

Appendix 2:

**Minutes of the meetings of the Ad Hoc
Committee on the Compensation of the Kenyan
Victims of the 1998 Bombing of the United
States of America Embassy in Nairobi**



MINUTES OF THE TWENTY-SEVENTH SITTING OF THE AD HOC COMMITTEE ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES OF AMERICA EMBASSY HELD ON WEDNESDAY, 24TH APRIL 2024 ON THE ONLINE ZOOM PLATFORM.

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Johnes Mwaruma, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |
| 5. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|-------------------------------|----------|
| 1. Sen. Dan Maanzo, MP | - Member |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Mohamed Chute, MP | - Member |
| 4. Sen. Peris Tobiko, CBS, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Ms. Lilian Waweru | - Legal Counsel II |
| 4. Mr. Stanley Gikore | - Media Relations Officer III |
| 5. Mr. Nicholas Arusei | - Audio Officer |

MIN/SEN/ADHOC/155/2024

PRAYER

The meeting was called to order by the Chairperson at 13:20 pm followed by a word of prayer by Sen. Beatrice Ogolla, MP. Thereafter, there was a round of introductions by the Senators present.

MIN/SEN/ADHOC/156/2024

ADOPTION OF AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Johnes Mwaruma, MP follows -

1. Prayer;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Consideration of Minutes of the 26th Sitting;
5. Consideration of Matters Arising;
6. **Consideration and Adoption of the progress report of the Ad Hoc Committee on compensation of the Victims of the 1998 Bombing of the USA Embassy in Nairobi;**
7. Any Other Business; and
8. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/157/2024

COMMUNICATION FROM THE CHAIR

The Chairperson welcomed the Members to the meeting and stated that the main agenda was to have the members consider the Committee's progress report for adoption for tabling.

MIN/SEN/ADHOC/158/2024

**CONFIRMATION OF THE MINUTES OF THE
26TH SITTING**

The minutes of the twenty-sixth sitting held on Tuesday, 26th March, 2024 were confirmed as a true record of the proceedings after being proposed by Sen Beatrice Ogolla, MP and seconded by Sen. Alexander Mundigi, MP.

MIN/SEN/ADHOC/159/2024

CONFIRMATION OF MATTERS ARISING

There were no matters arising.

MIN/SEN/ADHOC/160/2024

**CONSIDERATION AND ADOPTION OF THE
PROGRESS REPORT OF THE AD HOC
COMMITTEE ON COMPENSATION OF THE
VICTIMS OF THE 1998 BOMBING OF THE USA
EMBASSY IN NAIROBI**

1. The Committee considered the draft progress report of the Committee which covered the introduction, the legal and policy framework in Kenya and the USA at

the time of the 1998 bombing and presently, conduct and proceedings of the Committee, engagements with US Congress, analysis of submissions received and the Committee Observations and Recommendations.

2. Upon deliberation, the Committee unanimously resolved to adopt the progress report as presented after being proposed by Sen. Jackson Mandago, EGH, MP and seconded by Sen. Johnes Mwaruma, MP.

MIN/SEN/ADHOC/161/2024

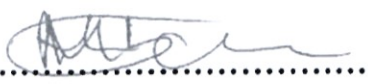
ANY OTHER BUSINESS

There was no any other Business.

MIN/SEN/ADHOC/162/2024

**DATE OF NEXT MEETING AND
ADJOURNMENT**

The Chairperson adjourned the meeting at 13:48 pm, with the next meeting being on notice.

SIGNED:.......... DATE.....29/04/2024.....

**SEN. AGNESS KAVINDU MUTHAMA, MP
CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.**



**MINUTES OF THE TWENTY-SIXTH SITTING OF THE AD HOC COMMITTEE
ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES OF AMERICA EMBASSY HELD ON
TUESDAY, 26TH MARCH, 2024 AT FIRST FLOOR BOARDROOM, RED CROSS
BUILDING AT 12.00 NOON.**

PRESENT

- | | |
|-----------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Dan Maanzo, MP | - Member |
| 3. Sen. Mohamed Chute, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |
| 5. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. William Cheptumo, MP | - Member |
| 4. Sen. Peris Tobiko, CBS, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Mr. Stanley Gikore | - Media Relations Officer III |
| 4. Mr. Nicholas Arusei | - Audio Officer |

MIN/SEN/ADHOC/147/2024

PRAYER

The meeting was called to order by the Chairperson at 12:10 pm followed by a word of prayer. Thereafter, there was a round of introductions by all those who were present.

MIN/SEN/ADHOC/148/2024

ADOPTION OF AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Mohamed Chute, MP follows -

1. Prayer;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Consideration of Minutes of the 24th and 25th Sitting;
5. Consideration of Matters Arising;
6. **Debriefing meeting on the Consultative Engagement with the Prime Cabinet Secretary and Minister in charge of Foreign and Diaspora Affairs, regarding the compensation of the Victims of the 1998 Bombing of the USA Embassy in Nairobi;**
7. Any Other Business; and
8. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/149/2024

COMMUNICATION FROM THE CHAIR

The Chairperson welcomed the Members to the meeting and stated that the main agenda was to get a way forward for the Committee following the meeting of the Committee with the Prime Cabinet Secretary and CS for Foreign and Diaspora Affairs.

MIN/SEN/ADHOC/150/2024

**CONFIRMATION OF THE MINUTES OF THE
24TH AND 25TH SITTING**

1. The minutes of the twenty-fourth sitting held on Friday, 15th March 2024 were confirmed as a true record of the proceedings after being proposed by Sen. Dan Maanzo, MP and seconded by Sen. Alexander Mundigi, MP; and
2. The minutes of the twenty-fifth sitting held on Monday, 18th March, 2024 were confirmed as a true record of the proceedings after being proposed by Sen. Mohamed Chute, MP and seconded by Sen. Daniel Maanzo, MP.

MIN/SEN/ADHOC/151/2024

CONFIRMATION OF MATTERS ARISING

There were no matters arising.

MIN/SEN/ADHOC/152/2024

**DEBRIEFING MEETING ON THE
CONSULTATIVE ENGAGEMENT WITH THE
PRIME CABINET SECRETARY AND MINISTER
IN CHARGE OF FOREIGN AND DIASPORA**

**AFFAIRS, REGARDING THE COMPENSATION
OF THE VICTIMS OF THE 1998 BOMBING OF
THE USA EMBASSY IN NAIROBI**

1. The Committee deliberated on its meeting with the Prime Cabinet Secretary (PCS), and noted that the PCS had informed the Committee that he would need a resolution of the Kenyan Parliament to support his communication to the American Senate regarding securing appointments of the Committee with the members of the US Senate Foreign Relations subcommittee on African Affairs. He therefore requested the Committee to table a Report of its resolutions for the House to adopt and this may then be formally communicated to him for action;
2. The Committee noted that its report adopted on Monday, 12th February, 2024 had not been tabled since the Committee had received an extension of its term. The Committee then resolved to amend the Report to a progress report with the recommendation that the Prime Cabinet Secretary secures appointments between the Committee and the US Senate Foreign Relations Subcommittee on African Affairs. The Report will then be shared with the Cabinet Secretary for his action.
3. The Committee considered the Progress Report and adopted it after being proposed by Sen. Beatrice Ogolla, MP, and seconded by Sen. Mohamed Chute, MP.

MIN/SEN/ADHOC/153/2024

ANY OTHER BUSINESS

The Secretariat was tasked to follow up with the Commitments of the Ministries and Institutions.

MIN/SEN/ADHOC/154/2024

**DATE OF NEXT MEETING AND
ADJOURNMENT**

The Chairperson adjourned the meeting at 12:50 Pm. The next meeting to be held on notice.

SIGNED:.....

DATE.....

**SEN. AGNESS KAVINDU MUTHAMA, MP
CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.**



MINUTES OF THE TWENTY-FIFTH SITTING OF THE AD HOC COMMITTEE ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES OF AMERICA EMBASSY HELD ON MONDAY, 18TH MARCH, 2024 AT 10.AM AT THE OFFICE OF THE PRIME CABINET SECRETARY, KENYA RAILWAYS HEADQUARTERS.

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Dan Maanzo, MP | - Member |
| 4. Sen. Mohamed Chute, MP | - Member |
| 5. Sen. Alexander Mundigi, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|-------------------------------|----------|
| 1. Sen. Johnes Mwaruma, MP | - Member |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Peris Tobiko, CBS, MP | - Member |
| 4. Sen. Beatrice Ogolla, MP | - Member |

IN ATTENDANCE

- | | |
|-------------------------------------|---|
| 1. Hon. (Dr.) Musalia Mudavadi, EGH | - Prime Cabinet Secretary and Cabinet Secretary Ministry Foreign and Diaspora Affairs |
| 2. Mr. Fred Eshikuta | - Chief of Staff Office of PCS |
| 3. Mr. Dan Amayo | - Legal Advisor Office of PCS |
| 4. Mr. Musa Machoola | - Sec, Government Programs & Projects |

5. Mr. Peter Wamtse
6. Ms. Carolyne Anyiri

- Sec Strategic Communications OPCS
- Record Keeper OPCS.

SECRETARIAT

- | | |
|-----------------------|-------------------------------|
| 1. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 2. Mr. Desmond Rasugu | - Clerk Assistant II |
| 3. Ms. Lilian Waweru | - Legal Counsel II |
| 4. Mr. Stanley Gikore | - Media Relations Officer III |

MIN/SEN/ADHOC/141/2024

PRAYER

The meeting was called to order by the Chairperson at 11:02 am followed by a word of prayer. Thereafter, there was a round of introductions by all those who were present. The Prime Cabinet Secretary apologised to the Committee for keeping them waiting. This was due to unavoidable circumstances.

MIN/SEN/ADHOC/142/2024

ADOPTION OF AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen Dan Maanzo MP, and seconded by Sen. Alexander Mundigi, MP, as follows -

1. Prayer & Introductions;
2. Adoption of the Agenda;
3. **Communication from the Chair;**
4. **Consultative Engagement with the Prime Cabinet Secretary and Minister in charge of Foreign and Diaspora Affairs, regarding the compensation of the Victims of the 1998 Bombing of the USA Embassy in Nairobi;**
5. **Any Other Business; and**
6. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/143/2024

COMMUNICATION FROM THE CHAIR

The Chairperson in her opening remarks thanked the Prime Cabinet Secretary for inviting the Committee to the meeting and expressed her anticipation of having fruitful deliberations. She noted that this was the third time the Committee had met with the PCS

and further and updated him on the progress the Committee had made in the execution of its mandate.

MIN/SEN/ADHOC/144/2024

**CONSULTATIVE ENGAGEMENT WITH THE
PRIME CABINET SECRETARY AND
MINISTER IN CHARGE OF FOREIGN AND
DIASPORA AFFAIRS, REGARDING THE
COMPENSATION OF THE VICTIMS OF THE
1998 BOMBING OF THE USA EMBASSY IN
NAIROBI**

1. The Prime Cabinet Secretary informed the Committee that His Excellency the President had directed him to meet with the Committee to discuss how his office could advance the cause of Compensation for the Kenyan Victims of the 1998 Bombing of the US Embassy in Nairobi;
2. The Committee briefed the PCS of its various engagements with different stakeholders concerning its mandate, adding that it had not yet secured an appointment with the Senate Congress which it intends to engage to request them to support their quest of amending the Justice for United States Victims of State Sponsored Terrorism Act in order to allow Kenyan nationals be eligible to benefit from the Fund;
3. The Committee further requested that the Kenyan Government to also establish a fund for compensation of the victims by supporting them financially, waiving their medical expenses and assisting the children of the deceased to get employment.
4. The PCS informed the Committee that he would need a Resolution of the Kenyan Parliament to support his communication to the American Senate. He therefore requested the Committee to table a Report of its resolutions for the House to adopt and this may then be formally communicated to him for action.

Resolution

1. The Committee resolved to review its report and table it as soon as possible so that it may be adopted by the House.

MIN/SEN/ADHOC/145/2024

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/146/2025

**DATE OF NEXT MEETING AND
ADJOURNMENT**

The Chairperson adjourned the meeting at 11: 50 am. The next meeting to be held on notice.

SIGNED:.....
DATE.....26/03/2024

**SEN. AGNESS KAVINDU MUTHAMA, MP
CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.**



MINUTES OF THE TWENTY-FOURTH SITTING OF THE AD HOC COMMITTEE ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES OF AMERICA EMBASSY HELD VIRTUALLY ON FRIDAY, 15TH MARCH, 2024, ON THE ONLINE ZOOM PLATFORM

PRESENT

- | | |
|-----------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Dan Maanzo, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Mohamed Chute, MP | - Member |
| 4. Sen. Peris Tobiko, MP | - Member |
| 5. Sen. Beatrice Ogolla, MP | - Member |

SECRETARIAT

- | | |
|------------------------|--|
| 1. Mr. Njenga Njuguna | - Director, Governance and Accountability Committees |
| 2. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 3. Mr. Desmond Rasugu | - Clerk Assistant II |
| 4. Ms. Lilian Waweru | - Legal Counsel II |
| 5. Ms. Belinda Ogolla | - Research Officer III |
| 6. Mr. Stanley Gikore | - Media Relations Officer III |
| 7. Mr. Nicholas Arusei | - Audio Officer III |
| 8. Mr. Godana Mamo | - Serjeant-at- Arms |

4. After deliberations, the Committee resolved to meet the Prime Cabinet secretary as per his request on Monday, 18th March, 2023.
5. The Chairperson requested all members to attend that important meeting.

MIN/SEN/ADHOC/139/2024

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/140/2023

**DATE OF NEXT MEETING AND
ADJOURNMENT**

The Chairperson adjourned the meeting at 11: 44 am. The next meeting to be held on Monday, 18th March, 2024 at 10.00 am.


SIGNED:.....

DATE.....26/03/2024.

**SEN. AGNESS KAVINDU MUTHAMA, MP
CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.**



**MINUTES OF THE TWENTY-THIRD SITTING OF THE AD HOC COMMITTEE
ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI,
HELD IN LAKE NAIVASHA RESORT ON MONDAY, 12TH FEBRUARY, 2024 AT
11.00 AM**

PRESENT

- | | |
|-----------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Dan Maanzo, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |
| 5. Sen. Mohamed Chute, MP | - Member |
| 6. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Peris Tobiko, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 3. Mr. Desmond Rasugu | - Clerk Assistant II |
| 4. Ms. Lilian Waweru | - Legal Counsel II |
| 5. Ms. Belinda Ogolla | - Research Officer III |
| 6. Mr. Stanley Gikore | - Media Relations Officer III |
| 7. Mr. Nicholas Arusei | - Audio Officer III |
| 8. Mr. Godana Mamo | - Serjeant-at-arms |

1. The Committee considered the draft report on its mandate which covered all the activities the Committee had undertaken including meetings with various stakeholders and other actions taken in discharging its mandate and made the following observations to the report;
 - i. that although section 49 of the Prevention of Terrorism Act establishes the Compensation of Victims of Terrorism Fund, the fund has not been operationalised to date as the Cabinet Secretary has not enacted the necessary regulations, and additionally, since the Act was enacted in 2012, the victims of the 1998 US Embassy bombing would not be eligible for compensation for the Act. The Committee further noted that amending the Act to have retrospective application would not necessarily guarantee compensation to these victims, as it would make it possible for victims of any terror attacks that have taken place since 1998 eligible for compensation, which would put an additional budgetary and administrative strain in the compensation process;
 - ii. that through various amendments to the US law, victims of terror have been able to file cases against various state sponsors of terrorism as well as the terrorist organisations and obtain favourable judgements;
 - iii. that there have been various barriers that have prevented victims of the 1998 American embassy bombing who have obtained favourable judgements in US courts from obtaining compensation;
 - iv. that Kenyans who were injured or who lost their family members were not able to access the funds paid by the Sudan for compensation of the victims of the 1998 embassy bombing on account of their nationality, and they were expected to enter into separate private agreements with the Sudan in order to access the funds;
 - v. that the two compensation schemes discussed above not only appear to benefit persons of US nationality, but they also recognise, for eligibility purposes, persons who hold judgements against state sponsors of terrorism. As such, even if the two schemes did not restrict persons who are not US nationals from receiving compensation for death or injuries suffered in the 1998 US embassy bombing, a good number of such persons hold judgements against al-qaeda as opposed to judgements against state sponsors of terrorism, hence they would still remain excluded from receiving compensation;

- vi. that to benefit from the current fund (USSVT Fund) amendments to the Justice for United States Victims of State Sponsored Terrorism Act would need to be enacted so as to not only open a new application window for victims of the bombing, but also to remove any nationality requirements, express or implied that may hamper their access to the fund, as well as any requirements to hold a final judgement against a state sponsor of terrorism;
 - vii. that any amendments to US legislation are sovereign matters fully within the legislative mandate of the US Congress and enacting any amendments is subject to the goodwill of the US Congress, and that the Committee can only leverage on the good bilateral relations between the two nations to have the changes in the US law enacted;
 - viii. That although the Committee is cognizant of the fact that some of the victims of the bombing may have lost their jobs due to their inability to continue working as a result of injuries sustained during the attack, due to the long passage of time, the Committee is not able to ascertain if due process was followed to terminate the employment of such persons as there are no available records on the same. Additionally, persons who may have been unfairly dismissed ought to have reported the dismissal within 28 days as was required under the Trade Disputes Act (Cap 234) (now repealed), and thereafter pursued a claim at the Industrial Court as it then was;
 - ix. That the ascertained lists of victims available to the Committee obtained from various sources should be used for reference and compensation. However, it is worth noting that these lists may not be exhaustive.
2. The Committee therefore resolved that, in order to assist the Kenyan victims of the 1998 bombing who have not been compensated to date, the Committee recommended –
- a) That, within six months of the tabling of this report –
 - i. The Cabinet Secretary for Interior and National Administration, formulates regulations to implement section 49 of the Prevention of Terrorism Act, 2012 which operationalises the Compensation of Victims of Terrorism Fund. The Standing Committee on National Security, Defence and Foreign Relations Committee to follow up on the matter;
 - ii. That the Standing Committee on Health follows up with the Cabinet Secretary in charge of Health to provide subsidised medical care for survivors injured during the 1998 Bombing of the US Embassy in Nairobi;

- iii. The Standing Committees of Health and Labour and Social Welfare to follow up on the assessment and registration of survivors with disabilities of the 1998 bomb blast with the National Council of Persons with Disabilities; and
- iv. The Ministry of Foreign and Diaspora Affairs engages their counterparts at the US government and the Sudan with the view of entering into a bilateral agreement on compensation of the Kenyan victims as provided for under Sudan Claims Resolution Act.
 - b) That The Senate ensures continued pursuit of compensation of Victims of 1998 bombing of the US Embassy in Nairobi by lobbying the congress to enact changes in legislation to enable Kenyan Victims access the United States Victims of State Sponsored Terrorism Fund (USVSST fund).
3. The report of the Committee was adopted after being proposed by Sen. Alexander Mundigi, MP and seconded by Sen. Daniel Maanzo MP.
4. The Committee deliberated on the looming expiry of term of the Committee on 18th February, 2024 and noted the pending business before it of securing appointments to discuss the amendment to the American legislation to allow Kenyans get compensation.
5. The Committee resolved to seek for an extension of Mandate for a further hundred days, up-to 27th May, 2024, due to following reasons –
 - a) The renewal of the previous extension of mandate was affected by the suspension of Committee Sittings;
 - b) The Committee experienced challenges in getting appointments directly or through the Ministry of Foreign and Diaspora Affairs;
 - c) The Committee is in the process of securing appointments with the US Senators that would allow for a legislative framework for the inclusion of Kenyan victims;
 - d) The Committee is the custodian of Institutional memory of the matter.
6. The Committee further deliberated on strengthening the case for compensation for the victims, and resolved to seek for an appointment with His Excellency the President of the Republic of Kenya, to deliberate on how the Committee can work with his office to help advance the cause of compensation.

