

Approved *Batoma*

17/11/14



PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT

SECOND SESSION (2014)

Paper laid
By Hon S. Chepkoibai
Chair - Justice & Legal Affairs
Comm. on
17/11/14

THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REPORT

ON THE PETITION FOR REMOVAL OF THE CHAIRPERSON AND MEMBERS OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

**CLERK'S CHAMBERS,
PARLIAMENT BUILDINGS,
NAIROBI.**

JULY, 2014

1.0 PREFACE

Mr. Speaker Sir,

On behalf of the Departmental Committee on Justice and Legal Affairs and pursuant to Standing Order 216(5), it is my pleasure and duty to present to the House, the Committee's Report on the Petition for removal of the Chairperson and members of the Independent Electoral and Boundaries Commission (IEBC).

1.1 Committee Membership

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

1. The Hon. Samuel Chepkong'a, M.P. –Chairperson
2. The Hon. Priscilla Nyokabi, M.P. –Vice Chairperson
3. The Hon. Njoroge Baiya, M.P.
4. The Hon. Muriithi Waiganjo, M.P.
5. The Hon. Ndirangu Waihenya, M.P.
6. The Hon. Florence Kajuju, M.P.
7. The Hon. Kang'ata Irungu, M.P.
8. The Hon. Benson Mutura, M.P.
9. The Hon. John Njoroge Chege, M.P.
10. The Hon. William Cheptumo, M.P.
11. The Hon. Mohamed Abdi Haji, M.P.
12. The Hon. Kangongo Bowen, M.P.
13. The Hon. Sammy Koech, M.P.
14. The Hon. Moses Cheboi, M.P.
15. The Hon. Paul Bii, M.P.
16. The Hon. Charles Gimose, M.P.
17. The Hon. Johana Ng'eno, M.P.
18. The Hon. Boniface Otsiula, M.P.
19. The Hon. David Ouma Ochieng, M.P.
20. The Hon. Neto Agostinho, M.P.
21. The Hon. Kaluma Peter, M.P.

22. The Hon. Fatuma Ibrahim Ali, M.P.
23. The Hon. Ben Momanyi Orori, M.P.
24. The Hon. T. J. Kajwang', M.P.
25. The Hon. (Bishop) Mutua Mutemi, M.P.
26. The Hon. Olago Aluoch, M.P.
27. The Hon. Christine Oduor Ombaka, M.P.
28. The Hon. Munuve G. Mati, M.P.
29. The Hon. Mwamkale William Kamoti, M.P., M.P.

1.2 Committee's Mandate

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

- a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
- b) To study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;
- c) To study and review all legislation referred to it;
- d) To study, assess and analyze the relative success of the ministries and departments measured by the results obtained as compared with their stated objectives;
- e) To investigate and inquire into all matters relating to the assigned ministries and departments as may be deemed necessary, and as may be referred to it by the House or a minister;
- f) To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those understanding order 204 (Committee on appointments); and
- g) To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.

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

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

The Committee oversees the following Ministries/Departments:

- a) State Law Office
- b) The Judiciary
- c) Ethics and Anti-Corruption Commission
- d) Independent Electoral and Boundaries Commission
- e) Commission on Administrative Justice

The Committee also has oversight mandate over all matters relating to political parties.

Mr. Speaker Sir,

On 3rd June, 2014 pursuant to Standing Order 225, you conveyed to the House a Petition regarding the removal of Ahmed Isaack Hassan – Chairperson, Lillian Mahiri – Zaja – Vice Chairperson and Members Eng.Abdullahi Sharawe, Thomas Letangule, Mohammed Alawi Hussun, Albert Camus Onyango Bwire, Kule Galma Godana, Amb.Yusuf A.Nzibo and J.Muthoni Wangai as Independent Electoral and Boundaries Commission (IEBC) Commissioners.

The Petition dated 28th April, 2014 is addressed to the National Assembly and signed by Mr. Robert Buke Wafula the National Assembly finds the above mentioned members of the Independent Electoral and Boundaries Commission as being in serious violation of the Constitution and shown gross misconduct in performance of their functions and duties as Commissioners.

The Committee's Report contains dissenting views as stipulated under Standing Order 199(6) and Commonwealth Parliamentary practice that the Minority or differing views of members may be indicated in a report and that there is only one report presented to the House by a select Committee.

The Petitioner draws the attention of the National Assembly to the following:

1. In the exercise of the registration of voters and compilation of voters register and in the conduct of the general election of 2013 the Commissioners:
 - a. Are in serious violation of the Constitution and the laws of Kenya.
 - b. Gross misconduct in performance of the functions and their duties as Commissioners.
 - c. Incompetence in the management of the 2013 elections.
2. In the procurement of the Biometric voter registration (BVR) and electronic voter identification devices (EVID) equipment during the general elections the Commissioners so grossly mismanaged the use of public finances contrary to Article 201 of the Constitution as read with Article 10.
3. As evidenced by:
 - i. The documents presented by the Petitioners and IEBC to the Supreme Court in Presidential Petition Nos.3,4& 5 of 2013.
 - ii. Election Petitions and Appeals and Appeals filed in the High Court, Court of Appeal and Supreme Court for gubernatorial, Senate and the National Assembly seats.
 - iii. The discrepancies in IEBC elections data as election returns presented to the National Assembly and posted variously by IEBC.

- iv. Reports and analysis by various organizations namely Kenya Human Rights Commission, Mars Group, Standard Media Group Ltd and others.
- v. Use of multiple non gazette election voter registers on the date of the election.

The Petition was committed to the Departmental Committee on Justice and Legal Affairs pursuant to provisions of Standing Order 230(3). The Committee considered the Petition and the grounds prescribed in the Constitution.

Acknowledgements

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate. The Committee also appreciates the media for coverage of its proceedings and thanks members of the public who made submissions to the Committee.

It is my pleasant duty and privilege, on behalf of the Departmental Committee on Justice and Legal Affairs, to present and recommend this report on the Petition for removal of the Chairperson and Members of the Independent Electoral and Boundaries Commission.

SIGNED.....

Hon/ Samuel Chepkong'a, M.P
(Chairperson)

Departmental Committee on Justice and Legal Affairs

DATE: 

2.0 BACKGROUND

2.1 Independent Electoral and Boundaries Commission

The Independent Electoral and Boundaries Commission is established under Article 88 of the Constitution consisting of nine members.

The Commission is responsible for conducting or supervising referenda and elections to any elective body or office established by this Constitution, and any other elections as prescribed by an Act of Parliament and, in particular for:

- (a) the continuous registration of citizens as voters.
- (b) the regular revision of the voters roll.
- (c) the delimitation of the constituencies and wards.
- (d) the regulation of the process by which parties nominate candidates for elections.
- (e) the settlement of electoral disputes, including disputes relating to or arising from nominations but excluding election petitions and disputes subsequent to the declaration of election results.
- (f) the registration of candidates for election
- (g) voter education
- (h) the facilitation of the observation, monitoring and evaluation of elections.
- (i) the regulation of the amount of money that may be spent by or on behalf of a candidate or party in respect of any election.
- (j) The development of a code of conduct for candidates and parties contesting elections
- (k) The monitoring of compliance with legislation required by Article (82)(1)(b) relating to nomination of candidates by parties.

The Constitution further provides under Article 88(5) that the Commission shall exercise its powers and perform its functions in accordance with the Constitution and national legislation.

2.2 Removal from office of members of a commission

The removal of a member of a commission is provided for pursuant to provisions of Article 251 (1) of the Constitution.

The said provision states that:

- (1) A member of a commission (other than an ex officio member), or the holder of an independent office, may be removed from office only for –
 - (a) Serious violation of this constitution or any other law, including a contravention of Chapter Six;
 - (b) Gross misconduct, whether in the performance of the member's or the office holder's functions or otherwise;
 - (c) Physical or mental incapacity to perform functions of office;
 - (d) Incompetence; or
 - (e) Bankruptcy
- (2) A person desiring the removal of a member of a commission or of a holder of an independent office on any ground specified in clause (1) may present a petition to the National Assembly setting out the alleged facts constituting that ground.
- (3) The National Assembly shall consider the petition and, if it is satisfied that it discloses a ground under clause (1), shall send the petition to the president
- (4) On receiving a petition under clause (3), the president –
 - (a) May suspend the member or the office holder pending the outcome of the complaint; and

- (b) Shall appoint a tribunal in accordance with clause (
- (5) The tribunal shall consist of –
 - (a) A person who holds or has held office as a judge of a superior court, who shall be the chair person;
 - (b) At least two persons who are qualified to be appointed as High Court judges; and
 - (c) One other member who is qualified to assess the facts in respect of the particular ground for removal.
- (6) The tribunal shall investigate the matter expeditiously, report on the facts and make a binding recommendation to the President, who shall act in accordance with the recommendation within thirty days.
- (7) A person suspended under this Article is entitled to continue to receive one-half of the remuneration and benefits of the office while suspended.

2.3 Recruitment Process of the Current Commissioners.

- i. The IIEC was established as successor to ECK and was mandated under Article 41A of the former Constitution to reform the electoral process and management among others.
- ii. The IEBC is established pursuant to Article 88 (1) and the IEBC Act No.9 of 2011
- iii. The IEBC replaced the Interim Independent Electoral Commission (IIEC) and the defunct Interim Independent Boundaries Review Commission of Kenya (IIBRC) which was established by Article 41B of the former Constitution

- iv. Vacancies in the office of IEBC were declared in local dailies on 11/8/2011
- v. 430 applicants applied for the position of member and 4 applied for the Chairperson's position.
- vi. In July, 2011, Parliament approved the appointment of the selection panel to the IEBC. The selection panel was mandated to shortlist applicants and forward three persons for appointment as Chairperson and thirteen persons for appointment as member.
- vii. The panel conducted interviews and forwarded to H.E the President the three and thirteen names for the position of chairperson and members respectively
- viii. The President after consultation with the Right Hon. Prime Minister nominated nine persons for consideration by the National Assembly as Chairperson and members of the IEBC –Speaker's communication on 25/10/2011
- ix. The names and curriculum vitae were forwarded to the Constitutional implementation oversight committee of the National Assembly.
- x. The House approved the nomination of the nine persons as per the Committee's recommendations, namely Ahmed Isaack Hassan – Chairperson, Lillian Mahiri – Zaja – Vice Chairperson and Members Eng.AbdullahiSharawe, Thomas Letangule, Mohammed Alawi Hussun, Albert Camus OnyangoBwire, KuleGalmaGodana, Amb.Yusuf A.Nzibo and J.MuthoniWangai.

2.4 Petition from Mr. Robert Buke Wafula

Mr. Robert Wafula Buke presented petition for the removal of Ahmed Isaack Hassan – Chairperson, Lillian Mahiri – Zaja – Vice Chairperson and Members Eng. Abdullahi Sharawe, Thomas Letangule, Mohammed Alawi Hussun, Albert Camus Onyango Bwire, Kule Galma Godana, Amb. Yusuf A. Nzibo and J. Muthoni Wangai as Independent Electoral and Boundaries Commission (IEBC) Commissioners on the following grounds-

1. Serious violation of the Constitution and the laws of Kenya;
2. Gross misconduct in the performance of functions and their duties as Commissioners;
3. Incompetence in the management of the 2013 elections.

The facts constituting the grounds are as follows: -

1. **THAT** in the procurement of the Biometric voter registration (BVR) and electronic voter identification devices (EVID) equipment during the general elections the Commissioners so grossly mismanaged the use of public finances contrary to Article 201 of the Constitution as read with Article 10.
2. The documents presented by the Petitioners and IEBC to the Supreme Court in Presidential Petition Nos. 3, 4 & 5 of 2013.
3. Election Petitions and Appeals and Appeals filed in the High Court, Court of Appeal and Supreme Court for gubernatorial, Senate and the National Assembly seats
4. The discrepancies in IEBC elections data as election returns presented to the National Assembly and posted variously by IEBC
5. Reports and analysis by various organizations namely Kenya Human Rights Commission, Mars Group, Standard Media Group Ltd and others.

6. Use of multiple non gazette election voter registers on the date of the election

2.4 Response by the Independent Electoral and Boundaries Commission (IEBC)

The Chairperson and members of the Commission appeared before the Committee and responded to the Petition as follows:-

- i. The Petition makes vague allegations about the Commission and not the Chairperson or other members of the Commission and that it is not supported by any cogent evidence that warrants individual response.
- ii. The Petition as drawn does not satisfy the threshold envisaged by Article 251 of the Constitution.
- iii. The Petitioner seeks to vilify the Chairperson and Members of the Commission for having performed their constitutional role by announcing results of the people's choice.
- iv. The Petitioner is questioning the legitimacy and legality of all elected and nominated leaders in the country in both National and County Government. By implication the Petitioner seeks to demand for a fresh general election by mischievously illegitimizing the last General Elections through this petition.
- v. The Petitioner's ground of Petition concerning the procurement of Electronic Voter Identification Devices (EVID) and Biometric Voter Registration (BVR) is without any legal basis as members' role in procurement is limited to approval of the budget and procurement plan. The Commission's procurement was as advised by the Public Procurement Oversight Authority.
- vi. On documents presented by Petitioners and IEBC during the Presidential Petition, the Commission submitted that all the documents were considered in their totality by the Supreme Court.

The Presidential election, and by extension all other elections that were held at the same time were found to have been free, fair and credible.

- vii. The finding by the Supreme Court on the voter register and compilation does not impute any culpability on the part of the Commission in the registers used.
- viii. The Commission has so far conducted fifteen (15) by-elections as a result of successful petitions. All but the by election results returned the same candidates elected on 4th March 2013, thereby vindicating the Commission's work.
- ix. The IEBC is the source and custodian of all authentic election data and that the commission's attention has not been drawn to any discrepancies by anybody or organization in the reports it has published.
- x. The Commission is constitutionally mandated under Article 138 (3) of the Constitution to, tally and verify the count of votes in the polling station and declare the result.
- xi. The Commission received Observer reports from the African Union, Commonwealth observer group, the European Union, Carter Centre, Election Observer Group (ELOG) among others that confirmed elections were peaceful, transparent and credible and reflected the will of the people. The Commission accredited observer groups in accordance with Article 88(4)(h) of the Constitution.
- xii. It was observed by various accredited observers that though Commission faced challenges in the conduct of the 2013 general elections, these challenges did not affect the credibility of the general election.
- xiii. The Commission cited various precedents to demonstrate that the allegations leveled against them do not amount to gross misconduct.

In the Nigerian Supreme Court's view, some acts which constitute gross misconduct are refusal to perform constitutional functions, corruption and abuse of office or power.

- xiv. The Petition contains no particulars of what is alleged to be "multiple non gazetted registers" used by the Commission during the election.
- xv. The Commission informed the Committee that some matters in the petition are pending in court and that it should be dismissed as being insufficient, incompetent and an abuse of the legal process and lacks merit in both fact and law.

3.0 CONSIDERATION OF THE PETITION BY THE COMMITTEE

- i). The Committee had sittings and deliberated on the petition by Mr. Robert Buke Wafula.
- ii). The Committee through the Office of the Clerk of the National Assembly put an advert in the main media on June, 2014 for submission of written representations and submissions pertaining to the Petition.
- iii). The Committee received written memoranda, affidavits and/or letters from the following:
 - Joint affidavit by Mr. Jumah Mugwanga and Benson Esuza
 - Joint affidavit by Mr. Martin Mule Malonza, Naisiae T. Paloshe and Musdaf Abdullahi Ahmed
 - Hon. Abuya Abuya
 - Response by the IEBC
- iv) Pursuant to the provisions of Article 251 of the Constitution, Petition to Parliament (Procedure) Act and the relevant provisions of the Standing Orders, the Committee considered the Petition, the written and oral presentations and materials hereinabove.

3.1 COMMITTEE'S OBSERVATIONS AND FINDINGS

The mandate of the Committee and the National Assembly on this matter is as prescribed in Article 251 of the Constitution and Standing Order 230(4).

It is not for the Committee or the National Assembly to find and determine the issue concerning removal of the subject Commissions. To the contrary, the Committee and the National Assembly merely considers the Petition and the supporting documents and/or information to determine whether the petition discloses grounds for removal to warrant it being remitted to the President to establish a tribunal to undertake full investigations.

The grounds for removal from office of members of the Independent Electoral and Boundaries Commission are provided for under Article 251(1) of the Constitution, which provides as follows: -

“251. (1) A member of a commission (other than an ex officio member), or the holder of an independent office, may be removed from office only for –

- (a) serious violation of this constitution or any other law, including a contravention of Chapter Six;*
- (b) gross misconduct, whether in the performance of the member's or the office holder's functions or otherwise;*
- (c) physical or mental incapacity to perform functions of office;*
- (d) incompetence; or*
- (e) bankruptcy.*

The instant petition is premised upon the grounds stipulated under Article 251(a), (b) and (d) of the Constitution.

The procedure for removal of a member of the Independent Electoral and Boundaries Commission is prescribed under Article 251(2) of the Constitution which provides that: -

- “(2) A person desiring the removal of a member of a commission or of a holder of an independent office on any ground specified in clause (1) may present a petition to the National Assembly setting out the alleged facts constituting that ground.*
- (3) The National Assembly shall consider the petition and, if it is satisfied that it discloses a ground under clause (1), shall send the petition to the president*
- (4) On receiving a petition under clause (3), the president –*
- (a) may suspend the member or the office holder pending the outcome of the complaint; and*
- (b) shall appoint a tribunal in accordance with clause (5).*
- (5) The tribunal shall consist of –*
- (a) a person who holds or has held office as a judge of a superior court, who shall be the chair person;*
- (b) at least two persons who are qualified to be appointed as High Court judges; and*
- (c) one other member who is qualified to assess the facts in respect of the particular ground for removal.*
- (6) The tribunal shall investigate the matter expeditiously, report on the facts and make a binding recommendation to the President, who shall act in accordance with the recommendation within thirty days.*
- (7) A person suspended under this Article is entitled to continue to receive one-half of the remuneration and benefits of the office while suspended.”*

The President upon receipt of the petition from the National Assembly is obligated to establish the tribunal to investigate the member of the Commission sought to be removed. The President however exercises discretion on the matter of suspension of the affected Commissioner(s) pending determination of the matter.

The National Assembly received the petition from Mr. Robert Buke Wafula seeking removal from office members of the IEBC.

In the discharge of its mandate over the matter, the Committee put an advertisement in the media inviting members of the public to submit written presentations and submissions pertaining to the petition.

Following the advertisement, the Committee received the following written representations: -

- i. Joint affidavit by Mr. Jumah Mugwanga and Benson Esuza
- ii. Joint affidavit by Mr. Martin Mule Malonza, Naisiae T. Paloshe and Musdaf Abdullahi Ahmed
- iii. Hon. Abuya Abuya

The Committee wrote letters inviting the Petitioner to appear before the Committee and for the Commission to respond in writing pending appearance at a later date to make oral presentations.

The Commission delivered written presentations on the matter and appeared before the Committee on 8th July, 2014

The Committee moved a procedural motion on Thursday 5th June, 2014 seeking the indulgence of the House for the Committee to be given additional thirty (30) days to investigate the matter.

Following the above application, the Committee was given additional thirty (30) days over and above fourteen (14) days allocated to them. The rationale for enlargement of time was to give the Committee sufficient time to deliberate on the matter exhaustively.

a) Alleged serious violation of the Constitution and Laws of Kenya.

The Petitioner alleges that the IEBC did not compile a voter's register as required by Article 83 of the Constitution.

Article 83 of the Constitution states that:

- 1) A person qualifies for registration as a voter at elections or referenda if the person-
 - (a) is an adult citizen
 - (b) is not declared to be of unsound mind; and
 - (c) has not been convicted of an election offence during the preceding five years.
- 2) A citizen who qualifies for registration as a voter shall be registered at only one registration centre.
- 3) Administrative arrangement for the registration of voters and the conduct of elections shall be designed to facilitate, and shall not deny, an eligible citizen the right to vote or stand for election.

b) Alleged gross misconduct in performance of the functions and their duties as Commissioners.

- i). It is alleged that the IEBC added or subtracted votes to achieve a result desired by them in many cases.
- ii). That the IEBC changed results already declared.

c) Alleged incompetence in the management of the 2013 elections.

- i. It is alleged that in many instances the IEBC declared multiple results in areas such as Migori gubernatorial Elections and Kibwezi National Assembly Elections:
- ii. That the IEBC has not declared the final results of the general elections held on March 4th, 2013, a period of 16 months after the event.

- iii. That many of the results announced were not authenticated by signatures of candidates.
- iv. That the IEBC used unofficial documents in many instances.

Former Member of Parliament Hon. Abuya Abuya, in the memorandum dated 13th June, 2014 alleges that:

- i. In 2012 he sought nomination to vie for the office of Senator of Nyamira County but the nomination certificate was issued to one Okongo Omogeni, who never participated in the party primaries.
- ii. He approached the IEBC Dispute Resolution Committee which ruled and ordered ODM party to issue to him the nomination certificate.
- iii. Mr. Okongo Omogeni challenged the decision in the High Court which referred the matter back to the IEBC for disposal.
- iv. The IEBC Disputes Resolution Committee overturned its earlier decision and instead made another ruling that ODM party list to the National Assembly be amended to include the nomination of Hon. Abuya Abuya to the National Assembly and be refunded ksh.100,000/= being nomination fees paid to the party.
- v. The IEBC assured him that they will implement the order and ensure he was nominated to the National Assembly on ODM party list.
- vi. The IEBC did not make good its assurance and has received no response to date.

In joint affidavit sworn on 12th June, 2014 in support of the suitability of the Chairperson and members of the Independent Electoral and Boundaries Commission, Jumah Mugwanga and Benson Esuza highlighted on the achievements of IEBC in the following areas:

- i. Boundary delimitation

- ii. Mapping of polling stations, collection of polling station data and setting up of more polling stations
- iii. Biometric Voter Registration
- iv. The successful conduct of 2013 general election.

It is further stated that:

- i. The IEBC conducted a massive six-in-one election within a day and provided the country with leadership at all levels as required by the constitution.
- ii. The IEBC conducted elections according to the law and never disenfranchised anybody.
- iii. The electoral process is not a one day affair and thus was well managed by the IEBC.
- iv. Domestic and International observers such as the Carter Centre by their reports endorsed the election and congratulated Kenyans in exercise of their civic duty.

In the second joint affidavit sworn on 13th June, 2014, in support of the suitability of the Chairperson and members of the commission by Mr. Martin Mule Malonza, Naisiae T.Paloshe and MusdafAbdullahi Ahmed avers that:

- a. The conduct of 2013 general election was put to rest with finality by the Supreme Court.
- b. The re-introduction of the electoral issues through Parliament is unwarranted and casts aspersions on the competence of the Supreme Court's verdict on the Presidential petition.
- c. The Petition is a gross abuse of the role of Parliament and disrespect to constitutionally established institutions such as the Judiciary.

