementation of the system of devolved government. The Commission made considerable effort to ensure that pending legislation was developed within the constitutional timelines. The Commission was able to carry out an assessment of the Counties as they undertook their constitutional and statutory mandates and will issue a comprehensive report on this assessment.

During the reporting period (July 2014-June 2015) the following milestones were achieved in the implementation of the constitution:

- a) Enactment of required laws, especially those specified in the 5th schedule to the Constitution.
- b) County governments finalized Transition Implementation Plans and reported implementation progress.
- c) County governments took up the transferred functions and made significant progress including putting in place necessary institutional frameworks for effective service delivery
- d) County governments developed the various policies, laws and administrative procedures required to facilitate the delivery of the devolved functions.
- e) Establishment of the intergovernmental relations technical committee.

In accordance with its mandate, the Commission realized progress as highlighted below:

a) Review and Development of Policies

The Commission engaged with various governments Ministries, Departments and Agencies (MDAs) in the review of their policies.

b) Review and Development of Legislation

The Commission reviewed legislation as required by the Fifth Schedule to the Constitution within the specified timelines. Among them were six legislations that were due by August 2014 but the timeline was extended by nine months. The Commission also reviewed legislative proposals for the Amendment of various laws.

c) Review and Development of Administrative Procedures

The Commission reviewed regulations and participated in the development of several guidelines for national and county governments. Key among the guidelines were a Guide for County Assemblies, a Legislative Drafting Manual and a Manual for Beneficiaries of the Affirmative Action Principle.

d) Judicial Intervention:

The Commission was involved in 14 petitions regarding the interpretation or application of the Constitution.

e) Stakeholder Engagement:

The Commission held engagements with key partners and stakeholders. Key among them were:

- The Constitutional Implementation Oversight Committee of the National Assembly: On the status of the pending legislation required by August 27, 2015.
- The Justice and Legal Affairs Committee of the National Assembly: On matters regarding the legality of the creation of offices of Leader of the Majority Party and Minority Party in the National Assembly.
- The Independent Electoral and Boundaries Commission: On procedural matters relating to the proposed referendum.

f) Working with Constitutional Commissions:

The Commission continued to work with other Commissions and Independent Offices to ensure the respect for the letter and spirit of the Constitutions. The Forum of chairpersons of Constitutional Commissions and holders of independent offices convened its 3rd Annual Congress and held the Fourth Anniversary of the Promulgation of the Constitution.

g) Protecting Constitutionalism and Sovereignty of the People.

This was achieved through issuance of media statements, public advisories and judicial interventions.

h) Monitoring the Implementation of the System of Devolved Government:

The Commission reviewed the devolution policy and conducted the second assessment of the status of implementation of system of devolved government as at the end of June 2015. Further, the Commission initiated a project to integrate a rights based approach in health services delivery and developed a booklet that will guide implementation of the right to health.

i) Quarterly Reporting

The Commission prepared and submitted quarterly reports to the Constitution Implementation Oversight Committee of the National Assembly on progress in the implementation of the Constitution.

Challenges to the Implementation of the Constitution

Though significant progress has been made in implementing the Constitution, the process still faces a myriad of challenges. Key among these are: Institutional conflicts, delay in completion of unbundling and costing of functions, Lack of a Public Participation framework to facilitate meaningful public participation, limited civic education, persistent delay in submission of Bills by the National Executive and delay in publication of County Bills by government press.

MISSION AND VISION OF THE COMMISSION

VISION

A united and prosperous Kenya, in which everyone respects, upholds and defends the Constitution.

MISSION

To ensure that policies, laws, structures, systems and administrative procedures developed and applied at all levels are consistent and in accord with the letter and spirit of the Constitution of Kenya.



CIC Chairperson and Commissioners during the launch of the CIC Annual Report 2013/2014 in Murang'a

CHAPTER ONE

MANDATE AND STRATEGIES OF THE COMMISSION

1.1 Mandate

The Commission for the Implementation of the Constitution is established under Section 5(1) of the Sixth Schedule to the Constitution and derives its mandate from Sections 5(6) and 15(2)(d) of the Sixth Schedule to the Constitution. This mandate is amplified by Section 4 of the Commission for the Implementation of the Constitution Act 2010, and Sections 15 and 16 of the Transition to Devolved Government Act, 2012. These provisions spell out the functions of the Commission to include:

- a) Monitoring, facilitating and overseeing the development of legislation and administrative procedures required to implement the Constitution;
- b) Co-ordinating with the Attorney-General and the Kenya Law Reform Commission in preparing for tabling in Parliament, the legislation required to implement the Constitution;
- c) Reporting every three (3) months to the Constitutional Implementation Oversight Committee on:
 - i) Progress in the implementation of the Constitution;
 - ii) The preparation of the legislation required by the Constitution and any challenges in that regard;
 - iii) The process of establishing new Commissions;
 - iv) The process of establishing the infrastructure necessary for the proper operations of each county including progress on locating offices, assemblies and establishment and transfer of staff;
 - v) Any impediments to the process of implementing the Constitution.
- d) Working with each constitutional commission to ensure that the letter and spirit of the Constitution is respected;
- e) Monitoring and overseeing the transition process to devolved government and ensure that the system of devolved government is implemented effectively.
- f) Exercising such other functions as provided for by the Constitution or any other written law.

The Commission is further obligated to observe the objects of Constitutional Commissions and Independent Offices as set out in Article 249 (1) of the Constitution, which are:

- a) Protecting the sovereignty of the people;
- b) Securing the observance by all State organs of democratic values and principles; and
- c) Promoting constitutionalism.

In discharging its mandate, the Commission is also obliged to observe, promote, respect and protect national values and principles of governance as stipulated in Article 10 (2) of the Constitution.

In facilitating public institutions to implement the constitution, CIC's role encompasses advising on capacities required of public officers, facilitating the development of these capacities, spearheading change management in the institutions, as well as supporting initiatives by these institutions aimed at ensuring adequate public participation in development of their policies, legislation and administrative procedures.

1.2 The Commission's Strategic Direction

In carrying out its mandate, the Commission applied the following strategies as outlined in its strategic plan 2013-2015.

1) **Monitoring and Reporting on Constitution Implementation**

The Commission develops and issues, to all public institutions, guidelines for reporting on the progress of constitution implementation. It receives implementation progress reports from various public institutions, which are analysed to form part of the quarterly and annual reports submitted to the President and the Constitution Implementation Oversight Committee (CIOC) and the people of Kenya.

2) **Advisory Opinions**

Occasionally, the Commission issues advisory opinions to the public on issues pertinent to compliance with the letter and spirit of the constitution by various organs of government, most critically the executive whose policies and directives have direct implications on the citizenry..

3) **Stakeholder Engagement**

In the discharge of its mandate, the Commission facilitates stakeholder and public participation through meetings with implementing agencies, working with Constitutional Commissions and Independent Offices and public forums from which the Commission receives submissions.

4) **Judicial Interventions and Public Interest Litigation**

The Commission at various instances seeks guidance and intervention of the Judiciary through legal proceedings in cases of misinterpretation or improper application of constitutional provisions. The Commission also joins in cases initiated by other parties where substantial issues of law that have implications on the implementation of the constitution are in issue.

The Commission's Strategic Results are:

- 1) A respected, well-functioning and independent Commission effectively delivering on its mandate.
- 2) Increased constitutional compliance among state actors; and
- 3) Increased constitutional compliance among citizens and non-state actors;

This report presents the Commission's progress made during the reporting period 2014-2015 Financial Year. In some limited circumstances the report contains information that was obtained beyond the reporting period but was deemed necessary for presenting a complete picture of the Commissions' activities.

The report is organised and presented in five chapters. Chapter one presents an introduction of the Commission mandate and strategies; Chapter 2 expounds on the review and development of policies, legislation, and administrative procedures; Chapter 3 outlines the implementation of the system of devolved government; Chapter 4 deals with entrenching constitutionalism and working with constitutional commissions and independent offices. Chapter 5 highlights the key challenges experienced in the implementation of the Constitution during the reporting period and proposes recommendations on how to tackle the challenges. Finally the report presents two annexes referenced to in the main report.



CIC Staff consulting at a public function

CHAPTER TWO

DEVELOPMENT OF POLICIES, LEGISLATION AND ADMINISTRATIVE PROCEDURES

This section covers the achievements made in the development and review of policies, legislation and administrative procedures, as well as progress made by public agencies in the implementation of the constitution.

2.1 Review and Development of Policies

2.1.1 National Health Sector and Gender Policy 2014-2030

This Policy developed by the Ministry of Health provides for the framework to enable the health sector to deliver gender responsive services. The Commission reviewed the policy for compliance with the Constitution and forwarded an advisory to the Ministry of Health.

2.1.2 Equality Policy

The Ministry of Devolution and Planning together with the National Gender and Equality Commission prepared a policy on representation of marginalised groups. The Commission reviewed the policy and forwarded an advisory to the Ministry and the Office of the Attorney General.

2.1.3 Forest Policy

The Commission received a draft Forest Policy from the Ministry of Environment, Water and Natural Resources. The proposed policy provides a framework for improved forest management, resource allocation, partnerships and collaboration between state and non-state actors. The Commission commenced the review of the policy pending submission of the final draft by the Ministry.

2.1.4 Devolution Policy

The Ministry of Devolution developed a Policy Paper on Devolution to facilitate implementation of the system of devolved government in Kenya. The Ministry invited stakeholders including CIC to a meeting to finalize the Policy Paper. CIC, in its submissions, advised the Ministry to among others, hold further consultations before the validation of the policy.

2.1.5 Energy Policy

The Commission received a draft Energy Policy from the Ministry of Energy. The proposed policy provides a framework for regulating the Energy Sector taking into account expansion of the sector and new developments therein. The Commission reviewed the policy together with the legislation that had been prepared pursuant to the policy. The Commission expects the Ministry to align the policy so that it is consistent with the changes that were agreed on the reviewed legislation.

2.1.6 Other policies received and undergoing review at CIC include:

- a) Nyeri county health policy.
- b) National police service gender policy.
- c) National culture and the arts policy.

2.2 Review and Development of Legislation

Article 261 of the Constitution provides that Parliament shall enact legislation required to implement the Constitution. The Fifth Schedule to the Constitution prescribes legislation to be enacted within five years. Pursuant to its Constitutional mandate, the Commission receives legislation from the Executive through the Attorney General for review to ensure that legislation is aligned to the letter and spirit of the Constitution. During the reporting period, CIC reviewed legislation received from the Executive and Parliament. Table 1 below provides a summary and status of legislation reviewed by CIC during the FY 2014/2015. However, it should be noted that the status provided is as at August 2015. An accumulative table highlighting the status of all the legislation under the Fifth Schedule is annexed.