7. The Committee also resolved to officially follow-up on the matter of appointments to strengthen Chair's communication with Sen. Coons' office, by writing to the US Senate requesting them to give the Committee an appointment for a meeting with the Ad Hoc Committee.
8. Further, the Committee resolved to write the African Union to request them to help the Committee advance the cause.

MIN/SEN/ADHOC/133/2024

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/134/2024

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 1.00 pm, with the next meeting being at 3.00 pm after the Health break.

SIGNED:.....

DATE...12/02/2024.

SEN. AGNESS KAVINDU MUTHAMA, MP
CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



MINUTES OF THE TWENTY-SECOND SITTING OF THE AD HOC COMMITTEE ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD AT LAKE NAIVASHA RESORT, NAKURU COUNTY ON MONDAY, 12TH FEBRUARY, 2024 AT 9:30 AM

PRESENT

- | | |
|-----------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Dan Maanzo, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |
| 5. Sen. Mohamed Chute, MP | - Member |
| 6. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Peris Tobiko, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 3. Mr. Desmond Rasugu | - Clerk Assistant II |
| 4. Ms. Lilian Waweru | - Legal Counsel II |
| 5. Ms. Belinda Ogolla | - Research Officer III |
| 6. Mr. Stanley Gikore | - Media Relations Officer III |
| 7. Mr. Nicholas Arusei | - Audio Officer III |
| 8. Mr. Godana Mamo | - Serjeant-at-arms |

MIN/SEN/ADHOC/125/2024 **PRAYER**

The Chairperson called the meeting to order at 9.38 a.m. followed by a word of prayer.

MIN SEN/ ADHOC/126/2024 **ADOPTION OF THE AGENDA**

The agenda of the meeting which included the programme was adopted as presented after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Johnes Mwaruma, MP.

MIN/SEN/ADHOC/127/2024 **BRIEFING BY THE CHAIRPERSON ON THE TRAVEL TO THE USA AND TANZANIA**

1. The Chairperson briefed the Committee on the various meetings held by Sen. Daniel Maanzo, MP, and herself during the visit to the United States of America to attend the National Prayer breakfast. The meetings were held from 28th January, 2024 to 1st February, 2024;
2. She informed the Committee that they met with important stakeholders, including Senator Christopher Coons - the Chairperson of the US Foreign Relations Subcommittee on African Affairs; Sen Mike Rounds; Congressmen Robert Aderholt and John Moolenaar, Mr. Phil Musolino - the advocate representing the Victims in the US;
3. They deliberated on the issue of compensation of the Kenyans victims of the 1998 US Embassy Bomb blast tragedy. She reported that the meetings were successful and it was agreed that the US Senate Committee on Foreign Relations and African affairs will set an appointment with the Ad Hoc Committee to further deliberate on the issue; and
4. The Chairperson further reported that during her recent trip to Tanzania, she had the opportunity to meet with members of the Parliament of the Republic of Tanzania and informed them of the efforts the Senate of Kenya through the Ad Hoc Committee to pursue the compensation of the Kenyan victims. She reported that the Tanzanian legislators expressed a desire to work with the Kenyan colleagues to also have the Tanzanian victims of a similar tragedy that happened on the same time as that of Kenya.

MIN/SEN/ADHOC/128/2024

CONFIRMATION OF MINUTES OF THE
PREVIOUS SITTING

The Minutes of the twenty-first sitting of the Committee held on Thursday, 30th November, 2023, were confirmed as a true record of the proceedings after being proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. Mohamed Chute MP.

MIN/SEN/ADHOC/129/2024

CONSIDERATION OF THE
MATTERS ARISING FROM THE MINUTES

There were no matters arising.

MIN/SEN/ADHOC/130/2024

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/131/2024

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 10:33 am, with the next meeting being after the Health Break.

SIGNED: 

DATE: 12/02/2024.

SEN. AGNESS KAVINDU MUTHAMA, MP
CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE TWENTY FIRST SITTING OF THE AD HOC COMMITTEE
ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI,
HELD IN COMMITTEE ROOM 5, MAIN PARLIAMENT BUILDING ON
THURSDAY, 30TH NOVEMBER, 2023 AT 9.00 AM**

PRESENT

- | | |
|-----------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Mohamed Chute, MP | - Member |
| 4. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. Dan Maanzo, MP | - Member |
| 3. Sen. William Cheptumo, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |
| 5. Sen. Peris Tobiko, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 2. Ms. Lilian Waweru | - Legal Counsel II |
| 3. Mr. Stanley Gikore | - Media Relations Officer III |
| 4. Mr. Nicholas Arusei | - Audio Officer III |

MIN/SEN/ADHOC/118/2023

PRAYER

The Chairperson called the meeting to order at 9.10 a.m. followed with a word of prayer.

MIN SEN/ ADHOC/118/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. Beatrice Ogolla, MP, with amendments as follows -

1. Prayers;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Consultative Engagement with the Attorney General on the Compensation of the Victims of the 1998 Bombing of the USA Embassy in Nairobi;
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment

MIN/SEN/ADHOC/119/2023

COMMUNICATION FROM THE CHAIR

The Chairperson in her opening remarks thanked the Members for making time to attend the meeting and noted that the Attorney General had not honoured the invitation to the meeting. After deliberations, the Committee resolved to confirm the pending minutes and consider the letter from the Ministry of Foreign Affairs.

MIN/SEN/ADHOC/120/2023
19TH & 20TH SITTINGS.

CONFIRMATION OF MINUTES 16TH, 17TH, 18TH

1. The minutes of the fifteenth (15th) sitting of the Committee held on Friday, 13th October, 2023, at 9.00 am were confirmed as a true record of the proceedings after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Johnes Mwaruma, MP;
2. The minutes of the sixteenth (16th) sitting of the Committee held on Friday, 13th October, 2023, at 12.30pm were confirmed as a true record of the proceedings after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Mohamed Chute, MP;
3. The minutes of the seventeenth (17th) sitting of the Committee held on Friday, 13th October, 2023, at 2.30 pm were confirmed as a true record of the proceedings after being proposed by Sen. Mohamed Chute, MP, and seconded by Sen. Johnes Mwaruma, MP;

4. The minutes of the eighteenth (18th) sitting of the Committee held on Friday, 14th October, 2023, at 9.00 am were confirmed as a true record of the proceedings after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Johnes Mwaruma, MP;

MIN/SEN/ADHOC/121/2023

CONSIDERATION OF THE RESPONSE
FROM THE MINISTRY OF FOREIGN AND DIASPORA AFFAIRS

The Members deliberated on the response from the Ministry of Foreign and Diaspora Affairs on the appointments of the Committee. The Committee noted that the Ministry had stated that they had received a response informing them of the inability of the US Senate to arrange for appointments at the time due to the absence of the Speaker and the global situation in areas that America has interest in. The Committee resolved to write to the US Senate directly to seek appointments for the month of January, 2024.

MIN/SEN/ADHOC/122/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/123/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 9.38 a. m. The next meeting to be held on notice.

SIGNED:..........

DATE.....12/02/2024.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE TWENTIETH SITTING OF THE AD HOC COMMITTEE ON
THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING
OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD
VIRTUALLY, VIA ZOOM LINK ON MONDAY, 30TH OCTOBER, 2023 AT 5. 00
PM**

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Dan Maanzo, MP | - Member |
| 4. Sen. Mohamed Chute, MP | - Member |
| 5. Sen. Alexander Mundigi, MP | - Member |
| 6. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|------------------------------|----------|
| 1. Sen. Johnes Mwaruma, MP | - Member |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Peris Tobiko, MP | - Member |

IN ATTENDANCE

- | | |
|-------------------------|---|
| 1. Mr. Phil Musolino | - Advocate for Victims |
| 2. Dr. Ramona Tascoe | - Physician and minister |
| 3. Ms. Caroline Muthoka | - International convener, August 7 th Memorial |
| 4. Mr. Stanley Mutuma | - National convener, August 7 th Memorial |

SECRETARIAT

- | | |
|-----------------------|--------------------------|
| 1. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Ms. Lilian Waweru | - Legal Counsel II |

- | | |
|------------------------|-------------------------------|
| 4. Ms. Belinda Ogolla | - Research officer III |
| 5. Mr. Stanley Gikore | - Media Relations Officer III |
| 6. Mr. Nicholas Arusei | - Audio Officer III |

MIN/SEN/ADHOC/113/2023 **PRAYER**

The chairperson called the meeting to order at 5: 15 pm followed with a word of prayer. Thereafter, there was a round of introduction by all those who were present.

MIN SEN/ ADHOC/114/2023 **ADOPTION OF THE AGENDA**

The agenda of the meeting was adopted as presented after being proposed by Sen. Mohamed Chute, MP and seconded by Sen. Beatrice Ogolla, MP as follows -

1. Prayer & Introductions;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Consultative Engagement with the Lawyers and Representatives of the Victims of the 1998 Bombing of the USA Embassy in Nairobi;
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment

MIN/SEN/ADHOC/114/2023 **COMMUNICATION FROM THE CHAIR**

The Chairperson in her opening remarks expressed her gratitude to the guests in the meeting for the opportunity to meet with the Committee and stated that she looked forward to fruitful deliberations. She informed the meeting of the activities the committee has undertaken including engagements with other key stakeholders. She also noted the major activities remaining for the Committee to accomplish its mandate. Which were; a meeting with the US Ambassador to Kenya and a visit to the US to meet the Senators of US Congress to deliberate on the matter of Compensation of the Kenyan victims.

MIN/SEN/ADHOC/115/2023 **CONSULTATIVE ENGAGEMENT WITH THE
LAWYERS AND REPRESENTATIVE S OF THE
VICTIMS OF THE 1998 BOMBING OF THE
USA EMBASSY IN NAIROBI.**

1. The Chairperson invited the Mr. Phil Musolino, the lead advocate representing the bomb blast victims in the US court who briefed the committee on various issues pertaining the committee in regard to the Committee's proposal to have the US Congress amend their Act to support the eligibility of Kenyan victims to get compensation from the US State Sponsored Terrorism Fund. He gave the Committee the following key information -

- a) That he and his colleagues have prepared the proposed legislation required to amend the relevant Act in order to support the eligibility of the Kenyan Victims to get Compensation and all that is remaining is to get a member of the US Senate to sponsor the legislation;
- b) That due to the ongoing conflicts in the Middle East, the 17th November 2023 budget deadline, and other internal issues in US Senate, the legislative calendar of the Congress is packed and it may not be possible for the Committee to meet the US Congress between then and December 2023. He projected and advised that the most appropriate time to meet the Congress will be in in January 2023; and
- c) He promised to submit to the Committee a comprehensive written report on the proposed legislation and any other logistical procedure required to be able table the legislation in the US Senate.

2. After the deliberations –

- a) the Committee thanked Mr. Musolino for his dedicated efforts to support the Committee in drafting a legislation that will propose the amendment of the US Victims of State Sponsored Terrorism Act which will accord eligibility to the Kenyan victims to benefit from the fund;
- b) the Committee requested the advocates to continue lobbying more senators in the US to support the Committee's mission ahead of its visit to Washington; and
- c) the Chairperson informed the meeting that the Committee was looking forward to meeting the US Ambassador in the course of that week after which the Committee shall have another virtual meeting with the lawyers to apprise them of the progress made.

MIN/SEN/ADHOC/116/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/117/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 6:10 p.m. The next meeting to be held on notice.

SIGNED:.....



DATE.....

30/11/2023.

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE NINETEENTH SITTING OF THE AD HOC COMMITTEE
ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI,
HELD ON THURSDAY, 26TH OCTOBER, 2023 AT 11.30 AM AT THE OFFICE OF
THE PRIME CABINET SECRETARY AND MINISTRY OF FOREIGN AND
DIASPORA AFFAIRS.**

PRESENT

- | | |
|-----------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Mohamed Chute, MP | - Member |
| 3. Sen. Alexander Mundigi, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Dan Maanzo, MP | - Member |
| 4. Sen. William Cheptumo, MP | - Member |
| 5. Sen. Peris Tobiko, MP | - Member |
| 6. Sen. Beatrice Ogolla, MP | - Member |

IN ATTENDANCE

- | | |
|-----------------------------|--|
| Hon. Musalia Mudavadi, EGH, | - Prime Cabinet Secretary and CS for Foreign and
Diaspora Affairs |
|-----------------------------|--|

SECRETARIAT

- | | |
|-----------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |

MIN/SEN/ADHOC/107/2023 **PRAYER**

The chairperson called the meeting to order at 11: 35am followed with a word of prayer. Thereafter, there was a round of introduction by all those who were present.

MIN SEN/ ADHOC/108/2023 **ADOPTION OF THE AGENDA**

The agenda of the meeting was adopted as presented after being proposed by Sen. Mohamed Chute, MP and seconded by Sen. Alexander Mundigi, MP as follows:

1. Prayer;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Consultative engagement with the Prime Cabinet Secretary and CS for Foreign and Diaspora Affairs;
5. Any other Business; and
6. Adjournment and Date of Next Meeting.

MIN/SEN/ADHOC/109/2023 **COMMUNICATION FROM THE CHAIR**

1. The Chairperson in her opening remarks expressed her gratitude to the Prime Cabinet Secretary for the opportunity to meet with the Committee. She briefed the Prime Cabinet Secretary of the undertakings of the Committee which included engagements with other Cabinet Secretaries and Institutions; and
2. She also informed him of the pending activities of the Committee to enable it accomplish its mandate. These activities include a meeting with the with the US Ambassador to Kenya and a visit to the US to meet the Members of the Senate and House of Representatives of the US Congress to deliberate on the matter of Compensation of the Kenyan victims.

MIN/SEN/ADHOC/110/2024 **CONSULTATIVE ENGAGEMENT WITH THE
PRIME CABINET SECRETARY AND CS FOR
FOREIGN AND DIASPORA AFFAIRS.**

1. In regards to the above, the Committee updated the Prime Cabinet Secretary on its consultations with the Ministry of Foreign Affairs on facilitation of the above two appointments.

2. The Committee sought the support of the Prime Cabinet Secretary in fast-tracking the facilitation of the appointments, noting with concern the timelines within which the Committee is operating in.
3. The Committee also requested the Prime Cabinet Secretary to bring this matter to the attention of the President for his information and to seek his good will.
4. After the deliberations -
 - a) The Prime Cabinet Secretary committed to facilitate a meeting of the Committee and the USA Ambassador to Kenya by way of the Committee paying a courtesy call to her office; and
 - b) Upon the meeting with the Ambassador taking place, the Ministry of Foreign and Diaspora Affairs will coordinate with the Ambassador's office to ensure the Committee gets an appointment with the US congress.

MIN/SEN/ADHOC/111/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/112/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The meeting was adjourned at 12:05 p.m., with the next meeting being on notice.

SIGNED:..........

DATE.....30/11/2023.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE EIGHTEENTH SITTING OF THE AD HOC COMMITTEE
ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI,
HELD ON SATURDAY, 14TH OCTOBER, 2023 AT 9.00 AM AT HILTON GARDEN
INN HOTEL, MACHAKOS COUNTY.**

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Johnes Mwaruma, MP | - Member |
| 4. Sen. Dan Maanzo, MP | - Member |
| 5. Sen. William Cheptumo, MP | - Member |
| 6. Sen. Alexander Mundigi, MP | - Member |
| 7. Sen. Peris Tobiko, MP | - Member |
| 8. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|---------------------------|----------|
| 1. Sen. Mohamed Chute, MP | - Member |
|---------------------------|----------|

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Ms. Lilian Wambui | - Legal Counsel II |
| 4. Ms. Belinda Ogolla | - Research Officer III |
| 5. Mr. Stanely Gikore | - Media Relations Officer III |
| 6. Mr. Godana Mamo | - Serjeant-at-Arms |
| 7. Mr. Nicholas Arusei | - Audio Officer III |

MIN/SEN/ADHOC/100/2023

PRAYER

The meeting was called to order by the Chairperson at 9.27 am followed by a word of prayer by Sen. Beatrice Ogolla, MP.