- d. The role of management of elections is predominantly vested in the Returning Officers with Commissioners providing oversight.
- e. The election results were declared by the Chairperson in his capacity as the National Returning Officer in the Presidential Elections. The same were as declared both at Constituency and County level by the returning officers and that its ill advised to demand removal of Commissioners for doing their work as required by law.
- f. The grounds in support of allegations on incompetence are bare and impossible to offer a substantive response unless further grounds are provided. The conduct of 2013 elections was free and fair, verifiable and accurate.
- g. Successful voter registration. Despite the limited resources IEBC was able to register 14.3 million voters within 30 days. It is on record that in other countries pioneering Biometric Voter Registration took at least six months in countries such as Ghana.
- h. Successful voter turnout. The IEBC conducted good voter education and there was good voter turnout, for instance in the Constitutional referendum it was 73 percent and in the 2013 elections the turnout was 86 percent.
- i. Conformity to accessible standards. All Election Observer Missions accepted that the elections were free and free. For the first time in Kenya's general election, domestic observers did a parallel voter tallying and confirmed that the results announced were in tandem with what came from the field.(referred to EU Election Observation Mission Report at page 29)
- j. The 2013 General Elections witnessed the highest number of contestants in the History of Kenya. 12, 667 candidates contested for 1,882 positions. Of these only 188 petitions were filed which is less than 10 percent. Out of 188,163 were withdrawn or dismissed. Only 25 of them were allowed

by the courts, which represent only 1.33 percent of the positions. Of the 25 petitions, the by-elections conducted brought back the same candidates with the exception of one.

- k. The Commission came into being on 14th November 2011 and had to conduct an expanded election on 4th March, 2013, they had about one year and three months to prepare when best practice is that you should prepare for elections for a minimum of three years.

d) Alleged mismanagement of public finances contrary to Article 201 of the Constitution as read together with Article 10 of the Constitution in procurement of the Biometric Voter Registration (BVR) and Electronic Voters Identification Devices (EVID)

Article 201 of the Constitution sets out principles of public finance that shall guide all aspects of public finance in the Republic-

- a. There shall be openness and accountability, including public participation in financial matters.
- b. The public finance system shall promote an equitable society and in particular-
 - i. The burden of taxation shall be shared fairly
 - ii. The revenue raised nationally shall be shared equitably among national and county governments; and
 - iii. Expenditure shall promote the equitable development of the Country, including by making special provision for marginalized groups and areas.
- c. The burdens and benefits of the use of resources and public borrowing shall be shared equitably between present and future generations.
- d. Public money shall be used in a prudent and responsible way; and

- e. Financial management shall be responsible and fiscal reporting shall be clear.

On Supreme Court Petition No. 3 of 2013

On 14th March 2013, Petitioners Moses Kiarie Kuria, Denis Njue Itumbi and Florence Jematiah Serگون filed a petition against the IEBC and Mr. Isaack Hassan. The basis of the petition was that the respondents' decision to include rejected votes in the final tally had a prejudicial effect on the percentage votes won by Mr. Kenyatta. The petitioners asserted that the IEBC's actions were in contravention of Articles 36(b) and 138(c) of the Constitution, and Rule 77(1) of the Elections (General) Regulations, 2012.

(ii) Petition No. 4 of 2013

On 16th March, 2013, Petitioners Gladwell Wathoni Otieno and Zahid Rajan filed a petition against IEBC, Mr. Issack Hassan, Mr. Uhuru Kenyatta and Mr. William Ruto. The Petitioners averred that:

- a) The election was not conducted substantially in accordance with the Constitution, or the Elections Act and the governing Regulations. In particular, that the IEBC failed to establish and maintain an accurate Voter Register that was publicly available, verifiable and credible as required by Articles 38(3), 81(d), 83(2), 86 and 88(4) of the Constitution, sections 3, 4, 5, 6, 7 and 8 of the Elections Act, 2011 and the Elections (Registration of Voters) Regulations, 2012.
- b) The true number of registered voters is unknown and, therefore, the IEBC did not have an accurate voters' register. That the Chairperson and IEBC repeatedly changed the official number of registered voters and that the absence of a credible Principal Voter Register vitiates the validity of the Presidential elections.
- c) The electoral management system adopted by the IEBC was complex and had many shortfalls, contrary to the constitutional requirement that it be a simple, accurate, verifiable, secure, accountable and transparent system and that the IEBC failed to meet the mandatory legal requirement to electronically transmit election results and this affected the validity of the Presidential elections.
- d) IEBC did not discharge their obligation under the Constitution, because the tallying and verification of the results did not happen at the polling stations; there was no electronic transmission of provisional results; and party agents were excluded from the National Tallying Centre.

- e) IEBC violated the Constitution and the Public Procurement and Disposal Act (Cap. 412C, Laws of Kenya), by awarding the tender to an unqualified bidder who then supplied devices that did not work properly, or simply failed, on Election Day.

(iii) Petition No. 5 of 2013

On 16th March, 2013 Mr. Raila Odinga filed a petition against IEBC, Mr. Isaack Hassan, Mr. Uhuru Kenyatta and Mr. William Ruto. The Petitioner averred that;

1. The electoral process was so fundamentally flawed that it precluded the possibility of discerning whether the presidential results declared were lawful.
2. The IEBC official tally of registered voters changed several times. This resulted in the final total number of registered voters differing materially from what was in the Principal Register.
3. IEBC failed to carry out a transparent, verifiable, accurate and accountable election as required by Articles 81, 83 and 88 of the Constitution.
4. Several anomalies occurred in the process of manual tallying, such as: the votes cast in several polling stations exceeding the number of registered voters; differences between results posted and the results released by the IEBC; the use of unsigned Form 36 to declare the results.
5. The electronic systems acquired and adopted by IEBC to facilitate the General Election were poorly designed and implemented, and destined to fail. Due to the failure of the system, IEBC was unable to transmit the results of the elections, in contravention of Regulation 82 of the Elections (General) Regulations, 2012.

On 25th March 2013, by the directions of the Supreme Court, the three petitions were consolidated and the issues for trial were summarized as follows:

1. Whether the Mr. Uhuru Kenyatta and Mr. William Ruto were validly elected and declared as President-elect and Deputy President-elect respectively, in the Presidential elections held on the 4th of March, 2013.
2. Whether the Presidential election held on March 4th, 2013 was conducted in a free, fair, transparent and credible manner in compliance with the provisions of the Constitution and all relevant provisions of the law.
3. Whether the rejected votes ought to have been included in determining the final tally of votes in favour of each of the Presidential-election candidates by IEBC.

4. What consequential declarations, orders and reliefs this Court should grant based on the determination of the Petition.

The Supreme Court came to the conclusion that, by no means can the conduct of this election be said to have been perfect, even though, the election had been of the greatest interest to the Kenyan people.

4.0 Committee's Findings

- i. On alleged serious violation of the Constitution and the Laws of Kenya, the Committee by majority found that the Petition does not specifically set out the functions the Chairperson and Members of the Commission failed to perform or which Article of the Constitution or any other law they have violated.
 - ii. On alleged gross misconduct, the Committee by majority found that the Petitioner did not provide any material evidence to establish and prove gross misconduct against the Chairperson or Members of the Commission.
 - iii. On alleged mismanagement of public finances contrary to Article 201 of the Constitution as read together with Article 10 of the Constitution in procurement of the Biometric Voter Registration (BVR) and Electronic Voters Identification Devices (EVID), the Committee by majority found that BVR AND EVID are matters of procurement and several officers of the Commission have been charged in Court in Nairobi in Anti-Corruption case No.16 of 2013 as evidenced by the Charge sheet presented by the Commission. In this matter Commissioners are listed as prosecution witness.
 - iv. On alleged ground of incompetence in the management of the 2013 elections, the Committee by majority did not find any supporting facts as required under Article 251 of the Constitution.
- I. On the statement by the Petitioner at paragraph 5 of the Petition that issues in respect of the Petition are not pending before any court of law or

Constitutional or legal body, the Committee found that the statement is untrue because the Chief Executive officer and other officers have been charged over procurement issues, there are election petitions pending in the Supreme Court and the EACC is currently undertaking investigations on BVR.

- II. According to section 3(f) of the Petition to Parliament (Procedure) Act the Petitioner should indicate any efforts made to have the matter addressed by a relevant body and whether there has been any response from that body or whether the response is has been unsatisfactory. On this requirement the Committee found that the Petitioner did not comply with the provision as stipulated under the Act.

Upon due considerations and review of the presentations and materials availed to the Committee, the Committee did not find a prima facie case established against the Chairperson and Members of the Independent Electoral and Boundaries Commission for violation of the aforesaid laws and resolved to recommend to the House that the matter together with the petition should not be recommended to the President to appoint a Tribunal.

5.0 Recommendations of the Committee

Having considered the provisions of Articles 82, 83, 88 and 251 of the Constitution; and having considered the provisions of Chapter six of the Constitution; and the provisions of the Petitions to Parliament (Procedure) Act; and Standing Order No.230 of the National Assembly, the Committee by majority reports to the House that:

The Petition does not disclose grounds for removal of the following members of the Commission; Ahmed Isaack Hassan – Chairperson, Lillian Mahiri – Zaja – Vice Chairperson and Members Eng.Abdullahi Sharawe, Thomas Letangule, Mohammed Alawi Hussun, Albert

Camus Onyango Bwire, Kule Galma Godana, Amb.Yusuf A.Nzibo and J.Muthoni Wangai.

Accordingly, the Committee recommends that the House finds that the Petition does not disclose any ground for removal of Ahmed Isaack Hassan – Chairperson, Lillian Mahiri – Zaja – Vice Chairperson and Members Eng.Abdullahi Sharawe, Thomas Letangule, Mohammed Alawi Hussun, Albert Camus Onyango Bwire, Kule Galma Godana, Amb.Yusuf A.Nzibo and J.Muthoni Wangai.

6.0 REPORT ON MINORITY VIEWS

In accordance with the provision of Standing Order 199(6), the Committee recorded Minority Report in regard to part of the observation made by the Committee and recommendations thereto.

The dissenting views were also recorded vide Minutes of the Committee sittings held on 15th July, 2014 at 10.00 a.m and 4.30 pm.

6.1 Reasons for Dissenting Views

1. A perusal of results announced in March, 2013 and posted on the Commissions website and later presented before the Supreme Court and later presented to Parliament confirm fundamental discrepancies.
2. The Report presented to the National Assembly on 18th July, 2013 contained results which were either omitted or falsified. The alterations affected upto 92 electoral units in such a way that they cannot be attributed to human error but a gross misconduct deserving of sanctions.
3. Alteration of results already declared in various documents presented is an open violation of the Constitution and laws of Kenya.

4. By preparing and presenting differing results of 2013 elections, the Chairperson and Members of the Commission grossly violated the Constitution and other written laws and confirms incompetence.
5. The Constitution and electoral laws obligated the Commission to apply appropriate technology to deliver free and fair elections. The Commissioners confirmed that a large portion of the EVD equipment failed and could not be used in elections. The Chairperson attributed this to power failure, system breakdown and lack of training of the personnel. This is sufficient ground for investigation by the tribunal as to competence or otherwise of the Commissioners herein.
6. There were multiple voter registers not contemplated by law but applied by the Commission in the election in contravention of Article 88(4) of the Constitution and Electoral laws.
7. The Commissioners were incompetent for not exercising proper judgment where Kencall hosted both IEBC and the National Alliance Party.
8. The Commissioners cannot escape culpability and accountability on matters within their mandate under Articles 88(4) and 251 of the Constitution.
9. The matter for the removal of the Commissioners has never been before any body for determination and that the Petition adduces sufficient grounds, facts and evidence for determination.

7.0 Recommendations of the Dissenting Members

The dissenting Members of the Committee hereby recommend that the House resolves as follows:

1. That the Petition by Robert Wafula Buke dated 28th April, 2014 seeking the removal of Ahmed Isaack Hassan Chairperson, Lillian Mahiri – Zaja – Vice Chairperson and Members Eng. Abdullahi Sharawe, Thomas Letangule, Mohammed Alawi Hussun, Albert

Camus Onyango Bwire, Kule Galma Godana, Amb. Yusuf A. Nzibo and J. Muthoni Wangai discloses *prima facie* grounds for purposes of Article 251(3) of the Constitution.

2. That the Petition by Robert Buke Wafula dated 28th April, 2014 seeking the removal of Ahmed Isaack Hassan (Chairperson, Lillian Mahiri-Zaja (Vice Chairperson) and members Eng. Abdullahi Sharawe, Thomas Letangule, Mohamed Alawi, Hussun, Albert Camus Onyango Bwire, Kule Galma Godana, Amb. Yusuf A. Nzibo and J. Muthoni Wangai, as Chairperson and members of the Independent Electoral and Boundaries Commission be sent to the President to establish a tribunal to investigate the named Commissioners.
3. Pending the outcome of the investigations by the tribunal, the President suspends Ahmed Isaack Hassan (Chairperson), Lillian Mahiri-Zaja (Vice Chairperson) and members Eng. Abdullahi Sharawe, Thomas Letangule, Mohamed Alawi, Hussun, Albert Camus Onyango Bwire, Kule Galma Godana, Amb. Yusuf A. Nzibo and J. Muthoni Wangai from office.

The following members recorded the dissenting view:

- i. Hon. Peter Kaluma, MP
- ii. Hon. David Ochieng, MP
- iii. Hon. Agostino Neto, MP
- iv. Hon. (Dr.) Christine Ombaka, MP
- v. Hon. T.J. Kajwang, MP

END

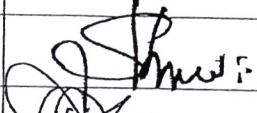
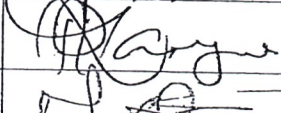

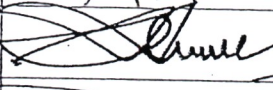
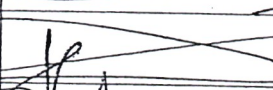


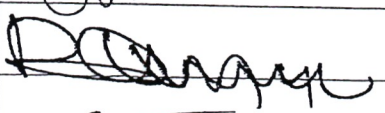
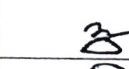
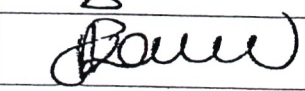
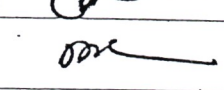
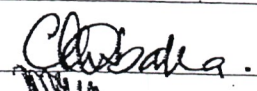

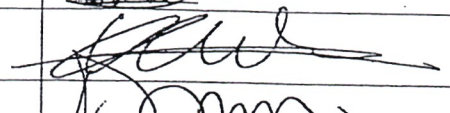



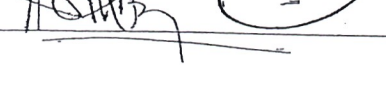
MEMBERS ATTENDANCE

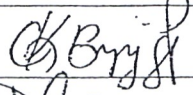
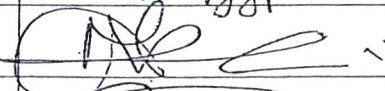

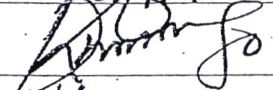

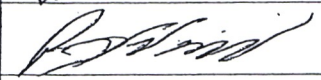
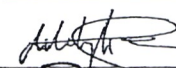
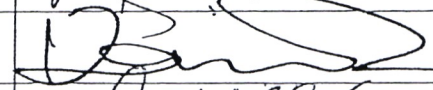
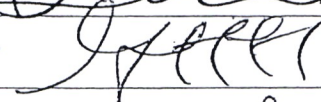
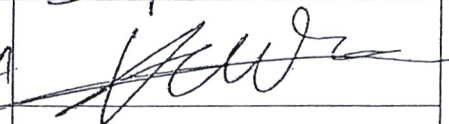
DEPARTMENTAL COMMITTEE OF JUSTICE AND LEGAL AFFAIRS

11TH PARLIAMENT

ADOPTION OF IEBC PETITION REPORT

DATE 16/7/14 at 5.00 pm Room 9

NO.	NAME	SIGNATURE
1.	Samuel Chepkwony	
2.	Priscilla Nyokabi	
3.	Hon Moses Chabon	
4.	Hon Sammy Koethi	
5.	CHIEFY	
6.	Ngeno Johana	
7.	NETO AGOSTINIF	
8.	BEN O. MUMMANI	
9.	BONFAIRE OISINLA	
10.	FLORENCE KAJOJO	
11.	PETER KATUMA	
12.	Mr. Christine Ombaka	
13.	John Muriu	
14.	Irungu Kang'ata	
15.	William Chepturo	
16.	Mohamed Abdi Haji	
17.	T. J. Kajwang	
18.	Paul K. Bii	

19.	NJOROGE BAIYA	
20.	Fatuma Ibrahim	
21.	Bishop R. Mutemi	
22.	Kangogo Bowen	
23.	GIMDSE CHARLES	
24.	BENSON MUTURA	
25.	Wadhvani Ndirangu	
26.	KAMISI MWAMKALE	
27.	John M. Waiganyo	
28.	IRUNGA KANGIATA	
29.		


A. M. Wasike

For: Clerk of the National Assembly

**MINUTES OF THE SITTING OF THE DEPARTMENTAL COMMITTEE ON
JUSTICE AND LEGAL AFFAIRS MEETING HELD ON WEDNESDAY 16TH
JULY, 2014 IN COMMITTEE ROOM 9, PARLIAMENT BUILDINGS AT 5.00
P.M**

PRESENT

Hon. Samuel Chepkong'a, MP – **Chairperson**
Hon. Priscilla Nyokabi, MP - **Vice Chairperson**
Hon. Dr. Christine Ombaka, MP
Hon. Moses Cheboi, MP
Hon. Paul Bii, MP
Hon. Mutua Mutemi (Bishop) , MP
Hon. John Njoroge Chege, MP
Hon. Benson Mutura, MP
Hon. Mohamed Abdi Haji, MP
Hon. Charles Gimose, MP
Hon. William Cheptumo, MP
Hon. Muriithi Waiganjo, MP
Hon. David Ouma Ochieng, MP
Hon. Kaluma Peter, MP
Hon. Munuve Mati John, MP
Hon. Johanna Ngeno, MP
Hon. Florence Kajuju, MP
Hon. Fatuma Ibrahim Ali, MP
Hon. Njoroge Baiya, MP
Hon. Neto Agostinho, MP
Hon. Ndirangu Waihenya, MP
Hon. Kangongo Bowen, MP
Hon. T.J. Kajwang', MP
Hon. Kang'ata Irungu, M
Hon. Kimani Mwamkale, M.P
Hon. Olago Aluoch, MP

ABSENT WITH APOLOGIES

Hon. Sammy Koech, MP
Hon. Boniface Otsiula, MP
Hon. Ben Momanyi Orori, MP

IN ATTENDANCE

Abenayo Wasike - Committee Clerk 1
Hellen Lokwang - Committee Clerk 111
Mary Lemerelle - Committee Clerk 111
Ahmed Abdalla - Committee Clerk 111

MIN.NO.JLA/2014

PRELIMINARIES

The meeting started at 5.15 PM after a word of prayer by the Chairperson.

The Chairperson briefed members on the National Cohesion and Integration Commission recruitment and asked members present to verify the shortlist agreed upon in the earlier meeting.

MIN.NO.JLA/2014

ADOPTION OF MINUTES

Minutes of previous meetings were adopted as follows:

Minutes of meeting held on 1st July, 2014 at 11.00 a.m were proposed by Hon.Njoroge Baiya and seconded by Hon. Charles Gimose

Minutes of the meeting held on 4th July, 2014 were proposed by Hon. Benson Mutura and seconded by Boniface Otsiula

Minutes of meeting held on 8th July, 2014 at 10.00 a.m were proposed by Hon. Priscilla Nyokabi and seconded by Hon. Waihenya Ndirangu

Minutes of meeting held on 8th July, 2014 at 2.30 pm were proposed by Hon. Benson Mutura and seconded by Hon. William Cheptumo

MIN.NO.JLA/2014 ADOPTION OF THE REPORT ON PETITION FOR THE REMOVAL OF IEBC COMMISSIONERS

The Report was proposed for adoption by Hon. Priscilla Nyokabi and seconded by Hon. Sammy Koech.

The Report was adopted by majority of the Members present.

The following members dissented and presented a minority Report to the Committee pursuant to provisions of Standing Order No.199 (5);

Hon.Peter Kaluma

Hon. David Ochieng

Hon.(Dr).Dr.Christine Ombaka

Hon.T.J Kajwang

Hon.Agostino Neto

MIN.NO.JLA/2014 MINORITY REPORT

Hon.Peter Kaluma informed members that he has written to the Clerk of the National Assembly to inform him of their intention to table a Minority Report.

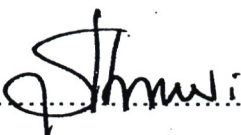
Members by majority observed as follows;

- The annexures to the Minority Report be expunged as it amounts to production of new evidence which was not presented to the IEBC for response.
- The recommendations of the Minority Report are not recommendations of the Committee.
- Recommendations of the Minority Report are recommendations of minority/dissenting members of the Committee.

MIN.NO.JLA/2014

ADJOURNMENT

The meeting was adjourned at 6.30 pm

Signed..........

Chairperson

Date..........

MINUTES OF THE SITING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS HELD ON TUESDAY 15TH JULY, 2014 IN COMMITTEE ROOM 9 MAIN PARLIAMENT BUILDINGS AT 4.30 P.M.

PRESENT

Hon. Samuel Chepkonga, M.P.	-	Chairperson
Hon. Priscilla Nyokabi, M.P.	-	Vice Chairperson
Hon. Paul K. Bii, M.P.		
Hon. Neto Agostinho, M.P.		
Hon. Njoroge Baiya, M.P.		
Hon. John M. Waiganjo, M.P.		
Hon. Peter Kaluma, M.P.		
Hon. Ndirangu Waihenya, M.P.		
Hon. Benson Mutura, M.P.		
Hon. Olago Aluoch, M.P.		
Hon. Kang'ata Irungu, M.P.		
Hon. Fatuma Ibrahim, M.P.		
Hon. Dr. Christine Ombaka, M.P.		
Hon. David Ochieng, M.P.		
Hon. Mohamed Abdi, M.P.		
Hon. William Cheptumo, M.P.		
Hon. Boniface Otsiula, M.P.		
Hon. Ben Momanyi, M.P.		
Hon. Florence Kajuju, M.P.		
Hon. Moses Cheboi, M.P.		
Hon. Charles Gimose, M.P.		
Hon. Mutua Mutemi, M.P.		
Hon. Rachael A. Amollo, M.P.		
Hon. Munuve Mati John, M.P.		
Hon. Kimani Mwamkale William, M.P.		
Hon. John Njoroge, M.P.		

ABSENT WITH APOLOGIES

Hon. William Kisang, M.P.
Hon. Sammy Koech, M.P.
Hon. Johanna Ngeno, M.P.

IN ATTENDANCE

Mr.Abenayo Wasike - Clerk Assistant I
Ms.Mary L. Lemerelle - Clerk Assistant III

MIN.NO. JLA/2014 -PRELIMINARIES

The meeting was called to order at 4.30 P.M after prayers by the Chairperson.