Table 1: Status of legislation reviewed by CIC

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of Legislation
1	Culture (Article 11), Protection of right to Property (Article 40(5)) and obligations in respect of environment (Article 69)	Five years	Ministry of Sports, Culture and Arts.	The Protection of Traditional Knowledge and Traditional Cultural Expressions Bill, 2015	Bill reviewed and advisory forwarded to the AG
2	Culture (Article 11)	Five years	Ministry of Sports, Culture and Arts.	National Culture and Art Bill, 2015	Bill reviewed and advisory forwarded to AG
3	Culture (Article 11(3) (b))	Five years	Ministry of Agriculture and Fisheries	The Seeds and Plant Varieties (Amendment) bill, 2015	Bill reviewed and forwarded to AG
4	Regulation of Land Use and Property (Article 66)	18 months	Ministry of Lands, Housing and Urban Development	Community Land Bill 2015 Physical Planning Bill, 2015	Bills reviewed and forwarded to the AG
5	National Land Commission (Article 67)	5 years.	National Land Commission	The Investigations and Adjudication of Historical Land Injustices Bill, 2015	Bill reviewed and forwarded to the AG
6	Legislation on Land (Article 68)	5 years	Ministry of Lands, Housing and Urban Development	The Minimum and Maximum Land Holding Acreage Bill, 2015	Bill reviewed and forwarded to the AG
7	Agreements relating to natural resources (Article 71)	Five years	Ministry of Environment, Water and Natural Resources	Agreements relating to natural resources (Classification of Transactions) Bill, 2015	Bill reviewed and forwarded to the AG.
8	Promotion of Representation of Marginalized Groups (Article 100)	Five years	Ministry of Devolution and Planning.	Statute Law Miscellaneous Amendment Bill, 2015	Bill reviewed and forwarded to the AG.
9	Powers, privileges and immunities (Article 117)	Five years	Parliament	Parliamentary Powers and Privileges Bill, 2014	Bill reviewed and forwarded to the National Assembly and Senate

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of Legislation
10	Court of Appeal (Article 164)	Five years	Judiciary	The Court of Appeal Organization and Administration Bill, 2015	Bill reviewed and forwarded to the AG
11	High Court (Article 165 (1)(b))	Five years	Judiciary	High Court Organisation and Administration Bill, 2015	Bill reviewed and forwarded to the AG
12	Subordinate Courts (Article 169)	Five years	Judiciary	Magistrates Court (Amendment) Bill, 2015	Bill reviewed and forwarded to the AG
13		Five years	Judiciary	Small Claims Court Bill, 2015	Bill reviewed and forwarded to the AG
14	Judiciary Fund (Article 173)	Two years	Judiciary	Judiciary Fund Bill, 2015 (An amendment to the Judicial Service Commission Act 2011)	Bill reviewed and forwarded to the AG
15	Public participation and county assembly powers, privileges and immunities (Article 196)	Three years (enacted as section 17 of the County Government Act, 2012)	Parliament	The County Assemblies Powers and Privileges Bill, 2014 (to repeal Section 17 of the County Governments Act, 2012.)	Bill reviewed and forwarded to National Assembly and Senate.
16	Accounts and audit of public entities (Article 226)	Four years (Enactment period extended by 9 months)	The National Treasury	Public Audit Bill 2014	Bill reviewed and published.
17	Procurement of public goods and services (Article 227)	Four years (Enactment period extended by 9 months)	The National Treasury	Public Procurement and Asset Disposal Bill, 2014	Bill Reviewed and published
18	Other Legislation		National Treasury	The Government Owned Entities Bill 2015,	Bill reviewed and forwarded to the AG.

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of Legislation
19			National Treasury The Presidency	The Kenya Sovereign Wealth Fund Bill, 2015 National Sovereign Wealth Fund Bill, 2014	CIC received two bills from different ministries and requested the executive to consolidate them into one.
20			Ministry of Transport and Infrastructure	The Prevention and Control of Marine Pollution Bill, 2014	Bill reviewed and advisory forwarded to the AG and the Ministry.
21			National Land Commission	The Evictions and Resettlement Procedures Bill, 2015	Bill reviewed and forwarded to the AG
22			Ministry of Lands, Housing and Urban Development	Land Registration (Amendment) Bill, 2015 Land (Amendment) Bill, 2015 National Land Commission (Amendment) Bill, 2015	The three Bills were reviewed and forwarded to the National Assembly and the AG
23			Ministry of Lands, Housing and Urban Development	Housing Bill, 2015.	Bill under review at CIC
24			Ministry of Environment, Water and Natural Resources	Forest Conservation and Management Bill, 2014	Bill reviewed and forwarded to the AG
25			Ministry of Environment, Water and Natural Resources	Irrigation Bill, 2015	Bill under review by CIC
26			Kenya National Bureau of Statistics	The Statistics (Amendment) Bill, 2014.	Bill referred back to KNBS for resubmission through the AG.
27			Ministry of Labour, Social Security and Services.	Employment (Amendment) Bill, 2015.	Bill reviewed and advisory forwarded to the AG

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of Legislation
28			Ministry of Labour, Social Security and Services.	Labour Relations (Amendment) Bill, 2015.	Bill under review by CIC
29			Ministry of Labour, Social Security and Services.	Labour Institutions (Amendment) Bill, 2015	Bill under review by CIC
30			Ministry of Labour, Social Security and Services.	Work Injury Compensation Bill, 2015	Bill under review by CIC
31			Ministry of Labour, Social Security and Services.	Occupational Safety and Health (Amendment) Bill, 2015.	Bill under review by CIC
32			Parliament	The County Early Childhood Education Bill, 2014.	Bill Reviewed and advisory forwarded to Parliament
33			Ministry of Interior and Coordination of National Government	The Security Laws (Amendment) Bill, 2014	Bill reviewed and advisory forwarded to Parliament and the Executive
34			Parliament	The Kenya National Examination Council (Amendment) Bill, 2015.	Bill reviewed and advisory forwarded to Parliament
35			National Assembly (Private Member Bill)	Legislative Proposal for the Amendment of Article 103(1) (b) of the Constitution.	Bill reviewed and advisory forwarded to Parliament.
36			Ministry of Health	The Malaria Prevention Bill, 2014	Bill reviewed and advisory forwarded to the National Assembly
37			Ministry of Health	The Health Bill, 2015	Bill reviewed and advisory forwarded to the National Assembly
38			Parliament	The Pensions (Amendment) Bill, 2014	Bill reviewed and advisory forwarded to Parliament

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of Legislation
39			Ministry of Education	The Higher Education Loans Board (Amendment) Bill, 2014.	Bill reviewed and forwarded to Parliament
40			Ministry of Education	The Basic Education (Amendment) Bill, 2015	Bill reviewed and forwarded to the AG
41			Teachers Service Commission (Article 237)	Teachers Service Commission (Amendment) Bill, 2015	Bill reviewed and advisory forwarded to the AG and Parliament
42			Ministry of Labour, Social Security and Services	Persons with Disabilities Bill, 2015	Under review by CIC
43			Office of the Attorney General	The Succession Act (Amendment) Bill, 2015	Bill reviewed and forwarded to the AG
44			Ministry of Culture, Sports and the Arts	The Languages of Kenya Bill, 2015	Under review by CIC
45			Ministry of Energy and Petroleum	The Energy Bill, 2015	Bill reviewed and submitted to the AG
46			Ministry of Energy and Petroleum	The Petroleum (exploration, Development and Production) Bill, 2015	Bill reviewed and submitted to AG
47			Parliament	County Retirement Scheme Bill, 2014	Bill Reviewed and advisory forwarded to Council of Governors, Forum of Chairpersons of the County Public Service Boards and the Union of Kenya Civil Servants
47			National Assembly (Private Member Bill)	Biomedical Engineers Bill, 2015.	Bill reviewed and advisory forwarded to Parliament

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of Legislation
48			Parliament	National Youth Employment Authority Bill 2015	Bill reviewed and advisory forwarded to Senate, AG and Ministry of Labour.
49			National Assembly (Private Member Bill)	Constitution of Kenya (Amendment) Bill, 2015.	Bill reviewed and forwarded to National Assembly
50			National Assembly (Private Member Bill)	Constitution of Kenya (Amendment) Bill, 2015. Proposal on the change of election date.	Bill reviewed and forwarded to the National Assembly
51			National Assembly (Private Member Bill)	The Sexual Offences (Amendment) Bill, 2015.	Bill reviewed and advisory forwarded to Parliament
52			National Assembly (Private Member Bill)	Constitution of Kenya (Amendment) Bill (No.1), 2014 (Article 103(1) (b))	Bill reviewed and advisory submitted to the Parliament.
53			National Assembly (Private Member Bill)	Child Justice Bill, 2014.	Bill reviewed and advisory forwarded to Parliament

2.3 Regulations and Administrative Procedures

In order to give effect to legislation, MDAs prepared and submitted regulations and administrative procedures to the Commission for review. Table 2 below highlights the status of the regulations reviewed during the 2014/15 Financial Year.

Table 2: Summary of Regulations and Administrative Procedures Reviewed by the Commission in the FY 2014/2015

	Title of Regulation / Administrative Procedure	Enabling Act	Responsible Ministry/ Department	Status
1	The Public Finance Management Regulations, 2014	The Public Finance Management Act, 2012	The National Treasury	Regulations reviewed and recommendations submitted to the National Treasury.
2	The Basic Education Regulations, 2015	Basic Education Act, 2013	Ministry of Education, Science and Technology	Regulations reviewed and advisory submitted to the Ministry and the Attorney General
3	The National Police Service Regulations, 2015	The National Police Service Act 2011.	National Police Service	Regulations reviewed and submitted to the Attorney General
4	The National Police Service Commission Regulations, 2015	National Police Service Commission Act, 2011	National Police Service Commission	Regulations reviewed and submitted to the Attorney General
5	Independent Policing Oversight Authority Regulations, 2015	Independent Policing Oversight Authority Act, 2011	Independent Policing Oversight Authority	Regulations under review by the Commission
6	Code of Conduct for EACC State Officers	The Leadership & Integrity Act, 2012 (Section 37)	The Ethics & Anti-Corruption Commission (EACC)	Code of conduct reviewed and recommendations forwarded to the EACC.
7	Code of Conduct for CIC State Officers	The Leadership & Integrity Act, 2012 (Section 37)	CIC	Code of conduct developed, approved and adopted
8	The Seeds and plant varieties (conservation, access and benefit sharing of plant genetic resources for food and agriculture) Regulations, 2015	Seeds and Plant Varieties Act, 2013	Ministry of Agriculture, Livestock and Fisheries	Regulations reviewed and submitted to the Attorney General
9	National Police Standing Orders	The National Police Act, 2011	National Police Service	Reviewed and forwarded to the NPS for adoption.

2.4 Guidelines and Manuals

As part of its mandate of facilitating the development of administrative procedures, CIC participated in the review and development of various guidelines/manuals.

2.4.1 Guidelines for Inclusion of Persons with Disability in Mainstream Society

The Commission launched a publication titled “Guidelines for the Inclusion of Persons with Disabilities in Mainstream Society”. The guidelines aim to assist state and non-state agencies in the formulation, review and implementation of policies, legislation and administrative procedures towards the effective implementation of rights of Persons with Disabilities. The Commission also used the guidelines to sensitize both state and non-state actors on rights of persons with disabilities.

2.4.2 County Assembly Handbook

In the reporting period 2013-2014 FY, the Commission developed and launched a handbook titled “County Assemblies: Their Roles and Responsibilities”. Subsequently, during the current reporting period (2014-2015), the Commission published the handbook and disseminated it to all County governments. The handbook provides basic guidance to current and future Members of County Assemblies on their roles.

2.4.3 Legislative Drafting Manual

In recognition of the significance of well-drafted legislation, the Commission, in partnership with the Kenya Law Reform Commission undertook to develop a legislative drafting guide. The guide seeks to aid both levels of government in the development of legislation and to improve the standards of legislative drafting in Kenya. This will ensure that the laws developed are consistent with the Constitution and are simple and clear. The guide was finalised and awaits publication.

2.4.4 Manual for Beneficiaries of the Affirmative Action Principle

The Commission developed a manual that will be utilized to raise awareness and educate affirmative action beneficiaries who include women, youth, marginalised communities, minorities and persons with disability, of their rights and benefits in order to enable them to actualize equality in opportunities and equity in resource allocation. The manual is currently under review and will be published by November 2015.