MIN/SEN/ADHOC/101/2023

ADOPTION OF THE AGENDA

The Committee unanimously adopted the Agenda as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes 14, 13 and 5 of the Sitzings of the Committee;
4. Consideration of Matters arising;
5. Consideration of Pending Activities of the Committee;
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/102/2023

**CONSIDERATION OF THE MINUTES OF THE
PREVIOUS MEETINGS**

1. The minutes of the fourteenth sitting held on Thursday, 12th October, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Jackson Mandago, EGH, MP and seconded by Sen. Johnes Mwaruma, MP;
2. The minutes of the thirteenth sitting of the Committee that was held Thursday, 5th October, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. Alexander Mundigi, MP; and
3. The minutes of the fifth sitting of the Committee held on Saturday, 5th August, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Jackson Mandago, EGH, MP and seconded by Sen. Beatrice Ogolla MP.

MIN/SEN/ADHOC/103/2023

**MATTERS ARISING FROM THE MINUTES
OF THE PREVIOUS SITTINGS**

There were no matters arising.

MIN/SEN/ADHOC/104/2023

**CONSIDERATION OF THE PENDING
ACTIVITIES OF THE COMMITTEE**

The Committee deliberated on the following pending activities which are key to the achievement of its mandate –

I. Engagement with the Congress of the United States of America

- a) Members noted with concern that the Committee has not yet received any updates on the appointments with the Members of the US Senate and House of Representatives to deliberate on compensation for the Bombing victims. The Committee resolved to keep making a follow up with the Ministry of Foreign and Diaspora Affairs so as to ensure it gets the said appointment in time in light of the lapsing timelines for the Committee to discharge its mandate; and
- b) the Committee deliberated on the Members' participation in the engagement and resolved that since the Committee can only facilitate three members to attend, other members can explore the option of getting funding from their other committees, if they have not utilized their foreign travel budget in those committees in the current financial year.

II. Meeting with the USA Ambassador to Kenya

The members were informed that the meeting of the Committee with the Ambassador of US to Kenya had been tentatively scheduled for Monday, 16th October, 2023, awaiting confirmation. Upon deliberation, the Committee resolved to liaise with the Ambassador's office to have the meeting rescheduled to Tuesday, 17th October, 2023.

III. Pending meetings

The Committee deliberated on the legislation that it would present to the Congress and resolved to meet the following for additional support on the legislation –

- a) Meeting with the Attorney General; and
- b) Meeting with the Lawyers of the victims and their representatives.

MIN/SEN/ADHOC/105/2023

ANY OTHER BUSINESS

There was no any other business

MIN/SEN/ADHOC/106/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 10.59 a.m. The next meeting to be held on notice.

SIGNED: 

DATE... 30/10/2023

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE SEVENTEENTH SITTING OF THE AD HOC COMMITTEE
ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI,
HELD ON FRIDAY, 13TH OCTOBER, 2023 AT 2.30 PM AT HILTON GARDEN
INN HOTEL, MACHAKOS COUNTY.**

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Johnes Mwaruma, MP | - Member |
| 4. Sen. Dan Maanzo, MP | - Member |
| 5. Sen. William Cheptumo, MP | - Member |
| 6. Sen. Alexander Mundigi, MP | - Member |
| 7. Sen. Peris Tobiko, MP | - Member |
| 8. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|---------------------------|----------|
| 1. Sen. Mohamed Chute, MP | - Member |
|---------------------------|----------|

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Ms. Lilian Wambui | -Legal Counsel II |
| 4. Ms. Belinda Ogolla | - Research Officer III |
| 5. Mr. Stanely Gikore | -Media Relations Officer III |
| 6. Mr. Godana Mamo | -Serjeant-at-Arms |
| 7. Mr. Nicholas Arusei | -Audio Officer III |

MIN/SEN/ADHOC/095/2023

PRAYER

The meeting was called to order by the Chairperson at 2.35 pm followed by a word of prayer by Sen. Johnes Mwaruma, MP.

MIN/SEN/ADHOC/096/2023

ADOPTION OF THE AGENDA

The Committee unanimously adopted the Agenda which was consideration of Chapter Five and Chapter Six of the Draft Report.

MIN/SEN/ADHOC/097/2023

**CONSIDERATION OF CHAPTER FIVE AND
CHAPTER SIX OF THE DRAFT REPORT**

The Committee noted that Chapter four on Committee's engagement with the Senate will be finalised once the Committee completes the engagement.

i) Chapter 4: Emerging Themes from the Submissions

The Committee considered this chapter which synthesized the submissions relating to the matter. Although the main focus of the Committee was on the issue of compensation of the 1998 victims of US Embassy bombing in Nairobi, other issues emerged which included the following -

- a) Limited availability and accessibility of records on the attack. Since the event took place over 25 years ago, most of the information has been either deleted or archived;
- b) US Embassy's failure to demonstrate duty of care. There was evidence that the American intelligence officers knew of a possible attack of the Embassy because of its exposed location including alarms that were raised by the US Ambassador to Kenya, Ms. Prudence Bushnell but the US did not make any effort to prevent the attack;
- c) the report of the Accountability Review Board formed to investigate the bombings concluded that systemic and institutional failures in Washington DC were responsible for failures and flaws in preventing the attack; and
- d) Court rulings and related legal judgements relating to compensation of victims of terrorism attack.

ii) Chapter Six: Observations and Recommendations of the Committee

The Committee also considered this Chapter which summarized the key observations and some of the anticipated recommendations that it is looking forward to make on its mandate.

Members resolved to have this chapter be considered in detail, after the Committee has had the crucial activity which is its engagement with the US Congress to deliberate on the underlying issue of compensation of the bomb blast victims by the US government.

MIN/SEN/ADHOC/098/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/099/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 3.37 p.m., with the next meeting scheduled for the next day at 9.00 am.

SIGNED:.....

DATE.....30/11/2023

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE SIXTEENTH SITTING OF THE AD HOC COMMITTEE ON
THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING
OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
FRIDAY, 13TH OCTOBER, 2023 AT 12.30 PM AT HILTON GARDEN INN HOTEL,
MACHAKOS COUNTY.**

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Johnes Mwaruma, MP | - Member |
| 4. Sen. Dan Maanzo, MP | - Member |
| 5. Sen. William Cheptumo, MP | - Member |
| 6. Sen. Alexander Mundigi, MP | - Member |
| 7. Sen. Peris Tobiko, MP | - Member |
| 8. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|---------------------------|----------|
| 1. Sen. Mohamed Chute, MP | - Member |
|---------------------------|----------|

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Ms. Lilian Wambui | -Legal Counsel II |
| 4. Ms. Belinda Ogolla | - Research Officer III |
| 5. Mr. Stanely Gikore | -Media Relations Officer III |
| 6. Mr. Godana Mamo | -Serjeant-at-Arms |
| 7. Mr. Nicholas Arusei | -Audio Officer III |

MIN/SEN/ADHOC/090/2023

PRAYER

The meeting was called to order by the Chairperson at 12.30 pm followed by a word of prayer by Sen. Johnes Mwaruma, MP.

MIN/SEN/ADHOC/091/2023

ADOPTION OF THE AGENDA

The Committee unanimously adopted the agenda of the session which included the consideration of Chapter three of the draft report.

MIN/SEN/ADHOC/092/2023

CONSIDERATION OF CHAPTER THREE OF
THE DRAFT REPORT

1. The Committee considered the Chapter which gave the summary of the undertakings of the Committee with the various stakeholders. This included the deliberations it carried out with the victims and the stakeholders who appeared before the Committee. The chapter also outlined the research on past records on the matter and the responses it received from the individuals and institutions who submitted information relevant to the mandate of the Committee.
2. The Committee made the following observations and conclusions from the extensive analysis of this chapter –
 - a) it is glaringly evident that security concerns had been expressed about the safety of the US Embassy in Kenya. Intelligence reports that had been shared to the U.S. further show that terrorist plans to explode the embassies had been in formulation from one year earlier;
 - b) while the US may not have been responsible for the attacks, failure to action intelligence reports may directly be attributed to the huge loss of lives that was witnessed;
 - c) the revised US security standards that were set following the embassy bombing in Beirut were not applied to the Nairobi and Dar es Salaam embassies despite recommendations to do so. Once more, implementation of these recommendations may have moderated the effects of the bomb blasts; and
 - d) finally, the decision by the US not to treat Embassies in Africa as a priority in the embassies security upgrade strategy at the time was also a contributing factor to

the options by Al Qaeda in narrowing down on the embassies in East Africa as soft targets.

MIN/SEN/ADHOC/093/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/094/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 1.30 p.m. for the lunch break to be followed by the next meeting at 2.30 pm.

SIGNED:..........

DATE...30/11/2023.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE FIFTEENTH SITTING OF THE AD HOC COMMITTEE ON
THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING
OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
FRIDAY, 13TH OCTOBER, 2023 AT 9:00 AM AT HILTON GARDEN INN HOTEL,
MACHAKOS COUNTY.**

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Johnes Mwaruma, MP | - Member |
| 4. Sen. Dan Maanzo, MP | - Member |
| 5. Sen. William Cheptumo, MP | - Member |
| 6. Sen. Alexander Mundigi, MP | - Member |
| 7. Sen. Peris Tobiko, MP | - Member |
| 8. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|---------------------------|----------|
| 1. Sen. Mohamed Chute, MP | - Member |
|---------------------------|----------|

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Ms. Lilian Wambui | - Legal Counsel II |
| 4. Ms. Belinda Ogolla | - Research Officer III |
| 5. Mr. Stanely Gikore | - Media Relations Officer III |
| 6. Mr. Godana Mamo | - Serjeant-at-Arms |
| 7. Mr. Nicholas Arusei | - Audio Officer III |

MIN/SEN/ADHOC/085/2023

PRAYER AND INTRODUCTIONS

The Chairperson called the meeting to order at 9:25 am followed by a word of prayer by Sen. Beatrice Ogolla, MP. Thereafter, there was a round of introduction by all those who were present.

MIN/SEN/ADHOC/086/2023

ADOPTION OF THE PROGRAMME

The Programme of the meeting was adopted as presented after being proposed by Sen. Beatrice Ogolla and seconded by Sen. Mundigi, MP.

MIN/SEN/ADHOC/087/2023

**CONSIDERATION CHAPTER ONE AND
CHAPTER TWO OF THE DRAFT REPORT**

i) Chapter one: Introduction

1. The Committee was taken through Chapter one of the Draft Report. The chapter covered the background of the 7th August, 1998 bombing of the USA Embassy in Nairobi, the chronology of events of the attack, the fatalities and the surviving victims, and the general happenings of the attack.
2. From the chapter, it was noted that various assistance programmes were given to the victims who were US citizens by the US government, whereas the Kenyan Victims have never received any compensation for the damages by the US government.
3. The Chapter also outlined the establishment and mandate of the Ad Hoc Committee. There were no amendments made to the chapter.

ii) Chapter two: Legal Framework

1. The chapter discussed the legal and policy environment in Kenya and the United States at the time of the Bombing and at present. It outlined the concepts of diplomatic immunity vis-a vis application of the same in Kenya and the United States, it additionally synthesized developments in law on compensation of victims of terrorism in both States.
2. From this Chapter, the Committee observed that;
 - a) that through various amendments to the US law, victims of terror have been able to file cases against various state sponsors of terrorism and obtained favorable

judgements;

- b) that there have been various legal barriers that have prevented victims of the 1998 American Embassy bombing who have obtained favorable judgments from getting Compensation;
- c) that for Kenyans victims of the 1998 bomb blast to benefit from the current fund (USSVT Fund) amendments to the justice for United States Victims of State Sponsored Terrorism Act would need to be enacted so as to not only open a new application window for victims of the bombing, but also to remove any nationality requirements, express or implied that may hamper their access to the fund.

3. After deliberation, the Committee resolved that in order to assist the Kenyan victims of the 1998 bombing, the Committee will lobby the US Congress to enact changes in legislation to enable Kenyan Victims access the USSVT fund.

MIN/SEN/ADHOC/088/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/089/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 12.15 pm for a health break.

SIGNED:.....

DATE...14/10/2023.

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE FOURTEENTH SITTING OF THE AD HOC COMMITTEE
ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI,
HELD ON THURSDAY, 12TH OCTOBER 2023 AT MINI CHAMBER, COUNTY
HALL BUILDING AT 11.30 AM.**

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Johnes Mwaruma, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |
| 5. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|------------------------------------|----------|
| 1. Sen. Daniel Maanzo, MP | - Member |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Mohamed Chute, MP | - Member |
| 4. Sen. Peris Pesi Tobiko, CBS, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Ms. Lilian Wambui | -Legal Counsel II |
| 4. Ms. Belinda Ogolla | - Research Officer III |
| 5. Mr. Stanely Gikore | -Media Relations Officer III |
| 6. Mr. Godana Mamo | -Serjeant-at-Arms |
| 7. Mr. Nicholas Arusei | -Audio Officer III |

MIN/SEN/ADHOC/079/2023

PRAYER AND INTRODUCTIONS

The Chairperson called the meeting to order at 11:35 am followed by a word of prayer by Sen. Beatrice Ogolla. Thereafter, there was a round of introduction by all those who were present.

MIN/SEN/ADHOC/080/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Johnes Mwaruma and seconded by Sen. Beatrice Ogolla as follows;

1. Prayer & Introductions;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Consultative engagement with the Ministry of Interior and National Administration to deliberate on matters pertaining the mandate of the Committee;
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/081/2023

COMMUNICATION FROM THE CHAIR

The Chairperson in her opening remarks welcomed the Cabinet Secretary for Interior and National Administration and the delegation from his office. She informed the meeting of the mandate of the Committee and explained the key engagements the committee was looking to deliberate with the Ministry in the meeting including the role of the Ministry after the 1998, USA Embassy bombing and Kenya's security situation then and the policy interventions that the Ministry has undertaken in terms of mitigating such occurrences in the future.

MIN/SEN/ADHOC/082/2023

CONSULTATIVE ENGAGEMENT WITH THE
MINISTRY OF INTERIOR AND NATIONAL
ADMINISTRATION TO DELIBERATE ON
MATTERS PERTAINING THE MANDATE OF
THE COMMITTEE;

The Chairperson invited the CS for the Ministry of Interior and National Administration to make his remarks. The CS made the following submissions -

1. That after the 1998 bomb blast, the government of Kenya embarked on a rescue

operation that was made by a multi-agency team. The then Criminal Investigations Department in collaboration with international investigations agencies revealed that the attack was – Al Qaeda perpetrated with the center of planning in Khartoum, Sudan;

2. The investigations resulted to the arrest of four suspects who were tried in a New York Court. The main planner of the attack, Harun Fazul, a Comoran Citizen, had fraudulently obtained a Kenyan National ID;
3. That before the attack, the Kenyan Security situation was calm with no warning signs of a probable terrorist attack. The porous borders were allowing for incursions from Somalia and Sudan. The police service then was not sensitized on how to deal with terrorism incidents;
4. That after the attack, the Kenyan government re-organized the police in order to tackle the threat posed by terrorism. Which included the formation of the Anti-Terrorism Police Unit (ATPU), and later the formation of National Counter Terrorism Centre (NCTC);
5. That regional security situation still remains fluid, with terrorism threat remaining unabated; the porous borders are still problem; and even currently, there is increased threat of radicalization due to social economic challenges and technological advancement;
6. That Kenya was vulnerable to the attack due to the following reasons;
 - a) Perceived close relationship with the West, particularly the USA;
 - b) Kenya's Strategic geographical position i.e close proximity to Somalia;
 - c) Corruption;
 - d) Porous borders;
 - e) Insecurity within the region resulting into influx of refugees;
 - f) Weak Legal Framework;
 - g) Lack of technological advancement;
 - h) Failure in intelligence gathering and sharing;
 - i) Lack of proper coordination and collaboration amongst different agencies; and,
 - j) Location of the Embassy in the middle of the city.
7. He reported that the following are the policy interventions that the Ministry has undertaken –
 - a) Establishment of key security agencies to fight terrorism;
 - b) Establishment of Personal Identification Secure Comparison and evaluating System (PISCES);

- c) Enactment of various legislations including the Prevention of Terrorism Act, 2012, Security Laws Amendment, among others;
 - d) Local and international Collaboration and Partnership;
 - e) Enhanced financial sharing;
8. After the deliberations on the submissions made -
- a) The victims requested the CS to support them in getting passports to enable them travel to various countries including the US which will help them to search for better opportunities;
 - b) The CS stated that his office will ensure operationalization of section 49 of the Prevention of Terrorism Act, 2012 which provides for the establishment of the Compensation Fund for Victims of terrorism to support the victims; and
 - c) The CS stated that his office will commit to support the mandate of the Committee by being available to assist on any matter.

MIN/SEN/ADHOC/083/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/084/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 13:15 p.m. The next meeting shall be held on notice.

SIGNED:..........

DATE...14/10/2023.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



MINUTES OF THE THIRTEENTH (13TH) SITTING OF THE AD HOC COMMITTEE ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON THURSDAY, 5TH OCTOBER 2023 IN COMMITTEE ROOM 22, 5TH FLOOR, BUNGE TOWER AT 11.00 AM

PRESENT

- | | |
|------------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Alexander Mundigi, MP | - Member |
| 4. Sen. Mohamed Chute, MP | - Member |
| 5. Sen. Peris Pesi Tobiko, CBS, MP | - Member |
| 6. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. Daniel Maanzo, MP | - Member |
| 3. Sen. William Cheptumo, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Mr. Desmond Rasugu | - Clerk Assistant III |
| 3. Ms. Lilian Wambui | - Legal Counsel II |
| 4. Ms. Belinda Ogolla | - Research Officer III |
| 5. Mr. Stanely Gikore | - Media Relations Officer III |
| 6. Mr. Godana Mamo | - Serjeant-at-Arms |
| 7. Mr. Nicholas Arusei | - Audio Officer III |

MIN/SEN/ADHOC/071/2023

PRAYER AND INTRODUCTIONS

The Chairperson called the meeting to order at 11:10 am followed by a word of prayer by Sen. Johnes Mwaruma, MP.