The Chairperson informed members that the Agenda of the meeting is on the IEBC Petition to consider members findings on allegations by the Petitioner against the Chairperson and members of the Commission.

MIN.NO.JLA/2014- COMMITTEE'S OBSERVATIONS FINDINGS ON THE PETITION

Members of the Committee by majority found as follows;

- I. On alleged serious violation of the Constitution and the Laws of Kenya, the Committee by majority found that the Petition does not specifically set out the functions the Chairperson and Members of the Commission failed to perform or which Article of the Constitution or any other law they have violated.
- II. On alleged gross misconduct, the Committee by majority found that the Petitioner did not provide any material evidence to establish and prove gross misconduct against the Chairperson or Members of the Commission.
- III. On alleged mismanagement of public finances contrary to Article 201 of the Constitution as read together with Article 10 of the Constitution in procurement of the Biometric Voter Registration (BVR) and Electronic Voters Identification Devices (EVID),the Committee by majority found that BVR AND EVID are matters of procurement and several officers of the Commission have been charged in Court in Nairobi in Anti-Corruption case No.16 of 2013 as evidenced by the Charge sheet

presented by the Commission. In this matter Commissioners are listed as prosecution witness.

- IV. On alleged ground of incompetence in the management of the 2013 elections, the Committee by majority did not find any supporting facts as required under Article 251 of the Constitution.
- V. On the statement by the Petitioner at paragraph 5 of the Petition that issues in respect of the Petition are not pending before any court of law or Constitutional or legal body, the Committee found that the statement is untrue because the Chief Executive officer and other officers have been charged over procurement issues, there are election petitions pending in the Supreme Court and the EACC is currently undertaking investigations on BVR.
- VI. According to section 3(f) of the Petition to Parliament (Procedure) Act the Petitioner should indicate any efforts made to have the matter addressed by a relevant body and whether there has been any response from that body or whether the response is has been unsatisfactory. On this requirement the Committee found that the Petitioner did not comply with the provision as stipulated under the Act.

Upon due considerations and review of the presentations and materials availed to the Committee, the Committee by majority did not find a prima facie case established against the Chairperson and Members of the Independent Electoral and Boundaries Commission for violation of the aforesaid laws

The following members dissented to the findings on the grounds of incompetence in the management of the 2013 General Elections, and resolved to present their views in the Majority Report to be appended to the Committee's Report.

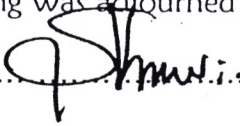
- i). Hon.Peter Kaluma
- ii). Hon. David Ochieng
- iii). Hon.Agostino Neto

iv).Hon.(Dr.) Christine Ombaka

MIN.NO.JLA/2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned at 5.00 pm.

Signed.....



.....DATE

16th July 2014

(Chairperson)

MINUTES OF THE SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS HELD ON THURSDAY 15TH JULY, 2014 IN COUNTY HALL BOARDROOM AT 10.00 A.M.

AGENDA

1. Prayers & Preliminaries
2. IEBC Report

PRESENT

Hon. Samuel Chepkonga, M.P.	-	Chairperson
Hon. Priscilla Nyokabi, M.P.	-	Vice Chairperson
Hon. T. J. Kajwang, M.P.		
Hon. Paul K. Bii, M.P.		
Hon. Neto Agostinho, M.P.		
Hon. Njoroge Baiya, M.P.		
Hon. John M. Waiganjo, M.P.		
Hon. Peter Kaluma, M.P.		
Hon. Ndirangu Waihenya, M.P.		
Hon. Benson Mutura, M.P.		
Hon. Olago Aluoch, M.P.		
Hon. Kang'ata Irungu, M.P.		
Hon. Fatuma Ibrahim, M.P.		
Hon. Dr. Christine Ombaka, M.P.		
Hon. Sammy Koech, M.P.		
Hon. David Ochieng, M.P.		
Hon. Mohamed Abdi, M.P.		
Hon. William Cheptumo, M.P.		
Hon. Boniface Otsiula, M.P.		
Hon. Johanna Ngeno, M.P.		
Hon. Ben Momanyi, M.P.		
Hon. Florence Kajuju, M.P.		
Hon. Moses Cheboi, M.P.		
Hon. Charles Gimose, M.P.		
Hon. Mutua Mutemi, M.P.		
Hon. Rachael A. Amollo, M.P.		
Hon. Munuve Mati John, M.P.		

ABSENT WITH APOLOGIES

Hon. William Kisang, M.P.

Hon. Kamoti Mwamkale William, M.P.

Hon. John Njoroge, M.P.

IN ATTENDANCE

Mr. Abenayo Wasike - Clerk Assistant I

Ms. Mary L. Lemerelle - Clerk Assistant III

MIN.NO.JLA/2014 - PRELIMINARIES

The meeting was called to order at 10:00 A.M with a word of prayer from the chairman. The chair read through the draft report on IEBC prepared by the clerk to discuss the conduct of IEBC commissioners.

The chair informed the members that the documents presented by AFRICOG were the same copies presented by the petitioner, and the Supreme Court had already made determinations on the document. However, he said the committee was not bound by Supreme Court's decisions.

The chair asked the members to give comments

1. Serious violation of the constitution and the laws of Kenya
2. Gross misconduct in performance of the functions and their duties as commissioners
3. Incompetence in the management of 2013 election

Members said that the matter at the Supreme Court is who won the elections and by what margin and the court had a limited period

The chairman proposed that the committee discharge itself from looking at allegations on BVR grounds as substantially informed by commissioners that they were mere board members. He then asked the members to look critically for the fact findings on violation of law and constitution, gross misconduct on IEBC elections, and incompetence.

According to the members, the facts constituting the grounds are reforms and the fact number one was BVR procurement and the matter is pending in court; hence should not be ignored-and that the committee should not be bothered on what's laid in the court.

Members pointed out that arguments should be zeroed on the grounds of allegations; the commission's laid out plans to approve budget as they didn't participate in BVR procurement, and the petitioner had brought out issues as stated in article 251.He said there was also need to look at time factor-how much time did the commissioners have to prepare for six in one elections?

According to the members, IEBC petition is an extremely important issue that the committee needed to dispose, and should consider the public interest-what the committee intends to achieve after making recommendations to retain, dismiss or remove the commissioners.

Members were of the view that the committee should look through the report allegation by allegation and determine whether the findings were the petition's facts or the clerk's analysis.

The members pointed out that admission by IEBC that BVR procurement was in court was overboard and is a subject to scrutiny; it should be looked into deeper whether they were involved or not, and whether there was due diligence.

The chair sought clarification from members responses to IEBC defence on BVR "totally barred from inquiries". In response, the members said there's the power the constitution gives IEBC in section 44, hence IEBC should have understood PPOA.

According to members, for a CEO PPOA to have had written a letter, shows that the commissioners had tried to interpret with the BVR tendering; hence the committee should get to know the background of the letter.

The members said that making decisions on collective people on alleged crimes was not easy and wished the petitioner had come with accusations per individual commissioner.

Members raised issue of incompetence that the commission had applied inappropriate technology that failed; EVID which was supplied late, delivered late was not appropriate technology for deployment.

MIN.NO.JLA/2014 CLOSING REMARKS BY CHAIRMAN


The chairman clarified on BVR procurement that IEBC was charged on BVR pursuant to recommendations by Supreme Court and the matter is pending in court hence cannot support ground for gross mismanagement of public finances.

MIN.NO.JL/2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned to 4:30 P.M at Committee room 7, Main Parliament Building.

Signed..........

(Chairperson)

Date..........

MINUTES OF SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS HELD ON THURSDAY 8TH JULY, 2014 IN MAIN CHAMBER, MAIN PARLIAMENT BUILDING AT 2:30 P.M.

AGENDA

1. Prayers & Preliminaries
2. IEBC Commissioners Hearing on petition for their removal

PRESENT

Hon. Samuel Chepkonga, M.P.	-	Chairperson
Hon. Priscilla Nyokabi, M.P.	-	Vice Chairperson
Hon. T. J. Kajwang, M.P.		
Hon. Paul K. Bii, M.P.		
Hon. Neto Agostinho, M.P.		
Hon. Njoroge Baiya, M.P.		
Hon. John M. Waiganjo, M.P.		
Hon. Peter Kaluma, M.P.		
Hon. Ndirangu Waihenya, M.P.		
Hon. Benson Mutura, M.P.		
Hon. Olago Aluoch, M.P.		
Hon. Kang'ata Irungu, M.P.		
Hon. Fatuma Ibrahim, M.P.		
Hon. Dr. Christine Ombaka, M.P.		
Hon. Kamoti Mwamkale William, M.P.		
Hon. Sammy Koech, M.P.		
Hon. David Ochieng, M.P.		
Hon. Mohamed Abdi, M.P.		
Hon. William Cheptumo, M.P.		
Hon. Boniface Otsiula, M.P.		
Hon. Johanna Ngeno, M.P.		
Hon. Ben Momanyi, M.P.		

ABSENT WITH APOLOGIES

Hon. Mutua Mutemi, M.P.
Hon. Florence Kajuju, M.P.
Hon. Rachael A. Amollo, M.P.
Hon. William Kisang, M.P.
Hon. Charles Gimose, M.P.
Hon. Moses Cheboi, M.P.
Hon. Munuve Mati John, M.P.

IN ATTENDANCE

Mr. Abenayo Wasike	-	Clerk Assistant I
Ms. Hellen Lokwang	-	Clerk Assistant III
Ms. Zainabu Wario	-	Sergeant @ Arms
Ms. Mary L. Lemerelle	-	Clerk Assistant III
Mr. Ahmed S. Abdalla	-	Clerk Assistant III
Mr. Wafula Buke	-	IEBC Petitioner
IEBC Commissioners (9)		
IEBC Lawyers		

MIN.NO. /JLA/2014

PRAYERS&PRELIMINARIES

The meeting was called to order at 2:30 P.M with a word of prayer from Hon. Samuel Chepkonga. The chair welcome back the members and the IEBC commissioners, in the continuation for IEBC response to the allegations.

The members wanted to know the role of commissioners at policy level on the oversight role in BVR procurement.

The IEBC chairman responded that there were time constraints for the procurement (11months) and the IEBC commissioners were mere board members, the back stopped at the accounting officer.

The members also wanted to know whether IEBC had established host of their server, and whether the commission tested the BVR equipment-whether it operated well, and how IEBC handled overall systemic failure.

IEBC chairperson responded that the server belonged to IEBC(secure data),that it was not shared or hosted by a political party, and BVR has worked 100%-was able to register 14.3 million Kenyans in 30days and IEBC still using the same equipment to amend IEBC register. He said EVID was checked and tested, had a warranty and is still in use.

The chairperson said the commission was told that the batteries would last for 8hours and they did not have time to test; they worked at 48% and stopped. There was a problem with the server, it had crashed at night but BVR never replaced the official results presented by Returning Officers; results were announced after hard copies were checked.

On nomination of political parties, he said the lists brought to IEBC on 21st Jan 2013 midnight is the same one sent to IEBC tallying officers.

It was noted that project management was needed to ensure timelines between elections and BVR procurement.

MIN.NO.JLA/2014 CHALLENGES OF THE COMMISSION

The chairperson pointed out challenges as;

1. 6 elections in 1 day-for the 1st time
2. Funding constraints-the commission was not able to employ enough staff,
3. Contesters were not able to get a party to vie for positions and had gone for appeals.

MIN.NO.JLA/2014 CLOSING REMARKS BY IEBC CHAIRPERSON

According to the IEBC chairperson, there should be a threshold for a person making any allegations and requested that the committee should ask proof.

On BVR issue, he said there was a plan before 2012-2013 elections for one system of transmission of results for 6 elective positions and out of 12 million votes, only 1280 were lost; there was no margin of error and Independent Audit on voter register found out 99% accuracy.

MIN.NO.JLA/2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned at 5:30 P.M

The next sitting will be on 10th July 2014.

Signed..........

(Chairperson)

Date..........

MINUTES OF SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS HELD ON THURSDAY 8TH JULY, 2014 IN MAIN CHAMBER, MAIN PARLIAMENT BUILDING AT 10.00 A.M.

AGENDA

1. Prayers & Preliminaries
2. IEBC Commissioners Hearing on petition for their removal

PRESENT

Hon. Samuel Chepkonga, M.P.	-	Chairperson
Hon. Priscilla Nyokabi, M.P.	-	Vice Chairperson
Hon. T. J. Kajwang, M.P.		
Hon. Paul K. Bii, M.P.		
Hon. Neto Agostinho, M.P.		
Hon. Njoroge Baiya, M.P.		
Hon. John M. Waiganjo, M.P.		
Hon. Peter Kaluma, M.P.		
Hon. Ndirangu Waihenya, M.P.		
Hon. Benson Mutura, M.P.		
Hon. Olago Aluoch, M.P.		
Hon. Kang'ata Irungu, M.P.		
Hon. Fatuma Ibrahim, M.P.		
Hon. Dr. Christine Ombaka, M.P.		
Hon. Kamoti Mwamkale William, M.P.		
Hon. Sammy Koech, M.P.		
Hon. David Ochieng, M.P.		
Hon. Mohamed Abdi, M.P.		
Hon. William Cheptumo, M.P.		
Hon. Boniface Otsiula, M.P.		
Hon. Johanna Ngeno, M.P.		
Hon. Ben Momanyi, M.P.		

ABSENT WITH APOLOGIES

Hon. Mutua Mutemi, M.P.
Hon. Florence Kajuju, M.P.
Hon. Rachael A. Amollo, M.P.
Hon. William Kisang, M.P.
Hon. Charles Gimose, M.P.
Hon. Moses Cheboi, M.P.
Hon. Mũnuve Mati John, M.P.

IN ATTENDANCE

Mr. Abenayo Wasike - Clerk Assistant I
Ms. Hellen Lokwang - Clerk Assistant III
Ms. Zainabu Wario - Sergeant @ Arms
Ms. Mary L. Lemerelle - Clerk Assistant III
Mr. Ahmed S. Abdalla - Clerk Assistant III

Mr. Wafula Buke - IEBC Petitioner
IEBC Commissioners (9)
IEBC Lawyers

MIN.NO. /JLA/2014 - PRELIMINARIES

The meeting was called to order at 10:00 A.M with a word of prayer from Hon. Samuel Chepkonga. The chair acknowledged the presence of the IEBC commissioners, who were accompanied by the commission's lawyers. He stated the IEBC petition on the commissioners' removal was mere allegations and the committee was awaiting prema facie evidence; to gather sufficient information through IEBC response to the allegations.

The IEBC chairperson dismissed the petition as very bare and that it did not match article 251 of the constitution. He pointed out his observations from page 6 of the petition on the alleged incompetence and abuse of election process. There was interjection from members that the commissioners were not in a court of law of parliament and that they should get the committee to know the concern on IEBC.

Some members however asked the chairman to allow the IEBC chairperson to present his response to the petition as there were no specific allegations against a specific commissioner. This proposal was backed by members that all commissioners were enjoined.

Commencing presentation from page 6 paragraph 5 the chairperson informed the committee that there were petitions still pending in Supreme Court. He then read out the results of General Elections from pg 9, 22, and 23 and for nominations on pages 25, and 26.

He read out page 39 on the procurement process that the commissioners have no role to play, as in each process was assigned tender opening, tender evaluation, and tender committee.

On voter registration process, the IEBC chairperson read out pages 29, 30,31,32,33.

On election petitions he read out pages 34, and 35, he said pages 37 and 38 were subject of appeal at the Supreme Court.

He stated that reports by domestic and international observers on pages 45, 46, and 47.

It was noted that all reports by international observers were favourable to IEBC.

The IEBC chairperson requested to avail the originals of these reports.

MIN.NO.JLA/2014 RESPONSES FROM THE MEMBERS OF THE COMMISSION

The vice chair(IEBC) adopted the IEBC chair's paragraph 5 of page 6 that there was nothing specific set out against (herself).According to eng., he had responded to the allegations in the writing,Mr.Bwire said that he wasn't incompetent and had not violated constitution or law,and that the allegations by the petitioner were not substantial.

The commission members said the petition lack grounds and concluded that if violated constitution and laws of Kenya, the M.Ps and other elected persons wouldn't been there.

MIN.NO.JLA/2014 QUESTIONS BY COMMITTEE MEMBERS &ANSWERS BY IEBC CHAIRPERSON

The committee members wanted to know the kind of register that IEBC should have in law. (Because there's petition in Supreme Court on registers.) They asked if IEBC had a register recognized by law, Constitution, and election Act

The members also asked on gazette notices, tally votes and international observers reports whether IEBC had addressed themselves properly on presidential elections, a presence or lack of analysis report on the discrepancies in elections in various areas, and whether those discrepancies amounted to issues that can affect end results of the general elections.

The IEBC chairman response was that there was a register and each member could get a copy in soft copies.

He stated the total registered voters as 14,352,731,as was captured by BVR,and the data lost on BVR 36,236,but allowed to vote, totaling to 14,388,731.

Members wanted clarification whether there was a voter register that was gazetted before elections and whether it contained all the names

The IEBC chairman responded that there was a voter register which had two parts; Diaspora Register, and National Register but it did not contain names-which was stated can be found in registers of constituencies.

Members stated that there appeared to be discrepancies on registers on which the IEBC chairman responded relating to the constituencies that IEBC had given each political party a copy and no one disputed.

The members were concerned about timelines in terms of respecting law; that gazzettment was done on 18th February yet election was to be done in March 14th 2013. The IEBC chairman stated that no section was breached as the law gives 30days and that IEBC have a committee in charge or registers who give overall guidance and supervision e.g returning officer in each constituency.

MIN.NO.JLA/2014 CLOSING REMARKS BY IEBC CHAIRPERSON

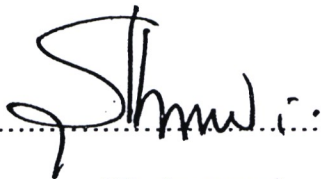
In conclusion, the chairperson said that IEBC had acted in good faith and that the petition was based on falsehood, it had no evidence on violation of law and discharge of duties; the petition lack insufficient information and merit.

MIN.NO.JLA/2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned to 2:30 P.M at Main Chamber, Main Parliament Building.

The next sitting will be on 9th July 2014.

Signed.....



(Chairperson)

Date.....

16th July 2014

MINUTES OF SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS HELD ON THURSDAY 3RD JULY, 2014 IN SENATE CHAMBER, COUNTY HALL, AT 10.00 A.M.

AGENDA

1. Prayers & Preliminaries
2. IEBC Petitioner's Hearing

PRESENT

Hon. Samuel Chepkonga, M.P.	-	Chairperson
Hon. Priscilla Nyokabi, M.P.	-	Vice Chairperson
Hon. T. J. Kajwang, M.P.		
Hon. Paul K. Bii, M.P.		
Hon. Neto Agostinho, M.P.		
Hon. Njoroge Baiya, M.P.		
Hon. John M. Waiganjo, M.P.		
Hon. William Kisang, M.P.		
Hon. Peter Kaluma, M.P.		
Hon. Charles Gimose, M.P.		
Hon. Ndirangu Waihenya, M.P.		
Hon. Benson Mutura, M.P.		
Hon. Moses Cheboi, M.P.		
Hon. Olago Aluoch, M.P.		
Hon. Kang'ata Irungu, M.P.		
Hon. Fatuma Ibrahim, M.P.		
Hon. Dr. Christine Ombaka, M.P.		
Hon. Kamoti Mwamkale William, M.P.		
Hon. Munuve Mati John, M.P.		
Hon. Sammy Koech, M.P.		
Hon. David Ochieng, M.P.		
Hon. Mohamed Abdi, M.P.		
Hon. William Cheptumo, M.P.		
Hon. Boniface Otsiula, M.P.		
Hon. Johanna Ngeno, M.P.		
Hon. Ben Momanyi, M.P.		

ABSENT WITH APOLOGIES

Hon. Mutua Mutemi, M.P.

Hon. Florence Kajuju, M.P.

Hon. Rachael A. Amollo, M.P.

IN ATTENDANCE

Mr. Abenayo Wasike	-	Clerk Assistant I
Ms. Hellen Lokwang	-	Clerk Assistant III
Ms. Zainabu Wario	-	Sergeant @ Arms
Ms. Mary L. Lemerelle	-	Clerk Assistant III
Mr. Ahmed S. Abdalla	-	Clerk Assistant III
Mr. Wafula Buke	-	IEBC Petitioner
Mr. Anthony Aluoch	-	Petitioner's lawyer
Mr. Aaron Ndubi	-	Petitioner's lawyer

MIN.NO. /JLA/2014

PRAYERS & PRELIMINARIES

The meeting was called to order at 10:00 A.M with a word of prayer from Hon. Samuel Chepkonga. The chair informed the members of 5 other bills brought before justice and legal affairs committee; Prepublication Scrutiny, County Government bills, Powers and Privileges and Constitution of Kenya.

He acknowledged the presence of the IEBC petitioner, and he asked each member to introduce themselves. The petitioner, who was accompanied by his lawyers were also given an opportunity to introduce themselves.

The chairman informed the members that the IEBC petition was received on 28th April 2014, and signed on 3rd June 2014 by the speaker of National Assembly. He had asked for an extension of days for the committee to have some more time to deliberate on the matter and the committee was added an extra 30 days.

The chairman thanked the petitioner for raising pertinent issues to the committee because he was being represented by them according to Article 95 of the constitution, and the petition was relevant according to article 251 of the constitution on the oversight role of state organs; the IEBC, and state officers; the IEBC commissioners. He said the petitioner hearing was needed in order for the committee to be able to generate a report.

MIN.NO.JLA/2014 COMMENTS FROM THE MEMBERS

The members cited standing order 90, and petitions Act 2012 that the role of counsels in representing petitions is very minimal. They proposed that the petitioner to present the petition on his own so as not to turn the session into court proceedings.

The chairman pointed out that the primary person to address the petition was the petitioner himself, but the counsel may be allowed to say a few things.

The petitioner's lawyer (a counsel), requested to be given chance in terms of explaining but the testimony would come from the petitioner.

The members said that there have been instances where lawyers accompany the petitioner, but they should know the boundaries. According to the members, the petitioner was not compelled and he should feel extremely comfortable and free to present the petition.

The members congratulated the petitioner for courageously presenting his wishes and they asked him to point out the public document mentioned in the evidence that he wanted the committee to consider.

Some members needed clarification from the petitioner on which hat he was wearing; ODM party or himself.

The chairman gave chance to the petitioner to introduce the petition, to give general overview and handicaps; if can be dealt with written submissions. He said that the committee was looking for information from the petitioner, and get the perspective.

MIN.NO.JLA/2014 INTRODUCING THE PETITION

The petitioner, who sought the removal of IEBC commissioners, thanked the chairman for introductory remarks and requested for more time to table his evidence.

The members said the petition was as a severe matter and that the way this petition goes is the way they country would go and they asked the petitioner to point out the areas of the petition and to give particular instances, narrow them down, and show the discrepancies. The petitioner was asked to give at least two evidences and bring the reports on analysis by various organizations as stated.