2.4.5 Booklet on the Effective Implementation of the Right to Health

The Commission developed a booklet that will guide implementation of the right to health as a human right. The booklet focuses on the inclusion of socio-economic rights as well as the recognition and protection of the right to health in the Constitution. It also focuses on the structures for implementing the right to health and the responsibility of the state in the delivery of health service as well as the role of non-state actors in the provision of this service.

CIC will engage the Council of Governors in the publication and dissemination of the booklet for effective dissemination to all stakeholders.

2.4.6 Other Publications undergoing review and development

- i) A publication on Public Participation
- ii) Guide on the implementation of human rights (Human Rights Manual)
- iii) Tool for monitoring implementation of Land and Environment policies and laws



CIC staff talking to a member of the public in Kirinyaga County

CHAPTER THREE

IMPLEMENTATION OF THE SYSTEM OF DEVOLVED GOVERNMENT

The Constitution of Kenya, 2010 establishes a system of devolved government made up of a national government and 47 county governments. The first General Elections under the Constitution, held on 4th March 2013, marked the end of a centralised system of government and the advent of the current system of government.

Pursuant to its mandate, on monitoring and overseeing the transition process to the system of devolved government, CIC undertook the following activities during the reporting period:

3.1 Implementation of Transition to the System of Devolved Government

3.1.1 Review of County Transition Implementation Plans

Section 16(3) of the Transition to Devolved Government Act (TDGA) 2012 requires all county governments to prepare and submit Transition Implementation Plans (TIP), to TA and CIC among others. To facilitate the development of plans, CIC and the Transition Authority prepared guidelines which county governments used to prepare and submit their TIPs. All county governments except Nairobi, prepared and submitted TIPs. The transition implementation planning exercise was to assist county governments to prepare for the implementation of devolved functions and more specifically to ensure that all county governments:

- i) Identified and developed policies, legislation or procedures required for devolved functions.
- ii) Comprehensively addressed the issue of capacity assessment.
- iii) Set up a plan for decentralization, classification of cities and urban areas and the establishment of management structures.
- iv) Established of frameworks to facilitate working relations between and within different arms of the county government and with the national government at county level.

- v) Set up systems including financial management systems, Monitoring&Evaluation, Inventory and Asset Management systems.
- vi) Developed a civic education framework.
- vii) Established a public participation mechanism.

CIC reviewed the CTIPs and made recommendations to county governments. In general, all the county governments complied with the guidelines issued by TA. County governments were advised to:

- Ensure all devolved functions have been catered for in the plan in terms of development of policies and legislation.
- Plan for the development of civic education and public participation frameworks
- Plan for the establishment of frameworks for service delivery at the county level and at the decentralized units, including establishment of citizen service centres.
- Prepare a status report on progress made on the implementation of the plan
- Plan for the establishment of the various intergovernmental relation mechanisms to facilitate effective service delivery by both the national and county governments.

The Commission further issued advisories to all county governments on their CTIPs giving general and specific observations on their respective TIPs. Subsequently, CIC visited Kilifi, Migori and Kakamega county governments to share feedback specific to their TIPs. The meetings between CIC and the county government teams discussed the TIPS findings, successes and challenges experienced by county governments and possible solutions.

3.1.2 County Transition Implementation Plans Progress Reports

Section 16(3) of the TDGA 2012 requires county governments to submit to CIC and TA, progress reports on the implementation of their TIPs. CIC received and analysed reports from seven county governments, namely; Bungoma, Nyamira, Kisii, Trans-Nzoia, Isiolo, Kirinyaga, Kisii, Nandi and Wajir. The county governments reported progress in the following areas:

- i) Legislation to facilitate implementation of functions;
- ii) County plans;
- iii) Framework for service delivery;
- iv) Infrastructure and systems;
- v) Capacity building; and
- vi) Financial management systems:

The County governments reported having made significant progress in the development of policies, legislation and administrative procedures to facilitate implementation of devolved functions. The main plans developed or under development included, the county spatial plans, the cities and urban areas plans, the urban/ town zoning plans, County development plan, county integrated development plan (CIDP) and County Sectoral plans.

Further, county governments had developed various frameworks to facilitate service delivery. The main frameworks developed were the institutional and organizational flow (organogram) and the decentralized units. All the county governments developed the organogram, while others had established the decentralized units to facilitate service delivery. County governments had also embarked on capacity building of their staff and established various systems to facilitate service delivery. The county governments also established stakeholder forums to facilitate public participation.

3.1.3 Assessment of Implementation of the System of Devolved Government

In April 2014, the Commission conducted the first assessment on establishment of the system of devolved government. Subsequently, in June 2015, the Commission conducted a second assessment, which focused on the operationalization of established structures and the effectiveness of service delivery.

The assessment indicates that county governments have taken up the transferred functions and have made significant progress including putting in place necessary institutional frameworks for effective service delivery. This includes the development of policies, laws and administrative procedures to facilitate execution of devolved functions. It also includes the establishment of systems and structures such as offices, equipment, IFMIS, establishment of Citizen Service Centers, human capacity deployment and development. They have also developed CIDP and other county plans to ensure discharge of county government functions. These achievements resulted in benefits to the people including improvements in road networks especially in rural areas due to gravelling of roads, reported increased agricultural productivity due to availability of farm inputs, equipment and extension services, enhanced capacity of cooperative societies through provision of business and cooperative advisory services and improved trading environment due to street lighting and markets renovation.

Notwithstanding, the strides made by county governments, county governments reported a number of challenges affecting the discharge of their mandates. Some of the challenges identified include, strained inter governmental relations, inadequate skilled technical personnel coupled with a bloated workforce and disparities in remuneration, transferred and seconded officers who did not have appropriate skills, inadequate financial resources, inappropriate policy frameworks and failure to disburse the equalization fund for the marginalised counties.

CIC made a number of recommendations to relevant state agencies including:

- Operationalizing various intergovernmental forums
- Rationalization of staff terms of service
- Development of public participation guidelines with clear feedback mechanisms
- Fast tracking the development of the regulatory and institutional framework for utilization of equalization funds.

The assessment report will be published by the 27th of August 2015.

3.1.4 Transition Authority Progress Reports

The Commission received progress reports from the Transition Authority (TA) for the months of August and September 2014. The Authority reported progress on activities it had undertaken including transfer of the remaining functions, audit of assets and liabilities and the staff capacity assessment and rationalization of the public service. On transfer of functions, the Authority reported that it prepared and submitted to the Attorney General, a legal notice to transfer functions such as county roads, electricity, gas reticulation, energy regulation and libraries to county governments. The said gazette has not yet been published.

The Authority conducted a pilot study on the validation of existing assets and liabilities of the defunct local authorities. The Authority reported that consultancy services were procured to carry out the audit of assets and liabilities for county governments.

3.1.5 Academic Dialogue on System of Devolved Government

CIC, in partnership with Maseno University organized an academic workshop between the 8th and 10th of April, 2015. The workshop theme was "The role of the Academia in the implementation of the Constitution". The workshop provided an engagement platform for discourse on the sustained implementation of the constitution beyond CIC's term.

The discussions pointed out to the inadequate participation by the academia in the dialogue that informs the implementation of the Constitution. It was noted that the academia have made a great contribution in the society. The meeting recommended that the academia should work with the implementing partners to facilitate a deeper understanding of the Constitution and to contribute to sustaining the dialogue on the implementation of the devolved system of government after the exit of CIC.

3.2 Civic Education

The Ministry of Devolution and Planning developed a draft curriculum for civic education in a bid to support county governments in developing guidelines to improve citizen participation in governance and decision-making at the county level. CIC reviewed the draft curriculum and issued an advisory to the Ministry.

CHAPTER FOUR

PROMOTING CONSTITUTIONALISM AND WORKING WITH CONSTITUTIONAL COMMISSIONS & INDEPENDENT OFFICES

Among the objects of the CIC and the independent offices as provided under Article 249(1) (b) and (c) of the Constitution of Kenya 2010 is to promote constitutionalism; and secure the observance by all state organs of democratic values and principles. In that regard, this part of the report presents a summary of public advisories, stakeholder engagements undertaken and litigation handled by the CIC during the reporting period.

4.1 Public Advisories and Media Statements

The Commission issued the following advisories and media statements:

a) **Amending Article 204 of the Constitution**

On 19th August 2014, the National Assembly passed a Bill seeking to amend Article 204 of the Constitution, transferring the Equalization Fund from the National Government to the constituency. CIC advised that the amendment would create a new financing and expenditure framework. Specifically the amendment would affect the principles of devolution and affect the financing structures of devolution and would require a referendum.

b) **Status of Bills required under the Fifth Schedule**

The Constitution sets out timelines for the passage of the Bills and requires that all Bills must be passed within those timelines. To appraise the people on the status of the development of legislation, CIC issued a press release on the status of legislation due for passage by 27th August 2014. The press release indicated that five out of the six pending Bills had

been reviewed by CIC and forwarded to the Attorney General for publication and tabling in Parliament. However, The Public Procurement and Disposal Bill, 2014 was submitted late and was still under review at CIC.

c) High Court Decision on the Unconstitutionality of the CDF Act

The CDF Act was declared unconstitutional by the High Court on two principle grounds:

- On procedure: The Senate was not involved in the enactment of the CDF (Amendment) Bill. The Bill concerns the county governments and thus failure to involve the Senate rendered it unconstitutional
- On Content: Several provisions including creating a new division of revenue framework, the status of CDF as a grant, CDF's implementation mechanism, identification of CDF projects and the role of MPs.

Following the High Court decision, CIC advised that within the twelve months granted by the court, there should be no funding for additional CDF programmes under the CDF Act in the next financial year commencing 1st July 2015. Continued financing of new CDF programmes would lead to contravention of the court's decision.

d) Statement on Increasing Breaches of Chapter 6 on Leadership and Integrity by State Officers

Chapter 6 of the Constitution on Leadership and Integrity of State officers provides that Authority assigned to a State officer is a public trust and must be exercised in a manner;

- That brings honour to the Nation and dignity to the office
- That promotes public confidence in the integrity of the office
- That does not demean the office the Officer holds

CIC raised concerns on the increasing acts of breach of Chapter 6 of the Constitution and the Leadership and Integrity Act, 2012 by State Officers.

The commission highlighted various instances where some State officers had acted contrary to constitutional requirements. The Commission noted that failure to take action on the acts of misconduct continued to dampen Kenyan's belief in a new constitutional order and needed to be addressed.

4.2 Engagements with Implementing Partners

In addition to consultations undertaken in the course of reviewing and developing policies, legislation or regulations, the Commission engages stakeholders on various constitutional aspects. The following section is a summary of stakeholder engagements that were undertaken by the Commission.

a) **Project on Integrating the Constitutional Values and Principles and the Rights Based Approach to Service Delivery into Health Services in Bungoma, Nyeri and Kitui Counties.**

In its facilitative role, CIC with support from DANIDA worked with the health department teams of Bungoma, Nyeri and Kitui Counties to evaluate the counties health facility operational frameworks and work culture with a view to revising the facility service charters and identifying gaps that the facilities can address in order to ensure compliance with the constitutional responsibility under Article 10 for the integration of key values in service delivery. To this end the project activities included:-

1. Capacity building for county health teams on implementing the right to health under the devolved system of government.
2. Sensitization workshops to county health sector stakeholders including the Civil society and Community Based Organizations (CBOs), media, Faith Based Organizations (FBOs) and non-state health providers on the right to health under the constitution, the responsibility of the State and health providers in the delivery of health services and the citizen responsibility in monitoring the faithful implementation of the constitution on the right to health.
3. Review of the current health facility operational frame works and management tools and the work culture through individual interviews, focused group discussions with service providers, service users, policy and administrative personnel and observation at health facilities.
4. The development of new service charters for all health facilities in the three counties.
5. The development of a documentary to guide other counties that may wish to implement similar projects.
6. Reports with recommendations on what can be done to review the health facility operations to ensure the integration of the constitutional values and principles in health service delivery in the three counties.
7. Facilitation of validation workshops on the reports and the proposed new charters, The reports and charters will be launched before the end of November 2015.

c) **Review of Progress Reports from National Government Ministries, Departments and Agencies on the Implementation of the Constitution**

The Commission received and reviewed progress reports from various national government Ministries, Departments and Agencies (MDAs). The MDAs reported progress as follows:

- Familiarization of staff with the constitution: The MDAs availed copies of the Constitution to staff, uploaded the constitution on their websites and held sensitization workshops.