MIN/SEN/ADHOC/072/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. Peris Tobiko as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Confirmation of Minutes 3-12 of the Sitzings of the Committee;
5. Committee Status Update (Committee Paper No.7);
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/073/2023

COMMUNICATION FROM THE CHAIR

The Chairperson briefed the Committee on her engagement with the various lawyers representing the victims in the US and the stated that they had not yet drafted a legislation that is going to be presented to the US Congress concerning the amendment to the United States Victims of State Sponsored Terrorism Act. She also informed the meeting that she has been making efforts to reach Sen. Chris Coons to request for the speeding up of the appointment between the Committee and the US Congress.

MIN/SEN/ADHOC/074/2023

CONFIRMATION OF MINUTES 3-12 OF THE SITTINGS OF THE COMMITTEE

1. The minutes of the 3rd sitting of the Committee held on Wednesday, 26th July, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Johnes Mwaruma, MP;
2. The minutes of the 4th sitting held on Friday, 28th July, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. Peris Tobiko, MP;
3. The minutes of the 5th Sitting were deferred due to lack of members present during the meeting.

4. The minutes of the 6th sitting held on Monday 7th August, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Johnes Mwaruma, MP;
5. The minutes of the 7th sitting held on Friday, 11th August, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Mohamed Chute, MP and seconded by Sen. Alexander Mundigi, MP;
6. The minutes of the 8th sitting held on Friday, 25th August, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Mohamed Chute, MP and seconded by Sen. Beatrice Ogolla, MP;
7. The minutes of the 9th sitting held on Wednesday, 30th August, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Mohamed Chute, MP and seconded by Sen. Johnes Mwaruma, MP;
8. The minutes of the 10th sitting held on Thursday, 7th September, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Alexander Mundigi, MP and seconded by Sen. Mohamed Chute, MP;
9. The minutes of the 11th sitting held on Friday, 8th September, 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Alexander Mundigi, MP;
10. The minutes of the 12th sitting held on Thursday, 21st September 2023 were confirmed as a true record of the proceedings after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Johnes Mwaruma, MP;

MIN/SEN/ADHOC/075/2023

MATTERS ARISING FROM THE MINUTES

There were no matters arising.

MIN/SEN/ADHOC/076/2023

COMMITTEE STATUS UPDATE

The Members were taken through Committee paper number 7, that outlined the activities the Committee had accomplished and the ones that are pending in regard to discharging its mandate.

The Committee was informed that the following activities in the Committees workplan had been accomplished -

- 1) Meeting with the survivors, next of Kin and the representatives of the 1998 Bomb blast victims -
- 2) Attending the Bomb blast victims' prayer day;
- 3) Attending the 25th Commemoration of the bomb blast;
- 4) Meeting with the lawyers of the victims;
- 5) Meeting with the Cabinet Secretary of Health;
- 6) Meeting with the Cabinet Secretary Ministry of Foreign and Diaspora Affairs;
- 7) Meeting with the National Council for Persons with Disabilities;
- 8) A public hearing held in Machakos County; and
- 9) Meeting with the Cabinet Secretary of Labour and Social Welfare.

It was noted that the following activities were pending-

- 1) A meeting with the US Ambassador to Kenya;
- 2) A meeting with the Cabinet Secretary for Interior and National Administration;
- 3) A Visit to the United States of America to meet various members of the Congress; and,
- 4) A report writing retreat.

The Committee was finally informed that regarding the information requested from various organizations on the list of the bomb blast victims, only two organizations Kituo Cha Sheria and Linda Musomba Advocates had submitted the list of victims in their custody.

After the deliberations-

- 1) The Committee noted with concern that the Ministry of Health was taking too long to respond on the Committee's request to facilitate for appointments with the US Ambassador as well as with the US Congress and resolved that another follow up letter to the Ministry, requesting for urgent consideration and actioning in light of the fact that the Committee's stipulated timeline was lapsing;
- 2) That the Committee invites the Attorney General to a meeting of the Committee to submit his views about the mandate of the Committee with specific regard to compensation by the US government; and
- 3) That the Committee retreats to Machakos County from Thursday, 12th October, 2023 to Sunday, 15th October, 2023 for a preliminary report writing.

MIN/SEN/ADHOC/077/2023

ANY OTHER BUSINESS

There was no any other Business.

MIN/SEN/ADHOC/078/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 13:05 p.m. The next meeting shall be held on notice.

SIGNED:.....

DATE.....14/10/2023

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE TWELFTH (12TH) SITTING OF THE AD HOC COMMITTEE
ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI,
HELD ON THURSDAY, 21ST SEPTEMBER, 2023 AT COMMITTEE ROOM 24,
5TH FLOOR, BUNGE TOWER**

PRESENT

- | | |
|------------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Daniel Maanzo, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |
| 5. Sen. Peris Pesi Tobiko, CBS, MP | - Member |
| 6. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Mohamed Chute, MP | - Member |

IN ATTENDANCE

- | | |
|-----------------------|---|
| 1. Hon. Florence Bore | - Cabinet Secretary, Ministry of Labour and Social Protection |
| 2. Mr. Shem Nyachoti | - Secretary, Ministry of Labour |
| 3. Mr. Moses Kamau | - Director, Ministry of Labour |
| 4. Ms. Emily Kimosop | - Technical Advisor to CS |

-

5. Mr. Francis Anyenda
6. Ms. Rosabel Githinji
7. Ms. Zena Rashida
8. Ms. Catherine Bwire
9. Ms. Jean Bahati
10. Ms. Grace Njoroge
11. Ms. Esther Githagui
12. Ms. Lilian Munyiva
13. Ms. Safula Abdi
14. Ms. Lilian Ng'eno
15. Mr. Dougious Sidialo

- Chief Public Relations Officer, NCPWD
- Program Coordinator, NCPWD
- Director, NCPWD
- Bomb blast victim
- Bomb blast victim
- Bomb blast victim
- Bomb blast victim
- Bomb blast victim
- Bomb blast victim
- Bomb blast victim
- Bomb blast victim

SECRETARIAT

1. Ms. Emmy Chepkwony
2. Mr. Desmond Rasugu
3. Ms. Lilian Wambui
4. Ms. Belinda Ogolla
5. Ms. Felistus Mutune
6. Ms. Sarah Rukwaro
7. Mr. Nicholas Arusei

- Principal Clerk Assistant I
- Clerk Assistant III
- Legal Counsel II
- Research Officer III
- Media Relations Officer III
- Serjeant-at-Arms
- Audio Officer III

MIN/SEN/ADHOC/065/2023

PRAYER AND INTRODUCTIONS

The Chairperson called the meeting to order at 11:48 am followed by a word of prayer by Sen. Johnes Mwaruma, MP. Thereafter, there was a round of introduction by all those who were present.

MIN/SEN/ADHOC/066/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Alexander Mundigi MP and seconded by Sen. Beatrice Ogolla, MP as follows;

1. Prayer & Introductions;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Consultative Engagement with the Ministry of Labour and Social Protection on the inclusion of the 1998 US Embassy Bomb blast victims in social assistance programs;
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/067/2023

COMMUNICATION FROM THE CHAIR

The Chairperson informed the meeting that the Committee was engaging with the Ministry of Labour and Social welfare in order to understand the current social support programs that the Ministry offers to the vulnerable groups in society and how the Ministry can provide the social rehabilitation support as well as guidance on how much more the Committee can improve on the livelihood and quality of life of the affected victims.

MIN/SEN/ADHOC/068/2023

CONSULTATIVE ENGAGEMENT WITH THE
MINISTRY OF LABOUR AND SOCIAL
PROTECTION

The Chairperson invited the Cabinet Secretary to make her opening remarks who submitted as follows;

- a) That the key mandate of the Ministry of Labour and Social Protection is to protect and cushion poor and vulnerable citizens in the country with the targeted groups being orphans, vulnerable children, persons with severe disabilities and older persons;
- b) That these groups are supported mainly through the Inua Jamii Cash Transfer Programme among other interventions where there is a set criteria for eligibility to be part of each programme;
- c) She noted that the Ministry has not designed a programme specifically for the victims of the 1998 US Embassy bombing but reported that the survivors who may be eligible to benefit from the programmes can be registered in the ongoing countrywide registration exercise which will end on 30th September, 2023.

Thereafter the Chairperson invited the victims present to share their testimonies on the Bomb blast tragedy;

- a) The former employees of Cooperative Bank reported that through a circular issued by the Managing Director a year after the bomb blast, had them either dismissed from work or retired on medical grounds arising from the injuries that they incurred during the bomb blast;
- b) They further reported that the dismissal was without any notice and their bank accounts frozen because had existing loans;
- c) They reported that the court ruled that the dismissal was unlawful but awarded them a one-month salary;

- d) The other surviving victims testified of the various injuries they personally incurred during the tragedy and explained the suffering that they have undergone through including lack of finance to cater for their medical treatment, education, food and other basic necessities of life; and
- e) Ms. Catherine Nabwire a survivor who lost her sight in the tragedy while eight months pregnant reported of a case where a tour and travel agency by the name *Syyd Travel* based in Nairobi had withheld her money of Ksh.100,000/- which she had paid to the agency to act as a facilitation fee to assist her daughter Jean Bahati, a silent survivor to migrate to Canada in search of better opportunities. She stated she had withdrawn that application for processing the said service and therefore deserved a refund of the money. She appealed to the CS to intervene and have the agency refund her the money.

After the deliberations;

- a) The Cabinet Secretary submitted that the Ministry will within two weeks undertake to work with the leadership of the bomb blast survivors to identify those who can be enrolled into the programmes of the Ministry and any other request from the victims that can be designed for them;
- b) The CS also committed that she will jointly coordinate with the other Cabinet Secretaries who have appeared before the Committee to prepare a brief to the Cabinet over the Compensation and Support of the Bomb blast victims;
- c) She finally committed that she will engage with the Managing Director of Cooperative Bank and other organizations whose employees were sacked due to medical incapacity that arose from the injuries of the Bombblast and follow up on their compensation by the employers;
- d) She finally stated that she will personally follow up with *Syyd Travel Agency* to ensure they refund for Ms. Catherine Nabwire of the money given to them for the undelivered service; and

MIN/SEN/ADHOC/069/2023

ANY OTHER BUSINESS

Ms. Catherine Nabwire a survivor who lost her sight in the tragedy reported of a case where a tour and travel agency by the name *Syyd Travel* based in Nairobi had withheld her money of Ksh.100,000/- which she had paid to the agency to act as a facilitation fee to assist her daughter Jean Bahati, a silent survivor to migrate to Canada in search of better opportunities. She stated she had withdrawn that application for processing the said service

and therefore deserved a refund of the money. She appealed to the CS to intervene and have the agency refund her the money.

The CS stated that she will personally follow up with *Syyd Travel Agency* to ensure it refunds Ms. Catherine Bwire the money.

MIN/SEN/ADHOC/070/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 13:05 p.m. The next meeting shall be held on notice.

SIGNED: 

DATE: 05/10/23

SEN. AGNESS KAVINDU MUTHAMA, MP
CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE ELEVENTH SITTING OF THE AD HOC COMMITTEE ON
THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING
OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
FRIDAY, 8TH SEPTEMBER 2023 AT THE MACHAKOS COUNTY SOCIAL HALL
FROM 12:00 NOON**

PRESENT

- | | | |
|-----------------------------------|---|-------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - | Chairperson |
| 2. Sen. Beatrice Ogolla, MP | - | Member |
| 3. Sen. Alexander Mundigi, MP | - | Member |

ABSENT WITH APOLOGY

- | | | |
|------------------------------------|---|------------------|
| 1. Sen. Johnes Mwaruma, MP | - | Member |
| 2. Sen. William Cheptumo, MP | - | Member |
| 3. Sen. Daniel Maanzo, MP | - | Member |
| 4. Sen. Mohamed Chute, MP | - | Member |
| 5. Sen. Jackson Mandago, EGH, MP | - | Vice-Chairperson |
| 6. Sen. Peris Pesi Tobiko, CBS, MP | - | Member |

SECRETARIAT

- | | | |
|----------------------------|---|-----------------------------|
| 1. Ms. Emmy Chepkwony | - | Principal Clerk Assistant I |
| 2. Ms. Mwanate Shaban | - | Senior Clerk Assistant |
| 3. Ms. Beverlyne Chivadika | - | Clerk Assistant III |
| 4. Mr. Desmond Rasugu | - | Clerk Assistant III |
| 5. Ms. Lilian Waweru | - | Legal Counsel |
| 6. Mr. Stanley Gikore | - | Media Relations Officer III |
| 7. Mr. Nicholas Arusei | - | Audio Officer III |
| 8. Mr. Godana Mamo | - | Serjeant-At-Arms |

IN ATTENDANCE

VICTIMS OF THE 1998 BOMB BLAST

- | | |
|--------------------------|---------------------------|
| 1. Ms. Geroge Ngige | 16. Ms. Magdalene Munyao |
| 2. Ms. Elizabeth Syokau | 17. Mr. Philip Mauyu |
| 3. Ms. Safula Abdi Mwilu | 18. Mr. Sammmmy Nduva |
| 4. Ms. Lilian Mulwa | 19. Mr. Harrison Nalu |
| 5. Ms. Rosemary Wanjiru | 20. Ms. Saida Swaleh |
| 6. Mr. Kioko Muema | 21. Ms. Elizabeth Kamwuya |
| 7. Ms. Caroline Wairimu | 22. Mr. Antony Muthembwa |
| 8. Ms. Joyce Mwendwa | 23. Mr. Moses Kavita |
| 9. Mr. Julius Kasivu | 24. Mr. John Mutisya |
| 10. Mr. Mutua Wambua | 25. Ms. Winnie Mutiso |
| 11. Ms. Joyce Muasya | 26. Mr. Solomon Kitundu |
| 12. Ms. Esther Maweu | 27. Mr Stephen Ngewa |
| 13. Ms. Lucy Mutiso | 28. Ms. Lucy Nguguna |
| 14. Ms. Josephine Muema | 29. Mr. Tonny Omondi |
| 15. Ms. Mary Musau | 30. Ms. Agnes Muoka |

MIN/SEN/ADHOC/ 059/2023

PRELIMINARIES

The Chairperson called the meeting to order at 12:20 p.m. This was followed by a word of prayer. Thereafter, followed by a round of introduction.

MIN/SEN/ADHOC/060/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Alexander Mundigi, MP, and seconded by Sen. Beatrice Ogolla, MP as follows-

1. Prayer and introduction;
2. Adoption of the Agenda;
3. Communication from the Chairperson;
4. Public Hearing on the Compensation of the Kenyan Victims of the 1998 Bombing of the USA Embassy in Nairobi;
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/061/2023

COMMUNICATION FROM THE
CHAIRPERSON

The Chairperson welcomed and thanked everyone for taking time out of their busy schedules to grace the occasion. Thereafter, informed the meeting that the main agenda was to listen to the Victims of the tragedy from Machakos County and the region, and all other Kenyans who were affected to gather necessary information that will aid the Committee to charter a way forward regarding the compensation of the Kenyan Victims of the 1998 Bombing of the USA Embassy in Nairobi.

MIN/SEN/ADHOC/062/2023

PUBLIC HEARING ON THE COMPENSATION
OF THE KENYAN VICTIMS OF THE 1998
BOMBING OF THE USA EMBASSY IN
NAIROBI

1. Upon invitation by the Chairperson, the victims of the 1998 Bombing shared their testimonies and expectations from the Committee as summarized below-
 - a) Many victims and survivors of the 1998 tragedy suffered major injuries, some died, and left behind children who could not care for themselves, and thus grew up as orphans. Some of the kids had to leave school due to difficulties paying school fees;
 - b) The Bombing destroyed, killed, and injured employees at the USA Embassy, particularly on the lower floors, adjacent Ufundi SACCO Building, Cooperative Bank Building, Teachers Service Commission Offices, other nearby buildings, and Railways bus stop;
 - c) AMREF has kept a medical record of all the victims and survivors of the 1998 Bombing;
 - d) To join the consortium on 1998 Bombing, victims and survivors were invited and encouraged to submit their details to the leaders of the Consortium;
 - e) Among other conditions, victims and survivors experience and suffer from autism, mental illness, depression, sound disorders, insomnia, Post-Traumatic Stress Disorder (PTSD), blindness, barrenness and body aches;
 - f) 25 years later, some of the victims are still receiving therapy;
 - g) Some of the victims were dismissed on medical grounds;
 - h) Victims and survivors who lost parents or guards-the families' sole breadwinners-were left dependent on other family members;

- i) Because the cost of medication has become a burden for the victims, they need financial assistance to pay for the cost of their medication;
 - j) The US Government has failed to compensate the victims and survivors of the 1998 Bombing thus an injustice; and
 - k) The victims pleaded with the Committee to collaborate and work with the US Government to ensure their proper compensation.
2. The Chairperson also invited additional members of the public to give their views. They commended the Committee for taking up the matter and requested the Committee to push for the compensation of the 1998 bombing victims and survivors.
3. Committee noted the following-
- a) Kenya Government received donations from well-wishers to fund the victims of the 1998 disaster. This was named Njonjo Fund, after Chairman of the Bomb Disaster Committee. The Committee distributed the cash grants to the victims and families of the bomb blast according to severity of their injury (totally disabled, partially disabled, serious injury, minor injury as per the doctor's report). USAID later provided assistance to the victims for some time but stopped;
 - b) After a while, the donor fund dwindled, leaving victims and survivors completely alone without any support; and
 - c) There is a legislative gap in US Government law that prevents compensation of Kenyan victims. To allow Kenyan victims to receive compensation from the US Victims State Compensation Fund, US Government legislation must be amended.
4. After deliberations, the Committee resolved-
- a) That the Committee will meet the US Ambassador to Kenya;
 - b) That the Committee will hold a consultative meeting with the Ministry of Labour and Social Protection to deliberate on the matter; and
 - c) That the Committee will work and collaborate with the US Government to ensure Kenyan Victims and survivors are included in the Compensation Fund.