The members were concerned that the petitioner sought adjournment for the 3rd time as it would delay the process yet there was need to resolve issues as quick as possible. Members agreed that the petitioner should give sufficient and consistent information; explaining and giving evidence on each commissioner individually. The petitioner should be specific on each commissioner. The members stated that the committee resolves based on evidence so the petitioner to be given time to bring the documents for the process to continue.

The chairman asked the petitioner to leave behind whatever documents he had. He quoted standing order 230 that the committee seeks preafaci evidence (sufficient information).

MIN.NO.JL/2014 CLOSING REMARKS

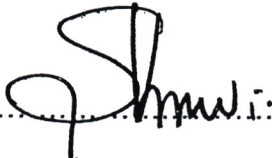
The petitioner, who earlier introduced himself as director of ODM party, clarified that he presented his case as a citizen of this country and not as a partisan. He said he would avail as much information as possible and submit evidence to the committee and if he could be allowed to present expert witnesses he would do so. He however feared for the length of time as inadequate. His lawyer asked for extension of time until Wednesday to present a summary of evidence.

The chairman said that he wouldn't be expecting appearances but evidence documents and asked the petitioner to ensure submission by midday on Wednesday. He said the witness experts can in put in writing.

MIN.NO.JLA/2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned to 4:30 P.M at Committee room 7 Main Parliament Building.

The next sitting will be on 8^h July 2014. (Meeting with IEBC commissioners).

Signed..........

(Chairperson)

Date..........

MINUTES OF MEETING OF THE COMMITTEE ON JUSTICE & LEGAL AFFAIRS HELD ON TUESDAY 1ST JULY, 2014 IN COMMITTEE ROOM 4, CONTINENTAL HOUSE, AT 11.00 A.M.

AGENDA

1. Prayers & Preliminaries
2. Petition on removal of IEBC commissioners
3. Any other Business
4. Date for the Next Sitting

PRESENT

Hon Samuel Chepkonga, M.P. - Chairperson

Hon. Priscilla Nyokabi, M.P. - Vice Chairperson

Hon. Muriithi Waiganjo, M.P.

Hon. Florence Kajuju, M.P.

Hon. Kang'ata Irungu, M.P

Hon. Benson Mutura, M.P.

Hon. Olago Aluoch, M.p.

Hon. John Njoroge, M.P.

Hon. Moses Cheboi, M.P.

Hon. Dr. Christine Ombaka, M.P.

Hon. Fatuma Ibrahim, M.P.

Hon. Munuve Mati John, M.P.

Hon. Ben Momanyi, M.P.

Hon. Mwamkale William Kamoti, M.P.

Hon. T.J Kajwang, M.P.

Hon. Mutua Mutemi, M.P.

Hon. Paul K. Bii, M.P.

Hon. Charles Gimose, M.P.

Hon. Peter Kaluma, M.P.

Hon. Boniface Otsiula, M.p.

Hon. David Ouma Ochieng, M.P.

Hon. Ndirangu Waihenya, M.P.

ABSENT WITH APOLOGIES

Hon. Neto Agostinho, M.P.

Hon. William Cheptumo, M.P.

Hon. Johanna Ngeno, M.P.

Hon. Sammy Koech, M.P.

Hon. Njoroge Baiya, M.P.

Hon. Mohamed Abdi, M.P.

Hon. Kangongo Bowen, M.P.

IN ATTENDANCE

Mr.Abenayo Wasike - Clerk Assistant I

Ms.Mary L. Lemerelle - Clerk Assistant III

Mr.Ahmed S. Abdalla - Clerk Assistant III

Ms.Mogure Wahito - Legal Counsel

Mr. Ronald Mwalala - Legal Counsel

MIN.NO. /JL/2014 - PRAYERS & PRELIMINARIES

The Chairman called the meeting to order at 12:00 P.M with a word of prayer from Hon. Mutua M.P.

The chair informed the members that the petitioner; the petitioner would not be present and has requested for more time. He told the members that the committee has only 4 days to deliberate on the IEBC petition and file a report because the recess starts on 8th July for 10 working days.

MIN.NO.JL/2014

PETITION ON REMOVAL OF IEBC COMMISSIONERS

Recommendations were given that the petition be thrown out;

The members requested the chairman to dismiss IEBC petition on account of non-attendance. They pointed out that even if the petitioner brings report on the floor of the house, it should be termed as invalid. According to the members, the IEBC petitioner should be summoned (invoked article 125) to appear before committee.

Other members were of the view that the petitioner should be compelled since the committee is wasting public money earning sitting allowances waiting for the petitioner who never comes.

On the other hand, some members said there was no need to summon the petitioner, since he was just a volunteer, and that he should instead be informed through his lawyer(Mr.Korir),and Hon. John Mbadi (who signed the petition) in order to bring a link between parliament and petitioner. The members added that the committee needed to look at IEBC petition from different perspectives because it's not the committee to remove the commissioners.

MIN.NO.JLA/2014 CLARIFICATION BY THE CHAIRMAN

The chairman informed the members that the clerk had written to the petitioner that the committee on Justice and Legal Affairs had received the petition and that he was invited to appear before the committee on deliberation of the same, of which was acknowledged by his lawyer who requested to be given time.

The chairman told members that there is an already established precedence, so the petitioner can be given another opportunity. He tasked the clerk (Mr.Abenayo Wasike) to contact the lawyer and the petitioner for the petitioner to appear before the committee on 4th July 2014.The Hon. John Mbadi (who signed the petition) to also come on 4th July 2014.He urged the committee to consider the petition by reviewing the Standing Order (on removal of commissioners) and the Petitions Act 2012; the documents to look at in

terms of procedure. The chairman pointed out the main petition issues addressed in accordance to article 251;

1. Serious violation of the constitution and the laws of Kenya
2. Gross misconduct in performance of the functions and their duties as commissioners
3. Incompetence in the management of 2013 election

The vice chair agreed to the invite of Hon. John Mbadi and petitioner, and she proposed that if they don't appear, the committee proceeds to Tuesday (8th July 2014) meeting, write a report and make decisions thereof.

MIN.NO.JLA/2014 A.O.B

- ❖ The Chairman asked the members to consider amendments of Petitions Act 2012 because it would be sad proceeding on paper without hearing the petitioners.
- ❖ The members warned that if the petitioner doesn't appear on 4th July 2014, the committee should expect many other petitions from people who just write and dump on this committee.
- ❖ The members agreed to consider merit of the petition in support and against the memoranda; systems of IEBC, different groups, different views and find a middle ground. The members requested the clerks to assist in bringing out the main meaning of the three main issues filed by the petitioner.
- ❖ The chairman informed the members of a miscellaneous amendment bill that in the next meeting if they find time they can deliberate on it for 30minutes.

MIN.NO.JLA /2014 ADJOURNMENT OF THE MEETING

The meeting was adjourned at 12:50 P.M. The next sitting will be on 4th July 2014.

Signed.....


(Chairperson)

Date.....

16th July 2014

CHARGE SHEET

CR.NO: 141/501/2013
 DATE TO COURT: 30/10/2013
 COURT FILE NO: 16/2-13

O.B. NO. 92/29/10/2013

Christian Names in full or Name	Surname or Father's Name	Identity Certificate No.	Sex	Nationality or tribe	Apparent Age	ADDRESS (include district and Location where Applicable)
1). JAMES HUMPREY	OSWAGO		MALE	KENYAN	ADULT	////
2). WILSON KIPROTICH	SHOLLEI		MALE	KENYAN	ADULT	////
3). EDWARD KENGA	KARISA		MALE	KENYAN	ADULT	////
4). WILLY GACHANJA	KAMANGA		MALE	KENYAN	ADULT	////

CHARGE COUNT ONE
 WILFUL FAILURE TO COMPLY WITH THE LAW RELATING TO PROCUREMENT CONTRARY TO SECTION 45(2) (b) AS READ WITH SECTION 48 OF THE ANTI-CORRUPTION AND ECONOMIC CRIMES ACT, 2003

PARTICULARS OF OFFENCE (See Second Schedule of C.P.C.)
 1). JAMES HUMPHREY OSWAGO
 2). WILSON KIPROTICH SHOLLEI: On or about the 26th day of January, 2013, at the IEBC Headquarters, Anniversary Towers, Nairobi, within Nairobi County, being the Chief Executive Officer and the Deputy Commission Secretary, Support Services, respectively, with the Independent Electoral and Boundaries Commission, being officers whose functions concerned the management of public revenue, jointly and wilfully failed to comply with the law relating to procurement of goods to wit section 47 of the Public Procurement and Disposal Act and Regulation 31 of the Public Procurement and Disposal Regulations by failing to ensure that changes made to the contract awarded to Face Technologies Limited by the IEBC for the supply of Electronic Voter Identification Devices vide Tender No. IEBC14/2011-2012 were approved by the IEBC Tender Committee.
 (OTHER COUNTS SEE OVERLEAF).

If Accused Arrested	Date of Arrest	Without or with warrant	Date Apprehension Report to Court	Bond or Bail and Amount	Is Application made for Summons to Issue
YES	29/10/2013	W/O	//////////	IN CUSTODY	////////

Accused or Returned to

Complainant and Address
 REPUBLIC OF KENYA THROUGH ETHICS AND ANTI-CORRUPTION COMMISSION.

Witnesses...
 1. AHMED ISSACK HASSAN
 2. ALBERT BWIRE
 3. ENG. ABDULLAHI MOHAMED SHARAWE
 4. OTHERS TO BE STATED

Sentence ...
 ANTI-CORRUPTION COURT, MILIMANI LAW-COURTS. If fine paid.....

Court and Date
 KENYA POLICE RECEIVED 30 OCT 2013
 PHOSED: INS
 CHARTS
 Officer in Charge Kilimani Police Station

County Code	County Name	Full Names		Party/Independent Candidate
04	Tana River	Halima Ware	Duri	Wiper Democratic Movement- Kenya
05	Lamu	Shakila Abdalla	Mohamed	Wiper Democratic Movement- Kenya
06	Taita Taveta	Joyce Wanjalah	Lay	Orange Democratic Movement
07	Garissa	Shukra Hussein	Gure	Wiper Democratic Movement- Kenya
08	Wajir	Fatuma Ibrahim	Ali	Orange Democratic Movement
09	Mandera	Mahbub	Fathia	United Republican Party
10	Marsabit	Nasra Ibrahim	Ibren	Orange Democratic Movement
11	Isiolo	Tiyah Galgalo	Ali	The National Alliance
12	Meru	Florence	Kajuju	The National Alliance
13	Tharaka - Nithi	Beatrice Nkatha	Nyaga	The National Alliance
14	Embu	Rose Rwamba	Mitaru	The National Alliance
15	Kitui	Winfred Nyiva	Mwendwa	Wiper Democratic Movement- Kenya
16	Machakos	Susan Mbinya	Musyoka	Wiper Democratic Movement- Kenya
17	Makueni	Rosé Musco	Mumo	Wiper Democratic Movement- Kenya
18	Nyandarua	Wanjiku	Muhia	The National Alliance
19	Nyeri	Priscilla Nyokabi	Kanyua	The National Alliance
20	Kirinyaga	Winnie Karimi	Njuguna	The National Alliance
21	Muranga	Sabina Wanjiru	Chege	The National Alliance
22	Kiambu	Annah Nyokabi	Gathecha	The National Alliance
23	Turkana	Joyce Akai	Emanikor	United Republican Party
24	West Pokot	Regina Nyeris	Changorok	United Republican Party
25	Samburu	Maison	Leshoomo	The National Alliance
26	Trans Nzoia	Janet Nangabo	Wanyama	New Ford Kenya
27	Uasin Gishu	Eusilah Jepkosgei	Ngeny	United Republican Party
28	Elgeyo/Marakwet	Susan Kipketer	Chebet	United Republican Party
29	Nandi	Zipporah Jesang Kurgat	Kering	United Republican Party
30	Baringo	Grace Jemutai	Kiptui	United Republican Party
31	Laikipia	Jane Agnes Wanjira	Machira	The National Alliance
32	Nakuru	Mary Njoki G	Mbugua	The National Alliance
33	Narok	Roselinda Soipan	Tuya	United Republican Party
34	Kajiado	Mary Yiane	Seneta	The National Alliance
35	Kericho	Hellen Chelangat	Chepkwony	United Republican Party
36	Bomet	Cecilia Chelangat	Ngetich	United Republican Party
37	Kakamega	Rachel Arpeso	Amolo	Orange Democratic Movement
38	Vihiga	Dorcas Luvalitsa	Kedogo	Orange Democratic Movement
39	Bungoma	Reginalda Nakhumicha	Wanyonyi	New Ford Kenya
40	Busia	Florence Mwikali	Mutua	Orange Democratic Movement
41	Siaya	Christine Oduor	Ombaka	Orange Democratic Movement
42	Kisumu	Rose Auma	Ogendo	Orange Democratic Movement
43	Homa Bay	Gladys Atieno	Nyasuna	Orange Democratic Movement
44	Migori	Dennitah	Ghati	Orange Democratic Movement
45	Kisii	Mary Sally	Keraa	Orange Democratic Movement
46	Nyamira	Alice Nyanchoka	Chae	Orange Democratic Movement
47	Nairobi City	Rachael Wambui	Shebesh	The National Alliance

Dated the 13th March, 2013.

A. I. HASSAN,
Chairperson,
Independent Electoral and Boundaries Commission.

GAZETTE NOTICE NO. 3158

THE CONSTITUTION OF KENYA
THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE COUNTY GOVERNMENTS ACT,

(No. 17 of 2012)

FIRST SITTING OF THE COUNTY ASSEMBLY

IN EXERCISE of the powers conferred by Section 2(1) (a), (b), (c) and 9 of the Sixth Schedule to the Constitution of Kenya, Section 4 (n) of the Independent Electoral and Boundaries Commission Act, 2011, Section 136 of the County Governments Act, (No. 17 of 2012), the Independent Electoral and Boundaries Commission publishes the place, date and time for the first sitting of the County Assembly as set out in the schedule hereunder:

VENUE OF FIRST SITTING OF COUNTY ASSEMBLY

No	County	Venue	Date	Time
1-	Mombasa	Municipal Council of Mombasa	22.03.2013	10.00 a.m
2.	Kwale	County Council of Kwale Hall	22.03.2013	10.00 a.m
3.	Kilifi	County Council of Kilifi	22.03.2013	10.00 a.m

No	County	Venue	Date	Time
4.	Tana River	County Council Offices At Hola	22.03.2013	10.00 a.m.
5.	Lamu	County Council of Lamu Hall	22.03.2013	10.00 a.m.
6	Taita/Taveta	County Council Offices At Wundanyi	22.03.2013	10.00 a.m.
7	Garissa	County Council Offices At Garissa	22.03.2013	10.00 a.m.
8	Wajir	Wajir County Council Social Hall	22.03.2013	10.00 a.m.
9	Mandera	County Council of Mandera	22.03.2013	10.00 a.m.
10	Marsabit	County Council of Marsabit	22.03.2013	10.00 a.m.
11	Isiolo	New Isiolo County Council Office	22.03.2013	10.00 a.m.
12	Meru	County Council Offices Meru	22.03.2013	10.00 a.m.
13	Tharaka-Nithi	Meru South County Council	22.03.2013	10.00 a.m.
14	Embu	County Council Offices At Embu	22.03.2013	10.00 a.m.
15	Kitui	Town Council of Kitui Offices	22.03.2013	10.00 a.m.
16	Machakos	County Council of Machakos	22.03.2013	10.00 a.m.
17	Makueni	County Council of Makueni	22.03.2013	10.00 a.m.
18	Nyandarua	New Prefabricated Structures	22.03.2013	10.00 a.m.
19	Nyeri	County Council Offices Nyeri	22.03.2013	10.00 a.m.
20	Kirinyaga	County Council of Kirinyaga	22.03.2013	10.00 a.m.
21	Murang'a	Municipal Council Offices Murang'a	22.03.2013	10.00 a.m.
22	Kiambu	County Council of Kiambu	22.03.2013	10.00 a.m.
23	Turkana	County Council of Turkana	22.03.2013	10.00 a.m.
24	West Pokot	County Council of Pokot	22.03.2013	10.00 a.m.
25	Samburu	County Council of Samburu	22.03.2013	10.00 a.m.
26	Trans-Nzoia	County Council of Trans-Nzoia	22.03.2013	10.00 a.m.
27	Uasin Gishu	County Council of Wareng	22.03.2013	10.00 a.m.
28	Elgeyo/Marakwet	County Council of Keiyo	22.03.2013	10.00 a.m.
29	Nandi	County Council of Nandi	22.03.2013	10.00 a.m.
30	Baringo	Kabarnet Town Council	22.03.2013	10.00 a.m.
31	Laikipia	Municipal Council of Nanyuki Chambers and Offices	22.03.2013	10.00 a.m.
32	Nakuru	Municipal Council of Nakuru	22.03.2013	10.00 a.m.
33	Narok	County Council Offices Narok	22.03.2013	10.00 a.m.
34	Kajiado	County Council of Ol Kejuado	22.03.2013	10.00 a.m.
35	Kericho	Kipsigis County Council Offices	22.03.2013	10.00 a.m.
36	Bomet	Chief's Office Bomet	22.03.2013	10.00 a.m.
37	Kakamega	Kakamega Town Hall	22.03.2013	10.00 a.m.
38	Vihiga	County Council of Vihiga	22.03.2013	10.00 a.m.
39	Bungoma	County Council of Bungoma	22.03.2013	10.00 a.m.
40	Busia	Municipal Council Of Busia	22.03.2013	10.00 a.m.
41	Siaya	County Council of Siaya	22.03.2013	10.00 a.m.
42	Kisumu	County Council of Kisumu	22.03.2013	10.00 a.m.
43	Homa Bay	County Council of Homa Bay	22.03.2013	10.00 a.m.
44	Migori	County Council of Migori	22.03.2013	10.00 a.m.
45	Kisii	Municipal Council Of Kisii	22.03.2013	10.00 a.m.
46	Nyamira	Kenya Industrial Estate Building and Offices	22.03.2013	10.00 a.m.
47	Nairobi City	City Council Chambers and Offices	22.03.2013	10.00 a.m.

Dated the 13th March, 2013.

A. I. HASSAN,
Chairperson,
Independent Electoral and Boundaries Commission.

GAZETTE NOTICE NO. 3159

THE CONSTITUTION OF KENYA
THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT
(No. 9 of 2011)

THE ELECTIONS ACT
(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS
(L.N. 128 of 2012)

DECLARATION OF PERSONS ELECTED AS MEMBERS OF THE NATIONAL ASSEMBLY

IN EXERCISE of the powers conferred by section 2(1) (a), (b), (c) and 9 of the Sixth Schedule to the Constitution of Kenya, Articles 88 (4), 93, 97 (1) (a), 99 (1) of the Constitution, Section 4 of the Independent Electoral and Boundaries Commission Act, 2011, sections 39 (1), (2) and (3), section 24 (1), (2) and (3) of the Elections Act, 2011 and Regulations 66 (1), (2), (3) and 87 (1) (b), (2) (b), (4) (b) of the Elections (General) Regulations, 2012 the Independent Electoral and Boundaries Commission declares that the persons whose names are listed in the schedule hereunder were on 4th March, 2013, elected as Members of Parliament for the National Assembly having received the majority of the votes cast in the election held on 4th March, 2013 and complied with the provisions of the Elections Act, 2011 and the Constitution.

And that:

- The respective Codes to the Counties are listed in the First Column to the schedule.
- Every County is listed in the Second Column to the schedule.
- Each Constituency is assigned a Constituency Code number in the Third Column to the schedule.
- The names of the Constituencies are specified in the Fourth Column to the schedule.
- The name of the elected member of the respective Constituency is listed in the fifth column of the schedule.
- Every elected member's political party or independent status is indicated in the sixth column.