- Integration of the implementation of the Constitution in performance contracts: The MDAs included targets on the constitution implementation in their 2014/15 FY performance contracts.
- Audit of policies, laws, regulations and administrative procedures: The MDAs had varying achievements in development, review and application of policies, legislation and administrative procedures. Most MDAs reviewed the existing policies and legislation and also developed new ones in line with the requirements of the Constitution. However, only a few MDAs reviewed/developed their administrative procedures while others have either planned to do the review/develop in the long term. A few MDAs had identified international treaties and conventions, ratified by Kenya, that relate to their various mandates.
- Devolution: A few of the MDAs put in place measures to facilitate devolution of their services

c) Engagement with various parliamentary committees in the process of enactment of legislation

CIC held several meetings with various departmental committees of the National assembly and the senate to discuss issues regarding implementation of the Constitution. Some of the committees with whom the commission met were: Senate Legal Affairs Committee, Constitutional Implementation Oversight Committee; Justice and Legal Affairs Committee of the national Assembly; Lands; Agriculture, Livestock and Cooperatives; Health; and Environment and Natural resources departmental committees.

Meetings, Conferences and Workshops

During the reporting period, the Commission organised the following stakeholder forums:

d) Stakeholders meeting on the plight of Kenyan Domestic Workers in the Middle East

The Commission facilitated meetings with stakeholders to establish a legislative framework and State obligations to protect the rights of all its citizens. The need for the meeting arose following media highlights of the numerous cases of Kenyan domestic workers in the middle East.

e) Meeting with Chuka and Kisumu Court Users Committees.

Court Users Committees (CUCs) offer an opportunity for different players in the justice sector to identify and customize resolutions to factors that may impede access to justice in their areas of operation. As part of its programme on facilitating access to justice, CIC facilitated meetings of the Chuka and Kisumu Court Users Committees. The meetings discussed the operations of the CUCs, challenges faced and the effectiveness of the Committees in enabling the realization of the right of access to justice as provided for in Article 48 of the Constitution. In addition, the CUCs undertook a self-assessment on progress made in implementing their guidelines.

f) **Monitoring of the Recruitment Process in the Kenya Defence Forces, NYS, NPS and KWS**

Article 249 of the Constitution requires Constitutional Commissions and Independent offices to among other things, secure the observance by all State Organs of democratic values and principles. In exercise of this mandate, the Commission undertook the monitoring of the recruitment of service men and women to Kenya Defence Forces, National Youth Service, National Police Service and Kenya Wildlife Services.

Pursuant to its mandate, the Commission sought to establish whether the recruitment process was compliant with articles 10, 232, 27, 238(b) and (d) of the Constitution and other relevant laws.

Although the Commission observed that the overall recruitment exercises had complied with the Constitution, the police recruitment exercise was marred with controversies leading to its cancellation. CIC made some recommendations to enhance the effectiveness of the exercise in accordance with international best practices. The recommendations include the establishment of permanent processing centres and the development of modern general aptitude and physical agility tests that would enable the institutions to determine appropriate conditioning, agility and endurance.



KDF recruitment exercise

In addition to the above engagements, the Commission participated and made presentations in the following meetings:

g) **Meeting with the Ministry of Education**

CIC held a consultative meeting with the Ministry of Education, Science and Technology to discuss the need to review Sessional Paper No. 14 of 2012 on Reforming the Education and Training Sectors in Kenya, the Basic Education Act 2013, the Basic Education Regulations, 2015, the Universities Act, 2012, the Science, Innovation and Technology Act, 2012 and the Technical and Vocational Education Training Act, 2012. The meeting also discussed the role of the Ministry in the management of schools and youth polytechnics in a devolved system of government, as well as the status of Incorporation of the Constitution into the Curriculum.

h) Engagement with Intergovernmental Budget and Economic Council

Section 187 of the Public Finance and Management Act, 2012 establishes the Intergovernmental Budget and Economic Council to provide a forum for consultation and cooperation between the national and county governments on budget and economic issues. CIC engaged with IBEC with a view to pushing for resolution of the financial transitional challenges that had been experienced with the onset of devolution.

i) The UN Day for Persons with Disability - Nyeri County

The Commission participated in the UN Day for Persons with Disabilities celebrated in Nyeri. The Commission sensitized the public on the work of the Commission and the specific steps being taken to promote and protect the rights of PWDs. The Commission also distributed the "Guidelines on the Inclusion of PWDs in Mainstream Society" to all chief officers, CECs, and officers of the various CBOs and NGOs.

4.3 Cooperation between Constitutional Commissions and Independent Offices

CIC is mandated to "work with each constitutional commission to ensure that the letter and the spirit of this Constitution is respected." CIC and other CC's and IO's established the forum of Chair Persons and holders of independent Offices as a platform for sharing experiences and peer review.

Under the ambit of the Forum of Chairpersons of Constitutional Commissions and Independent Offices, the following key activities were undertaken:

4.3.1 Third Annual Congress

The Forum of chairpersons of Constitutional Commissions and holders of Independent offices convened its third annual congress from 26th to 30th August 2014 in Kisumu County to:

- a) Take stock of the progress in the implementation of the Constitution, their collective mandate in Article 249 and their individual mandates
- b) Reflect on successes and challenges faced in the delivery of their individual mandates and individual responsibilities with a view to drawing valuable lessons, and
- c) Chart a common course for the future on the enhancement of their individual and collective mandates as provided in the Constitution of Kenya 2010.

The Congress identified achievements made in constitutional implementation, challenges experienced by members of the forum. Thereafter, the Congress adopted a number of resolutions to enhance the implementation of their respective and collective mandates.

4.3.2 Fourth Anniversary of the Promulgation of the Constitution.

On the 27th of August, 2014 chairpersons of constitutional commissions and holders of independent offices held a public forum to commemorate the fourth anniversary since the promulgation of the Constitution of Kenya, 2010. The event, held in Kisumu County, offered an opportunity for members of the public to celebrate the journey of constitution implementation and engage with the chairperson and members of CC's and IO's from different commissions and independent offices. The objective of the forum was to reflect on the Constitution implementation process in Kenya, with a focus on devolution, public service, security and land sector reforms.

4.3.3 Retreat for Chairpersons of Constitutional Commissions and Holders of Independent Offices

The Chairpersons Forum held a retreat between the 4th and 7th of March 2015. The objectives of the retreat were to:

- i) Review the role of the Forum in terms of the members shared mandate;
- ii) Adopt an operational framework to guide the operations of the Chairpersons Forum.
- iii) Foster team work and provide a forum for undertaking a strategic review
- iv) Map common results areas and work on strategic issues that facilitate each commission to stay on track towards the fulfilment of their mandate and goals

The Forum adopted a charter to facilitate its operations and agreed to individually and collectively put in place mechanisms to ensure implementation of the Constitution is sustained after the exit of CIC.

The charter sets out core values and principles of the forum, the rights and obligations of the members, organs of the forum, decision making and elections. In particular, members of the forum will be guided by the following core values and principles

- i) National values and principles of governance in Article 10 of the Constitution;
- ii) Co-operation and consultation;
- iii) Mutual respect;
- iv) Independence and inter-dependence;
- v) Responsiveness;
- vi) Respect for the letter and spirit of the Constitution; and
- vii) Servant leadership.

The contents of the charter were deliberated upon and adopted by the Forum to facilitate its operations. The Forum further agreed to individually and collectively put in place mechanisms to ensure implementation of the Constitution is sustained after the exit of CIC.

4.3.4 Meeting with the Independent Electoral and Boundaries Commission

CIC held a meeting with IEBC to discuss procedural matters relating to the proposed referenda. The meeting was held within the context of calls for referendums on a number of issues. In addition, CIC had in the then recent past received private member Bills seeking to amend the Constitution of Kenya, 2010, some of which would require approval of the people through a referendum prior to enactment. The meeting gave an opportunity for the two commissions to have a common understanding of some emerging issues relating to the legal and administrative framework for a referendum process, inclusive of the following aspects:

- i) The exercise of the sovereign power of the people of Kenya within the context of a referendum process;
- ii) The role of IEBC and its powers in the management of a referendum process;
- iii) The threshold of the term "general suggestion" as used in Article 256(2) of the Constitution;
- iv) The guidelines for the collection of signatures for different scenarios of a popular initiative;
- v) The timelines in the referendum process;
- vi) The modalities for holding different referendum questions on a single day; and

The meeting resolved that IEBC would form a joint technical committee consisting of IEBC, CIC, KLRC and other implementing partners, to work together in the formulation of administrative procedures to guide the referendum process. The joint technical committee is yet to be formed.

4.4 CIC Reporting Obligations

Section 4 and 5 of the Sixth Schedule to the Constitution require the Commission to prepare and submit regular reports to the Parliamentary Constitutional Implementation Oversight Committee (CIOC) on the progress made in the implementation of the Constitution. The Commission is further required in Article 254 (1) of the Constitution to submit an Annual progress report to the President and to Parliament at the end of each financial year.

In compliance with this requirement, the Commission prepared four quarterly reports and an Annual Report 2013-2014, which were presented to the CIOC and the President respectively. The Annual report highlighted the milestones achieved, challenges and impediments to the implementation of the Constitution, while underscoring the significance and achievements of the system of devolved government. The Commission also engaged with members of the public on various tenets of the Constitution and the implications to the citizens' daily lives. The Annual report was launched in Murang'a County at a function attended by the leadership of the County, CSOs, FBOs and members of the public. The reports are available on the CIC website www.cickenya.org

4.5 Litigation

The Commission, in exercising its mandate and promotion of constitutionalism, seeks the court's guidance through legal proceedings in cases of real or perceived misinterpretation or misapplication of the Constitution. Table 3 presents a summary of cases that the Commission was involved in the following during the reporting period.

Table 3: Litigation as at June 2015

Particulars	CIC representation	Issues	Status
Supreme Court Advisory Opinion Ref No 2 of 2014 National Land Commission	Interested Party	The National Land Commission sought an advisory opinion to clarify the functions and powers of the Ministry of Land, Housing and Urban Development on the one hand and the functions and powers of the National Land Commission as stipulated in the various laws.	The matter is part heard .Next hearing on 21 st July, 2015.
Supreme Court Advisory Opinion Ref No 1 of 2015 The Speaker County Assembly of Embu	Interested Party	<p>The Applicant sought the Supreme Court’s Advisory Opinion on the following issues.</p> <ul style="list-style-type: none"> a) What is the procedure for administration of oath of office of a Deputy County Governor who assumes office under Article 182 (2) of the Constitution of Kenya in the event of impeachment of a County Governor in view of Article 74 of the Constitution of Kenya? b) What is the criterion for filling the vacancy that occurs in the office of Deputy County Governor when the originally elected Deputy County Governor assumes office as Governor as a result of impeachment of an elected County Governor? c) What is the timeline within which the Deputy Governor assuming office of Governor under Article 182 (2) of the Constitution of Kenya should so assume office? 	The matter will proceed for hearing on notice.