MIN/SEN/ADHOC/063/2023

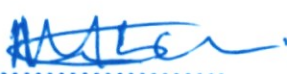
ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/064/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 2:56 p.m. The next meeting shall be by notice.

SIGNATURE.......... DATE.....05/10/23.....

SEN. AGNESS KAVINDU MUTHAMA, MP
CHAIRPERSON; AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI



**MINUTES OF THE TENTH SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
THURSDAY, 7TH SEPTEMBER 2023 AT GROUND FLOOR BOARDROOM,
COUNTY HALL BUILDING AT 11.00 AM.**

PRESENT

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Johnes Mwaruma, MP | - Member |
| 4. Sen. Daniel Maanzo, MP | - Member |
| 5. Sen. William Cheptumo, MP | - Member |
| 6. Sen. Mohamed Chute, MP | - Member |
| 7. Sen. Alexander Mundigi, MP | - Member |
| 8. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|------------------------------------|----------|
| 1. Sen. Peris Pesi Tobiko, CBS, MP | - Member |
|------------------------------------|----------|

IN ATTENDANCE

- | | |
|-------------------------|---|
| 1. Mr. Harun Hassan | - CEO, NCPWD |
| 2. Mr. Francis Anyenda | - Chief Public Relations Officer, NCPWD |
| 3. Ms. Rosabel Githinji | - Program Coordinator, NCPWD |
| 4. Ms. Zena Rashida | - Director, NCPWD |
| 5. Ms. Nancy Abos | - PA NCPWD |
| 6. Ms. Joshua Mutisya | - PA NCPWD |
| 7. Ms. Safula Abdi | - Victim |

- | | |
|--------------------------|----------|
| 8. Ms. Lilian Munyiva | - Victim |
| 9. Mr. George Ngige | - Victim |
| 10. Ms. Peninah Muhuhu | - Victim |
| 11. Ms. Ms. Lucy Njuguna | - Victim |
| 12. Ms. Rosemary Wanjiru | - Victim |
| 13. Mr. Hezekiel Kingori | - Victim |
| 14. Ms. Dennis Kabi | - Victim |
| 15. Ms. Pamela Aira | - Victim |

SECRETARIAT

- | | |
|--------------------------|-------------------------------|
| 1. Ms. Emmy Chepkwony | - Principal Clerk Assistant I |
| 2. Ms. Mwanate Shaban | - Senior Clerk Assistant |
| 3. Ms. Beverly Chivadika | - Clerk Assistant III |
| 4. Mr. Desmond Rasugu | - Clerk Assistant III |
| 5. Ms. Lilian Wambui | - Legal Counsel II |
| 6. Mr. Stanley Gikore | - Media Relations Officer III |
| 7. Mr. Godana Mamo | - Serjeant-at-Arms |
| 8. Mr. Nicholas Arusei | - Audio Officer III |
| 9. Ms. Alvin Mazuni | - Attache |

MIN/SEN/ADHOC/053/2023

PRAYER AND INTRODUCTIONS

The Chairperson called the meeting to order at 11:29 am followed by a word of prayer by Sen. Beatrice Ogolla, MP. Thereafter, there was a round of introduction by all those who were present.

MIN/SEN/ADHOC/054/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Johnes Mwaruma, MP. and seconded by Sen. Beatrice Ogolla, MP. as follows –

1. Prayer & Introductions;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Committee Paper No. 5 - Consultative engagement with the National Council of Persons with Disabilities;
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment

MIN/SEN/ADHOC/055/2023

COMMUNICATION FROM THE CHAIR

The Chairperson informed the meeting that National Council for Persons with Disabilities (NCPWD) had been invited to the meeting of the Committee to enable the Committee understand the role of the Council in registering Persons With Disabilities and any of their services accorded to the Kenyan Victims of the 1998 Bombing of the US Embassy in Nairobi.

MIN/SEN/ADHOC/056/2023

CONSULTATIVE ENGAGEMENT WITH THE
NATIONAL COUNCIL FOR PERSONS WITH
DISABILITIES.

1. The Chairperson invited the CEO of the NCPWD to make his remarks who thereafter submitted as follows –
 - a) Stated that NCPWD is a state agency mandated to champion and protect the rights of persons with disabilities in Kenya;
 - b) The Council is present in all the forty-seven counties in Kenya offering one disability service officer per county;
 - c) That registration for a person with disability begins with a medical assessment at a public health facility where the assessment report is the primary document that Council uses to register someone as a person with disability;
 - d) That from the available list of victims of the 1998 Bomb blast, the council had identified 93 of them to be registered as persons with disabilities;
 - e) Out of the 93 persons, 15 had already migrated to the new registration system and a further 58 were verified by their identification numbers while the remaining 35 were verified with their names as registered;
 - f) That the Council is currently operating with an annual budget of Ksh. 259m for all its services and activities making it greatly underfunded in smoothly delivering on its mandate;
 - g) That in terms of service, the Council established that 2 persons have benefitted from the Council Services; One Ms. Rosaline Wanjiru Iregi for an assistive device and Mr. Douglas Isaac Sidialo for LPO Financing. Additionally, 15 persons had benefitted from income tax exemption;
 - h) Stated that all of the 1998 US Embassy Bomb Blast victims can access the Council Services based on the requirements for each service. And that those that are not registered and have disabilities can register with the Council by appearing in any level IV and V government hospital for medical disability assessment;

2. Thereafter, the Chairperson invited the victims to share their testimonies of the 1998 Bombing of the US Embassy after which they made the following statements and requests to the Council -

- a) The CEO of the Council to state of any plans the Council has to bring together the victims of the Bomb blast together;
- b) The Council to outline any measures it has to collaborate with the Ministry of Labor in identifying vulnerable victims for the ministry's social support program;
- c) The CEO to state whether the registered victims of the Bomb blast are aware of their registration in the Council; and
- d) The CEO to state any plans the Council has to meet with the victims to deliberate on ways of registering all the victims with disabilities and explore ways of assisting them to benefit from the services offered by the Council.

3. The CEO of the Council further informed the Committee as follows -

- a) That the Council shall plan with the representatives of the victims on the appropriate dates to have a meeting between the Council and the victims;
- b) That the Council works with the ministry of labour in terms of sharing on the disability status of their members who are eligible to benefit from the national government programs for supporting special vulnerable groups in society;
- c) That all the persons with disability registered with the Council do so on a voluntary basis and therefore they are aware of their membership in the Council;
- d) Committed that the Council shall see ways to explore assistance of the victims of with the programs and services that it offers;
- e) That the Council shall immediately get in touch with the victim who needs speech therapy and assist in offering him the service;
- f) That the Council cannot be able to support the victims with medical financing but can write to hospitals on behalf of the victims requesting for medical waivers;

4. After deliberations, the Committee -

- a) Urged the Council to engage with the government and justify the need to have the Council's financing increased;
- b) Advised the Council to consider utilizing more of its expenditure from development to recurrent since most of its basic services are of recurrent expenditure in nature;
- c) Challenged the Council to be more proactive in terms of creating public awareness about its function and programs to bring more eligible persons to register and be actively involved in the Councils programs; and

- d) Directed the Council to ensure it meets the victims at the earliest possible instance to ensure deliberations on ways of engaging and supporting the victims are achieved.

MIN/SEN/ADHOC/057/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/058/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 13:15 p.m. The next meeting shall be held on Friday, 8th September, 2023 at 10.00 am in Machakos County.

SIGNED: 

DATE: 05/10/23

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE NINTH SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
WEDNESDAY, 30TH AUGUST 2023 AT ROOM 25, FIFTH FLOOR, BUNGE
TOWER, AT 11.00 AM.**

PRESENT

- | | |
|------------------------------------|--------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 3. Sen. Johnes Mwaruma, MP | - Member |
| 4. Sen. Daniel Maanzo, MP | - Member |
| 5. Sen. William Cheptumo, MP | - Member |
| 6. Sen. Mohamed Chute, MP | - Member |
| 7. Sen. Peris Pesi Tobiko, CBS, MP | - Member |
| 8. Sen. Beatrice Ogolla, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|-------------------------------|----------|
| 1. Sen. Alexander Mundigi, MP | - Member |
|-------------------------------|----------|

IN ATTENDANCE

- | | |
|-------------------------------|--|
| 1. Hon. Dr. Alfred Mutua, EGH | - CS, Ministry of Foreign and Diaspora Affairs |
| 2. Amb. Angeline Kavindu | - Director MFDA |
| 3. Mr. Abdirahman Ali | - Advisor, MFDA |
| 4. Dr. Rose Anyona | - Foreign Service officer |
| 5. Mr. Emmanuel Juma | - Head of Communication, MFDA |
| 6. Ms. Kawira Githinji | - Principal Communications officer, MFDA |
| 7. Mr. Eric Kimanga | - Principal Communications Officer, MFDA |

8. Mr. Stanley Mutuma	- Victim
9. Ms. Lilian Munyiva	- Victim
10. Ms. Safula Abdi	- Victim
11. Mr. Hezekiel Kingori	- Victim
12. Ms. Grace Njoroge	- Victim
13. Mr. Justus Kimathi	- Victim
14. Mr. George Ngige	- Victim
15. Mr. Dougious Sidialo	- Victim
16. Mr. Ali Mwadama	- Victim
17. Hon. Chris Bichage	- Widowers representtve

SECRETARIAT

1. Ms. Emmy Chepkwony	- Principal Clerk Assistant I
2. Mr. Desmond Rasugu	-Clerk Assistant III
3. Ms. Lilian Wambui	-Legal Counsel II
4. Ms. Belinda Ogolla	-Research Officer III
5. Mr. Stanley Gikore	-Media Relations Officer III
6. Mr. Benard Barasa	-Serjeant-at-Arms
7. Mr. Nicholas Arusei	-Audio Officer III
8. Mr. Elphas Onganyi	-Attachee

MIN/SEN/ADHOC/048/2023

PRAYER AND INTRODUCTIONS

1. The Chairperson called the meeting to order at 11:22 a.m followed by a word of prayer. Thereafter, there was a round of introduction from all those who were present.

MIN/SEN/ADHOC/049/2023

COMMUNICATION FROM THE CHAIR

2. The Chairperson informed the meeting that the Cabinet Secretary (CS) for the Ministry of Foreign and Diaspora Affairs had been invited to a meeting of the Committee to deliberate on Kenya's Foreign Policy and ways of advancing friendship and cooperation with the United State of America in securing compensation for the Kenyan Victims of the 1998 Bombing of the US Embassy in Nairobi.

MIN/SEN/ADHOC/050/2023

MEETING WITH THE CABINET SECRETARY FOR THE MINISTRY OF FOREIGN AND DIASPORA AFFAIRS TO DELIBERATE ON KENYA'S FOREIGN POLICY

3. The Chairperson invited the other Committee members who stated as follows -
 - a) Briefed the CS on all the activities the Committee had considered and the major activities that it was planning to carry out in line with its Mandate;
 - b) Requested the CS to accord the Committee support in as far as engagement with the government of the US was concerned;
 - c) Urged the Kenyan government through the Ministry to explore ways of securing affirmative action for the victims for support programs; and
 - d) Requested the CS to bring the matter of the Compensation of the victims to the attention of the President and the work of the Committee.
4. Thereafter, the Chairperson invited the victims to share their testimonies of the 1998 Bombing of the US Embassy after which they presented as follows -
 - a) That the CS informs them of the actions the Ministry will take to have the legislation passed in the US Congress making the Kenyan victims eligible to benefit from the US Victims of State Sponsored Compensation Fund;
 - b) That the CS explains Kenya's policy on its citizens who have been victims of attacks directed to other countries;
 - c) That the CS informs them of any steps the Kenyan Government has made to have them compensated in the last 25 years of the Bomb blast;
 - d) That the CS confirms if the Ministry has any records of the victims of the bomb blast in its custody; and
 - e) The Ministry helps the victims to get Visas for visiting the United States of America;
5. Upon invitation, the Cabinet Secretary for the Ministry Foreign and Diaspora Affairs informed the Committee that -
 - a) That the United States of America is a great friend and ally of Kenya with close partnership in many sectors and as such, all engagements with the US government should take cognizance of the shared friendship and cooperation between the two countries;
 - b) That his office will immediately set up a special team at the Ministry specifically assigned to develop an advisory detailing the roadmap that the Kenyan Government shall use in engaging the US Government on the compensation of the Kenyan victims;
 - c) That the office will raise the compensation issue in all the bilateral engagements it will be having with the US Government going forward including during his visit to the US for the upcoming United Nations General Assembly conference in New York;
 - d) That he shall present a brief to the Cabinet on the Compensation of the victims of the Bomb blast;

- e) That the Ministry shall take a seat at the Board of the August 7th Memorial; and
 - f) That his office shall facilitate a meeting between the Committee and the Ambassador of US to Kenya.
6. After deliberations, the Committee resolved -
- a) to have a meeting with the US Ambassador to Kenya on Thursday, 7th September, 2023 to deliberate on the Compensation of the Victims by the US government; and
 - b) To have a second meeting with the Cabinet Secretary for the Ministry Foreign and Diaspora Affairs before the Committee's visit to the US Congress.

MIN/SEN/ADHOC/051/2023

ANY OTHER BUSINESS

7. There was no any other business.

MIN/SEN/ADHOC/052/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

8. The Chairperson adjourned the meeting at 13:05 p.m. The next meeting shall be held on Thursday, 7th September, 2023 at 10.00 am.

SIGNED:.....

DATE.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI.



**MINUTES OF THE EIGHTH SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
FRIDAY, 25TH AUGUST 2023 AT THE COUNTY HALL MINI CHAMBER,
COUNTY HALL BUILDING, AT 10.00 AM.**

PRESENT

- | | |
|-----------------------------------|---------------|
| 1. Sen. Agnes Kavindu Muthama, MP | - Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Daniel Maanzo, MP | - Member |
| 4. Sen. Beatrice Ogolla, MP | - Member |
| 5. Sen. Mohamed Chute, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|------------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. William Cheptumo, MP | - Member |
| 3. Sen. Peris Pesi Tobiko, CBS, MP | - Member |
| 4. Sen. Alexander Mundigi, MP | - Member |

IN ATTENDANCE

- | | |
|--------------------------------|---------------------------|
| 1. Ms. Nakhumicha Susan Wafula | - CS – Ministry of Health |
| 2. Dr. Elizabeth Wangia | - Min of Health |
| 3. Ms. Fauzia Suleiman | - PLO – Min of Health |
| 4. Ms. Margret Mbogo | - Victim |
| 5. Ms. Geroge Ngige | - Victim |
| 6. Ms. Redemta Hamisi | - Victim |

- | | | |
|-----|---------------------|----------|
| 7. | Ms. Rose Adhiambo | - Victim |
| 8. | Ms. Pamela Iyira | - Victim |
| 9. | Ms. Esther Njeri | - Victim |
| 10. | Mr. Dougla Sidialo | - Victim |
| 11. | Ms. Demura Atieno | - Victim |
| 12. | Ms. Chilola Wamukua | - Victim |
| 13. | Mr. Ali Mwadama | - Victim |

SECRETARIAT

- | | | |
|----|-------------------------|------------------------------|
| 1. | Ms. Mwanate Shaban | -Senior Clerk Assistant |
| 2. | Ms. Beverlyne Chivadika | -Clerk Assistant III |
| 3. | Ms. Lilian Wambui | -Legal Counsel II |
| 4. | Ms. Belinda Ogolla | -Research Officer III |
| 5. | Mr. Stanley Gikore | -Media Relations Officer III |
| 6. | Mr. Godana Mamo | - SAA |
| 7. | Mr. Victor | -Audio Officer |
| 8. | Mr. Elphas Onganyi | -Attachee |

MIN/SEN/ADHOC/042/2023

PRAYER AND INTRODUCTIONS

The Chairperson called the meeting to order at 10:26 a.m. This was followed by a word of prayer. Thereafter, a round of introduction.

MIN/SEN/ADHOC/043/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Mohamed Chute, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Briefing by the Chairperson;
4. Meeting with the Cabinet Secretary for the Ministry of Health to deliberate on subsidization of medical treatment to the victims of the 1998 Bomb blast.
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/044/2023

COMMUNICATION FROM THE CHAIR

The Chairperson informed the meeting that the Cabinet Secretary (CS) for the Ministry of Health (MOH) had been invited to a meeting of the Committee to deliberate on subsidization of medical treatment to the victims of the 1998 Bomb blast. The Ministry was key in formulation of policies, programmes and laws aimed at improving provision of healthcare services in the Country.

MIN/SEN/ADHOC/045/2023

MEETING WITH THE CABINET SECRETARY
FOR THE MINISTRY OF HEALTH TO
DELIBERATE ON SUBSIDIZATION OF
MEDICAL TREATMENT TO THE VICTIMS OF
THE 1998 BOMB BLAST

Upon invitation, the Cabinet Secretary for the Ministry of Health informed the Committee that, to provide subsidised medical care for the survivors, the following needed to be explored-

- a) There was need to understand the current health needs of the survivors by reviewing their medical records and undertaking medical assessment. This can be done through a formally constituted multi-sectoral medical Board or taskforce.
- b) There was need to assess vulnerability status of the survivors by the State Department of Social Protection. This will identify the vulnerable groups with limited ability to pay for their health care, who can be included into the NHIF subsidised health insurance under the National Scheme through counties.
- c) Parliament could set aside a special fund to pay for the annual premium for the survivors to access either a tailor-made/enhanced health benefit package at NHIF or the current National Scheme.
- d) MOH to explore areas of partnering with like minds to give the required assistance that shall improve the wellbeing of the victims.