MEMBERS OF NATIONAL ASSEMBLY

8

County Code	County	Const. Code	Constituency	Full Names		Party/Independent Candidate
01	Mombasa	001	Changamwe	Omar Mwinyi	Shimbwa	Orange Democratic Movement
01	Mombasa	002	Jomvu	Bady Twalib	Bady	Wiper Democratic Movement- Kenya
01	Mombasa	003	Kisauni	Rashid Juma	Bedzimba	Orange Democratic Movement
01	Mombasa	004	Nyali	Hezron Awiti	Bollo	Wiper Democratic Movement- Kenya
01	Mombasa	005	Likoni	Mwalimu Masudi	Mwahima	Orange Democratic Movement
01	Mombasa	006	Mvita	Abdullswamad Sheriff	Nassir	Orange Democratic Movement
02	Kwale	007	Msambweni	Suleiman Dori	Ramadhani	Orange Democratic Movement
02	Kwale	008	Lungalunga	Khatib Abdallah	Mwashetani	Forum for Restoration of Democracy- Kenya
02	Kwale	009	Matuga	Hassan Mohamed	Mwanyoha	Orange Democratic Movement
02	Kwale	010	Kinango	Samuel Gonzi	Rai	The National Alliance
03	Kilifi	011	Kilifi North	Maitha Gideon	Mungaro	Orange Democratic Movement
03	Kilifi	012	Kilifi South	Salim Idd	Mustafa	Orange Democratic Movement
03	Kilifi	013	Kaloleni	Mwinga Gunga	Chea	Kenya African Democratic Union-Asili
03	Kilifi	014	Rabai	William Kamoti	Mwamkale	Orange Democratic Movement
03	Kilifi	015	Ganze	Peter Safari	Shehe	Federal Party of Kenya
03	Kilifi	016	Malindi	Daniel Kazungu	Muzee	Orange Democratic Movement
03	Kilifi	017	Magarini	Harrison Garama	Kombe	United Republican Party
04	Tana River	018	Garsen	Ibrahim Ahmed	Sane	United Republican Party
04	Tana River	019	Galole	Hassan Abdi	Dukicha	United Democratic Forum Party
04	Tana River	020	Bura	Ali	Wario	The National Alliance
05	Lamu	021	Lamu East	Shariff Athman	Ali	United Democratic Forum Party
05	Lamu	022	Lamu West	Julius Ndegwa	Kariuki	Kenya National Congress
06	Taita Taveta	023	Taveta	Naomi Namsi	Shaban	The National Alliance
06	Taita Taveta	024	Wundanyi	Thomas Ludindi	Mwadeghu	Orange Democratic Movement
06	Taita Taveta	025	Mwatate	Andrew	Mwadime	Orange Democratic Movement
06	Taita Taveta	026	Voi	Jones Mwagogo	Mlolwa	Orange Democratic Movement
07	Garissa	027	Garissa Township	Aden Bare	Duale	United Republican Party
07	Garissa	028	Balambala	Abdikadir Omar	Aden	Orange Democratic Movement
07	Garissa	029	Lagdera	Mohamed Muktar	Shidiye	The National Alliance
07	Garissa	030	Dadaab	Mohamed Dahir	Duale	Orange Democratic Movement
07	Garissa	031	Fafi	Elias Bare	Shill	United Republican Party
07	Garissa	032	Ijara	Ahmed Ibrahim	Abass	Orange Democratic Movement
08	Wajir	033	Wajir North	Ibrahim Abdi	Saney	Orange Democratic Movement
08	Wajir	034	Wajir East	Abass Sheikh	Mohamed	United Republican Party
08	Wajir	035	Tarbaj	Mohamed Ibrahim	Elmi	Orange Democratic Movement
08	Wajir	036	Wajir West	Abdikadir Ore	Ahmed	Orange Democratic Movement
08	Wajir	037	Eldas	Adan Keynan	Wehliye	Orange Democratic Movement
08	Wajir	038	Wajir South	Diriye Abdullahi	Mohamed	Orange Democratic Movement
09	Mandera	039	Mandera West	Mohamed Maalim	Mahamud	United Republican Party
09	Mandera	040	Banissa	Mohamed Abdi Haji	Mohamed	United Republican Party
09	Mandera	041	Mandera North	Adan Mohamed	Nooru	United Republican Party
09	Mandera	042	Mandera South	Mohamed Adan	Huka	United Republican Party
09	Mandera	043	Mandera East	Abdulaziz Ali	Farah	United Republican Party
09	Mandera	044	Lafey	Shaaban Ali	Isaack	United Republican Party
10	Marsabit	045	Moyale	Roba Sharu	Duba	United Democratic Forum Party
10	Marsabit	046	North Horr	Francis Chachu	Ganya	Orange Democratic Movement
10	Marsabit	047	Saku	Ali Rasso	Dido	United Republican Party
10	Marsabit	048	Laisamis	Joseph	Lekuton	Orange Democratic Movement
11	Isiolo	049	Isiolo North	Joseph Samal	Lomwa	United Republican Party
11	Isiolo	050	Isiolo South	Abdullahi Jaldesa	Banticha	United Republican Party
12	Meru	051	Igembe South	Franklin Mithika	Linturi	The National Alliance
12	Meru	052	Igembe Central	Cyprian Kubai	Iringo	Orange Democratic Movement
12	Meru	053	Igembe North	Joseph Meruaki	M'uthari	The National Alliance
12	Meru	054	Tigania West	David	Karithi	The National Alliance
12	Meru	055	Tigania East	Lawrence Mporu	Aburi	Orange Democratic Movement
12	Meru	056	North Imenti	Abdul Rahim	Dawood	Alliance Party of Kenya
12	Meru	057	Buuri	Boniface Gatobu	Kinoti	Independent Candidate
12	Meru	058	Central Imenti	Gideon Mwiti	Irea	Alliance Party of Kenya
12	Meru	059	South Imenti	Kathuri	Murungi	The National Alliance
13	Tharaka - Nithi	060	Maara	Japhet Miriti Kareke	Mbiuki	The National Alliance
13	Tharaka - Nithi	061	Chuka/ Igambang'ombe	Onesmus Muthomi	Njuki	Alliance Party of Kenya
13	Tharaka - Nithi	062	Tharaka	Alex Muthengi Mhuri	Mwiru	United Republican Party
14	Embu	063	Manyatta	John Muchiri	Nyaga	The National Alliance
14	Embu	064	Runyehjes	Cecily Mutitu	Mbarire	The National Alliance
14	Embu	065	Mbeere South	Mutava	Musyimi	The National Alliance
14	Embu	066	Mbeere North	Charles Muriuki	Njagagua	Alliance Party of Kenya
15	Kitui	067	Mwingi North	Munuve	G. J. Mati	Wiper Democratic Movement- Kenya
15	Kitui	068	Mwingi West	Bernard Munywoki	Kitungi	Wiper Democratic Movement- Kenya

9

County Code	County	Const. Code	Constituency	Full Names		Party/Independent Candidate
15	Kitui	069	Mwingi Central	Joe Musyimi	Mutambu	Wiper Democratic Movement- Kenya
15	Kitui	070	Kitui West	Francis Mwanzia	Nyenze	Wiper Democratic Movement- Kenya
15	Kitui	071	Kitui Rural	Charles Mutisya	Nyamai	Wiper Democratic Movement- Kenya
15	Kitui	072	Kitui Central	Benson Makali	Mulu	Wiper Democratic Movement- Kenya
15	Kitui	073	Kitui East	Marcus Mutua	Muluvi	Wiper Democratic Movement- Kenya
15	Kitui	074	Kitui South	Rachael Kaki	Nyamai	National Rainbow Coalition
16	Machakos	075	Masinga	Benson Itwiku	Mbai	Ford-People
16	Machakos	076	Yatta	Francis Mwangangi	Kilonzo	Muungano Party
16	Machakos	077	Kangundo	Maweu Kyengo	Katatha	The Independent Party
16	Machakos	078	Matungulu	Stephen Mutinda	Mule	Wiper Democratic Movement- Kenya
16	Machakos	079	Kathiani	Robert	Mbui	Wiper Democratic Movement- Kenya
16	Machakos	080	Mavoko	Patrick Makau	King'ola	Wiper Democratic Movement- Kenya
16	Machakos	081	Machakos Town	Victor Kioko	Munyaka	Chama Cha Uzalendo
16	Machakos	082	Mwala	Vincent Musyoka	Musau	Chama Cha Uzalendo
17	Makueni	083	Mbooni	Michael Manthi	Kisoi	Wiper Democratic Movement- Kenya
17	Makueni	084	Kilome	Regina Nthambi	Muia	Wiper Democratic Movement- Kenya
17	Makueni	085	Kaiti	Richard Katemi	Makenga	Wiper Democratic Movement- Kenya
17	Makueni	086	Makueni	Daniel Kitonga	Maanzo	Wiper Democratic Movement- Kenya
17	Makueni	087	Kibwezi West	Patrick Mweu	Musimba	Independent Candidate
17	Makueni	088	Kibwezi East	Jessica Nduku Kiko	Mbalu	Wiper Democratic Movement- Kenya
18	Nyandarua	089	Kinangop	Stephen Kinyanjui Mburu	Kk	The National Alliance
18	Nyandarua	090	Kipipiri	Samuel Kamunye	Gichigi	Alliance Party of Kenya
18	Nyandarua	091	Oi Kalou	David Njunguna	Kiaraho	The National Alliance
18	Nyandarua	092	Oi Jorok	John Muriithi	Waiganjo	The National Alliance
18	Nyandarua	093	Ndaragwa	Francis Waweru	Nderitu	The National Alliance
19	Nyeri	094	Tetu	James Ndungu	Gethenji	The National Alliance
19	Nyeri	095	Kieni	James Mathenge	Kanini Kega	The National Alliance
19	Nyeri	096	Mathira	Peter Weru	Kinyua	National Rainbow Coalition
19	Nyeri	097	Othaya	Mary Wambui	Munene	The National Alliance
19	Nyeri	098	Mukurweini	Kabando Wa	Kabando	The National Alliance
19	Nyeri	099	Nyeri Town	Esther Murugi	Mathenge	The National Alliance
20	Kirinyaga	100	Mwea	Peter Njuguna	Gitau	The National Alliance
20	Kirinyaga	101	Gichugu	Ejidius Njogu	Barua	The National Alliance
20	Kirinyaga	102	Ndia	Stephen Muriuki	Ngare	The National Alliance
20	Kirinyaga	103	Kirinyaga Central	Joseph Gachoki	Gitari	The National Alliance
21	Muranga	104	Kangema	Tiras Nyingi	Ngahu	The National Alliance
21	Muranga	105	Mathioya	Clement Muchiri	Wambugu	The National Alliance
21	Muranga	106	Kiharu	Irungu	Kang'ata	The National Alliance
21	Muranga	107	Kigumo	Jamleck Irungu	Kamau	The National Alliance
21	Muranga	108	Maragwa	Peter Kamande	Mwangi	The National Alliance
21	Muranga	109	Kandara	Alice Muthoni	Wahome	The National Alliance
21	Muranga	110	Gatanga	Humphrey Kimani	Njuguna	National Rainbow Coalition
22	Kiambu	111	Gatundu South	Joseph Ngugi	Nyumu	The National Alliance
22	Kiambu	112	Gatundu North	Francis Kigo	Njenga	The National Alliance
22	Kiambu	113	Juja	Francis Munyua	Waititu	The National Alliance
22	Kiambu	114	Thika Town	Alice Wambui	Ng'ang'a	The National Alliance
22	Kiambu	115	Ruiru	Esther Nyambura	Gathogo	The National Alliance
22	Kiambu	116	Githunguri	Peter Njoroge	Baiya	The National Alliance
22	Kiambu	117	Kiambu	Jude L. Kangethe	Njomo	The National Alliance
22	Kiambu	118	Kiambaa	Paul	Koinange	The National Alliance
22	Kiambu	119	Kabete	George Mukuru	Muchai	The National Alliance
22	Kiambu	120	Kikuyu	Anthony Kimani	Ichung'wah	The National Alliance
22	Kiambu	121	Limuru	John Kiragu	Chege	The National Alliance
22	Kiambu	122	Lari	Joseph Mburu	Kahangara	The National Alliance
23	Turkana	123	Turkana North	Chrisopher Doye	Nakuleu	United Republican Party
23	Turkana	124	Turkana West	Daniel Epuyo	Nanok	United Republican Party
23	Turkana	125	Turkana Central	John Lodepe	Nakara	United Republican Party
23	Turkana	126	Loima	Protus Ewesit	Akujah	Orange Democratic Movement
23	Turkana	127	Turkana South	James Lomenen	Ekomwa	The National Alliance
23	Turkana	128	Turkana East	Nicholas Ngikor	Nixon	Forum For Restoration of Democracy- Kenya
24	West Pokot	129	Kapenguria	Samuel Moroto	Chumel	Kenya African National Union
24	West Pokot	130	Sigor	Philip Lotiolo Ruto	Rotino	United Republican Party
24	West Pokot	131	Kacheliba	Mark	Lomunokol	United Republican Party
24	West Pokot	132	Pokot South	David Pkosing	Losiakou	United Republican Party
25	Samburu	133	Samburu West	Jonathan Lelelit	Lati	United Republican Party
25	Samburu	134	Samburu North	Alois Musa	Lentoimaga	The National Alliance
25	Samburu	135	Samburu East	Raphael Lakalei	Letimalo	The National Alliance
26	Trans Nzoia	136	Kwanza	Ferdinand Kevin	Wanyonyi	Forum For Restoration of Democracy- Kenya
26	Trans Nzoia	137	Endebess	Robert	Pukose	United Republican Party

10

County Code	County	Const. Code	Constituency	Full Names		Party/Independent Candidate
26	Trans Nzoia	138	Saboti	David Wafula	Wekesa	New Ford Kenya
26	Trans Nzoia	139	Kimini	Chrisantus Wamalwa	Wakungu	Forum For Restoration of Democracy-Kenya
26	Trans Nzoia	140	Cherangany	Wesley Kipchumba	Korir	Independent Candidate
27	Uasin Gishu	141	Soy	Edwin Kipruto	Barchilei	United Republican Party
27	Uasin Gishu	142	Turbo	Elisha Kipkorir	Busienei	United Republican Party
27	Uasin Gishu	143	Moiiben	Silas Kipkoech	Tiren	United Republican Party
27	Uasin Gishu	144	Ainabkoi	Samuel Kiprono	Chepkong'A	United Republican Party
27	Uasin Gishu	145	Kapseret	Oscar Kipchumba	Sudi	United Republican Party
27	Uasin Gishu	146	Kesses	James Kimaru	Bett	United Republican Party
28	Elgeyo/Marak wet	147	Marakwet East	David Kangongo	Bowen	United Republican Party
28	Elgeyo/Marak wet	148	Marakwet West	William Kipkemoi	Kisang	United Republican Party
28	Elgeyo/Marak wet	149	Keiyo North	James Kipkosgei	Murgor	United Republican Party
28	Elgeyo/Marak wet	150	Keiyo South	Jackson Kiplagat	Kiptanui	United Republican Party
29	Nandi	151	Tinderet	Julius Kibiwott	Melly	United Republican Party
29	Nandi	152	Aldai	Cornelly	Serem	United Republican Party
29	Nandi	153	Nandi Hills	Alfred Kiptoo	Keter	United Republican Party
29	Nandi	154	Chesumei	Elijah Kiptarbei	Lagat	United Republican Party
29	Nandi	155	Engwen	Alexander Kimutai Kigen Kosgey	Kosgey	United Republican Party
29	Nandi	156	Mosop	Kirwa Stephen	Bitok	United Republican Party
30	Baringo	157	Tiaty	Kamama Asman	Abongotum	United Republican Party
30	Baringo	158	Baringo North	William Kipkiror	Cheptumo	United Republican Party
30	Baringo	159	Baringo Central	Sammy Silas Komen	Mwaita	United Republican Party
30	Baringo	160	Baringo South	Grace Jelagat	Kipchoim	United Republican Party
30	Baringo	161	Mogotio	Hellen Jepkemoi	Sambili	Kenya African National Union
30	Baringo	162	Eldama Ravine	Moses K	Lessonet	United Republican Party
31	Laikipia	163	Laikipia West	Stephen Wachira	Karani	The National Alliance
31	Laikipia	164	Laikipia East	Anthony Mutahi	Kimaru	The National Alliance
31	Laikipia	165	Laikipia North	Mathew Lekidime	Lempurkel	Orange Democratic Movement
32	Nakuru	166	Molo	Jacob Waweru	Macharia	The National Alliance
32	Nakuru	167	Njoro	Joseph Kiuna Kariambeu	Ng'ang'a	The National Alliance
32	Nakuru	168	Naivasha	John Karanja	Kihagi	The National Alliance
32	Nakuru	169	Gilgil	Samuel Mathenge	Ndiritu	The National Alliance
32	Nakuru	170	Kuresoi South	Zakayo Kipkemoi	Cheruiyot	United Republican Party
32	Nakuru	171	Kuresoi North	Moses Kipkemboi	Cheboi	Kenya African National Union
32	Nakuru	172	Subukia	Nelson Ributhi	Gaicuhie	The National Alliance
32	Nakuru	173	Rongai	Kipruto	Moi	Kenya African National Union
32	Nakuru	174	Bahati	Onemas Kimani	Ngunjiri	The National Alliance
32	Nakuru	175	Nakuru Town West	Samuel	Arama	Orange Democratic Movement
32	Nakuru	176	Nakuru Town East	David	Gikaria	The National Alliance
33	Narok	177	Kilgoris	Gideon Sitelu	Konchella	United Republican Party
33	Narok	178	Emurua Dikirr	Johana Ngeno	Kipyegon	Kenya National Congress
33	Narok	179	Narok North	Richard Moitale Ole	Kenta	The National Alliance
33	Narok	180	Narok East	Lemanken	Aramat	United Republican Party
33	Narok	181	Narok South	Korei Ole	Lemein	United Republican Party
33	Narok	182	Narok West	Patrick Keturit Ole	Ntutu	United Republican Party
34	Kajiado	183	Kajiado North	Joseph Wathigo	Manje	The National Alliance
34	Kajiado	184	Kajiado Central	Joseph Kasaine	Nkaissery	Orange Democratic Movement
34	Kajiado	185	Kajiado East	Peris Pesí	Tobiko	The National Alliance
34	Kajiado	186	Kajiado West	Moses Somoine	Ole Sakuda	The National Alliance
34	Kajiado	187	Kajiado South	Metito Judah	Katoo	The National Alliance
35	Kericho	188	Kipkelion East	Kirui Joseph	Limo	United Republican Party
35	Kericho	189	Kipkelion West	Jackson Kipkorir	Rop	United Republican Party
35	Kericho	190	Ainamoi	Benjamin Kipkirui	Langat	United Republican Party
35	Kericho	191	Buretí	Leonard Kipkosgei	Sang	United Republican Party
35	Kericho	192	Belgut	Eric Arap	Keter	Kenya African National Union
35	Kericho	193	Sigowet/Soin	Justice Kipsang	Kemei	United Republican Party
36	Bomet	194	Sotik	Joyce Cheronu Abonyo	Laboso	United Republican Party
36	Bomet	195	Chepalungu	Paul Kipchirchir	Bii	United Republican Party
36	Bomet	196	Bomet East	Benard Kipkirui	Bett	United Republican Party
36	Bomet	197	Bomet Central	Ronald Kiprotich	Tonui	United Republican Party
36	Bomet	198	Konoin	Sammy Cheruiyot	Koech	United Republican Party
37	Kakamega	199	Lugari	Ayub Savula	Angatia	United Democratic Forum Party
37	Kakamega	200	Likuyani	Enoch Wamalwa	Kibunguchy	Orange Democratic Movement
37	Kakamega	201	Malava	Moses Malulu	Injendi	Maendeleo Democratic Party
37	Kakamega	202	Lurambi	Raphael Milikau	Otaalo	Orange Democratic Movement

11

County Code	County	Const. Code	Constituency	Full Names		Party/Independent Candidate
37	Kakamega	203	Navakholo	Emmanuel	Wangwe	United Democratic Forum Party
37	Kakamega	204	Mumias West	Johnson Many	Naicca	Orange Democratic Movement
37	Kakamega	205	Mumias East	Benjamin Jomo	Washiali	United Democratic Forum Party
37	Kakamega	206	Matungu	David Aoko	Were	New Ford Kenya
37	Kakamega	207	Butere	Andrew Toboso	Anyanga	Orange Democratic Movement
37	Kakamega	208	Khwisero	Benjamin A.	Andayi	Orange Democratic Movement
37	Kakamega	209	Shinyalu	Lisamula Silverse	Anami	Orange Democratic Movement
37	Kakamega	210	Ikolomani	Benard Masaka	Shinali	United Democratic Forum Party
38	Vihiga	211	Vihiga	Yusuf Kifuma	Chanzu	United Democratic Forum Party
38	Vihiga	212	Sabatia	Alfred Agoi	Masadia	United Democratic Forum Party
38	Vihiga	213	Hamisi	Charles Gumini	Gimose	Federal Party of Kenya
38	Vihiga	214	Luanda	Christopher	Omulele	Orange Democratic Movement
38	Vihiga	215	Emuhaya	Wilber Khasilwa	Ottichilo	Orange Democratic Movement
39	Bungoma	216	Mt. Elgon	John Bomett	Serut	Independent Candidate
39	Bungoma	217	Sirisia	John Waluke	Koyi	Orange Democratic Movement
39	Bungoma	218	Kabuchai	James Lusweti	Mukwe	Forum For Restoration of Democracy-Kenya
39	Bungoma	219	Bumula	Bonface Okhiya	Otsiula	New Ford Kenya
39	Bungoma	220	Kanduyi	Athanas M Wafula	Wamunyinyi	Forum For Restoration of Democracy-Kenya
39	Bungoma	221	Webuye East	Bernard Alfred Wekesa	Sambu	United Democratic Forum Party
39	Bungoma	222	Webuye West	Daniel Wanyama	Sitati	New Ford Kenya
39	Bungoma	223	Kimilili	Suleiman Murunga	Kasuti	Forum For Restoration of Democracy-Kenya
39	Bungoma	224	Tongaren	David Eseli	Simiyu	Forum For Restoration of Democracy-Kenya
40	Busia	225	Teso North	Arthur Papa	Odera	United Republican Party
40	Busia	226	Teso South	Mary Emaase	Otuch	United Republican Party
40	Busia	227	Nambale	Sakwa John	Bunyasi	United Democratic Forum Party
40	Busia	228	Matayos	Geoffrey Makokha	Odanga	Orange Democratic Movement
40	Busia	229	Butula	Michael Aringo	Onyura	Federal Party of Kenya
40	Busia	230	Funyula	Otuoma Paul	Nyongesa	Orange Democratic Movement
40	Busia	231	Budalangi	Pius Namwamba	Ababu	Orange Democratic Movement
41	Siaya	232	Ugenya	David Ouma	Ochieng'	Orange Democratic Movement
41	Siaya	233	Ugunja	James Opiyo	Wandayi	Orange Democratic Movement
41	Siaya	234	Alego Usonga	George Washinton Mallan	Omondi	Wiper Democratic Movement- Kenya
41	Siaya	235	Gem	Washington Jakoyo	Midiwo	Orange Democratic Movement
41	Siaya	236	Bondo	Gideon Ochanda	Ogolla	Orange Democratic Movement
41	Siaya	237	Rarieda	Nicolas O.	Gumbo	Orange Democratic Movement
42	Kisumu	238	Kisumu East	Shakeel Shabbir A.	Ahmed	Orange Democratic Movement
42	Kisumu	239	Kisumu West	John Olago	Aluoch	Forum For Restoration of Democracy-Kenya
42	Kisumu	240	Kisumu Central	Ken Obura	Mirenga	Orange Democratic Movement
42	Kisumu	241	Seme	James Wambura	Nyikal	Orange Democratic Movement
42	Kisumu	242	Nyando	Fredrick Otieno	Outa	Orange Democratic Movement
42	Kisumu	243	Muhoroni	James Onyango	Oyoo	Peoples Democratic Party
42	Kisumu	244	Nyakach	Joshua Aduma	Owuor	Orange Democratic Movement
43	Homa Bay	245	Kasipul	Joseph O.	Magwanga	Orange Democratic Movement
43	Homa Bay	246	Kabondo Kasipul	Silvance Osele	Onyango	Orange Democratic Movement
43	Homa Bay	247	Karachuonyo	James Gordon Kwanya	Rege	Orange Democratic Movement
43	Homa Bay	248	Rangwe	George Oner	Ogalo	Orange Democratic Movement
43	Homa Bay	249	Homa Bay Town	George Peter Opondo	Kaluma	Orange Democratic Movement
43	Homa Bay	250	Ndhiwa	Aghostinho Neto	Oyugi	Orange Democratic Movement
43	Homa Bay	251	Mbita	Millie Grace Akoth	Odhiambo	Orange Democratic Movement
43	Homa Bay	252	Suba	Mbadi John	Ng'ongo	Orange Democratic Movement
44	Migori	253	Rongo	Dalmas Otieno	Anyango	Orange Democratic Movement
44	Migori	254	Awendo	Jared Odhiambo	Opiyo	Forum For Restoration of Democracy-Kenya
44	Migori	255	Suna East	Junet Sheikh	Nuh	Orange Democratic Movement
44	Migori	256	Suna West	Joseph Obiero	Ndiege	Orange Democratic Movement
44	Migori	257	Uriri	John Owuor Onyango	Kobado	Orange Democratic Movement
44	Migori	258	Nyatike	Peter Edick Omondi	Anyanga	Orange Democratic Movement
44	Migori	259	Kuria West	Mathias Nyamabe	Robi	United Republican Party
44	Migori	260	Kuria East	Shadrack Roger Mwita	Manga	Kenya African National Union
45	Kisii	261	Bonchari	Zebedeo John	Opore	Ford-People
45	Kisii	262	South Mugirango	Manson Oyongo	Nyamweya	Orange Democratic Movement
45	Kisii	263	Bomachoge Borabu	Joel Onyancha	Omagwa	The National Alliance
45	Kisii	264	Bobasi	Stephen Kengere	Manoti	Ford-People
45	Kisii	265	Bomachoge Chache	Simon Nyaundi	Ogari	Orange Democratic Movement
45	Kisii	266	Nyaribari Masaba	Elijah Mosomi	Moindi	Narc-Kenya
45	Kisii	267	Nyaribari Chache	Chris Munga Nyamaratandi	Bichage	Orange Democratic Movement

12

County Code	County	Const. Code	Constituency	Full Names		Party/Independent Candidate
45	Kisii	268	Kitutu Chache North	Jimmy Nuru Ondieki	Angwenyi	The National Alliance
45	Kisii	269	Kitutu Chache South	Richard Momoima	Onyonka	Orange Democratic Movement
46	Nyamira	270	Kitutu Masaba	Timothy Moseti . E	Bosire	Orange Democratic Movement
46	Nyamira	271	West Mugirango	James Gesami	Ondicho	Orange Democratic Movement
46	Nyamira	272	North Mugirango	Charles Mongare	Geni	Orange Democratic Movement
46	Nyamira	273	Borabu	Ben George Orori	Momanyi	Wiper Democratic Movement- Kenya
47	Nairobi City	274	Westlands	Timothy Wanyonyi	Wetangula	Orange Democratic Movement
47	Nairobi City	275	Dagoretti North	Paul Arati	Simba	Orange Democratic Movement
47	Nairobi City	276	Dagoretti South	Dennis Kariuki	Waweru	The National Alliance
47	Nairobi City	277	Langata	Joash Odhiambo	Olum	Orange Democratic Movement
47	Nairobi City	278	Kibra	Kenneth Odhiambo	Okoth	Orange Democratic Movement
47	Nairobi City	279	Roysambu	Isaac Waihenya	Ndirangu	The National Alliance
47	Nairobi City	280	Kasarani	John Njoroge	Chege	The National Alliance
47	Nairobi City	281	Ruaraka	Kajwang' Tom Joseph.	Francis	Orange Democratic Movement
47	Nairobi City	282	Embakasi South	Irshadali Mohamed	Sumra	Orange Democratic Movement
47	Nairobi City	283	Embakasi North	James Mwangi	Gakuya	The National Alliance
47	Nairobi City	284	Embakasi Central	John Ndirangu	Kariuki	The National Alliance
47	Nairobi City	285	Embakasi East	John Ogutu	Omondi	Orange Democratic Movement
47	Nairobi City	286	Embakasi West	George	Theuri	The National Alliance
47	Nairobi City	287	Makadara	Benson Mutura	Kangara	The National Alliance
47	Nairobi City	288	Kamukunji	Yusuf Hassan	Abdi	The National Alliance
47	Nairobi City	289	Starehe	William Maina	Kamanda	The National Alliance
47	Nairobi City	290	Mathare	George Mike	Wanjohi	The National Alliance

Dated the 13th March, 2013.