<p>Supreme Court Advisory Opinion Ref No 3 of 2014 The Speakers of the 47 County Assemblies</p>	<p>Interested Party</p>	<p>They have sought an advisory opinion in matters concerning County Governments including:</p> <ul style="list-style-type: none"> (a) Whether a Constitutional Commission or an Independent Office by way of circular, regulate internal affairs of a county assembly such as sittings of a county assembly. (b) Whether MCA's enjoy immunity from civil and criminal proceedings against words spoken before, or thing brought against him/her in the county assembly. (c) What constitutes valid ground for removal of Speaker of a county assembly? 	<p>The matter will proceed on notice.</p>
<p>High Court Petition No 402 of 2014 National Land Commission vs. The Cabinet Secretary, Lands and Others</p>	<p>Respondent</p>	<p>The Petitioner sought conservatory orders restraining the Cabinet Secretary, Ministry of Lands from implementing Land Registration (Form) Regulations, 2014 published vide Legal Notice 104 of 2014 on 1st August 2014 pending the delivery of the Supreme Court Advisory Opinion reference No 2 of 2014.</p>	<p>The matter is scheduled for mention 30 days from the date of the Supreme Court advisory.</p>
<p>High Court Petition No 71 of 2013: The Institute for Social Accountability (TISA) vs. The Hon Attorney General & Others</p>	<p>Interested Party</p>	<p>The Petitioners brought the Petition before the High Court seeking a declaration that the Constituencies Development Fund Act No. 30 of 2013 violated the Constitution.</p>	<p>Judgment was delivered on 20th February, 2015 holding:-</p> <ul style="list-style-type: none"> (a) The Constituencies Development Funds Act, 2013 unconstitutional and therefore invalid. (b) This order of invalidity was suspended for a period of twelve (12) months from the date of judgment. (c) The National Government may remedy the defect within that period and the Constituencies Development Fund Act shall stand invalidated at the expiry of the twelve (12) months or may be earlier repealed whichever comes first.

<p>High Court Petition No 593 of 2014: OkiyaOmtatah & Another vs. Council of Governors & Others</p>	<p>Interested Party</p>	<p>The Petitioner is seeking the annulment of legal notices numbers 137- 182, issued by the Government on 9th August 2013, purportedly transferring Level 2, Level 3, Level 4, and Level 5 national referral health facilities from the national government to county governments.</p>	<p>The Petition was dismissed on 6th August, 2014. The Court held that the application of the Fourth Schedule to the Constitution as to which health facility falls within which category is the preserve of the National Government. Further, that the issues of transition are best left to the relevant state agencies such as CIC and Transition Authority.</p>
<p>High Court Petition No 427 of 2014: Hon. Kanini Kega vs Okoa Kenya Movement, ODM, Wiper Democratic Movement, Ford – Kenya Party, The A.G, CIC and IEBC</p>	<p>Respondent</p>	<p>The Petitioner is challenging the proposal to amend the Constitution of Kenya, 2010 by Popular Initiative. The Petitioner had also sought conservatory orders to restrain the 1st - 4th Respondents to solicit or procure signatures and IEBC from receiving any draft Bill and signatures.</p>	<p>The Conservatory Orders were denied on 19th September, 2014 by the court. The main Petition is yet to proceed for hearing.</p>
<p>High Court Petition No 513 of 2014: CIC vs. The Speaker of the National Assembly and Others</p>	<p>Petitioner</p>	<p>The Commission is challenging the review of the National Assembly Standing Orders to unilaterally introduce a process through which the Cabinet Secretaries are required to routinely appear before the National Assembly on every Tuesday morning to respond to members' questions.</p>	<p>The matter will be mentioned on 21st September, 2015</p>
<p>High Court Petition No 398 of 2014: Legal Advice Centre vs. The Hon. A.G & Others</p>	<p>Interested Party</p>	<p>The Public Private Partnerships Act, 2013 establishes a Petition Committee which is empowered to consider all Petitions and complaints submitted by a private party during the process of tendering and entering into a project agreement under the Act. The Petitioner, amongst other things urges that the members appointed in the Petition Committee except for a Rwandese, come from the Kikuyu and Kalenjin communities.</p>	<p>The Judgment was delivered on 20th March, 2015 finding the allegations mere speculative.</p>

High Court Petition No 381 of 2014: Council of County Governors vs. The Senate and The National Assembly	Interested Party	The Petitioner is seeks declarations that the provisions of Section 91 (A) of the County Government (Amendment) Act ,2014 that establishes County Development Boards which shall be constituted in the manner stated in the said Act and undertake functions outlined in Section 91A (2) of the Act are unconstitutional, null and void.	The matter proceeded for hearing before a three judge bench on various dates and judgment will be delivered on notice.
High Court Petition No 158 of 2015: Hon. Michael Manthi Kisoii vs. Commission of Inquiry into the Petition to Suspend the Makueni County Government & 9 others.	Interested Party	<p>The Petitioner alleged that:</p> <ol style="list-style-type: none"> 1. The Makueni County Government neither undertook any civic education, local referendum, publication nor set up structures for public participation on the contents of the subject Petition before the residents of Makueni County could sign it. 2. The 1st Respondent Commission was constituted without the approval of the National and County Government Coordinating Summit. 3. The 1st Respondent has invited the submission of memoranda and statements on the subject Petition without publishing the contents thereof. 4. The 1st Respondents intends to conduct its hearings in Nairobi County instead of Makueni County. 	The Petition was struck out on 8 th May, 2015 with the court finding the constitution of the Commission proper.
High Court Petition No 182 of 2015: Centre for Rights Education and Awareness vs. The Attorney General & CIC	Respondent	The Petitioner alleged that the Respondents have failed, refused and or neglected to prepare the relevant Bill(s) for tabling before Parliament for purposes of implementation of Articles 27(8) and 81 (b) as read with Article 100 of the CoK, 2010	Judgment was delivered on 26 th June, 2015 directing the Respondents to within forty (40) days prepare the relevant bills for tabling in Parliament for purposes of implementing the above mentioned clauses.
High Court Petition No 628 of 2014: Coalition for Reform and Democracy vs. Republic of Kenya	Respondent	The Petitioner herein challenged the constitutionality of the Security Laws (Amendment) Act, 2014 and sought the courts determination of four fundamental questions related to the process of the enactment of the above mentioned law as well as its contents.	Judgment was delivered on 23 rd February, 2015 ordering Sections 12, 16, 34, 20, 26,48 64 and 95 of the Security Laws (Amendment) Act unconstitutional.

CHAPTER FIVE

CHALLENGES AND RECOMMENDATIONS

This part of the report presents a summary of the overall challenges to the implementation of the constitution as well as recommendations.

1. Institutional Conflicts

Several cases of institutional conflicts emerged both at National and County government level. Supremacy conflicts have emerged between the Senate and the National Assembly; Parliament and the Judiciary; and between county executives and county assemblies, which have negatively affected the effective implementation of the Constitution. Some of the conflicts escalated into physical altercations as witnessed in Makueni and Kisumu Counties. Conflicts were also observed between Constitutional Commissions & Independent Offices and their parent ministries. Examples include: TSC and the Ministry of Education; and the NLC and Ministry of Lands, Housing and Urban Development.

Recommendation

The various arms of Government should respect each other's mandates but must also endeavour to cooperate, consult and collaborate as contemplated in Articles 6 and 189 of the Constitution of Kenya in order to ensure the effective execution of their respective mandates. Moreover, they should exercise mutual respect when exercising their powers. Both National and county governments should develop a framework for intra-governmental relations to facilitate consultations and to strengthen working relations.

2. The Transfer of Functions

Complete and comprehensive unbundling of functions was expected to bring clarity on what each function entails and provide a basis for transferring functions especially the concurrent functions. It was also a necessary basis for costing of transferred functions so as to assist Parliament allocate funds for the functions transferred to the Counties. The delay in the unbundling and costing of functions has led to confusion in function assignment and the lack of an informed basis for funds allocation.

Recommendation

The Transition Authority in consultation with the Intergovernmental Relations Technical Committee and the National and county governments should complete the unbundling and costing of unbundled functions.

3. Delay in Publication of County Bills

The Constitution provides that County laws are effective upon being published in the Kenya Gazette. County Governments continue to experience delays in the publication of legislation and this has adversely affected the finalization and enactment of laws required to facilitated service delivery.

Recommendation

The Government Press should be restructured to ensure that it does not prejudice Counties in the publication of County Government legislation. The Government Press should also decentralise its services in accordance with Article 6(3) of the Constitution.

4. Persistent Delays in Submission of Bills by the National Executive

The Fifth Schedule requires enactment of certain legislation within specific timelines. However, CIC has experienced delays in reviewing legislation due to late submission of proposed legislation by the National Executive. This is despite CIC's call for prompt action by the National Executive.. There have also been cases where the Commission's input into bills was not considered leading to the publication of Bills in their original form.

Recommendations:

The National Executive should develop and submit all legislation required under the Constitution for review within the specified timelines. Furthermore the Executive must ensure that it only presents to parliament the Bills in the form in which they were agreed with CIC and other partners in the legislative development process.

5. Delay in Processing of Bills by the National Assembly

The National Assembly has unduly delayed some Bills that were critical to the implementation of the Constitution. Examples include the Water Bill, The Roads Bill, the Data Protection Bill and the, Access to Information Bill.

Recommendation

The National Assembly should prioritise enactment of Bills required under the Constitution.

6. Limited Civic Education

Inadequate awareness on the provisions of the Constitution and other legislation continues to persist. This has adversely affected meaningful public participation in policymaking, development of legislation, budget making process, and project identification and implementation.

Recommendation

National and County Governments and other non-state actors should prioritize and enhance civic education programmes. This should include providing sufficient budget allocation for civic education.

7. Lack of Public Participation Framework

The delay in development of framework to facilitate public participation at both levels of government has hindered meaningful public participation. There have been substantial complaints of tokenistic public participation and the lack of feedback mechanisms leading to apathy by the public.

Recommendation:

National and county governments should fast track the development of frameworks to facilitate public participation including effective feedback mechanisms. The two levels of government must also ensure that such participation is meaningful.

8. Violation of Chapter Six of the Constitution.

There is increasing failure by the relevant authorities to take action on the increasing acts of breach, particularly by State officers, of their obligations under Chapter Six of the Constitution and the Leadership and Integrity Act, 2012.

Recommendation:

Relevant authorities mandated to enforce Chapter Six of the Constitution, including the Ethics and Anti-Corruption Commission (EACC) and the institutions under which those State officers work should take the necessary actions to ensure compliance with the Constitution and the Leadership and Integrity Act, 2012. Further, the public should continue to demand for full compliance with Chapter Six by their leaders.

9. Delays in Appointment of Members of Constitutional Commissions

Some Constitutional Commissions and Independent Offices (CCs & IOs) are yet to be properly constituted due to delays in filling vacant positions. Examples are the Kenya National Commission on Human Rights (KNCHR) and the National Police Service Commission (NPSC).

Recommendation:

The appointment of members of Constitutional Commissions, whenever such vacancies arise, should be fast tracked.