Thereafter, the Chairperson then invited the victims of the 1998 Bombing to share their testimony, after which they made requests/ pleas of the CS -

- a) The United States gave compensation to victims and survivors. However, much of it was expended on rehabilitation of buildings and relatively little was channelled on providing victims and survivors, with medical care, a programme that was implemented by AMREF.
- b) That, all victims' and survivors' medical records are kept by AMREF.
- c) Many physical ailments affect survivors and victims' inter alia, insomnia, body aches, stroke, Post-Traumatic Stress Disorder (PTSD), epilepsy, hearing disorders, diabetes, blindness, stroke and sound disorders.

- d) The victims and survivors requested the MOH-
 - i. to in place a plan for supporting the victims who are being treated and hospitalised at various hospitals.
 - ii. to assist them by providing speech and physiotherapy, post-trauma management therapy, rehabilitation, counselling, and other services.
 - iii. to set aside money or a medical scheme/ healthcare plan. Additionally, they require financial support to cover medical expenses.

Upon invitation to respond to issues that had been raised, the Cabinet Secretary further informed the Committee that-

- a) to support the severely injured, orphans, and elderly, the Ministry is developing/creating a new NHIF programme.
- b) In October 2023, the Government will launch the Universal Health Coverage. The programme is based on four pillars, including Health Commodity Security, Human Resource, use of Technology, and healthcare financing.
- c) Therefore, to ensure seamless programme implementation, Parliament should expedite consideration of legislation submitted to the National Assembly as soon as possible. The Bill establishes Emergency, chronic and critical illness fund and primary healthcare fund.
- d) Upon completion of the physical assessment of the survivors and victims, the Ministry will develop plans to assist and support the victims in consultation with other relevant institutions including the Ministry of Labour and Social Protection.

After deliberations, the Committee resolved -

- a) to invite additional relevant institutions to consider the issue, such as the Ministry of Labour and Social Protection, Ministry of Foreign and Diaspora Affairs, and Ministry of Interior and National Administration to deliberate on the matter.
- b) that, a delegation from the Committee will visit the US Senate in the Month of September 2023, to pursue compensation for the 1998 bombing victims and survivors.
- c) that, the MOH should expedite constitution of the multisectoral taskforce whose mandate would be to compile the survivors' most recent medical records and medical assessment/evaluation then present to the Committee by 15th September. The CS was advised to consult with AMREF, which already has the knowledge and information on the aforementioned.

MIN/SEN/ADHOC/046/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/047/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 12:42 p.m. The next meeting shall be by notice.

SIGNED:.....

DATE.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI



MINUTES OF THE SEVENTH SITTING OF THE AD HOC COMMITTEE ON THE COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON FRIDAY, 11TH AUGUST 2023 AT COMMITTEE ROOM 24, 5TH FLOOR, BUNGE TOWER, AT 11.00 AM.

PRESENT

- | | |
|-----------------------------------|--------------|
| 1. Sen. Agnes Kavindu Muthama, MP | -Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. Daniel Maanzo, MP | -Member |
| 4. Sen. William Cheptumo, MP | -Member |
| 5. Sen. Alexander Mundigi, MP | -Member |
| 6. Sen. Mohamed Chute, MP | -Member |
| 7. Sen. Peris Tobiko, CBS, MP | -Member |
| 8. Sen. Beatrice Ogolla, MP | -Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
|----------------------------------|--------------------|

IN ATTENDANCE

- | | |
|-------------------------|--|
| 1. Mr. Phil Musolino | - Advocate for the Bomb Blast Victims |
| 2. Ms. Ramona Tascoe | - Physician and humanitarian for victims |
| 3. Ms. Caroline Muthoka | - Bomb blast victim |
| 4. Mr. Doglous Sidialo | - Bomb blast victim |
| 5. Mr. Daniel Ngure | - Consultant, Ngure consulting |

SECRETARIAT

- | | |
|-------------------------|------------------------------|
| 1. Ms. Mwanate Shaban | -Senior Clerk Assistant |
| 2. Mr. Desmond Rasugu | -Clerk Assistant III |
| 3. Ms. Lilian Wambui | -Legal Counsel II |
| 4. Ms. Belinda Ogolla | -Research Officer III |
| 5. Mr. Stanley Gikore | -Media Relations Officer III |
| 6. Mr. Johnstone Simiyu | -Audio Officer |
| 7. Mr. Elphas Ongai | -Attachee |

MIN/SEN/ADHOC/038/2023

PRAYER AND INTRODUCTIONS

The Chairperson called the meeting to order at 11:28 am followed by a word of prayer by Sen. Peris Tobiko, CBS, MP. Thereafter there was a round of introductions by all those who were present.

MIN/SEN/ADHOC/039/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Mohamed Chute, MP as follows-

1. Prayer & Introductions;
2. Adoption of the Agenda;
3. Communication from the Chair;
4. Meeting the Lawyers of the Victims of the 1998 Bombing of the USA Embassy in Nairobi;
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment

MIN/SEN/ADHOC/040/2023

COMMUNICATION FROM THE CHAIR

1. The Chairperson in her opening remarks welcomed the advocate of the victims to the meeting and stated that the Committee was looking forward to hearing from him and his colleagues on their submissions regarding the journey of representing the bomb blast victims in the US courts and the milestones that they had achieved;
2. She stated that the work of the lawyers formed a crucial part of the victims compensation process which made them stand a good chance of guiding the Committee on the procedures and engagements that Committee should pursue with the US government in order to succeed in having the US government to compensate

the Kenyan victims; and

3. She concluded by urging the lawyers and all the stakeholders who have been involved in supporting the victims towards getting compensation to work together with the Committee to ensure that justice to the victims is served.

MIN/SEN/ADHOC/039/2023

MEETING WITH THE LAWYERS OF THE
VICTIMS OF THE 1998 BOMBING OF THE
USA EMBASSY IN NAIROBI.

a) Submissions by Mr. Philp Musolino

1. Introduced himself is an American citizen, a lawyer by profession and a partner with the Musolino & Dessel PLLC, an international law firm based in the USA;
2. Reported that the law firm first became involved in the litigation of the 1998 USA embassy bombing at the request of a client with commercial interests East Africa in the year 1999, and has since been representing hundreds of victims of the bomb blast;
3. Stated that the firm has jointly been closely working with other professional organizations mainly; Scribe strategies & Advisors, Ms. Caroline Muthoka of both Baraka Care and the Consortium of the August 7th Victims, Ms. Ramona Tascoe an accomplished physician, ordained minister and a dedicated humanitarian with long standing commitment of assisting victims;
4. Informed the Committee that in the year 1999, the firm was given access by the US Department of State (DOS) to thousands of pages of its internal documents; the form 95s which is the claim form made by the victims against the United States under the Federal Torts Act. He however, reported that over the years, the only claims that survived defenses of sovereign immunity were the claims against Al Qaeda and bin Laden. The claims were initially dismissed because the district court concluded that it lacked jurisdiction over either foreign defendant;
5. That on appeal, however, in 2005, the United States Court of Appeals for the District of Columbia Circuit reversed that ruling, finding and concluding that because the attack was directed at the United States, the district court had jurisdiction over the two remaining defendants; Al Qaeda and Bin Laden;
6. That in 2011, the District Court presided over an evidentiary hearing in which eight victims and expert witnesses testified;
7. That in 2014, the Court issued its findings of fact and conclusion of Law and entered judgements in favor of many but not all of the plaintiffs named in the law suit;

8. That in May 2023, the law firm secured in May 2023 judgements in the aggregate amount of \$56.6 billion against Al Qaeda on behalf of 351 Kenyan plaintiffs;
9. Further reported that the law firm had secured other landmark rulings from the US Supreme Court including the following;
 - a) That the 1998 attack of the USA Embassy in Nairobi was directed at the United States of America and its citizens, not at Kenya or its citizens;
 - b) That the form 95's which were filed with the US State of Department by thousands of Kenyan victims within one year of the bombing could be used as evidence by US Federal Courts of injuries sustained by the victims;
 - c) The emotional and psychological damages including fear and posttraumatic stress disorders, were sustained by all victims;
 - d) That a bellwether hearing in which representative victims and experts testified would be applicable to non-testifying plaintiffs; and
 - e) Compensatory damages for each such victim could fairly be calculated at five million dollars (\$5, 000,000), in addition to punitive damages of one hundred fifty million dollars (\$ 150,000,000)
10. That many other Kenyans have similar claims to against the US government, but have not yet been addressed by the US Department for Justice and even still, both those who hold judgements and those who don't remain uncompensated for the loss;
11. That there is a Victim Compensation Fund set up US Congress which has so far distributed \$ 3billion to certain victims of terrorist attacks against the USA but because of how the statute is worded, the Kenyan victims are not eligible to participate in the Fund;
12. That the law firm together with the other organizations working together in litigation of the matter are currently lobbying the US Congress to pass budget-neutral legislation which, among other provisions changes the wording of the eligibility so that the Kenyan victims are included in future distribution;
13. That the law firm, Musolino & Dessel, PLLC drafted the language of the proposed US legislation so that it includes a pathway to compensation for all victims and not the firm's judgement holders;
14. That from the US foreign policy position, approving the legislation will serve as a concrete example of US support for its friends and allies in Kenya and in East Africa. The law firm strongly believes that this measure will enhance the US reputation for fairness and trustworthiness throughout East Africa;
15. He emphasized that the damages the law firm secured should not look as an indicator of the range of possible distributions, but the proposed legislation to

provide a vehicle for continuing the long overdue compensation for the innocent victims; and

16. He concluded by expressing his optimism of the success of the Committee in engaging with the USA government to have the victims compensated. And pledged his support to the committee in discharging its mandate

b) Submissions by Ms. Ramona Tascoe

1. Introduced herself as an African American physician, ordained minister and dedicated humanitarian with long standing experience to assisting victims of attacks and disasters in many parts of the world where she has led numerous rescue missions;
2. She informed the Committee that she arrived in Kenya in August 1998 barely two weeks after the bomb blast attack. She has since been actively involved in supporting the victims.
3. She has worked for the victims individually and with Chester House Bomb Blast Recovery and the California Law Firm of Burris Nisenbaum Curry and Lacy. She stated that she has over the years been fighting for to the victims to be compensated and regretted that the US has never made either any voluntary or obligatory effort to compensate the victims; and
4. She concluded by reiterating her continued support to the victims and commitment to working with the Committee and the victims until justice is served.

c) Intervention by Members;

1. The Chairperson thanked the speakers who addressed the Committee and stated that the submissions were going to form a significant contribution in the consideration of the matter by the Committee; and
2. The other Committee members equally expressed their appreciation to the advocates and all the stakeholders who have been involved in the litigation of the matter and informed them that the Committee will robustly engage with all of them to ensure the necessary amendment to the Victim of State Sponsored Act is amended to have the Kenyan Victims eligible for compensation from the Victims Compensation Fund.

MIN/SEN/ADHOC/040/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/041/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The meeting was adjourned at 13:25 pm. The next meeting to be held on notice.

SIGNED: 

DATE: 05/10/23

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI



**MINUTES OF THE SIXTH SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
MONDAY, 7TH AUGUST 2023 AT THE 7TH AUGUST MEMORIAL PARK,
NAIROBI AT 10.00 AM.**

PRESENT

- | | |
|-----------------------------------|--------------|
| 1. Sen. Agnes Kavindu Muthama, MP | -Chairperson |
| 2. Sen. Johnes Mwaruma, MP | - Member |
| 3. Sen. William Cheptumo, MP | -Member |
| 4. Sen. Alexander Mundigi, MP | -Member |
| 5. Sen. Peris Tobiko, CBS, MP | -Member |
| 6. Sen. Beatrice Ogolla, MP | -Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|--------------------|
| 1. Sen. Jackson Mandago, EGH, MP | - Vice-Chairperson |
| 2. Sen. Daniel Maanzo, MP | - Member |
| 3. Sen. Mohamed Chute, MP | -Member |

IN ATTENDANCE

- | | |
|-------------------------------------|--|
| 1. H.E Stephen Kalonzo Musyoka, EGH | - Former Vice- President |
| 2. Hon. Martha Karua, EGH | - Former Cabinet Minister |
| 3. Hon. Eugene Wamalwa, EGH | - Former Cabinet Secretary |
| 4. Mr. James Kiragu | - Chairperson, August Memorial Trust |
| 5. Mr. Chris Machin | - Representative of the USA Ambassador |
| 6. Dr. Ramona Tascoe | - Physician and ordained Minister |

7. Ms. Caroline Muthoka	- Victim
8. Mr. Stanely Mutuma	-Victim
9. Ms. Savula Mwilu	- Victim
10. Ms. Lilian Munyiva	- Victim
11. Mr. Hezekiel King'ori	- Victim
12. Mr. Peninah Mumbi	- Victim
13. Ms. Philomena Munyinyi	- Victim
14. Ms. Leonara Atieno	- Victim
15. Mr. Pascal Okubasu	- Victim
16. Ms. Grace Njoroge	- Victim
17. Ms. Esther Githagui	- Victim
18. Mr. Ali Mwadama	- Victim
19. Ms. Jane Njuniria	- Victim
20. Mr. Justus Kimathi	- Victim
21. Mr. Henry Kimatu	- Victim
22. Ms. Margret Mbogo	- Victim
23. Mr. George Ngige	- Victim
24. MS. Ruth Gitu	- Victim
25. Ms. Rachael Syengo	- Victim
26. Ms. Grace Kiuna	- Victim

SECRETARIAT

1. Ms. Emmy Chepkwony	-Principal Clerk Assistant I
2. Ms. Mwanate Shaban	-Senior Clerk Assistant
3. Mr. Desmond Rasugu	-Clerk Assistant III
4. Ms. Lilian Wambui	-Legal Counsel II
5. Ms. Belinda Ogolla	-Research Officer III
6. Mr. Stanley Gikore	-Media Relations Officer III
7. Mr. Nicholas Arusei	- Audio Officer
8. Mr. Elphas Ongai	- Attachee

MIN/SEN/ADHOC/034/2023

ADOPTION OF THE PROGRAMME

The Programme of the Commemoration was adopted as the agenda of the meeting.

Different speakers representing various organizations addressed the meeting and made their remarks as follows;

A) Submissions by Ms. Caroline Muthoka Wavai, International Convener of the Consortium for the Bomb blast victims;

1. Stated that the Consortium of survivors and families of the victims of the bomb blast was established in January 2003 with the purpose of coordinating the efforts of compensation for the victims;
2. Reported that the consortium is the representative organ made up of persons who were affected by the bomb blast with the aim of pursuing compensation for all the victims. They include the widows who lost their husbands in the tragedy, orphans whose parents died, victims who lost their eyesight, the employees of various organizations including the Teachers Service Commission, the Cooperative Bank of Kenya, the Ministry of Trade, the National Housing Corporation, the Tana River Development Authority among others that were housed at the Cooperative Building;
3. Reported that the consortium has sought legal redress of the matter in the Kenyan Courts through a legal suit in which the survivors and victims are being represented by Mr. John Khaminwa and facilitated by Kituo Cha Sheria. A non-governmental organization that aides indigent litigants. The legal suit was instituted at the Milimani law courts in 2020 and is currently ongoing;
4. Stated that the consortium has reached out to a law firm in the USA which has been advocating for the compensation of the victims and also the New York Bar Association who is working on modalities on how to support the victims; and
5. She finally presented various issues that the victims need to be supported with as besides full compensation. They include medical covers for the injured, education for their children, Job opportunities for the young ones, rehabilitation for the mentality and physically affected; Special training for the blind; wheelchairs for the crippled, Visas for travelling etc

B) Submission by Dr. Ramona Toscae;

1. She introduced herself as an African American physician and humanitarian with longstanding commitment to assisting victims. She informed the Committee that since 1998, she has been actively involved in supporting victims

- individually and with representation of over 3,500 victims in court
2. She reiterated of her continued dedication to assist the victims and stated that she will continue offering legal representation to the victims until they get justice; and
 3. She concluded by offering her personal apology on behalf of the American people for the failure of the US government to take responsibility of compensating the victims.

C) H.E Stephen Kalonzo Musyoka EGH, Hon. Martha Karua EGH, and Hon. Eugene Wamalwa EGH;

1. The Former Vice President Hon. Stephen Kalonzo Musyoka, EGH, expressed his solidarity to the victims for the resilience they have shown since the tragedy took place. He further expressed his regrets that the USA government had not made any effort to compensate the Kenyan victims despite the strong relations between the two countries. He affirmed the support of the opposition coalition for the victims and thanked the Senate Committee for taking up the matter.
2. Former Cabinet Minister Hon. Martha Karua, EGH, in her remarks thanked the Memorial Trust Commemoration for bringing together all the victims and the stakeholder together for the past 25 years. She stated that justice to the victims was a right and as such the US government had all the responsibility to take in compensating the victims; and
3. Former Cabinet Secretary, Hon. Eugene Wamalwa retaliated the remarks made by the other leaders and called for peace and calm as the matter of Compensation is being pursued by the Senate.