A. I. HASSAN,
Chairperson,
Independent Electoral and Boundaries Commission.

GAZETTE NOTICE NO. 3160

THE CONSTITUTION OF KENYA
THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS

(L.N. 128 of 2012)

DECLARATION OF PERSONS ELECTED AS MEMBERS OF THE COUNTY ASSEMBLY

IN EXERCISE of the powers conferred by section 2(1) (a), (b), (c) and 9 of the Sixth Schedule to the Constitution of Kenya, Article 88 (4), 177 (1), 193 (1) of the Constitution, Section 4 of the Independent Electoral and Boundaries Commission Act, 2011, sections 39 (1), (2) and (3), Section 25 (1), (2) and (3) of the Elections Act, 2011, Regulations 66 (1), (2), (3) and 87 (1) (b) (4) (b) of the Elections (General) Regulations, 2012 the Independent Electoral and Boundaries Commission declares that the persons elected as members of the County Assembly in the election held on 4th March, 2013 and complied with the provisions of the Elections Act, 2011 and of the Constitution, are listed in the Schedule to this notice.

And that:

- The respective Codes to the Counties are listed in the First Column to the schedule.
- Every County is listed in the Second Column to the schedule.
- Each Constituency is assigned a Constituency Code number in the Third Column to the schedule.
- The names of the Constituencies are specified in the Fourth Column to the schedule.
- The respective codes to the County Assembly Wards are listed in the Fifth Column to the schedule.
- Every County Assembly Ward is listed in the Sixth Column to the schedule.
- Every name of the elected member of the respective County is listed in the Seventh Column to the Schedule and
- Every elected member's political party or independent status is indicated in the Eighth Column.

COUNTY ASSEMBLY WARD REPRESENTATIVES

County Code	County Name	Const. Code	Constituency Name	Ward Code	Ward Name	Full Names		Party/Independent Candidate
01	Mombasa	001	Changamwe	0001	Port Reitz	Fadhili Mwalimu	Makarani	Orange Democratic Movement
01	Mombasa	001	Changamwe	0002	Kipevu	Ibrahim Abdalla	Kondo	Orange Democratic Movement
01	Mombasa	001	Changamwe	0003	Airport	Mswabbah	Rashid	Orange Democratic Movement
01	Mombasa	001	Changamwe	0004	Changamwe	Jimmy Khadarli	Odari	Orange Democratic Movement
01	Mombasa	001	Changamwe	0005	Chani	Stephen Emmanuel	Wangudi	Orange Democratic Movement
01	Mombasa	002	Jomvu	0006	Jomvu Kuu	Karisa Nzai	Munyika	Orange Democratic Movement
01	Mombasa	002	Jomvu	0007	Miritini	Kibwana Swaleh	Baya	Orange Democratic Movement
01	Mombasa	002	Jomvu	0008	Mikindani	Duncan Odhiambo	Onyango	Orange Democratic Movement
01	Mombasa	003	Kisauni	0009	Mjambere	Khamis Ali	Mwabashiri	Orange Democratic Movement
01	Mombasa	003	Kisauni	0010	Junda	Paul Oswago	Onje	Orange Democratic Movement

5. Summary of Results of Elective Positions

SUMMARY OF RESULTS FOR ALL ELECTIVE POSITIONS IN THE MARCH 4TH 2013 GENERAL ELECTION			
	ELECTIVE POSITION	TOTAL VALID VOTES	OTHER ELECTIVE POSTS VARIANCE WITH PRESIDENTIAL VALID VOTES
1	PRESIDENT	12,221,053	-
2	MEMBER OF NATIONAL ASSEMBLY	12,194,562	26,191
3	WOMAN REPRESENTATIVE TO THE NATIONAL ASSEMBLY	12,101,568	119,485
4	SENATOR	12,131,294	89,759
5	GOVERNOR	12,162,733	58,320
6	COUNTY ASSEMBLY WARD REPRESENTATIVE	12,057,023	164,030

SPECIAL ISSUE

THE KENYA GAZETTE

Published by Authority of the Republic of Kenya

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

Vol. CXV—No. 50

NAIROBI, 20th March, 2013

Price Sh. 60

GAZETTE NOTICE No. 3508

THE CONSTITUTION OF KENYA

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS, 2012

NOMINATED MEMBERS TO THE NATIONAL ASSEMBLY AND TO THE SENATE

IN EXERCISE of the powers conferred by section 2 (1) (a), (b), (c) and 9 of the Sixth Schedule to the Constitution of Kenya, Article 90, Article 97 (1), (c), Article 98 (1), (b), (c), (d) of the Constitution, section 34, 35 and 36 of the Elections Act and Regulations 54 and 55 of the Elections (General) Regulations, 2012 the Independent Electoral and Boundaries Commission gives notice to the public that the persons listed in the 2nd Column to the schedule stand validly nominated to the National Assembly representing the Parties listed in the 4th column to the schedule.

Each candidate reflects the appropriate number of qualified candidates and alternates between male and female candidates in priority in which they were listed. The seats referred to in the 5th column to the schedule have been allocated in proportion to the total number of seats won by the candidates of the political party at the general election.

SCHEDULE

MEMBERS NOMINATED TO THE NATIONAL ASSEMBLY

Name	ID No.	Name of Party	No. of Seats Allocated
Patrick Wangamali	0131703	Ford-Kenya	1
Oburu Odinga	0637188	Orange Democratic Movement	3
Isacc Mwaura	22484569	Orange Democratic Movement	
Zulekha Hassan Juma	A1211300	Orange Democratic Movement	
Amina Abdalla	10319352	The National Alliance	3
Johnson Arthur Sakaja	A1627553	The National Alliance	
Janet Marania Teiyaa	22998757	The National Alliance	
Hasan Aden Osman	5589481	United Democratic Forum Party	1
Korore Sara Paulata	20131596	United Republican Party	3
Abdi Noor Mohammed Ali	22187841	United Republican Party	
Sunjeev Kour Birdi	11706111	United Republican Party	
Bishop Robert Mutemi Mutua	6455144	Wiper Democratic Movement Party	1
TOTAL			12

WOMEN MEMBERS NOMINATED TO THE SENATE

Name	ID No.	Name of Party	No. of Seats Allocated
Beatrice Elachi	9217700	Alliance Party of Kenya	1
Catherine Mukite Nobwola	1910160	Ford-Kenya	1
Janet Ongera	8730712	Orange Democratic Movement	4
Elizabeth Ongoro Masha	106445145	Orange Democratic Movement	
Halima Abdille Mohamud	25322209	Orange Democratic Movement	
Agnes Nzani (Dr.)	861150	Orange Democratic Movement	
Beth Wambui Mugo	3367858	The National Alliance Party	4
Emma Mburu Gertrude	A1858986	The National Alliance Party	
Naisula Lesuuda	23232222	The National Alliance Party	
Joy Adhlambo Gwendu	22066675	The National Alliance Party	

Name	ID No.	Name of Party	No. of Seats Allocated
Martha Wangari	23268586	United Democratic Forum Party	1
Mshenga Mvita Kisasa	2118667	United Republican Party	3
Chelule Liza	5785357	United Republican Party	
Dullo Fatuma Aden	C002915	United Republican Party	1
Judith Achieng Sijeny	5598774	Wiper Democratic Movement Party	
Zipporah Jepchirchir Kittony	3802851	Kenya African National Union	1
TOTAL			16

MEMBERS NOMINATED TO THE SENATE TO REPRESENT THE YOUTH

Name	ID No.	Gender	Name of Party	No. of Seats Allocated
Kanainza Nyongesa Daisy	26592683	Female	Orange Democratic Movement	1
Hosea Onchwangi	22633078	Male	The National Alliance Party	1
Total				2

MEMBERS NOMINATED TO THE SENATE TO REPRESENT PERSONS WITH DISABILITIES

Name	ID No.	Gender	Type of Disability	Name of Party	No. of Seats Allocated
Linet Kemunto Nyakeriga	21015812	Female	Visual	The National Alliance Party	1
Harold Kimunge Kipchumba	9172313	Male	Physical	Orange Democratic Movement	1
TOTAL					2

Dated the 20th March, 2013.

A. I. HASSAN,
Chairperson,
Independent Electoral and Boundaries Commission.

GAZETTE NOTICE 3509

THE CONSTITUTION OF KENYA

THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION ACT

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS

(L.N. 128 of 2012)

DECLARATION OF PERSONS ELECTED AS MEMBERS OF THE COUNTY ASSEMBLY

Corrigenda

IN Gazette Notice No. 3160 of 2013 *amend and insert* where appropriate the changes as specified herein below:

Page 1764; Row - 7, Seventh, Eighth and Ninth (7th, 8th and 9th) Columns:

County Assembly Ward Code: 0309—

Delete John Mucee Njagi and *insert* Zachary Mpanda Kihure;

Delete Kenya National Congress and *insert* United Republican Party (URP).

Page 1778; Row - 2, Seventh, Eighth and Ninth (7th, 8th and 9th) Columns:

County Assembly Ward Code: 1120—

Delete Moses Khisa Wekesa and *insert* Gerishom Namasake Wamachali;

Delete New Ford Kenya and *insert* Shirikisho Party.

Page 1770; Row - 21, Seventh, Eighth and Ninth (7th, 8th and 9th) Columns:

County Assembly Ward Code: 0659—

Delete Dennis Ruto William Kapchok and *insert* Yarakii Lotuw Paul;

Delete Orange Democratic Movement and *insert* NARC-Kenya.

Page 1082; Row - 22, Seventh, Eighth and Ninth (7th, 8th and 9th) Columns:

County Assembly Ward Code: 0659—

Delete Zadock Chilungu Kasembeli and *insert* Moses Dismas M. Wakala

Delete Orange Democratic Movement and *insert* United Republican Party (URP)

Page 1769; Row - 15, Sixth (6th) Column

County Assembly Ward Code: 0593

Delete Nyadhuna and *insert* Nyadhuna

Dated the 20th March, 2013.

A. I. HASSAN,
Chairperson,
Independent Electoral and Boundaries Commission.

GAZETTE NOTICE No. 3510

THE CONSTITUTION OF KENYA

THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

(No. 9 of 2011)

THE ELECTIONS ACT

(No. 24 of 2011)

THE COUNTY GOVERNMENTS ACT,

(No. 17 of 2012)

NOTICE OF THE FIRST SITTING OF THE COUNTY ASSEMBLY

Corrigenda

IN Gazette Notice No. 3158 of 2013 *amend and insert* where appropriate the changes as specified herein below:

Page 1752; Row - 4. - Third (3rd) Column:

County Name: Kilifi—

Delete County Council of Kilifi and *insert* Malindi County Council.

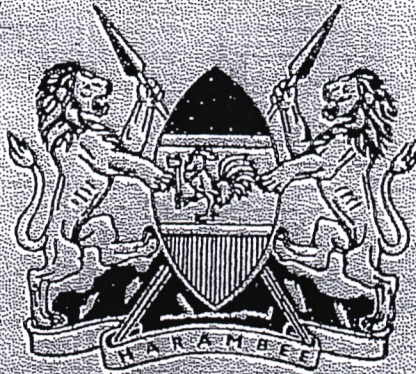
Page 1753; Row - 34, Third (3rd) Column:

County Name: Bomet—

Delete Chief's Office Bomet and *insert* Bomet County Council.

Dated the 20th March, 2013.

A. I. HASSAN,
Chairperson,
Independent Electoral and Boundaries Commission.



THE KENYA GAZETTE

Published by Authority of the Republic of Kenya

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

Vol. CXV—No. 105

NAIROBI, 17th July, 2013

Price Sh. 60

GAZETTE NOTICE NO. 9794

THE CONSTITUTION OF KENYA, 2010

THE ELECTIONS ACT

(No. 24 of 2011)

THE ELECTIONS (GENERAL) REGULATIONS, 2012

MEMBERS NOMINATED TO COUNTY ASSEMBLY WARDS

IN EXERCISE of the powers conferred by Articles 90 and 177 of the Constitution of Kenya, Sections 34-37 of the Elections Act, 2011 and Regulations 54 and 55 of the Elections (General) Regulations, 2012, the Independent Electoral and Boundaries Commission GIVES NOTICE to the public that the persons listed in the 2nd Column to the Schedule stand validly nominated to the respective County Assembly Wards representing the political party listed in the 6th Column to the Schedule.

The number of seats referred to in the 7th Column to the Schedule have been allocated to the political party qualifying for the special seats envisaged under Article 177 of the Constitution, proportionate to the total number of elected seats won by the political party at the general election held on 4th March 2013.

The Independent Electoral and Boundaries Commission GIVES FURTHER NOTICE to the public that the names of the remaining nominees whose nomination has been challenged at the High Court will be gazetted once the petitions have been heard and determined.

SCHEDULE

MOMBASA COUNTY—01

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1.	Ahmed Omar Ibrahim	M	25718337	Youth	ODM	4
2.	Asha Hussein Mohamed	F	13850054	Woman		
3.	Mohamed Mohamed	M	5465449	Marginalized		
4.	Hudson Karume	M	13349123	PWD		

MOMBASA COUNTY—01

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1.	Serah Nyavula Arnest	F	3503322	ODM	11
2.	Beatrice Sanyika Kai	F	23066262		
3.	Amlina Zuber	F	2250432		
4.	Maimuna Charui Mwachassa	F	24508423		
5.	Mary Akhisi Ooko	F	11118853		
6.	Fatima Swalile Mote	F			
7.	Caroline Auma Owindi	F	22013542		
8.	Zainab Salim	F	46026133		

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
9	Zainabu Syokau Kithinji	F	10688637		
10	Pricilla Momba Muminja	F	1463138		
11	Saada Rajab	F			

KWALE COUNTY - 02
MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Fatuma Kadzo	F	21602606	PWD	ODM	1
2	Mutua Michael Mbiya	M	20209375	Marginalized	TNA	1
3	Suleiman Salim Nzala	M	21422704		UDF	1
4	Mwanamisi Ali Elbondo	F	26187999	Youth	URP	1

KWALE COUNTY - 02
GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Hadja Hamisi	F	1608039	KADU/Asil	1
2	Mariam Umazi Benzao	F	9770993	FORD-P	1
3	Fatuma Salim Nchizumo	F	16117549	TNA	1
4	Fatuma Said Jirani	F	80644424		3
5	Fatuma Juma Nimakelele	F	219846	ODM	
6	Blahi Omar Ramiadhan Mwamdeira	F	23143582		
7	Mariam Hassan Baridi	F	9633187	UDF	2
8	Aminah Hussein Kilalo	F	2223173		1
9	Fatuma Rashid Mwamache	F	8416805	URP	

KILIFI COUNTY - 03
MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Gibson Malimo Herbert	M	258332573	PWD/Youth	CCU	1
2	Eugene M. Mwangiri	F	4827420	Marginalized	Kadu-Asil	1
3	Grace Kwekwe Mwangome	F	2126605		ODM	2
4	Anderson Ngombo Kithi	M	9878098			

KILIFI COUNTY - 03
GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Asha Chiku Wanje	F	1155129	CCU	2
2	Nashice Nana Mohamed	F	11888311		1
3	Elizabeth Muthoka	F	9276546	FPK	1
4	Sophie Burns Chokwe	F	5534644	KADU-ASIL	2
5	Elizabeth Fabu Ngala	F	0150263		
6	Jane Bahate Mwaro	F	20189793		
7	Sellina Khadija Salim	F	30132346		
8	Grace Mboza Chihanga	F	11496044		
9	Pilesila Zawadi Kutsau	F	20098152	ODM	9
10	Ealiu Omar Sadi	F	9474789		
11	Esther Dzidza Albert	F	8527061		
12	Tecka Nabini Muye	F	2135656		
13	Arifa Salim Baya	F	20980008		
14	Barka A. Mohammed	F	1087074		

TANA RIVER COUNTY - 04
MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Salma Mañamed	F	2336005	Marginalized	ODM	1
2	Imani Puma Redo	M	190975	Marginalized	TNA	1
3	Euli Fatuma Rashid	F	23339043	Youth	URP	1
4	Hassan Omar Kottumo	M	2122382	Marginalized	WDM-K	1

18

TANA RIVER COUNTY - 04

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Madina Fise Dokota	F	20915113	MGPK	1
2	Sadia Sanga Hussein	F	24674458	ODM	1
3	Jarra Maya Elnah	F	22053476	TNA	1
4	Fatima Zeinab Galgalo	F	39155916	UDF	1
5	Khadija Guyo Bante	F	2240017	URP	1
6	Rahma Eno Mohamed	F	22950709	WDM-K	2
7	Rukia Dara Wayamo	F	4653109		

LAMU COUNTY - 05

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Hosuni Alawi Husuni	M	8454922	PWD	ODM	1
2	Joseph Githuku Kamair	M	13536897		Farmers Party	1
3	Johanna Thuo Karanja	M	11625689		SAFINA	1
4	Sanda Baimkuu Parua	F	22413963	Youth	UDF	1

LAMU COUNTY - 05

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Monicah Njambi Kiruny	F	21112464	FP	1
2	Zahara Shee Mohamed	F	0165847	ODM	1
3	Edith Wakuthi Munyui	F	9581655	SAFINA	1
4	Amina Kale Ebo	F	8520336	UDF	1
5	Muthoni Monica Marubu	F	27217740	TNA	1
6	Khadija Hamid	F	23143449	ND	1

TAITA TAVETA - 06

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	John Maganga Mwanyama	M	10396905	PWD	ODM	3
2	Rozina M. Kisochi	F	5441592			
3	Francis Terere	M	21097272			
4	Elisha Mwaisaka Wawala	M	26337599	Youth	TNA	1

TAITA TAVETA - 06

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Mary W. Ngola	F	2175494		
2	Aine Ngaluma	F	25707531		
3	Roselyne Mshambala	F	21247643		
4	Valerie K. Mwandime	F	26454997	ODM	7
5	Hope Sanguli Mwakio	F	8946633		
6	Mercy Z. Mwakera	F	308220		
7	Ruth Wambughu Mwanyiro	F	27131740		
8	Mwakio Maria Chao	F	5396937	TNA	2
9	Saleh Ahmed Nalma	P	22574924		
10	Elizabeth Wakeaho Mwatula	F	5470646	SDP	1
11	Rachel Marura Dawal	F		URP	1

GARISSA -07

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Maryam Amin Hassan	F	13120986		ODM	2
2	Gede Adou Abdi	M	11884395	PWD		
3	Abbas Abdifrahman Ali	M	8481962	PWD	TNA	1
4	Habiba Abd. Ahmed	F	13117206	Youth	URP	1

GARISSA -07

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Salatho Ali Guhal	F	0046331	FORD-KENYA	1
2	Fatuma Mohamed Ali	F	23990054	NARC-K	1
3	Sraddo Buralc	F	29211776		
4	Shides Mohamed Mahamud	F	24647563		
5	Zeinab Yusuf Santur	F	25989641	ODM	6
6	Halima Ahmed Gabow	F	24758219		
7	Halima Mohamed Iman	F	24542017		
8	Suada Hassan-Buful	F	2836810		
9	Sheikh Farhia-Abdi Sitar	F	29110983		
10	Fatuma Shama Salan Fatule	F	8481435	TNA	3
11	Naalim Gini Nagaw	F	175256		
12	Maryam Mohamed Hassan	F	24206346	URP	2
13	Asif Ibrahim Ali	F	0045785		
14	Queen Teresia Tilus Musau	F	7549547	WDM-K	1

WAJIR -08

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Fatuma Yusuf Abdullaht	F	23813705	PWD	ODM	1
2	Shamza Issa	F	27467043		TNA	1
3	Dahaba Yusuf Farah	F	13404799		WDM-K	1
4	Halima Abdikadir Nur	F	0053777		FORD-KENYA	1

WAJIR -08

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Nasre Sahaf Ibrahim	F	174025	FORD-KENYA	1
2	Rukia Abdill Abdullaht	F	13143416	Muingano Party	1
3	Fatuma Sheikh Abass	F	0040673	NARC-K	1
4	Fatuma Mohamed Dahiye	F	1173927		
5	Katira Omar Adawc	F	22133764	ODM	3
6	Saadia Ali Mohamed	F	27237339		
7	Sancy Seynab Mohamed	F	24552185	TNA	2
8	Bochola Halima Mohamed	F	6825036		
9	Maimuna Haji Ali	F	27239504	URP	1
10	Ubah Abdikarim Hassan	F	11573061	WDM-K	2
11	Mulki Daud Sheikh	F	25081195		