CHAPTER SIX

FINANCIAL REPORT AND STATEMENTS FOR THE YEAR ENDED JUNE 2015

COMMISSION FOR THE IMPLEMENTATION OF THE CONSTITUTION (CIC)

Prepared in accordance with the Cash Basis of Accounting Method under the International Public Sector Accounting Standards (IPSAS)

STATEMENT OF RECEIPTS AND PAYMENTS

For the year ended June 30, 2015

	Note	2014 - 2015	2013-2014
		Kshs	Kshs
RECEIPTS			
Proceeds from Domestic and Foreign Grants	1		10,000,000
Transfers from National Treasury	2	304,700,000	421,758,000
Reimbursement and Refunds	3	9,254,802	13,370,232
Other Revenues	4	4,193,871	19,500
TOTAL RECEIPTS		318,148,673	445,147,812
PAYMENTS			
Compensation of Employees	5	166,713,768	161,072,259
Use of goods and services	6	144,361,904	232,015,419
Social Security Benefits	7		
Acquisition of Assets	8	6,770,176	8,583,130
TOTAL PAYMENTS		317,845,849	401,670,808
SURPLUS/DEFICIT		302,823.73	43,477,004

DONOR FUNDING

UNITED NATION DEVELOPMENT PROGRAMME (UNDP)

Total amount funded by UNDP is Ksh 90,977,880

ROYAL DANISH EMBASSY (DANIDA)

The DANIDA is funding the project "Integrating the Rights Based Approach and other Constitutional Values and Principles in the Institutional Operational Frameworks of Health Care Facilities in Bungoma, Nyeri and Kitui Counties"

Total Project Cost is Ksh 45,055,000

Danida contribution is Ksh 42,560,000

CIC contribution is Ksh 2,495,000

Total funds received from Danida is Ksh 32,492,433

Total Expenditure is Ksh 19,548,442

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The Commission for the Implementation of the Constitution financial statements.



Chief Executive Officer



Head of Accounts

STATEMENT OF ASSETS

For the year ended June 30, 2015

	Note	2014-2015	2013-2014
		Kshs	Kshs
FINANCIAL ASSETS			
Cash and Cash Equivalents			
Bank Balances	24A	6,806,944	20,067,256
Cash Balances	24B		-
Cash Equivalents	24C		-
Outstanding Imprests	24D	10,564,816	32,941,671
Salary Advance	.	295,596	3,238,229
TOTAL FINANCIAL ASSETS		7,667,356	56,247,156
REPRESENTED BY			
Fund balance b/fwd		17,634,532	12,770,152
Surplus/Deficit for the year		302,824	43,477,004
Prior year adjustments			-
NET FINANCIAL POSITION		7,667,356	56,247,156

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements.



Chief Executive Officer



Head of Accounts

STATEMENT OF CASHFLOW

For the year ended June 30, 2015

Receipts for operating income	Note	2014-2015	2013-2014
		Ksh	Ksh
Proceeds from Development Partners	1		10,000,000
Transfers from National Treasury	2	304,700,000	421,758,000
Reimbursement and Refunds Exchequer B/F	3	9,254,802 9,254,802 4,193,871	13,370,232
Other Revenues	4		19,500
Payments for operating expenses			
Compensation of Employees	5	(166,713,769)	(161,072,259)
Use of goods and services	6	(144,361,905)	(232,015,419)
Social Security Benefits	7		
Adjusted for:			
Imprest		(10,564,816)	(32,941,671)
Salary Advance		(295,596)	(3,238,229)
Excess Exchequer			
Net cash flow from operating activities		(3,787,412)	15,880,234
CASHFLOW FROM INVESTING ACTIVITIES			
Proceeds from Sale of Assets			-
Acquisition of Assets	8	(6,770,176)	(8,583,130)
Net cash flows from Investing Activities		(6,770,176)	(8,583,130)
CASHFLOW FROM BORROWING ACTIVITIES			
Proceeds from Domestic Borrowings			-
Proceeds from Foreign Borrowings			-
Repayment of principal on Domestic and Foreign borrowing			-
Net cash flow from financing activities			-
NET INCREASE IN CASH AND CASH EQUIVALENT		(10,557,588)	7,297,104
Cash and cash equivalent at BEGINNING of the year	24	20,067,256	12,770,152
Cash and cash equivalent at END of the year	24	9,509,668	20,067,256

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The Commission for the Implementation of the Constitution financial statements.



Chief Executive Officer



Head of Accounts

SUMMARY STATEMENT OF APPROPRIATION: RECURRENT AND DEVELOPMENT COMBINED

Receipt/Expense Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Budget Utilisation Difference	% of Utilisation
	a	b	c=a+b	D	e=c-d	f=d/c %
RECEIPTS						
Tax Receipts						
Social Security Contributions						
Proceeds from Domestic and Foreign Grants						
Exchequer releases	306,000,000		306,000,000	304,700,000	1,300,000	99.5751634
Exchequer b/f		4,193,871	4,193,871			
Transfers from Other Government Entities						
Proceeds from Domestic Borrowings						
Proceeds from Foreign Borrowings						
Proceeds from Sale of Assets						
Reimbursements and Refunds		9,254,802	9,254,802	9,254,802		100
Returns of Equity Holdings						
Other Receipts						

Receipt/Expense Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Budget Utilisation Difference	% of Utilisation
PAYMENTS						
Compensation of Employees	161,854,854	4,870,000	166,724,854	166,713,769	11,085	99.9933515
Use of goods and services	137,374,970	8,578,673	145,953,944	144,361,905	1,591,739	98.90942153
Interest payments						
Subsidies						
Other grants and transfers						
Social Security Benefits						
Acquisition of Assets	6,770,176		6,770,176			100
Finance Costs, including Loan Interest						
Repayment of principal on Domestic and Foreign borrowing						
Other Payments						
TOTALS	306,000,000	13,448,674.	319,448,673	317,845,850	1,602,828	99.49825313

The Commission for the Implementation of the Constitution financial statements.



Chief Executive Officer



Head of Accounts

SUMMARY STATEMENT OF APPROPRIATION: RECURRENT

Receipt/Expense Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Budget Utilisation Difference	% of Utilisation
	a	b	c=a+b	d	e=c-d	f=d/c %
RECEIPTS						
Tax Receipts						
Social Security Contributions						
Proceeds from Domestic and Foreign Grants						
Exchequer releases	306,000,000		306,000,000	304,700,000	1,300,000	99.5751634
Exchequer b/f		4,193,871	4,193,871	4,193,871		
Transfers from Other Government Entities						
Proceeds from Domestic Borrowings						
Proceeds from Foreign Borrowings						
Proceeds from Sale of Assets						
Reimbursements and Refunds		9,254,802	9,254,802	9,254,802		100
Returns of Equity Holdings						
Other Receipts						
PAYMENTS						
Compensation of Employees	161,854,854	4,870,000	166,724,854	166,713,769	11,085	99.9933515
Use of goods and services	137,374,970	8,578,673	145,953,644	144,361,905	1,591,739	98.90942153
Interest payments						

Receipt/Expense Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Budget Utilisation Difference	% of Utilisation
Subsidies						
Transfers to Other Government Units						
Other grants and transfers						
Social Security Benefits						
Acquisition of Assets	6,770,176		6,770,176	6,770,176		100
Finance Costs, including Loan Interest						
Repayment of principal on Domestic and Foreign borrowing						
Other Payments						
TOTALS	306,000,000	13,448,674	319,448,673	317,845,850	1,602,824	99.49825313

The Commission for the Implementation of the Constitution financial statements.



Chief Executive Officer



Head of Account

ANNEXES

ANNEXES

Annex 1: The Fifth Schedule Legislation Development Status, June 2015

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
Chapter Two: The Republic					
1	Legislation in respect of culture (Article 11 (3))	Five years	Ministry of Sports, Culture and the Arts	Protection of Traditional Knowledge and Traditional Cultural Expressions Bill, 2015	Reviewed the Bill and forwarded recommendations to the Attorney General.
2			Ministry of Sports, Culture and the Arts	National Culture and Arts Bill, 2015	CIC awaiting submission of a revised copy for review.
3			Ministry of Sports, Culture and the Arts	Seeds and Plant Varieties (Amendment) Bill, 2015	Reviewed the Bill and forwarded recommendations to the Attorney General.
			Ministry of Sports, Culture and the Arts	Culture Bill 2015	Reviewed the Bill and forwarded recommendations to the Attorney General.
Chapter Three: Citizenship					
4	Legislation on citizenship (Article 18)	One year	Immigration	The Kenya Citizenship and Immigrations Act, 2011	Enacted in August 2011
			Immigration	The Kenya Citizens and Foreign Nationals Management Service Act 2011	Enacted in October 2011

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
Chapter Four: The Bill of Rights					
5	Freedom of the media (Article 34)	Three years	Ministry of Information Communication and Technology	The Media Council Act, 2013	Enacted in December 2013
6	Family (Article 45)	Five years	Attorney General (Justice)	Marriage Act 2014	Enacted in May 2014
		Five years	Attorney General (Justice)	Matrimonial Property Act, 2013	Enacted in December 2013
		Five years	Attorney General (Justice)	Protection Against Domestic Violence Bill, 2013	Enacted in May 2015
7	Consumer protection (Article 46)	Four years	Private member's Bill	Consumer Protection Act, 2012 (Article 46)	Enacted but requires review to comprehensively give effect to Article 46
8	Fair administrative action (Article 47)	Four years	Ministry of Interior and National Coordination (Prisons)	Fair Administrative Action Act, 2014	Enacted in May 2015
9	Fair hearing (Article 50)	Four years	Ministry of Interior and National Coordination (Prisons)	The Victims Protection Act, 2014	Enacted in December 2014
10	Rights of persons detained, held in custody or detained (Article 51)	Four years	Ministry of Interior & National Coordination	Persons Deprived of Liberty Act, 2014	Enacted in December 2014

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
11	Kenya National Human Rights and Equality Commission (Article 59)	One year	Attorney General (Justice)	Kenya National Commission on Human Rights Act, 2011	Enacted in August 2011
		One year	Attorney General (Justice)	The National Gender and Equality Commission Act, 2011	Enacted in August 2011
		One year	Attorney General (Justice)	The Commission on Administrative Justice Act, 2011	Enacted in August 2011
Chapter Five: Land and Environment					
12	Community land (Article 63)	Five years	Land, Housing & Urban Development	The Community Land Bill, 2015	Bill reviewed and forwarded to the AG Published in August 2015
13	Regulation of land use and property (Article 66)	Five years	Land, Housing & Urban Development	Physical planning Bill, 2015	Reviewed and forwarded to the Attorney General Published in August 2015
		Eighteen months	Land, Housing & Urban Development	The National Land Commission Act, 2012 (Article 67)	Enacted April 2012
14	Legislation on land (Article 68)	18 months	Land, Housing & Urban Development	The Land Registration Act, 2012 (Article 68)	Enacted April 2012
		18 months	Land, Housing & Urban Development	The Land Act, 2012 (Article 68)	Enacted April 2012

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
15	Agreements relating to natural resources (Article 71)	Five years	Environment, Water & Natural Resources	Agreements Relating to Natural Resources (Classifications of Transactions) Bill 2015	Reviewed and submitted recommendations to the Attorney General
		Five years	Mining	Mining Bill, 2014 (Art. 60, 62(1)(f), 66(2), 69 & 71	Passed by the National Assembly on 29 th October, 2014 and forwarded to Senate for consideration. Has passed the second reading.
16		Five years	Environment, Water & Natural Resources	Forest Bill, 2015 (Article 71 (2))	Reviewed and submitted to the Attorney General
17	Legislation regarding environment (Article 72)	Four years	Environment, Water & Natural Resources	Environment Management and Coordination (Amendment) Bill, 2014	Bill passed by the National Assembly and Senate.
Chapter Six: Leadership and Integrity					
18	Ethics and anticorruption commission (Article 79)	One year	Attorney General (Justice)	The Ethics and Anti-Corruption Commission Act, 2011 (Article 79)	Enacted in August 2011
19	Legislation on leadership (Article 80)	Two years	Attorney General (Justice)	The Leadership and Integrity Act, 2012 (Article 80)	Enacted in August 2012