D) The Senate Ad Hoc Committee;

1. The Chairperson remarked that the Senate Committee's mandate is to engage the Ministry of Foreign and Diaspora Affairs to advance friendship and Cooperation between the United States of America and Kenya by supporting eligibility of the Kenyan victims, their surviving spouses and the next of kin in the Victim Compensation Fund pursuant to the Justice for United States Victims of State Sponsored Terrorism Act;
2. She stated that the greatest plea of the Committee to the US government is to expediate the proposal to Congress to initiate amendments through the Victims of State Sponsored Terrorism Act with the main aim of making Kenyan Victims of the 1998 Bomb blast attack eligible to participate in the US Victims of Terrorism compensation Fund; and

3. The Committee assured the Victims that the Committee shall take all the necessary steps needed to ensure it successfully discharges its mandate.

MIN/SEN/ADHOC/036/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/037/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The meeting was adjourned at 13:25 pm. The next meeting to be held on Friday, 11th August, 2023 at 9.00 am.

SIGNED:.....

DATE..5/10/23

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI



**MINUTES OF THE FIFTH SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
SATURDAY, 5TH AUGUST 2023 AT THE 7TH AUGUST MEMORIAL PARK,
NAIROBI AT 11.00 AM.**

PRESENT

- | | |
|-----------------------------------|-------------------|
| 1. Sen. Agnes Kavindu Muthama, MP | -Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | -Vice-Chairperson |
| 3. Sen. Daniel Maanzo, MP | -Member |
| 4. Sen. Beatrice Ogolla, MP | -Member |

ABSENT WITH APOLOGY

- | | |
|-------------------------------|----------|
| 1. Sen. Johnes Mwaruma | - Member |
| 2. Sen. William Cheptumo, MP | -Member |
| 3. Sen. Alexander Mundigi, MP | -Member |
| 4. Sen. Mohamed Chute, MP | -Member |
| 5. Sen. Peris Tobiko, CBS, MP | -Member |

IN ATTENDANCE

- | | |
|---------------------------|---|
| 1. Dr. Ezekiel Mutua | - CEO, Music Copyright Society of Kenya |
| 2. Dr. Ramona Tascoe | - Physician |
| 3. Ms. Caroline Muthoka | - Victim |
| 4. Mr. Stanely Mutuma | -Victim |
| 5. Ms. Savula Mwilu | - Victim |
| 6. Ms. Lilian Munyiva | - Victim |
| 7. Mr. Hezekiel King'ori | - Victim |
| 8. Mr. Peninah Mumbi | - Victim |
| 9. Ms. Philomena Munyinyi | - Victim |

10. Ms. Leonara Atieno	- Victim
11. Mr. Pascal Okubasu	- Victim
12. Ms. Grace Njoroge	- Victim
13. Ms. Esther Githagui	- Victim
14. Mr. Ali Mwadama	- Victim
15. Ms. Jane Njuniria	- Victim
16. Mr. Justus Kimathi	- Victim
17. Mr. Henry Kimatu	- Victim
18. Ms. Margret Mbogo	- Victim
19. Mr. George Ngige	- Victim
20. MS. Ruth Gitu	- Victim
21. Ms. Rachael Syengo	- Victim
22. Ms. Grace Kiuna	- Victim

SECRETARIAT

1. Ms. Emmy Chepkwony	-Principal Clerk Assistant I
2. Ms. Mwanate Shaban	-Senior Clerk Assistant
3. Mr. Desmond Rasugu	-Clerk Assistant III
4. Mr. Malcom Ngugi	-Legal Counsel I
5. Ms. Belinda Ogolla	-Research Officer I
6. Mr. Stanley Gikore	-Media Relations Officer III
7. Mr. Johnstone Simiyu	-Audio Officer
8. Mr. Elphas Ongai	- Attachee

MIN/SEN/ADHOC/029/2023

PRAYER

The Chairperson called the meeting to order at 11:12 am followed by a word of prayer by the Vice-Chairperson.

MIN/SEN/ADHOC/030/2023

ADOPTION OF THE PROGRAMME

The programme of the meeting was unanimously adopted as the Agenda of the day.

MIN/SEN/ADHOC/031/2023

ATTENDING THE VICTIMS PRAYER DAY

A) Chairperson's Remarks.

1. In her opening remarks, the Chairperson informed the meeting that the Committee had

joined the victims to commemorate the tragic bomb blast event that took place 25 years ago. She further Stated that the Committee was determined to engage with the US Government to amend the Victims of Terrorism Act so as to make Kenya eligible to participate in the US Terrorism Victims Compensation Fund that was created in the 2014;

2. She informed the meeting that the Committee will be making a visit to the US where it shall engage with the US Congress to have them amend the law to include Kenya in the Compensation Act.
3. She finally invited the victims and their representatives to make their submissions to the Committee.

B) Submissions from the victims;

1. Submission by Ms. Grace Wanjiru

- a) She informed the Committee that she is the widow of the late Mr. Godfrey Muchori Njuguna who was an employee of the Ufundi Sacco who passed on in the tragedy;
- b) She has never received any form of compensation from the loss.

2. Submission by Ms. Teresia Minyati

- a) She informed the Committee that she is the widow of the late Mr. Charles Mugo Karanja who was working for Ufundi Sacco; and
- b) She has never received any form of compensation from the loss.

3. Submission from Mr. Damaris Wangari Wangoi

- a) She informed the Committee that she is the widow of the late Mr. Martin Kirathe who was working for Consolidated insurance that was situated at Ufundi House;
- b) She has never received any form of compensation from the loss.

4. Submission by Mr. Douglas Sidialo

- a) He informed the Committee that on the day of the attack, he was at the junction of Haile Sellasie and Moi Avenue in Nairobi on his way to his daily routine when he suddenly saw a vehicle crash into the Embassy's gate before a huge explosion was heard. From the bombing he suffered bruises all over his face and permanently lost his sight.
- b) He further stated that so many Kenyan victims, their widows and orphans

have been struggling financially despite making several unsuccessful attempts to get compensated.

- c) He finally informed the Committee that he personally made H.E President Joe Biden during his Visit to Kenya in 2010 who promised him that the USA Government will do every effort to ensure the victims are compensated but that has never been fulfilled.

5. Submission by Mr. George Ngige

- a) He informed the Committee that on the day of the attack, he was walking between the Cooperative House and the Extelcoms Building going about his business before he heard a burst of gunfire followed by a big bang after which he was thrown to the ground and suffered many injuries. He underwent a hip and sinuses operation and kept going to hospitals for continuous medication.
- b) He stated that the only money he received was Ksh. 60,000/- from the Charles Njonjo - led Committee which he reported was not government compensation but money that had been raised through the contribution of ordinary Kenyans.
- c) He additionally informed the Committee that between the year 2015 and 2016 that he had made several attempts to meet with various key Kenyan government officials including the Cabinet Secretary for Foreign Affairs, the Principal Secretary for Interior and Coordination of National Government but none of them materialized.

6. Submission by Caroline Muthoka

She informed the Committee that she was seven months pregnant at the time of the bomb last and suffered a number of injuries in her body. She later moved to the to the USA where she is leading the consortium of the victims as the international convener for drumming support for compensation of the victims.

7. Submission by Ms. Leonora Atieno

- a) She informed the Committee that she was an employee of the Teachers Service Commission (TSC) which was based at the Cooperative House at the time of the attack. The incident left her with several injuries on her body with severe ones on her cheek, right shoulder and loss of her two teeth.
- b) She stated that the TSC lost 12 of its employees and over the past 25 years, 8 more of their staff have lost their lives. She additionally reported that most of

the surviving victims got injuries that affected their eyesight, spine and ears.

8. Submission by Grace Njoroge – Representing orphans

- a) She informed the Committee that her late father the late Peter Njoroge Ndungu, was working as a driver to the then Minister for Trade Hon. John Kamotho who died in the attack while accompanying the Minister who was on official duty at the Cooperative House Building.
- b) She reported that many orphans who lost their parents in the tragedy have since been living miserable lives with no aid received from either governments of Kenya or USA. She lamented that most of them lacked even funds to complete school, most have not secured any job and other challenges arising from the loss of their parents,
- c) She appealed to the Committee to look into the plight of the orphans and assist them get compensation.

9. Submission by Ms. Jane Njeri Njuniria

- a) She informed the Committee that she lost her husband Mr. Francis Kiiru Kabathi who who worked at Ufundi Sacco Society at the time of the attack.
- b) She further stated that she fled from Kenya to the USA after facing threats from one of her in-laws about the money received from the Charles Njonjo led Committee. She is currently the representative of similar victims like her in the Diaspora.

10. Submission by Mr. Ali Mwadama

- a) He submitted that he was going about his normal business near the Cooperative Building before the sudden explosion that led to severe injuries on his neck region, ear and face.
- b) He further stated that he has been straining to seek medication for the permanent injuries that he incurred.

11. Submission by Catherine Nabwire

- a) She submitted that she is an employee of the Teachers Service Commission;
- b) She was a pregnant at the time of the Bomb blast;
- c) She lost her eye sight permanently as a result of the Bomb blast;
- d) She has never received any form of compensation.

12. Submission by Mr. Joel Nzioka he submitted

- a) He submitted that he was an employee of Ufundi Sacco at the time of the Bomb blast;
- b) He suffered injuries on various parts of the body and;
- c) He has never received any form of compensation.

13. Submission by Philomena Munyinyi

- a) Submitted that her husband was working at the Ufundi Sacco lost his life to the Bomb blast while on duty;
- b) She narrated of the hardship she and the others who became widowed as a result of the tragedy have had to endure in raising their families;
- c) She has never received any form of compensation.

14. Submission by Mr. Hezekiel King'ori

- a) He stated that he was working at the Tana and Athi Rivers Authority which was situated at the Cooperative Bank Building at the time of tragedy;
- b) He suffered multiple injuries and has never received any form of compensation.

15. Submission by Ms. Lilin Ngeno

- a) She stated that she was an employee of the Tana and Athi Rivers Authority which was situated at the Cooperative Bank Building at the time of tragedy;
- b) She suffered multiple injuries and has never received any form of compensation.

16. Submission by Mr. Peterson Kimeu

- a) He was an employee of Ufundi Sacco at the time of the Bomb blast; and suffered multiple injuries;
- b) He has never received any form of compensation

17. Submission by Mr. Esther Githagui

- a) She was an employee of the Cooperative Bank at the time of the tragedy;
- b) She suffered multiple injuries from the bomb last and stated that as a result, she was fired by the employer.

18. Submission by Ms. Mary Mwikali

- a) She was an employee of the Cooperative Bank at the time of the tragedy;
- b) She suffered multiple injuries from the bomb last and stated that as a result, she was fired by the employer.

19. Submission by Mr. Enock Moenga Oroo

- a) He stated he was a passerby along Haile Sellasie Avenue at the time of the tragedy;
- b) He suffered multiple deep cuts and lost some of his teeth.

C) Closing Remarks by the Committee

Upon receiving submissions from the Victims, the committee;

- 1. Assured the victims that all their submissions were taken note of and emphasized the Committee's commitment to ensure all the victims are granted justice; and
- 2. Stated that the Committee will look into the cases of those victims whose employments were terminated by their employers on medical grounds because of the injuries that they suffered; and

MIN/SEN/ADHOC/032/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/033/2023

**DATE OF NEXT MEETING AND
ADJOURNMENT**

The Chairperson adjourned the meeting at 13:36 pm. The next meeting to be held on Monday, 7th August, 2023 at 10.00 am.

SIGNED:..........

DATE.....14/10/2023.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI



**MINUTES OF THE FOURTH SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
FRIDAY, 28TH JULY 2023 AT MINI CHAMBER, COUNTY HALL BUILDING, AT
10:00 AM.**

PRESENT

- | | |
|------------------------------------|--------------|
| 1. Sen. Agnès Kavindu Muthama, MP | -Chairperson |
| 2. Sen. Johnes Mwaruma, MP | -Member |
| 3. Sen. Daniel Maanzo, MP | -Member |
| 4. Sen. Alexander Mundigi, MP | -Member |
| 5. Sen. Peris Pesi Tobiko, CBS, MP | -Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|-------------------|
| 1. Sen. Jackson Mandago, EGH, MP | -Vice-Chairperson |
| 2. Sen. William Cheptumo, MP | -Member |
| 3. Sen. Mohamed Chute, MP | -Member |
| 4. Sen. Beatrice Ogolla, MP | -Member |

IN ATTENDANCE

- | | |
|-------------------------|-----------------------------|
| 1. Mr. John Mwariri | -Advocate, Kituo Cha Sheria |
| 2. Ms. Caroline Muthoka | -Victim |
| 3. Mr. Douglas Sidialo | -Victim |
| 4. Ms. Leonara Atieno | -Victim |
| 5. Ms. John Njuniria | -Victim |
| 6. Mr. Stanley Mutuma | -Victim |
| 7. Ms. Lilian Munyua | -Victim |
| 8. Mr. Justus Kimathi | -Victim |
| 9. Mr. George Ngige | -Victim |

10. Mr. Enock Oroo	- Victim
11. Mr. Ali Mwadama	- Victim
12. Mr. Stephene Ndune	- Victim
13. Ms. Ruth Mwhaki	- Victim
14. Ms. Magret Mbogo	- Victim
15. Ms. Esther Githagui	- Victim
16. Ms. Philomena Munyinyi	- Victim
17. Ms. Rachael Syengo	-Victim
18. Ms. Grace Njoroge	-Victim
19. Mr. Ezekiel Kingori	-Victim
20. Mr. Titus Oningo	-Victim
21. Ms. Redempta	- Victim
22. Ms. Safula Abdi	-Victim
23. Mr. Stephen Ndune	-Victim

SECRETARIAT

1. Ms. Emmy Chepkwony	-Principal Clerk Assistant I
2. Ms. Mwanate Shaban	-Senior Clerk Assistant
3. Mr. Desmond Rasugu	-Clerk Assistant III
4. Mr. Malcom Ngugi	-Legal Counsel I
5. Ms. Belinda Ogolla	-Research Officer I
6. Mr. Stanley Gikore	-Media Relations Officer III
7. Mr. John Chege	- SAA
8. Mr. Johnstone Simiyu	-Audio Officer
9. Mr. Elphas Ongai	- Attachee
10. Mr. Jeff Mburu	- Attachee

MIN/SEN/ADHOC/023/2023

PRAYER AND INTRODUCTIONS

The Chairperson called the meeting to order at 10:29 am followed by a word of prayer. Thereafter there was a round of introductions by all those who were present.

MIN/SEN/ADHOC/024/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Johnes Mwaruma and seconded by Sen. Alexander Mundigi, MP as follows;

1. Prayer & Introductions;
2. Adoption of the Agenda;
3. Communication from the Chair;

4. Meeting the Victims of the 1998 Bombing of the USA Embassy in Nairobi and their representatives;
5. Any Other Business; and
6. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/025/2023

COMMUNICATION FROM THE CHAIR

1. The Chairperson in her opening remarks, welcomed the victims to the meeting and stated that the Committee was looking forward to listen and engage with them over their compensation of the damages they suffered from the 1998 Bombing of the USA Embassy.
2. She informed the meeting that the Committee was established by a resolution of the Senate on Thursday, 29th June 2023 with the mandate to engage the Ministry of Foreign and Diaspora Affairs to advance friendship and co-operation between the United States of America and Kenya by supporting the eligibility of Kenya Victims in the in the Victim Compensation Fund pursuant to the Justice for the US Victims of State Sponsored victims.
3. She concluded by informing the meeting that the Committee was required to submit a report on this matter by 26th July, 2023 and therefore, it was undertaking all the engagements it needs to ensure that it has concluded on its mandate within the specified timeline.

MIN/SEN/ADHOC/026/2023

**MEETING THE VICTIMS OF THE 1998
BOMBING OF THE USA EMBASSY IN
NAIROBI AND THEIR REPRESENTATIVES**

The Chairperson invited the Victims and their representatives to make their submissions to the Committee regarding their accounts of the bomb last tragedy any outcome regarding their efforts to get compensated. The submissions made were as follows;

1. Submissions by Mr. John Mwariri, Advocate at Kituo Cha Sheria

- a) He informed the Committee that he is an advocate with Kituo Cha Sheria and he was representing the victims at the High Court of Kenya -Constitutional and Human Rights Division.
- b) He stated that the Kituo Cha Sheria filed the case in June 2021 after they were approached by the victims after years of unsuccessfully petitioning the Kenya and USA governments for compensation.
- c) He further informed the Committee that the USA Government had compensated

the non- US citizens through the Foreign Sovereign Immunity Act but the Kenyan Victims are not included in that Act. He added that in the 1998 USA Embassy in Nairobi bombing, the US government only compensated the American citizens, the Kenyans working in the Embassy and their contractors.

2. Submission by Mr. Douglas Sidialo

- a) He informed the Committee that on the day of the attack, he was at the junction of Haile Sellasie and Moi Avenue in Nairobi on his way to his daily routine when he suddenly saw a vehicle crash into the Embassy's gate before a huge explosion was heard. From the bombing he suffered bruises all over his face and permanently lost his sight.
- b) He reported that since then him and other surviving victims started the Visual Seventh August group which provides psychological, physical and financial support to them.
- c) He further stated that so many Kenyan victims, their widows and orphans have been struggling financially despite making several unsuccessful attempts to get compensated.
- d) He finally informed the Committee that he personally made H.E President Joe Biden during his Visit to Kenya in 2010 who promised him that the USA Government will do every effort to ensure the victims are compensated. A promise which has never been fulfilled.

3. Submission by Mr. George Ngige

- a) He informed the Committee that on the day of the attack, he was walking between the Cooperative House and the Extelcoms Building going about his business before he heard a burst of gunfire followed by a big bang after which he was thrown to the ground and suffered many injuries. He underwent a hip and sinuses operation and kept going to hospitals for continuous medication.
- b) He stated that the only money he received was Ksh. 60,000/- from the Charles Njonjo Led Committee which he reported was not government compensation but money that had been raised through the contribution of ordinary Kenyans.
- c) He additionally informed the Committee that between the year 2015 and 2016 that he had made several attempts to meet with various key Kenyan government officials including the Cabinet Secretary for Foreign Affairs, the Principal Secretary for Interior and Coordination of National

Government but none of them materialized.