MANDERA -09

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Hassan Abdullaht Ali	M	21604310	PWD	TNA	1
2	Nuria Abdullaht Mohamed	F	23906401	Youth		
3	Ahmed Jimaldin Adan	M	27681519	Youth	URP	3
4	Faiza Omar Hussein	F	25984959	Youth		

MANDERA - 09						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Shamsa Ibrahim Maalim	F	26226424	SAFINA	1	
2	Habiba Bano Abdulahi	F	30046062	TNA	1	
3	Hussien Habiba Haji	F	13700736			
4	Kassim Umul Ker	F	27593574			
5	Nasir Ali Abdullah	F	A1874912			
6	Sokorey Maalim Issakow	F	20364639			
7	Hassan Maryam Salat	F	24313111			
8	Hilfow Safara Rusfid	F	26297427	URP	11	
9	Tifow Amina Abdolishi	F	28943476			
10	Abdow Habiba Abdurahman	F	10028199			
11	Khair Deka Ali	F	11192766			
12	Rahma Issack Ibrahim	F	29549663			
13	Farihiya Rashid Kuli	F	11531255			
14	Neasthe Barre Elmi	F	30595527	NVP	1	
MARSABIT - 10						
MARGINALIZED LIST						
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Konehora Abdul	M	0063082	PWD	ODM	2
2	Daniella Nalason Lena	F	24340824	Youth	TNA	1
3	Sharna Okoti Bernadette	F	9558474		URP	1
4	Halakhe Dida Halakhe	M	24654245	Youth		
MARSABIT - 10						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Lokho Abdul Umuro	F	9179806			
2	Fatima Ali Leruk	F	9558477	ODM	4	
3	Amina Hirbo Giso	F	27056360			
4	Dhabby Narumbe Kula	F	28046675			
5	Saadia Araru	F	12736664	TNA	2	
6	Zamzam Hussein	F	9559848			
7	Susan Dabaleni	F	27595230	URP	2	
8	Jatane Molu	F	0626096			
9	Cecilia Sube John	F	12755333	WDM-K	1	
ISIOLO - 11						
MARGINALIZED LIST						
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Diba Tupt Didu	M	0012241	PWD	TNA	1
2	To be gazetted after hearing and determination by the High Court	M			ODM	1
3	Benjamin Jofin Lopelet	M	23339833	Youth	URP	2
4	Dekha Bonja Halaki	F	23343455	Youth		
ISIOLO - 11						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Saadia Haji Abdi	F	21900505	TNA	1	
2	Hadija Mamo	F	9855492	URP	2	
3	Dahiabo Bonaya	F	0080830			
4	Elizabeth Naituma	F		ODM	1	
5	Fatuma Saidi	F		APK	1	
6	Gladya Mwalithi G. Atiku	F	30729338	NARC-K	1	

MERU - 12							
MARGINALIZED LIST							
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated	
1	Alhaji Mwendia B. Muguna	M	234524	Marginalized	APK	1	
2	Julius K. Kirinya	M	348003		GNU	1	
3	Mbogori Mutiuki Robert	M	21691093	Youth	NARC-K	1	
4	Ngenchu Moses Gioruki	M	22667703	PWD	TNA	1	
MERU - 12							
GENDER TOP-UP LIST							
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated		
1	Esther Muthoni Ibaya	F	10146985	APK	6		
2	Jennifer Murogocho	F	3628690				
3	Mutwira Phyllis Kanyuru	F	4480286				
4	Elizabeth Kamari	F	13401866				
5	Sekondona Kamini	F	11694505				
6	Janet Mwachiri Mukaria	F	9703587				
7	Beatrice Kibobori	F	10147545	DP	1		
8	Mukami Nelly	F	24282018	GNU	2		
9	Gacheri Mutiuri	F	21143405				
10	Betty Kawira	F	23390363	KNC	1		
11	Zaverina Kabiridhu M'birithia	F		NARC-K	2		
12	Irene Makera	F					
13	Inoti Joyce Mukombaya Kirai	F	3650972				
14	Kimathi Beatrice Mwendwa	F	22559202				
15	Babu Juliana Mugure	F	28400845	TNA	6		
16	Irene Mukoba Mutwiri	F	22881336				
17	Elizabeth K. Mwiru	F	8882736				
18	Dorosen Kagwira	F	27710457				
19	Rose Nkioje Muriungi	F	2536423	SAFINA	1		
20	Margaret Njongai	F	038872	UDF	1		
THARAKA NITHI - 11							
MARGINALIZED LIST							
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated	
1	Faith Njeri Muringu	F	10381642	PWD	TNA	1	
2	James Muteemberi	M	11026612		GNU	1	
3	Angeline Akai Eodi	F	23816439	PWD (Visually Impaired)	UPK	1	
4	Eva Nkatha John	F	22661886	Youth	URP	1	
THARAKA NITHI - 13							
GENDER TOP-UP LIST							
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated		
1	Antoin Kangai Patrick	F	22263891	GNU	1		
2	Catherine Kinjimin Muriithi	F		TNA	2		
3	Naomi Kwira MRimunya	F	7460501				
4	Stephanina Gramithi	F	717252	UPK	1		
5	Ruth Karega Mugao	F	8305602	URP	1		
EMBU - 14							
MARGINALIZED LIST							
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated	
1	Catherine Mbura Nibiga	F	9285144		APK	1	
2	To be gazetted after hearing and determination by the High Court	M			TNA	3	
3	To be gazetted after hearing and determination by the High Court	F					
4	To be gazetted after hearing and determination by the High Court	M					

21

EMBU - 14						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Mercy Karimi Mbiac	F	13872328	APK	7	
2	Faith Muthoni Ngugi	F	11151920			
3	To be gazetted after hearing and determination by the High Court	F				
4	Ndugiwa Susan Wangai	F	11672529	TNA	6	
5	Olivia Shunem Ngira	F	13264775			
6	Rebore Teresa Njeri	F	3679164			
7	Maitunga Rosemary Mutoni	F	296621			
8	Ndugiwa Rose Muthoni	F	1299218			
9	Nancy Wairimu Muriithi	F	0268785	NARC-K	1	
KITUI - 15						
MARGINALIZED LIST						
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Alex Mutambo Nganga	M	14634687	Youth	NARC	1
2	Jenipher Nzamba Munuye	F	574051	PWD (Physically Challenged)	WDM-K	3
3	John Kimathi Nyamai	M	13839578	Visually Impaired		
4	Ruth Malinda Klayumu	F	1574145			
KITUI - 15						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Jemimali Mwangi Mbiti	F	274347	CCU	1	
2	Jane Mueni Muli	F	7710361	NARC	2	
3	Juliet Ndohi Katende	F	23947156			
4	Catherine Munanyye Kasimu	F	11355139	TNA	1	
5	Mary Mbaridi	F				
6	Irene Cherotich Mueya Mitau	F	20685568			
7	Beatrice Velosi Musyoka	F	21191832			
8	Collita Kofi Kimanzi	F	1067804			
9	Yecstantinah Mesi Chawana	F	11654476	WDM-K	9	
10	Angela M. Kanza	F	24479071			
11	Rhoda Wambua	F	7438925			
12	Phoebe Bernard Kisee	F	8633395			
13	Mary P. Ndumbu	F	0988717			
MACHAKOS - 16						
MARGINALIZED LIST						
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Samson M. Kimanzi	M	22266664	Youth	CCU	1
2	Bibiana Nduku	F	7868360	PWD	DP	1
3	Justus Kalumo Mutwela	M	11602569	PWD (Physically Challenged)	WDM-K	2
4	Nina Mbithe Mutiso	F	313606			
MACHAKOS - 16						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Veronica Mbithe	F	8528949	CCU	2	
2	Aminah Muto	F	9193216			
3	Peninah Kaloki	F	23137457	DP	1	
4	Brigid Mbinya Kitili	F	23979133	PICK	1	
5	Jacqueline Nziva Munao	F	22448280	WDM-K	8	

23

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
6	Benedete Mueni Musyoka	F	2853937		
7	Ruth Ndumi	F	1326998		
8	Margaret Ndalana	F	7564589		
9	Phoebe Koki Malwa	F	11268149		
10	Alice Mukonyo Nzioka	F	0534987		
11	Mary Ndinda	F	4934324		
12	Jacinta Nthambi Euka	F	14654736		
13	Catherine Mbithe Nguluku	F	28647419	TIP	1
14	Anne Walimu Musyoki	F	6886305	TNA	1
15	Christine Mwendu Mutune	F	14430401	ODM	1

MAKUENI COUNTY - 17

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Mary Kalekye Muololo	F	20784902	PWD	Muingano Party	1
2	Andrew Kihuti Nzyoki	M	A1855820	Youth	TIP	1
3	Gideon Mulinde Mwangi	M	0087105	PWD (Visually Impaired)	WDM-K	2
4	Scholastica Mweni Raymond	F		Youth		

MAKUENI COUNTY - 17

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Rose W. Benjamin	F	6130027	CCU	1
2	Jahet Kilunga	F	10204694		
3	Elizabeth M. Musyoki	F	12721616	Muingano Party	4
4	Stacey Wanzila Mbiti	F	2330583		
5	Mercy Ndinda Mutuku	F	2609027		
6	Jane Ndila Willy	F	23716844	TIP	1
7	Agnes Musili Mailu	F	6274115		
8	Magdalene Nduku Mulwa	F	1869368		
9	Elizabeth Ngina Musya	F	8967625	WDM-K	5
10	Eiza Mbinya Zakaria	F			
11	Sharon Mweni Mutinda	F	274992870		
12	Penina Wayua Musyoka	F		ODM	1
13	Beatrice Joseph Masila	F	1342901	PICK	1

NYANDARUA - 18

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Moses Mwachigi	M	25610374	Youth		
2	Joyce Nyambura Nganga	F	28585820	PWD	TNA	4
3	David Mwangi Ndirangu	M	2936954			
4	Ann Walthira Klonero	F	11706932			

NYANDARUA - 18

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Teresiah Njoki	F	13392442	DP	1
2	Margaret Wamuyu	F	1871393		
3	Monica Wamuyu	F	22015582		
4	Rebecca Nyangati Weri	F	26607410		
5	Nancy Wambui	F	10271593		
6	Beith Wairito	F	9812375		
7	Dorcas Nyambura	F	9257572	TNA	11
8	Patricia Wanjugu	F	6618617		
9	Tiziana Wanjiru Mwangi	F	9810248		
10	Jane Muthoni	F	2941919		
11	Rahab Wanjichia	F	9393143		
12	Miriam Wabura	F	10880859		

24

NYERI - 19

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Eva Mukami Gitthaiga	F	26509487	Youth	GNU	1
2	Mary Wairimu Muraguri	F	9074250	PWD	TNA	3
3	Joseph Kanyo King'ori	M	11286175	PWD		
4	Macharia Regina Wanjiru	F	21458096	Youth		

NYERI - 19

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Zipporah Wangechi Njilhi	F	9075643	GNU	3
2	Virginia M. Waruta	F	13726354		
3	Leah Wanjiku Wachira	F	20194700		
4	Salima Uledi	F	22578141		
5	Naomi Wangeci Gitonga	F	24669197	TNA	10
6	Anastacia Wanjiru Njokua	F	5917463		
7	Hannah Warukia Kabui	F	22092725		
8	Njoroge Leah Mumbi	F	11253377		
9	Elizabeth Wangui Njeh	F	25739372		
10	Lucy Mugure Wanyitu	F	7668086		
11	Ani Nyambura Wang'ombe	F	21725946		
12	Nancy Wanjiku Gachochi	F			
13	Josephine Muthoni Muriithi	F	9671096		

KIRINYAGA - 20

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Kaburu Peninah Waithera	F	25361041	PWD	TNA	4
2	George Karimi Kagon	M	23623220	Youth		
3	Lucy Margaret Mather	F	1849361	Woman		
4	Catherine Njeri Maina	F	1210330	PWD		

KIRINYAGA - 20

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Catherine Njeri Maribe	F	10932486	TNA	5
2	Jane Nyaguthi Mwal	F	10161738		
3	Mary Wanjiru Muchiri	F	3390167		
4	Irene Muthoni Gathuka	F	13846307		
5	Everlyne Muthoni Ndirangu	F	2923602		

MURANG'A - 21

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Wangechi Florence N.	F	23231168	PWD (Albinism)	TNA	4
2	James Benson Kaguni	M	24742630	Youth		
3	Mary Wairi Karuki	F	1416514			
4	Njogu Peter Karuki	M	22792219	PWD		

MURANG'A - 21

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Lucy Wangechi Njoroge	F	3280836	TNA	12
2	Kamau Catherine Wanjiku	F	1130713		
3	Njogu Susan Wanjiru	F	24780622		
4	Esther Wanjiku Ngugi	F	7188664		
5	Mary Walthera Njoroge	F	10787307		
6	Agnes Ndunge Muliwa	F	10798032		
7	Jane Wanjiku Ndegwa	F	3509322		
8	Rebecca Mwicigi	F	3091645		
9	Charity Wangui	F	398559		
10	Catherine Wairimu Mugo	F	11622059		
11	Beth Wanjiru Ngugi	F	3502271		
12	Cecilia Olu	F	4442157		

25

KIAMBU - 22
MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Joan Nyokabi Njuguna	F	27435668	Youth	TNA	4
2	Henry Wanyoike	M	13031059	PWD		
3	Mary Wangari Githia	F	11645039	PWD		
4	Jackson Njuguna	M	21686896			

KIAMBU - 22
GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Jackline Wairimu Ngure	F	13220208	TNA	22
2	Aunle Wanjiku Kibe	F	13799001		
3	Florence Njeri Njeru	F	13273729		
4	Isabella Muthoni	F	2570786		
5	Hannah Muthoni Oitaga	F	22512211		
6	Lillian Wakira Mwaure	F	4881367		
7	Alice Wamuhū Mbugua	F	11769520		
8	Gachema Caroline Wangari	F	22639338		
9	Mary Walthera Mwangi	F	5912698		
10	Petis Wagachoba	F	3490281		
11	Elizabeth Wairimu Wachira	F	21874617		
12	Josephine Njeri Muriuri	F	14578505		
13	Emily Warutere	F	13743633		
14	Mary Wangari Githu	F	11645039		
15	Susan Mumbi Muriithi	F	21815399		
16	Margaret Ngina Mukami	F	30384585		
17	Susan Nyandiru Kinakai	F	22005351		
18	Lucy Nduta Kamau	F	8518988		
19	Elizabeth Wairimu Kagl	F	13428110		
20	Sarah Waidhaka Kamuthi	F	6257266		
21	Salome Wanjiku Kimani	F	5957861		
22	Joyce Nyambura Kamau	F			
23	Lenah Walthira Marubu	F	27461333		

TURKANA - 23
MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Sarah Ilkwal Kaathu	F	4782660	PWD	ODM	1
2	Ezra Nacheri Ideo	F	4796555	Woman	FORD KENYA	1
3	Emmanuel Eomuria Eomorokai	M	416553		KANU	1
4	Naomi Eryang	F		Youth	URP	1

TURKANA - 23
GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Concepcion Etaan	F	13425638	ODM	4
2	Selina Lokope	F	12437026		
3	Margaret Akal Bramram	F		FORD KENYA	3
4	Elizabeth Korikel	F	23711801		
5	Margaret Ikuja	F	21334418		
6	Bathia Eomay Akoi Lily Rose	F	20915593	KANU	2
7	Mary Stella Itukon Ikundit	F	2316120		
8	Miriam Nasanyan Lokoris	F	4801417	URP	4
9	Rebecca Longole Epae	F	10987093		
10	Ruth Kuya	F			
11	Margaret Loduk	F			
12	Jacinta Abenyo	F			
13	Rebecca Asinyen Esckon	F			

WEST POKOT - 24

MARGINALIZED LIST

26

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Johnson Eokato Todopus	M	211338		ODM	1
2	Joshine Chetum Cheprum	F	976195		KANU	2
3	Simon Chumukemer	M	21592413			
4	Scholastica Chebet Kuruni	F	26942045	Youth	URP	1

WEST POKOT - 24

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Eliza Chelakam Pkatio Lotum	F	33448896	ODM	1
2	Milka C. Leboe	F	231574480		
3	Eunice Cheptoo Andema	F		KANU	3
4	Nancy Juma	F	1331743		
5	Edoo Christine	F	1175744	URP	2
6	Kelepo Chemling Ageta	F	26050286		
7	Teresia Peter Lokichu	F	5200808	PPK	1
8	Lucy Chelang'at Francis	F	0276374	NVP	1

SAMBURU - 25

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Elit Modesta Lalikipiani	F	22313162		TNA	2
2	Lupilisa Lektupe	M	7965652			
3	Josephine Slatian	F	25712406	Youth	URP	2
4	Osman Dube	M	2342363	PWD		

SAMBURU - 25

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Grace Muthoni Lenorkimar	F	11341415		
2	Sarah Lekisaat	F	4199246	TNA	3
3	Peninah Lemarie	F	13045712		
4	Leahore Irene Salina	F	13449349		
5	Rebecca Lengupac	F	22718175	URP	3
6	Linda Naserian	F	28976448		
7	Sophia Caroline Leajore	F	24056423	ODM	1

TRANS NZOIA - 26

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Laban Wanyonyi Smllyu	M	12713757	PWD	NPK	1
2	Doreas Sikoyo	F		Marginalized	FORD-KENYA	1
3	Fatid Mohammed Mohsen	M	8345396	Marginalized	TNA	1
4	Fuwei Magdaline Kimutai	F	17420458	Youth	URP	1

TRANS NZOIA - 26

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Teresia Nasambu Masibo	F	0137985		
2	Bilin Chepkoech Ego	F	A165591		
3	Jane Talam	F	5314537	NPK	4
4	Benedine Auma Omondit	F	8327286		
5	Margaret Sabina Wanjala	F		FORD-KENYA	2
6	Evelyn Nelima	F	968668		
7	Naomi Kemunto Okul	F	0847879	TNA	1
8	Birgin Elizabeth Chepkoech	F	4639876		
9	Rose Malinga	F	13145698	URP	3
10	Saidt Milka Nangekhe	F	22347195		

27

UASIN GISHU - 27

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Miriam Thabitha Chebet	F	210189455	Youth	URP	4
2	Cheruyot Maritim	M	8072897	Youth		
3	Hlora Jepkum	F	2302490	PWD		
4	Dancun Kipkoech Rulo	M	14526863	PWD		

UASIN GISHU - 27

GENDER TOP UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Rose Gillenji Kisama	F	16067931	URP	10
2	Rehema Korir	F	22603210		
3	Nadun Chelangat	F	23715061		
4	Lydia Jeruto Mals	F	28138001		
5	Anne Jemutai	F	13414758		
6	Caroline Jepkosgei Birjen	F	254206619		
7	Eucy Ngendo Njoroge	F	25214936		
8	Zena C Kosgey	F	20063975		
9	Salome Jepchirichir Busienei	F	11466566		
10	Rosabella J Singoi	F	11363758		

ELGEYO/MARAKWET - 28

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Koech Emmy Chelangat	F	24849927	Youth	URP	4
2	Kabuswa Titus Biwoth	M	21071119	Youth		
3	Caroline Kangogo	F	21792273	PWD		
4	Cheruyot Emmanuel Kipkosgei	M	24900252	PWD		

ELGEYO/MARAKWET - 28

GENDER TOP UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Esther Jemutai Kembol	F	20989142	KANU	1
2	Emilia Rael Jepwoll	F	3936287	URP	5
3	Cherop Salina Jepkorir	F	20776283		
4	Chebit Eunice Jesang	F	9571280		
5	Kiptoo Naddy Jeruto	F	22709478		
6	Faith Jepkosgei Chepkairor	F	21881677		

NANDI - 29

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Joseph Kibet Egar	M	9997774		UDF	1
2	Jeruto Viola	F	22187050	Youth	URP	3
3	Koros Eric Kiptoo	M	23330647	Youth		
4	Cherobon Emily	F	13807285	PWD		

NANDI - 29

GENDER TOP UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Milka Jerobon Chuimba	F	8969113	KANU	1
2	Jane Jepkorir	F	20260626	NARC	1
3	Eunice Singoi Joson	F	21374934	URP	1
4	Caroline Chepkoech	F	20938114		1

No	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
5	Lele ESally	F	13013059	UDF	1
6	Rodha Jesang Chepkwony	F	11295156		
7	Jepkembor Monica	F	25524245		
8	Maitum Jenipher Chepchirehir	F	13365977		
9	Rop Domtilla Jemayo	F	10949405		
10	Milcent Jemutal	F	2131430		
11	Singget Pauline	F	2131430		
12	Jerop Joycelline	F	9101673		
13	Jusline Jepnyango	F	5594975		
14	Consolata Jepum Rop	F	13366372		

BARINGO - 30

MARGINALIZED LIST

No	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Mathew Changole	M	22030857	Youth	KANU	1
2	Valentine Serگون	F	24134711	Youth		
3	Julius E. Ekosek Naisoi	M	4537867	Marginalized	URP	3
4	Chebet Magdaline	F	8602498	PWD		

BARINGO - 30

GENDER TOP-UP LIST

No	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Cynthia Jerotich Kipthi	F	22615811	KANU	9
2	Elnah Sore Chebet	F	20676680	ODM	
3	Lydia Chepokhian Francis	F	12853754	TNA	
4	Jelagat Safina Jepkorle	F	10377781	URP	
5	Ngetich Lucy	F	9777117		
6	Purity Talam	F	12936086		
7	Risper Kiriakyo Jebichii	F	9779193		
8	Judy Yator	F	22345053		
9	Butak Emmy Jerotich	F	9779904		
10	Jennifer Kabon Kiptoo	F	6597611		
11	Jullana Slayon Etangula	F	22766538		
12	Jennifer Narimut Kolpif	F	9777991		
13	Beatrice Jepkoech Changwony	F	2563949		
14	Eunice Achua Karani	F	13069418	NARC-K	

LAIKIPIA - 31

MARGINALIZED LIST

No	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Daisy Mariam Kirigo Maito	F	25140769	Youth	TNA	3
2	John Nderitu Gitonga	M	23730699	PWD (Visually Impaired)		
3	Rose Wangui Karuri	F	11261014	Youth		
4	Elizabeth Paraiton	F	20009030			
					URP	1

LAIKIPIA - 31

GENDER TOP-UP LIST

No	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Rose Nyambura Mailal	F	22491026	TNA	3
2	Catherine Wanjiku Waruguru	F	25765401		
3	Jennifer Koinante Kitapei	F	6586398		
4	Jane Meshami	F	9288782		

29

NAKURU - 32

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Joseph Mwangi	M	7917567	Marginalized	TNA	3
2	Ann Wanjiru Maina	F	30524494	PWD		
3	Joshua Wilson Muriithi	M	460784	PWD		
4	Cherulyot Irine Chebichi	F	24541352	Youth	URP	1