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
Chapter Seven: Representation of the People					
20	Legislation on elections (Article 82 and 87)	One year	IEBC	The Elections Act, 2011 Statute Law (Miscellaneous Amendments) Act, 2012 Elections (Amendment1) Act, 2012 Elections (Amendment2) Act, 2012 Elections (Amendment3) Act, 2012 Statute Law (Miscellaneous Amendments2) Act, 2012	Enacted in August 2011 Enacted in July 2012 Enacted in October 2012 Enacted in October 2012 Enacted in October 2012 Enacted in January 2013 Enacted in December 2012
21	Independent Electoral and Boundaries Commission (Article 88)	One year	Attorney General (Justice)	The Independent Electoral and Boundaries Commission Act, 2011	Enacted in July 2011

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
22	Legislation on political parties (Article 92)	One year	Registrar of Political Parties Private member	The Political Parties Act, 2011 Political Parties (Amendment) Act, 2012 Statute Law (Miscellaneous Amendments) Act, 2012 Statute Law (Miscellaneous Amendments) Act, 2014 The Political Parties (Amendment) No 5 Bill, 2015 (National Assembly) The Political Parties (Amendment) No 3 Bill, 2015 (Senate)	Enacted in August 2011 Enacted in December 2012 Enacted in July 2012 Enacted in November 2014 Committee stage Passed on 7 th August, 2014 by senate and referred to the National Assembly. Currently on its first reading.
Chapter Eight: Legislature					
23	Promotion of representation of marginalised groups (Article 100)	Five years	Devolution	Statute Law Misc. (Amendment) Bill, 2015	The Bill reviewed and forwarded to the Attorney General.

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
24	Vacation of office of member of Parliament (Article 103)	One year	IEBC	The Elections Act, 2011	Enacted in August 2011
25	Right of recall (Article 104)	Two years	IEBC	The Elections Act, 2011	Enacted in August 2011
26	Determination of questions of membership of Parliament (Article Specification 105)	Two years	IEBC	The Elections Act, 2011	Enacted in August 2011
27	Right to petition Parliament (Article 119)	Two years	Parliament	The Petition to Parliament (Procedure) Act, 2012	Enacted in August 2012
Chapter Nine: Executive					
28	Power of mercy (Article 133)	One year	Interior & coordination	The Power of Mercy Act, 2011	Enacted in August 2011
29	Assumption of office of president (Article 141)	Two years	Interior & coordination	The Assumption of the Office of the President Act, 2012	Enacted in August 2012
Chapter Ten: Judiciary					
30	System of courts (Article 162)	One year	Judiciary	The Industrial Court Act, 2011	Enacted in August 2011
		One year	Judiciary	The Environment and Land Court Act, 2011	Enacted in August 2011
		One year	Judiciary	The Supreme Court Act, 2011 (Article 163)	Enacted in June 2011

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
31	Removal from office (Article 168) (of Judges)	One year	Judiciary		Provided for in the Judicial Service Act, 2011
32	Judiciary Fund (Article 173)	Two years	Judiciary	Judiciary Fund Bill, 2015 (to amend the JSC Act, 2011)	Provided for in the Judicial Service Act, 2011 Bill reviewed and advisory forwarded to the AG
33	Vetting of judges and magistrates (Sixth schedule, Section 23)	One year	Judiciary	The Vetting of Judges and Magistrate Act, 2011	Enacted in August 2011
		One year	Judiciary	The Judicial Service Act, 2011	Enacted in August 2011
Chapter Eleven - Devolved Government					
34	Speaker of a county assembly (Article 178)	One year	Devolution & Planning	County Government Act, 2012	Enacted in July 2012
35	Urban areas and cities (Article 183)	One year	Devolution & Planning	Urban areas and Cities: The Urban Areas and Cities Act, 2012 (Article 184)	Enacted in August 2011
36	Support for county governments (Article 190)	Three years	Devolution & Planning	County Government Act, 2012	Enacted in July 2012
		Three years	The National Treasury	Public Finance Management Act, 2012 (Article 190)	Enacted in July 2012
		Three years	Devolution & Planning	Intergovernmental Relations Act, 2012 (Article 190)	Enacted in February 2012
37	Removal of a county governor (Article 181)	18 months	Devolution & Planning	County Government Act, 2012	Enacted in July 2012

Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
38	Vacation of office of member of county assembly (Article 194)	Devolution & Planning	County Government Act, 2012 (Article 194)	Enacted in July 2012
39	Public participation and county assembly powers, privileges and immunities (Article 196)	Devolution & Planning	Elections Act, 2011 (Article 194)	Enacted in August 2011
40	County assembly gender balance and diversity (Article 197)	Parliament	County Government Act, 2012 (Article 196) County Assemblies Powers and Privileges Bill, 2014 (to repeal Section 17 of the County Governments Act, 2012)	Enacted in July 2012. Bill reviewed and advisory forwarded to Parliament
41	Chapter eleven (Article 200 and Sixth Schedule, section 15)	IEBC	County Government Act, 2012 (Article 197)	Enacted in July, 2012
		Devolution	The Transition to Devolved Government Act, 2012	Enacted in February, 2012
		Devolution	The Intergovernmental Relations Act, 2012	Enacted in February, 2012
		Devolution	The County Government Act, 2012	Enacted in June, 2012
Chapter Twelve: Public Finance				
42	Revenue Funds for county governments (Article 207)	The National Treasury		Provided for in the Public Finance Management Act, 2012

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
43	Contingencies Fund (Article 208)	One year	The National Treasury		Provided for in the PFM Act, 2012
44	Loan guarantees by national government (Article 213)	One year	The National Treasury		Provided for in the PFM Act, 2012
45	Establishment of the Commission on Revenue Allocation	One years	The National Treasury	The Commission on Revenue Allocation Act, 2011 (Article 215)	Enacted in August 2011
	Financial control (Article 225)	Two years	The National Treasury	The Public Finance Management Act, 2012	Enacted July 2012
46	Accounts and audit of public entities (Article 226)	Four years	The National Treasury	Public Audit Bill, 2014	Bill reviewed and forwarded to the Attorney General. Period of enactment extended by Parliament for nine months. Joint Committee formed to review Presidential Memorandum.
47	Procurement of public goods and services (Article 227)	Four years	The National Treasury	Public Procurement and Asset Disposal Bill, 2014	Bill reviewed and forwarded to the AG. Period of enactment extended by Parliament for nine months. Joint Committee formed to Presidential review memorandum

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
48	Establishment of the Salaries and Remuneration Commission (Article 230)	One year	The National Treasury	The Salaries and Remuneration Commission Act, 2011	Enacted in August 2011
Chapter Thirteen: Public Service					
49	Values and principles of public service (Article 232)	Four years	Public Service Commission	Public Service (Values and Principles) Act, 2014	Enacted in
			Public Service Commission	The Public Service Commission Act, 2012	Enacted August 2012
50	Establishment of the Teachers Service Commission (Article 237)		Teachers Service Commission	The Teachers Service Commission Act, 2012 The Teachers Service Commission (Amendment) Bill, 2015	Enacted in August 2012 Bill reviewed and forwarded to the Attorney General.

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
Chapter Fourteen: National Security					
51	National security organs (Article 239)	Two years	National Intelligence Service	National Intelligence Service Act, 2012 (Article 239/242)	Enacted in August 2012
		Two years	Interior & National coordination	National Security Council Act, 2012 (Article 239)	Enacted in August, 2012
		Two years	Kenya Defence Forces	Kenya Defence Forces Act, 2012 (Article 232, 239 / 241)	Enacted in August 2012
52	Command of the National Police Service (Article 245)	Two years	Interior & National coordination	National Police Service Act, 2011 (Article 245)	Enacted in August 2011
		Two years	Interior & National coordination	Independent Police Oversight Authority Act, 2011	Enacted in November 2011
General: Any other legislation required by the Constitution					
53	Other Legislation	Five years	Ministry of Foreign Affairs & International Trade	Treaty Making and Ratification Act, 2012 (Article 2 (6))	Enacted in Dec 2012
54		Five years	Ministry Labour & Social Security	The Social Assistance Act, 2013 (Art. 43 (1)(e))	Enacted in January 2013
55		Five years	Ministry of Education	Basic Education Act, 2013 (Art. 53) Basic Education (Amendment) Bill, 2015	Enacted in January 2013 Reviewed and forwarded to the Attorney General.

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
56			Ministry of Internal Sec	National Government Coordination Act, 2013 (Art. 131 (1) & 132 (3) (b))	Enacted in January 2013
57			Attorney General	The Independent Offices (Appointment) Act, 2011 (Article 156 & 24 8)	Enacted in August 2011
58			Attorney General	The Legal Aid Bill, 2015	Published on 26 th June, 2015
59			Attorney General	Succession (Amendment) Bill, 2015	Bill reviewed and forwarded to the Attorney General.
60			Private member	The Child Justice Bill, 2015	Bill reviewed and advisory forwarded to Parliament
61			Ministry of Labour, Social Services and Security	Children (Amendment) Bill, 2015	Under review by CIC
62			The National Treasury	The County Governments Public Finance Management Transition Act, 2013 (Sect. 15 of sixth schedule)	Enacted in January, 2013
63			The National Treasury	The Government Owned Entities Bill, 2014	Bill reviewed and forwarded to the Attorney General

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
64			The National Treasury	The National Sovereign Wealth Fund Bill, 2015 The Kenya Sovereign Wealth Fund Bill, 2015	CIC received two bills and requested the executive to consolidate them into one.
65			Ministry Labour & Social Security	The Employment (Amendment) Bill 2015	Under review by CIC
66			Ministry Labour & Social Security	Labour Relations (Amendment) Bill, 2015	Under review by CIC
67			Ministry Labour & Social Security	Labour Institutions (Amendment) Bill, 2015	Under review by CIC
68			Ministry Labour & Social Security	Work Injury Compensation Bill, 2015	Under review by CIC
69			Ministry Labour & Social Security	Occupational Safety and Health (Amendment) Bill, 2015	Under review by CIC
70			Ministry of Education &	The Kenya National Examination Council (Amendment) Bill, 2015	Bill reviewed and advisory to the Parliament At Committee stage
71			Environment, Water & Natural Resources	Prevention and Control of Marine Pollution Bill, 2014	Bill reviewed and forwarded to the Attorney General.

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
72			National Land Commission	The Evictions and Resettlement Procedures Bill, 2015	Reviewed and forwarded to the Attorney General
73			Environment, Water & Natural Resources	Irrigation Bill, 2015	Under review by CIC
74			Judiciary	Small Claims Court Bill, 2015	Bill reviewed and forwarded to the Attorney General. Published in August 2015
75			Judiciary	The Organization and Administration of the Court of Appeal Bill, 2015	Bill reviewed and forwarded to the Attorney General.
76			Judiciary	High Court Organization and Administration Bill, 2015	Bill reviewed and forwarded to the Attorney General. Published in August 2015
77			Judiciary	Magistrate Courts (Amendment) Bill, 2014	Bill reviewed and forwarded to the AG.