4. Submission by Caroline Muthoka

She informed the Committee that she was seven months pregnant at the time of the bomb last and the effects of the bombing affected her and that of the unborn baby. She later moved to the to the USA where she is a leading consortium making the efforts to have the victims compensated.

5. Submission by Ms. Leonora Atieno – Representing employees of the Teachers Service Commission

- a) She informed the Committee that she was an employee of the Teachers Service Commission (TSC) which was based at the Cooperative House at the time of the attack. The incident left her with several injuries on her body with severe ones on her cheek, right shoulder and loss of her two teeth.
- b) She stated that the TSC lost 12 of its employees and over the past 25 years, 8 more of their staff have lost their lives. She additionally reported that most of the surviving victims got injuries that affected their eyesight, spine and ears.

6. Submission by Ms. Redempta Kadenge

- a) She informed the Committee that she was an Employee of the Teachers Service Commission at the time of the attack and the incident left her with permanent injuries which she sought medication on various hospitals in the world. She reported to have suffered a number of cardiac arrests, undergone various surgeries but never recovered her health as she is on lifelong medication.
- b) She stated the only money she ever received was Ksh.60,000/- from the Charles Njonjo Committee

7. Submission by Grace Njoroge – Representing orphans

- a) She informed the Committee that her late father the late Peter Njoroge Ndungu, was working as a driver to the then Minister for Trade Hon. John Kamotho who died in the attack while accompanying the Minister who was on official duty at the Cooperative House Building.
- b) She reported that many orphans who lost their parents in the tragedy have since been living miserable lives with no aid ever coming to them.

8. Submission by Ms. Jane Njeri Njuniria - Representing victims in Diaspora

- a) She informed the Committee that she lost her husband Mr. Francis Kiiru Kabathi who who worked at Ufundi Sacco Society at the time of the attack.
- b) She further stated that she fled from Kenya to the USA after facing threats from one of her in-laws about the money received from the Charles Njonjo led Committee. She is currently the representative of similar victims like her in the Diaspora.

9. Submission by Mr. Ali Mwadama

He submitted that he was going about his normal business near the Cooperative Building before the sudden explosion that led to severe injuries on his neck region, ear and face. He further stated that he has been straining to seek medication for the permanent injuries that he incurred.

Resolution

After all the submissions and deliberations, the committee asked Kituo Cha Sheria to urgently prepare and submit a detailed and authenticated documentation of the victims who are due for compensation.

The Committee further informed the victims that the Committee will be diplomatically engaging the USA government to include Kenya in their list of Compensation of victims of terrorism.

MIN/SEN/ADHOC/027/2023

There was no any other business.

ANY OTHER BUSINESS

MIN/SEN/ADHOC/028/2023

DATE OF NEXT MEETING AND ADJOURNMENT

The Chairperson adjourned the meeting at 13:10 pm. The next meeting to be held on Saturday, 4th August, 2023 at 10.00 am.

SIGNED:.....

DATE.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI



**MINUTES OF THE THIRD SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
WEDNESDAY, 26TH JULY 2023 AT COMMITTEE ROOM 5, MAIN
PARLIAMENT BUILDINGS, AT 1:00 PM.**

PRESENT

- | | |
|------------------------------------|--|
| 1. Sen. Agnes Kavindu Muthama, MP | -Chairperson |
| 2. Sen. Jackson Mandago, EGH, MP | -Vice-Chairperson (Virtual attendance) |
| 3. Sen. Johnes Mwaruma, MP | -Member |
| 4. Sen. Daniel Maanzo, MP | -Member |
| 5. Sen. Alexander Mundigi, MP | -Member |
| 6. Sen. Peris Pesi Tobiko, CBS, MP | -Member |
| 7. Sen. Beatrice Ogolla, MP | -Member |

ABSENT WITH APOLOGY

- | | |
|------------------------------|---------|
| 1. Sen. William Cheptumo, MP | -Member |
| 2. Sen. Mohamed Chuse, MP | -Member |

SECRETARIAT

- | | |
|-------------------------|------------------------------|
| 1. Ms. Emmy Chepkwony | -Principal Clerk Assistant I |
| 2. Ms. Mwanate Shaban | -Senior Clerk Assistant |
| 3. Mr. Desmond Rasugu | -Clerk Assistant III |
| 4. Mr. Moses Kenyanchui | -Legal Counsel I |
| 5. Ms. Belinda Ogolla | -Research Officer I |
| 6. Mr. Stanley Gikore | -Media Relations Officer III |
| 7. Mr. Nicholas Arusei | -Audio Officer |

MIN/SEN/ADHOC/016/2023

PRAYER

The Chairperson called the meeting to order at 1:00 pm followed by a word of prayer.

MIN/SEN/ADHOC/017/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Beatrice Ogolla, MP and seconded by Sen. Alexander Mundigi, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the Second Sitting;
4. Consideration of Matters Arising from the Minutes;
5. Briefing by the Chair;
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/018/2023

**CONFIRMATION OF THE MINUTES OF
THE SECOND SITTING**

The Minutes of the second sitting that was held on Wednesday, 26th July, 2023 at 1.00 pm, were confirmed to be a true record of the proceedings, after being proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. Alexander Mundigi, MP.

MIN/SEN/ADHOC/019/2023

**CONSIDERATION OF MATTERS ARISING
FROM THE MINUTES**

There were no matters arising.

MIN/SEN/ADHOC/020/2023

BRIEFING BY THE CHAIR

1. The Chairperson tabled the following documents before the Committee;
 - a) A letter from Mr. Phil Musolino, a USA based lawyer who is involved in the litigation and drafting of the proposed legislation on Compensation of the Kenyan victims of the USA Embassy in which he stated that he will be available to have an in-person meeting with the Committee on Friday, 11th August 2023;
 - b) A letter from Mr. Joseph Szlavik, a strategist and advisor in the USA, which outlines the meetings they propose to have with the Committee involving various members of the USA Congress during the Committee's visit to the

USA. The letter also stated that the appropriate dates the meetings can take place is from 12th – 14th September 2023 as the US Congress will be on recess for the entire month of August 2023;

- c) A copy of the judgement made on 20th May, 2022 by the United States District Court of Columbia which awarded compensatory damages to 351 victims of the 1998 Bombing of the USA Embassy in Nairobi; and
- d) A book by Prudence Bushnell the US Ambassador to Kenya in 1998, titled Terrorism, Betrayal, and Resilience: My Story of the 1998 US Embassy Bombings. The Chairperson invited all members and secretariat to read the book as it could offer insightful and enriching information regarding the terrorist attack.

2. The Committee took note of the contents of the documents and the entire briefing by the Chairperson and resolved as follows -

- a) That the Committee shall meet with the aforementioned lawyer on Friday, 11th August 2023 to deliberate on the proposed legislation on compensation of the Kenyan victims by the USA government;
- b) That the Committee will meet the stakeholders in the USA as proposed by the team in the US during the Committee's visit to the US; and
- c) That the Committee should hold townhall meetings in different parts of the Country (Kenya) to meet and listen to the victims of the tragedy.

MIN/SEN/ADHOC/021/2023

ANY OTHER BUSINESS

There was no any other business.

MIN/SEN/ADHOC/022/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 13:50 pm. The next meeting to be held on Friday, 28th July, 2023 at 10.00 am.

SIGNED:.....

DATE.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI



**MINUTES OF THE SECOND SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD
VIRTUALLY ON FRIDAY, 21ST JULY, 2023 AT 11:00AM.**

PRESENT

- | | |
|------------------------------------|--------------|
| 1. Sen. Agnes Kavindu Muthama, MP | -Chairperson |
| 2. Sen. Johnes Mwaruma, MP | -Member |
| 3. Sen. Alexander Mundigi, MP | -Member |
| 4. Sen. Peris Pesi Tobiko, CBS, MP | -Member |
| 5. Sen. Beatrice Ogolla, MP | -Member |

ABSENT WITH APOLOGY

- | | |
|----------------------------------|-------------------|
| 1. Sen. Jackson Mandago, EGH, MP | -Vice-Chairperson |
| 2. Sen. Daniel Maanzo, MP | -Member |
| 3. Sen. William Cheptumo, MP | -Member |
| 4. Sen. Mohamed Chute, MP | -Member |

SECRETARIAT

- | | |
|-------------------------|---|
| 1. Mr. Njenga Njuguna | -Director, Governance and Accountability Committees |
| 2. Ms. Emmy Chepkwony | -Principal Clerk Assistant I |
| 3. Ms. Mwanate Shaban | -Senior Clerk Assistant |
| 4. Mr. Desmond Rasugu | -Clerk Assistant III |
| 5. Mr. Moses Kenyanchui | -Legal Counsel I |
| 6. Ms. Belinda Ogolla | -Research Officer I |
| 7. Mr. Stanley Gikore | -Media Relations Officer III |
| 8. Mr. Godana Mamo | -Serjeant-at-Arms |
| 9. Mr. Nicholas Arusei | -Audio Officer |

MIN/SEN/ADHOC/09/2023

PRAYER

The Chairperson called the meeting to order at 11:03 am followed by a word of prayer.

MIN/SEN/ADHOC/10/2023

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted as presented after being proposed by Sen. Johnes Mwaruma, MP and seconded by Sen. Beatrice Ogolla, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the First Sitting;
4. Consideration of Matters Arising from the Minutes;
5. Consideration of the Committee Work Plan and Work Schedule (*Committee Paper No. 2*);
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/11/2023

CONFIRMATION OF THE FIRST SITTING

The Minutes of the first sitting that was held on Tuesday, 18th July, 2023 at 8:30 am, were confirmed to be a true record of the proceedings, after being confirmed by Sen. Johnes Mwaruma, MP and seconded by Sen. Alexander Mundigi, MP.

MIN/SEN/ADHOC/12/2023

CONSIDERATION OF MATTERS ARISING FROM THE MINUTES

There were no matters arising.

MIN/SEN/ADHOC/13/2023

CONSIDERATION OF THE COMMITTEE WORK PLAN AND WORK SCHEDULE)

1. The Committee considered the proposed work plan and work schedule which outlined the various key activities the Committee is scheduled to carry out, the dates, venue and the stakeholders to be involved in each of the activities.
2. The activities included; 15 regular meetings with various stakeholders, 1 Public hearing; 1 local visit to the Bombing site; 1 Foreign visit to the USA, 1 retreat to adopt the Committee report; and tabling of the report in the Senate before 26th September 2023.

3. The Committee unanimously approved the work-plan and the work schedule with the following amendments;

- a) The Committee resolved to have an in-house meeting on **Wednesday, 26th July, 2023 at 12:30 pm** so as to have a briefing on the facts and the history of the compensation of the 1998 USA Embassy Bombing victims.
- b) The Committee resolved to attend the Victims prayer day to be held on **Saturday, 5th August, 2023** to be held at the Bomb blast site.

MIN/SEN/ADHOC/14/2023

ANY OTHER BUSINESS

1. Members were informed that hearing and receiving of submissions from the public will be open to any individual or organization as long as they will provide the Committee with the relevant information on the subject matter.
2. Members were informed that all of its activities shall be aired in the media so as to give the Committee as much publicity as possible.

MIN/SEN/ADHOC/15/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 11:44 am. The next meeting to be held on Wednesday, 26th July, 2023 at 1.00 pm.

SIGNED:.....



DATE.....

26/7/23

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI



**MINUTES OF THE FIRST SITTING OF THE AD HOC COMMITTEE ON THE
COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF
THE UNITED STATES OF AMERICA EMBASSY IN NAIROBI, HELD ON
TUESDAY, 18TH JULY, 2023 AT 8:30AM.**

PRESENT

- | | |
|------------------------------------|---------|
| 1. Sen. Agnes Kavindu Muthama, MP | -Member |
| 2. Sen. Alexander Mundigi, MP | -Member |
| 3. Sen. Johnes Mwaruma, MP | -Member |
| 4. Sen. Jackson Mandago, EGH, MP | -Member |
| 5. Sen. William Cheptumo, MP | -Member |
| 6. Sen. Peris Pesi Tobiko, CBS, MP | -Member |

ABSENT WITH APOLOGY

- | | |
|-----------------------------|---------|
| 1. Sen. Dan Maanzo, MP | -Member |
| 2. Sen. Beatrice Ogolla, MP | -Member |
| 3. Sen. Mohamed Chute, MP | -Member |

SECRETARIAT

- | | |
|------------------------|---|
| 1. Mr. Njenga Njuguna | -Director, Governance and Accountability Committees |
| 2. Ms. Emmy Chepkwony | -Principal Clerk Assistant I |
| 3. Ms. Mwanate Shaban | -Clerk Assistant I |
| 4. Mr. Desmond Rasugu | -Clerk Assistant III |
| 5. Mr. Moses Kenyajui | -Legal Counsel I |
| 6. Ms. Belinda Ogolla | -Research Officer I |
| 7. Mr. Stanley Gikore | -Media Relations Officer III |
| 8. Mr. Godana Mamo | -Serjeant-at-Arms |
| 9. Mr. Nicholas Arusei | -Audio Officer |
| 10. Mr. Elphas Ongai | - Attachee |

MIN/SEN/ADHOC/01/2023

PRAYER

The Director for Accountability and Governance Committees called the meeting to order at 8:29 am followed by a word of prayer.

MIN/SEN/ADHOC/02/2023

ADOPTION OF THE AGENDA

The Agenda of the meeting was adopted as presented after being proposed by Sen. Jackson Mandago, EGH, MP and seconded by Sen. Alexander Mundigi, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Remarks by the Clerk of the Senate;
4. Procedure for the Election of the Chairperson and Vice-Chairperson of a Committee (*Committee Paper No. 1*);
5. Election of the Chairperson and Vice-Chairperson of the Committee;
6. Remarks by the Chairperson and Vice-Chairperson of the Committee;
7. Any Other Business; and
8. Date of the Next Meeting and Adjournment.

MIN/SEN/ADHOC/03/2023

**REMARKS BY THE CLERK OF THE
SENATE**

1. Mr. Samuel Njuguna, the Director Governance and Accountability Committees who was representing the Clerk of the Senate in the meeting, welcomed the members to the inaugural meeting of the Ad hoc Committee on the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy in Nairobi.
2. He gave the apologies of the Clerk of the Senate who was attending to other official matters.
3. He explained that the quorum for the conduct of an election was five (5) members of the Committee which had been achieved. He then called for a round of introductions from both the Members and the Secretariat.

MIN/SEN/ADHOC/04/2023

**PROCEDURE FOR ELECTION OF THE
CHAIRPERSON AND VICE-
CHAIRPERSON OF A COMMITTEE**

The Committee considered and noted the contents of Paper No. 1 (*Procedure for the Election of the Chairperson and Vice-Chairperson of a Committee*).

MIN/SEN/ADHOC/05/2023

ELECTION OF THE CHAIRPERSON AND
VICE-CHAIRPERSON OF THE
COMMITTEE

1. Election of the Chairperson

- a) Sen. Agnes Kavindu Muthama, MP. was nominated for the position of Chairperson after being proposed by Sen. William Cheptumo, MP and seconded by Sen. Alexander Mundigi, MP; and
- b) There being no other nomination, Sen. Agnes Kavindu Muthama, MP. was declared as the duly elected Chairperson of the Senate Ad hoc Committee on the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy in Nairobi.

2. Election of the Vice Chairperson

- a) Sen. Jackson Mandago, EGH, MP. was nominated for the position of Vice Chairperson after being proposed by was proposed by Sen. Johnes Mwaruma, MP and seconded by Alexander Mundigi, MP; and
- b) There being no other nomination, Jackson Mandago, EGH, MP. was declared as the duly elected Vice Chairperson of the Senate Ad hoc Committee on the compensation to the Kenyan victims of the 1998 bombing of the United States of America Embassy in Nairobi.

MIN/SEN/AD HOC/06/2023/2023

REMARKS BY THE CHAIRPERSON
AND VICE-CHAIRPERSON

1. The Chairperson expressed her gratitude to the Senators for electing her as the Chairperson of the Committee. She recognized the enormity of the task before the Committee, noting the short period that the Committee has to discharge its mandate. She concluded by assuring the Committee of her Commitment in delivering its mandate; and urged the Members to work as a team as this could lead to the ultimate success of the Committee.
2. The Vice-Chairperson similarly thanked the members for electing him as the Vice-Chairperson of the Committee and stated that he appreciated their confidence of his leadership and that of the chairperson. He further stated that the matter of the compensation to the victims of the 1998 bombing of the United States of America Embassy is a very emotive issue to many families that were affected by the tragedy and thus congratulated the Committee for taking up the matter to ensure the victims get justice. He concluded by expressing his optimism that the committee will have a fruitful engagement and effectively deliver on its mandate.

MIN/SEN/ADHOC/07/2023

ANY OTHER BUSINESS

1. The other Committee Members congratulated the Chairperson and Vice Chairperson on their election and expressed their confidence in their leadership. They also acknowledged the timelines set for the Committee to deliver its mandate and thus expressed their commitment to prioritize the business before them to ensure its dispensed with effectively; and
2. The members were informed that the Committee's proposed workplan was ready for consideration and adoption by the Committee. The Committee resolved to consider the work plan at its next meeting.

MIN/SEN/ADHOC/08/2023

DATE OF NEXT MEETING AND
ADJOURNMENT

The Chairperson adjourned the meeting at 9:20 am. The next meeting to be held on Thursday, 20th July, 2023 at 11:30 am.

SIGNED:.....

DATE.....

SEN. AGNESS KAVINDU MUTHAMA, MP

CHAIRPERSON, AD HOC COMMITTEE ON THE COMPENSATION TO THE
KENYAN VICTIMS OF THE 1998 BOMBING TO THE UNITED STATES OF
AMERICA EMBASSY IN NAIROBI