NAKURU - 32

GENDER TOP UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Trebina Gaki	F	22183809	ODM	11
2	Beatrice Nyawira Wambugu	F	12745281	TNA	
3	Rosemary Okemwa Kamau	F	6860531		
4	Kiiru Margaret Wanjiku	F	23538640		
5	Irine Njeri	F	22250142		
6	Ollan Jepkemoi	F	23944578		
7	Virginia Wamailha Gicanga	F	9861950		
8	Janet Wamaiha Mucheru	F	12472576		
9	Catherine Njeri Waweru	F	12441201		
10	Mbugua Emma Wambui	F	2345908		
11	Esther Njeri Mangere	F	10654899		
12	Damaris Wangari Mbuthia	F	4409553	URP	
13	Hassan Hava Ibrahim	F	13331640		
14	Sang Ruth Jeptarus	F	7878997		
15	Chepkemeri Sorum Penina	F	2185449		

NAROK - 33

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Violet Solla Sikawa	F	7113531	PWD	KNC	1
2	Punitce Muthoni	F	23620112	Youth	TNA	1
3	Purity Lemore	F	27599243	Youth	URP	2
4	Kalpei M Jackson	M	23880559	Youth		

NAROK - 33

GENDER TOP UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Rebecca Naanyu	F	12981765	KNC	3
2	Mercy Reslato Kcuiwa	F	24277605		
3	Rahab Nkure	F	12598236		
4	Lucy Nestamou Oloingo Jire	F	20460900	ODM	2
5	Lucia N. Teeka	F	2280759	RBK	1
6	Ekanyiie Winnie Nasleku	F	23220577		
7	Nancy Seenoj Tumgoh	F	2293719	TNA	2
8	Margaret Nenkari Yenko	F	21271219		
9	Tiyo Lakeni Jenifer	F	24493318	URP	5
10	Sialo Natanya Tasur	F	22486378		
11	Pölishoi Kaptunen	F	30878613		
12	Mojica Chebet	F	13547096		
13	Mary Chelagat Kirul	F	9884610		

KAJIADO - 34

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Samson Mpapaylei Tipappi	M	14672198	Youth/PWD	TNA	3
2	Roge Wanjiku Gicheha	F	9743510	PWD		
3	Charles Lekanet	M	22520995	Marginalized		
4	Elizabeth Sopiato Santumo	F	21609849	Youth	URP	1

Kajiado - 34

GENDER TOP-UP LIST

NO.	NAME	GENDER	ID NO.	NAME OF PARTY	NO. OF SEATS ALLOCATED
1	Grace Nairesian Munci	F	22623860	ODM	1
2	Mercy Wanjiru Gathu	F	3705929		
3	Maryan Wailhira Wangare Mugani	F	22919556	TNA	8
4	Leah Sopiato Moiko	F	23566995		
5	Mercy Galhoni	F	8719561		
6	Erinly Kamari Lesian	F	201228234		
7	Furly Pamyombe	F	24109298		
8	Grace Chege	F	25005531		
9	Charity Selina Mosiany	F	10882634		
10	Roda Sepeloni Mooka	F	12492001		
11	Diana Seigenoi Mepukori	F	27620485	URP	2
12	Doreen Beyo	F	25197745	NARC	

KERICHO - 35

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Boen Chepkoech Nancy	F	13667378	Youth	URP	4
2	Albert Kipkoech	M	25331436	Youth		
3	Jane Chemutai	F	22235034	PWD		
4	Bill Geoffrey Kipkeng'etich	M	2000224	PWD		

KERICHO - 35

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Chebet Betsy	F	20920201	URP	13
2	Brenda Bil	F	23058030		
3	Chefangat Mary Betty	F	2353984		
4	Cherono Sharon	F	26768706		
5	Bett Chepkorir Alice	F	6607376		
6	Chepkoech Alice	F	12551554		
7	Gladwin Chepkogelich	F	24808254		
8	Bore Purity	F	12921710		
9	Tonui Edna	F	22067281		
10	Esther Wangui Gilair	F	9172895		
11	Marisni Agnes Cherono	F	10194550		
12	Josephine Chepkorir Yegon	F	9372945		
13	Joyce Chepkirui	F	11432230		

BOMET - 36

MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Hellen Chepkurui	F	22722094	PWD	URP	4
2	Wilson Keter	M	1362358	PWD		
3	Aurelia Chepkurui	F	28974822	Youth		
4	Patrick Chepkuony	M	28974822	Youth		

BOMET - 36

GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Bency Chepkorir Too	F	14579208	URP	6
2	Beatrice Chebonui	F	9641492		
3	Tabutelei Rotich	F	4438960		
4	Rose Cherono Botyon	F	12932991		
5	Nancy Chepkirui	F	11794865		
6	Josephine Rotich	F	31177184		

31

KAKAMEGA 37
MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Alexander Khamasi	M	22416199	Youth	UDF	1
2	Roselyne Kathi Akoyi	F	22853650	PWD	ODM	3
3	Abdihakim Mohamed	M	21484887	Marginalized		
4	Gertrude Eluba	F				

KAKAMEGA 37
GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Winnie A Nyambok	F	75382995	FPK	1
2	Florence Namachanja Masika	F	10006073	FORD-KENYA	1
3	Josephine Atogo Muthungo	F	7621489	NFK	1
4	Gladys Omukongolo Malenya	F	10558883	ODM	14
5	Grace Ashuma	F	1896611		
6	Violet Leah Shisia	F	20592960		
7	Hamina Achitsa Imbal	F	1172741		
8	Sylvia Atieno Mukoya	F	2467705		
9	Mispela M Mulari	F	10320536		
10	Peris Ndeche Amunga	F	9446871		
11	Eilian K Titiya	F	20154393		
12	Winnie Nasanya Musungu	F	10164570		
13	Dorcas Muluale	F	1226915		
14	Jamila Buhuru Anjere	F	6413198		
15	Eoy Muandi Maviala	F	0563313		
16	Ruth Kadima	F	0450578		
17	Asia Hassan Mohammed	F	2545284		
18	Cynthia Malitso	F	25634030	UDF	5
19	Eydia Baraza	F	22494732		
20	Jaino Nalika Eschuehl	F	6393340		
21	Hellen Ngaira	F	5127164		
22	Sophie Asira Ambetsa	F	0389739		
	Sellah Kadasi Keya	F	4166497	KANU	1

VIHIGA 38
MARGINALIZED LIST

No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Reuben Ombima	M	20288625	Youth	ODM	1
2	Nathan Kamidi	M	22954439	Youth	UDF	3
3	Dorcas Anuki	F	23610814	Youth		
4	Khalid Khamis	M	1072519	Marginalized		

VIHIGA 38
GENDER TOP-UP LIST

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
1	Lena Kaisha Obaga	F	22159622	UDF	7
2	Maurcen Ambasa	F	23523943		
3	Elizabeth Okila	F	4442190		
4	Rhoda Paulina Omusumu	F	7966187		
5	Gladys Anani	F			
6	Elizabeth Mhonyi	F	13293898		
7	Eoma Ngoya	F	22153812		
8	Pamela Amunga	F	10001875	ODM	3
9	Pauline Amwata	F	1086395		
10	Ann Okila	F	5112391		

32

BUNGOMA -39							
MARGINALIZED LIST							
No	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated	
1	Chafity Nancy N. Kibaba	F	22652164	Youth	FORD-KENYA	1	
2	Martin Wanyonyi	M	24585389	PWD (Albinism)	NFK	1	
3	Sammy Nalbei Chemwey	M	0970607		ODM	1	
4	Zaina Kassim Watako	F	0133448	Marginalized	UDF	1	
BUNGOMA -39							
GENDER TOP-UP LIST							
No	Name	Gender	ID No.	Name of Party	No. of Seats Allocated		
1	Edith Were Shitandi	F	9625092	FORD-KENYA	3		
2	Beatrice Nekesa Wekesa	F	7987586				
3	Genitrix Naliaka	F	9999907				
4	Caroline Wachu	F	27820594	FPK	1		
5	Mary Namaswa	F	7973376	NFK	4		
6	Reginalda Wanyonya	F	10036359				
7	Doris Nekesa Nanyokia	F	22907360				
8	Rose Mukwana Watima	F	2089120				
9	Violet Namaemba Makhanu	F	11656725	ODM	3		
10	Janet Nabwile Wamalwa	F	14541797				
11	Ruth Mivenya	F		NVP	1		
12	Margaret Nekesa Barasa	F	5737133				
13	Kimutai Irene Chesang	F	25579493	URP	1		
14	Evventini Nanyama Kisaka	F	7803128	UDF	1		
BUSIA -40							
MARGINALIZED LIST							
No	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated	
1	Veronica Pamba	F	24700983	Youth	FORD-KENYA	1	
2	Charles John Olete	M	9104233	PWD	ODM	2	
3	Mohamed Nur Ali	M	25481088	Marginalized			
4	Rachel Joy Wanga	F	24876887		UDF	1	
BUSIA -40							
GENDER TOP-UP LIST							
No	Name	Gender	ID No.	Name of Party	No. of Seats Allocated		
1	Wintec Natula	F	29346301	FORD-KENYA	2		
2	Tekela Kalori	F	29206497				
3	Bathlet A. Oduma	F	9338573			LPK	1
4	Roseline Auma Oduor	F	20041921	ODM	8		
5	Rose Idwa	F	11278346				
6	Monica Mung'ala Apio	F	5132557				
7	Happy Gloria Akhayalu	F	1044228				
8	Rosebella Nasinya	F	0304212				
9	Pamela Barasa Omukaga	F	13170521				
10	Alice Natula Chevi	F	20102661				
11	Rachel M Migango Omolo	F	7420557				
12	Mary Aroot Okedi	F	9981767	UDF	2		
13	Lilian Nasike Alani	F	23725290		1		
14	Margaret Chalci	F	11597052	FPK			
SIAYA -41							
MARGINALIZED LIST							
No	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated	
1	Walter Ochieng Okello	M	24293892	Youth	ODM	4	
2	Pamela Akinyi Mdumbi	F	21698989	Youth			
3	Maurcy Asewe Ouko	M	4067553	PWD			
4	Margaret Adhiambo Oketch	F		PWD			

33

SIAYA 41						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Mary Odhiambo	F		FORD-KENYA	1	
2	Teresa Akumu Osore	F	2766196			
3	Beatrice Awino Obondo	F	2743801			
4	Jane Pamela Ngure	F	5174012			
5	Kesia Aiteno Siwa	F	2630337			
6	Zilja Awino Omohdi	F	2495556			
7	Rose Aiteno Okite	F	4283544			
8	Mary Consolata Aiwang	F	0248011	ODM	13	
9	Sylvia Akomo Migaya	F	1254333			
10	Sela Akinyi Okward	F	8963575			
11	Bilda Achieng Olfeno	F	3064418			
12	Margaret Odina Olongo	F	0529461			
13	Anastasia Akinyi Auko	F	1051832			
14	Aijeline Achieng Odhiambo	F	13877369			

KISUMU 42						
MARGINALIZED LIST						
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Carolyn Awuor Agwanda	F	20760065	PWD		
2	Mohamed Aslam Khan	M	2800421	Marginalized	ODM	3
3	Emrice Aiteno Miruka	F	28359644	Youth		
4	Bou Ndolo Owilo	M	14723263		PDP	1

KISUMU 42						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Salome Kamonya Lungala	F	6971979			
2	Jane Aiteno Omolo	F	1107942			
3	Lydia Achieng Odhiambo	F	22833711			
4	Pamela Awuor	F	6506570			
5	Susan Adhiambo Omolo	F	11475840	ODM	9	
6	Fatima Ahmed Sallim	F	13041077			
7	Nelle Beldinah Osok	F	1905006			
8	Pamela Akinyi Odhiambo	F	13789022			
9	Carolyn Awuor Ogot	F	9016571			
10	Lydia Aiteno Ndege	F	24150387	PDP	1	

HOMABAY 43						
MARGINALIZED LIST						
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Johanes Mumi	M	24725672		LPK	1
2	Jared Okeyo	M	22514212	Youth		
3	Ruth Auma Abong'o	F	1365652	PWD	ODM	3
4	Charles Ate Mutsiro	M	8088028	PWD		

HOMABAY 43						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Laura Ogada Oruko	F	30496348	FPK	1	
2	Raeji Polo	F	25956616	LPK	1	
3	Monica Amolo	F		ODM	15	
4	Elsa Aoko Mrambo	F	8821761			
5	Ruth Anyango Ombura	F	10821986			
6	Berita Auma Saoko	F	8299689			

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
4	Grace Kwamboka Achoki	F	20249245	Farmers Party	1
5	Norah Boachaberi Onyancha	F	28245544	KSC	1
6	Agnes Kerubo	F	2715164	KNC	1
7	Josephine Kerubo Ombati	F	9315629	ODM	10
8	Jane Moinyangi Kananga	F	8193138		
9	Joyce Kwamboka Isaac	F	1880702		
10	Risper Kemutito Onguti	F	23818698		
11	Pbelista Ochako Melobo	F	9546441		
12	Margaret Nekesa Oitonga	F	1581810		
13	Grace Nyabwari Ogonda	F	1653533		
14	Tabitha Okong'o	F	9404450		
15	Lucy Bosire	F			
16	Janifa Bosibori Marube	F	21413059		
17	Isabella Nyaboke Oigara	F	23832147	TNA	2
18	Anne Gati Khesabo	F	24238957	NARC-K	1
19	Esther Nyong'o Nyamwimu	F	1578131	SAHINA	1
20	Alice Boyani Oarida	F	5802334	UDF	1
21	Nancy Nyachama Onger	F	23356334		
22	Muslima Dida	F	12876321		

35

NYAMIRA - 46						
MARGINALIZED LIST						
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Fred Menge Aiga	M	22576006	Youth	TNA	1
2	Julius Michira Marita	M	22520957	Youth	ODM	1
3	William Atati Obuya	M	2316782		KNC	1
4	Richard Mokaya Bosire	M	10784447	PWD (Hearing Impairment)	PPK	1

NYAMIRA - 46						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Naomi Nyachiroo Ondieki	F	23990102	KANU	1	
2	Naomi Bosibori	F	22860063	KNC	1	
3	Margaret Joyce Onger	F	10466895	NARC-K	1	
4	Zipporah K Oosoro	F	7572831			
5	Lucy B. Osusu	F	10469341	ODM	3	
6	Wilksiter Kwamboka Onsando	F	25768340			
7	Rebecca Nyanganyi Matara	F	4143763	PPK	1	
8	Rachel Nyakeratio Asumail	F	21945892	TNA	1	
9	Jane Mōraa Nyamache	F		PDP	1	

NAIROBI - 47						
MARGINALIZED LIST						
No.	Name	Gender	ID No.	Nature of Special Interest	Name of Party	No. of Seats Allocated
1	Mohamed Abd. Abdilrahman	M	26253826	Marginalized	TNA	2
2	Mark Ndung'u Nganga	M	23134767	Youth	ODM	2
3	William Abuka	M	8244153	PWD		
4	Hawa Dafala	F	321295	Youth		

NAIROBI - 47						
GENDER TOP-UP LIST						
No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated	
1	Jane Muthoni Kimondo	F	12463038	TNA	18	
2	Ruth Njeri Nyambura	F	8290435			
3	Zulfa Hakim	F	1094777			
4	Rachael Wanjiku Kamweru	F	10433923			

36

No.	Name	Gender	ID No.	Name of Party	No. of Seats Allocated
5	Tabitha A. Juma	F	20278216		
6	Imelda Nafula Wanjala	F	26017629		
7	Leah Mumo Mace	F	13686861		
8	Christine Aloo Abuto	F	20912434		
9	Monica Wairimu Ndegwa	F	20815274		
10	Rosemary Wairimu Macharia	F	11101626		
11	Karen Wanjiku Gilhalga	F	22253804		
12	Benadette Wangul Nganga	F	22303824		
13	Jane Waja Ayako	F	29096715		
14	Gitihiri Marlon Njeri	F	8144426		
15	AJair Victoris Angani	F	11175782		
16	Nancy Nyambura Mwaura	F	13753981		
17	Dorcas Muthoni Njoroge	F	10183520		
18	Mohamed Amina	F	3527525		
19	Carolyn Achleng Muga	F	9465055		
20	Catherine Aplyo Okoth	F	12463591		
21	Hellen Karangle	F	1911276		
22	Emmaculate Musya	F	10515920		
23	Rose Ogonda	F	8243378		
24	Asha Abdi Sosso	F	520997		
25	Florence Atembo	F	5871280		
26	Joyce Nambwire Bocha	F	1881921		
27	Tabitha Wothaya Ndirigi	F	5559508	ODM	18
28	Rosemary Euchi	F	14422177		
29	Alexina Moddy	F	1453152		
30	Susan Karemu Njue	F	22324490		
31	Margaret Sewe	F	10972683		
32	Petronilla Nafula Achleng	F	4869350		
33	Jacqueline Awino	F	8243378		
34	Elizabeth Sang	F	6665340		
35	Magdalene Mbogori	F	25937987		
36	Celestine Ongere Owino	F	22380580		
37	Jane Muasya	F	1807739	WDM-K	1
38	Mercy Wanjiku Karuki	F	21876158	APK	1

Dated the 16th July 2013.

A. I. HASSAN,
Chairperson,
Independent Electoral and Boundaries Commission

F.N.Y



PUBLIC PROCUREMENT OVERSIGHT AUTHORITY

Transforming Procurement

National Bank Building
Telephone No. +254 (020) 3241000, 2213106/7
Fax: +254 (020) 2213105, 3244377, 3244277
e-mail: info@ppoa.go.ke
website: www.ppoa.go.ke
When replying please quote:

National Bank Building, 10th Floor
Harambee Avenue
P.O. Box 58535 - 00200
NAIROBI
KENYA

Ref. PPOA. 6/10 Vol. IV (51)

24th May 2010

The Secretary/Chief Executive Officer
Interim Independent Electoral Commission
P.O Box 45371 - 00100
NAIROBI
Anniversary Towers, 6th Floor

26 MAY 2010

RE: PROCUREMENT PROCESS

Your letter reference no. IIEC/PROC/14(36) of 12th May 2010 on the above captioned subject refers.

We have noted your request for guidance on the procurement process. The purpose of the Public Procurement and Disposal Act, 2005 is laid out in Sec. 2 of the Act and includes to maximize economy and efficiency; to promote competition and ensure that competitors are treated fairly; to promote integrity and fairness; to increase transparency and accountability; to increase public confidence; and to facilitate the promotion of local industry and economic development.

Further, Part III of the Act outlines the Institutional arrangement procedures that a public entity should put in place to ensure that its decisions relating to procurement are made in a systematic and structured manner. This includes establishment of a tender committee, procurement unit and other bodies required under the procurement law as per Sec. 26. The Second Schedule of the Regulations provides the composition of tender committee's for the various types of public procuring entities.

On evaluation, Sec. 66 of the Act and Reg. 16 further provide for the methodology to determine the successful tender, composition and duties of the evaluation committee. From the foregoing, the technical evaluation committee should forward its report to the procurement unit who should


Liby
file this
28/5/10

then prepare the agenda for the tender committee. Reg. 10 goes on to elaborate the responsibilities of the tender committee.

Therefore, it is clear that the procurement unit manages the procurement process. The set forth procurement process flow is, tender opening, tender evaluation including preparation of report(s) and tender adjudication. The committees that preside over the aforesaid stages are tender opening, tender evaluation committee and the tender committee. No other committee is recognized in the procurement law to preside over any procurement stage in between.

Your attention is drawn to Sec. 44(1)(c) and (d) of the Act which provides that the tender evaluation process and documents concerned with it are to be confidential. Also Sec. 38(1) (c) prohibits persons that are not officially involved in the tender evaluation process from attempting to influence the results. Our view is that the Procurement Act and the Regulations do not recognize members of the Finance and Administration Committee of the Commission in the tender process as their involvement would be deemed as a breach of Sections. 38 and 44 of the Act.

Taking cognizance of the foregoing, you are advised to adhere to all the provisions of the Public Procurement and Disposal Law as you proceed in your procurement and disposal undertaking.



J. W. Njoroge (Mrs)
Aq. INTERIM DIRECTOR GENERAL

The Director General
Public Procurement Oversight Authority
National Bank Building - 10th Floor
P.O. Box 58535-002000
NAIROBI

Dear Sir,

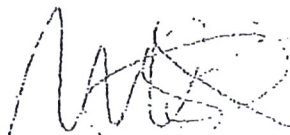
RE: PROCUREMENT PROCESS

We are writing to seek guidance on the procurement process. There has been conflicting opinion about what should be the true flow of the procurement process from the moment a technical committee is constituted to evaluate a tender to the time the tender committee awards a tender.

It has been recommended that after a technical evaluation committee has prepared its report and made its recommendation the same must first be tabled before the Finance and Procurement Committee of the Commission for consideration. The Finance and Administration Committee is made up of Commissioners and officers of the secretariat. After that, the Finance and Administration Committee will table the evaluation committee report to Plenary, where the commissioners will consider the report. It is only after this that the Tender Committee will sit to award the tender. The dominant view is that this will enhance transparency of the procurement process.

There are concerns, however, that this may actually be contravening the procurement process as contained in the Public Procurement and Disposal Act, 2005 and the Public Procurement and Disposal Regulations, 2006.

Kindly favour us with your guidance on this matter, especially on the role of the tender committee vis-à-vis that of the Finance and Administration Committee, and the Commissioners sitting in Plenary in the procurement process.



Edward K. Karisa
FOR: CHIEF ELECTORAL OFFICER

CC: Chairman
Finance & Procurement Committee - Commissioner Yussuf Nzibo

13. Presidential Election Petition Order

ORDER OF THE COURT IN THE SUPREME COURT OF KENYA - PRESIDENTIAL ELECTION PETITION

REPUBLIC OF KENYA

IN THE SUPREME COURT OF KENYA AT NAIROBI

(Coram: Mutunga CJ, Tunoi, Ibrahim, Ojwang, Wanjala, Njoki SCJJ)

PETITION NO. 5 OF 2013

RAILA ODINGA1ST PETITIONER

MOSES KIARIE KURIA)

DENIS NJUE ITUMBI).....2ND PETITIONER

FLORENCE JEMATIAH SERGON)

GLADWELL WATHONI OTIENO)

ZAHID RAJAN).....3RD PETITIONER

AND

INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION1ST RESPONDENTAHMED ISSACK HASSAN2ND RESPONDENTUHURU KENYATTA3RD RESPONDENTWILLIAM SAMOEI RUTO4TH RESPONDENT

AS CONSOLIDATED WITH PETITION NO. 3 OF 2013

MOSES KIARIE KURIA1ST PETITIONERDENIS NJUE ITUMBI2ND PETITIONERFLORENCE JEMATIAH SERGON3RD PETITIONER

VERSUS

AHMED ISSACK HASSAN2ND RESPONDENTINDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION1ST RESPONDENT

AND

CONSOLIDATED WITH PETITION NO.4 OF 2013

GLADWELL WATHONI OTIENO1ST PETITIONER