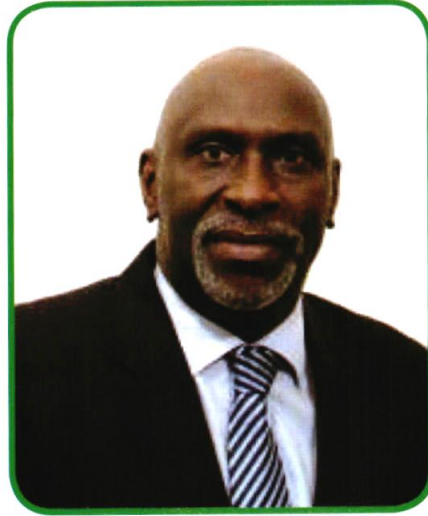
	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
78			Judiciary	Administration of the Magistrates Courts Bill, 2015	Bill reviewed and forwarded to the AG
79			Environment, Water & Natural Resources	Energy Bill, 2015	Bill reviewed and forwarded to the Attorney General.
80			Ministry of Sports, Culture and the Arts	Languages Bill, 2015	Under review by CIC.
81			Environment, Water & Natural Resources	Petroleum (Exploration, development and production) Bill 2015	Bill reviewed and advisory forwarded to the Attorney General.
82			Land, Housing & Urban Development	Minimum and Maximum and Holding Acreages Bill, 2015	Bill reviewed and advisory forwarded to the Attorney General.
83			National Land Commission	Investigation and Adjudication of Historical Land Injustices Bill, 2015	Reviewed the Bill and forwarded recommendations to the Attorney General.
84			The Controller of Budget	The Controller of Budget Bill, 2015	Bill reviewed and forwarded to the AG On 1 st Reading in Parliament
85			National Treasury	Central Bank of Kenya (Amendment) Bill, 2015	Under review by CIC
86			Private member	Two-thirds Gender Principle Rule Bill, 2015	Bill reviewed and advisory forwarded to the Attorney General. 1 st reading on 30 th April, 2015

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
87			Parliament	The Parliamentary Powers and Privileges Bill, 2014	Bill reviewed and advisory forwarded to the Parliament.
88			Parliament	The County Assemblies Powers and Privileges Bill, 2014	Bill reviewed and advisory forwarded to the Parliament.
89			Private member	The Pharmacy Practitioners Bill, 2014	Bill reviewed and advisory forwarded to the Parliament 1 st Reading in parliament
90			Private member	The In-Vitro Fertilization Bill, 2014	Committee stage
91			Private member	The Basic Education (Amendment) Bill, 2014	First reading
92			Attorney General	The Persons with Disabilities Bill, 2015	Under review by CIC
93			Private member	The National Youth Employment Authority Bill, 2015	Bill reviewed and advisory forwarded to the AG Committee stage
94			Private member	Reproductive Health Care Bill, 2014 (Sen. Bill No. 17)	2 nd Reading
95			Private member	1.1.1 The Sexual Offences Act (Amendment) Bill	Reviewed and comments forwarded to the sponsor of the Bill.
96			Private member	The Pensions (Amendment) Bill, 2014	Bill reviewed and advisory forwarded to Parliament

	Chapter and Articles	Constitution Timeline	Responsible Ministry/ Department	Title of Legislation Developed	Status of the Legislation
97			Private member	The Malaria Prevention Bill, 2014	Bill reviewed and advisory forwarded to the National Assembly.
98			Private member	The Higher Education Loans Board (Amendment) Bill, 2015	Bill reviewed and advisory forwarded to Parliament
99			Private member	The Engineering Technologists and Technicians Bill, 2015	1 st Reading
100			Private member	The Constitution of Kenya (Amendment) No 1 Bill, 2015	1 st Reading
101			Private member	The Constitution of Kenya (Amendment) No 2 Bill, 2015	1 st Reading
102			Private member	The Constitution of Kenya (Amendment) (No.3) Bill, 2015	1 st Reading
103			Private member	The Registration and Identification of Persons Bill, 2014	1 st Reading
104			Private member	Biomedical Engineers Bill 2015	Bill reviewed and advisory forwarded to the sponsor.
105			Private member	The Refugees Bill, 2014	1 st Reading

Annex 2: Structure of the Commission

Chairperson and Commissioners of the Commission

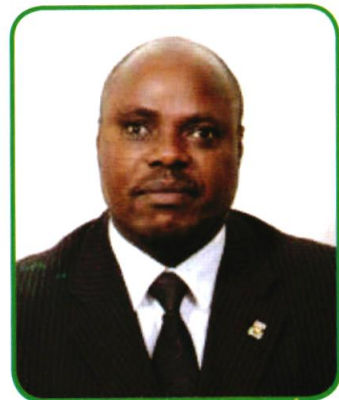


Mr. Charles Nyachae
Chairperson of the Commission



Dr. Elizabeth Muli
Vice-Chairperson, and Convener of the Executive and Security Thematic Team.

Coordinates the implementation of Chapters 9 and 14 of the Constitution that deal with the executive and security respectively.



Dr. Imaana Kibaaya Laibuta
Convener of the Judiciary and Constitutional Commissions Thematic Team.

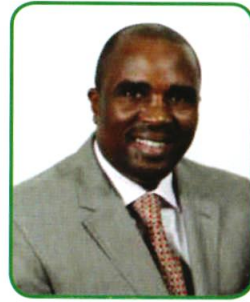
Coordinates the implementation of Chapter 10 on the judiciary and Chapter 15 on Constitutional Commissions and Independent Offices.



Prof. Peter Wanyande

Convener of the Devolved Government Thematic Team.

Coordinates the implementation of Chapter 11 of the Constitution and Section 15(2)(d) of the Sixth Schedule to the Constitution, which deal



Mr. Kamotho Waiganjo

Convener of the Public Finance Thematic Team.

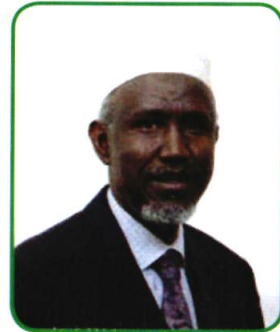
Coordinates the implementation of Chapter 12 of the Constitution, which deals with public finance management



Ms. Catherine M. Mumma

Convener of the Bill of Rights and Citizenship Thematic Team.

Coordinates the implementation of Chapters 3 and 4 of the Constitution, on citizenship and the Bill of Rights, respectively.



Dr. Ibrahim M. Ali

Convener of the Land and Environment Thematic Team.

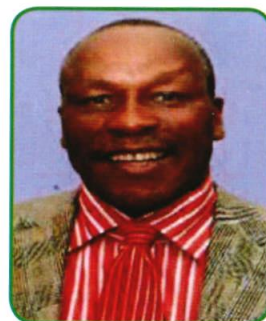
Coordinates the implementation of Chapter 5 of the Constitution on land and environment



Dr. Florence Omosa

Convener of the Representation of the People & the Legislature Team.

Coordinates the implementation of Chapters 7 and 8 of the Constitution on representation of the people and the legislature respectively.



Mr. Philemon Mwaisaka, EBS, SS

Convener of the Representation of the People & the Legislature Team.

Coordinates the implementation of Chapter 6 on leadership and integrity and Chapter 13 of the Constitution on public service

Senior Management Team



Joseph N. Kosure
Secretary/CEO



Esther D. Kodhek
Director of Programmes



Rose M. Macharia
Director of Management Services



Mugita Gesongo
Head of Monitoring
and Evaluation



Margaret Akutekha
Head, Internal Audit



Kennedy Malinda
Head of Supply
Chain Management



Howard Olume
Head of Human Resource



Bevin A. Bhoke
Head of Communications

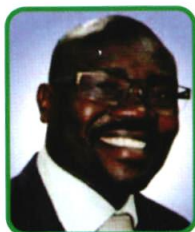


James Oundo
Head of Finance



Elizabeth K. Obiero

Principal Programmes Officer,
Organizational Development &
Institutional Strengthening



James O. Wagala

Principal Programmes Officer,
Organizational Development &
Institutional Strengthening



Sophia K. Sitati

Senior Programmes Officer,
Office of the Chairperson



Fredrick O. Oromo

Senior Supply Chain
Management Officer



Christine N. Kuria

Senior Programmes
Officer-Citizenship and Bill of
Rights Thematic Area



Caroline W. Gaita

Senior Programmes Officer,
Judiciary and Constitutional
Commissions Thematic Area



Edith C. Cheramboss

Senior Programmes Officer,
Public Service and Leadership
Thematic Area



Mary G. Orwa

Senior Programmes Officer,
Representation of the People and
The Legislature Thematic Area



Ruth M. Muthui

Senior Programmes Officer,
Judiciary and Constitutional
Commissions Thematic Area



Christine Ojode

Head of Accounts



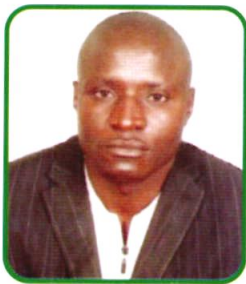
Valerie N. Okumu

Senior Programmes Officer,
Devolved Government Thematic
Area



Lucy M. Gaithi

Senior Programmes Officer, M&E



Kephias O. Okach
Senior Programmes Officer, M&E



Timothy K. Kariuki
Senior Programmes Officer,
M&E



Victor Odhiambo Akuom
Senior Programmes Officer,
Public Finance Thematic Area



Fatuma Mohamed
Senior Programmes Officer,
Land and Environment
Thematic Area



Jeremiah Nyakundi
Senior Programmes Officer



Natasha N. Kimani
Programmes Officer, Executive
and Security Thematic Area

Other staff

1.	Monica Wambua	Human Resource Officer
2.	Lauraine Onyango	ICT officer
3.	Janet Maiyo	Account Officer
4.	Alice Kaguongo	Assitant Internal Auditor
5.	Clement Kagiri	Assitant Internal Auditor
6.	Patrick Musonye	Procuremnt Officer
7.	Faith Kilonzo	Administration Officer
8.	Phillip Abishai	ICT Officer
9.	Vashti Nadayat	Hansard Officer
10.	Pauline Kamurutu	Accountant
11.	Hassan A Hussein	Accountant
12.	Mercy Karanja	Executive Assistant
13.	Nina Kabayo	Executive Assistant
14.	Catherine Kahwai	Executive Assistant
15.	Rose Boit	Executive Assistant
16.	Pamela Mugei	Executive Assistant
17.	Rebecca Akoth	Executive Assistant
18.	Edward Omer	Transport Officer
19.	Riplan Lenagwanai	Senior Driver
20.	Isaac Mugambi	Senior Driver
21.	Benson Wetinid	Senior Driver
22.	MustaphKainga	Senior Driver
23.	Fredrick Kyalo	Senior Driver
24.	Peter Kariuki	Senior Driver
25.	Joseph Kariuki	Senior Driver
26.	Bryson Mwakio	Senior Driver
27.	Daniel Ngetich	Senior Driver
28.	Godwin Radiro	Senior Driver
29.	Tabitha Mburu	Receptionist
30.	Kevin Letuya	Accounts Assistant
31.	Edward Omondi	Accounts Assistant
32.	James Mburu	Legal Clerk
33.	Gordon Odhiambo	Clerical Officer
34.	Prisca Aluso	Clerical Officer
35.	Dorothy Mogiri	Stores Clerk
36.	Mary Munyao	Office Assistant
37.	Joyce Kadenge	Office Assistant
38.	Pamela Aloyo	Office Assistant
39.	Betty Awour	Office Assistant
40.	Chepkwony Myra	Intern
41.	Linda Ayimba	Intern
42.	Beatrice Mutanda	Intern
43.	Nelly Gitari	Intern
44.	Catherine Ndile	Intern
45.	Samuel Njoroge	Intern

