

EACC

PARLIAMENT OF KENYA



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THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT

FOURTH SESSION

THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REPORT

ON THE APPROVAL FOR APPOINTMENT OF ARCHBISHOP (RTD) DR. ELIUD
WABUKALA WAMUKEKHE AS CHAIRPERSON OF THE ETHICS AND ANTI-
CORRUPTION COMMISSION

CLERK'S CHAMBERS,
PARLIAMENT BUILDINGS,
NAIROBI

JANUARY, 2017

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ABBREVIATIONS AND ACRONYMS

CID	Criminal Investigations Department
HELB	Higher Education Loans Board
EACC	Ethics and Anti-Corruption Commission
Hon	Honourable
H.E	His Excellency
KRA	Kenya Revenue Authority
MP	Member of Parliament
PSC	Public Service Commission
NACCSC	National Anti-Corruption Campaign Steering Committee

1.0 CHAIR'S FOREWORD

On 20th December, 2016 pursuant to Standing Order 42 (1), the Speaker communicated to the House a message from His Excellency the President Hon.Uhuru Kenyatta regarding the approval of Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe as Chairperson of Ethics and Anti-Corruption Commission.

The Message dated 20th December, 2016 was addressed to the Speaker of the National Assembly pursuant to section 6 of the Ethics and Anti-Corruption Commission Act ,2012 as read together with section 3 and 5 of the Public Appointments (Parliamentary Approval) Act (Chapter 36 of the laws of Kenya. The Message also included a copy of a letter to H.E the President conveying the decision by the Selection Panel to pick Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe for consideration for appointment as Chairperson of Ethics and Anti-Corruption Commission.

The above Statutory provisions require that in making appointments of the chairperson and members of EACC, the President shall seek the approval of the National Assembly. The Speaker of the National Assembly referred the Message together with the nominee's curriculum vitae to the Departmental Committee on Justice and Legal Affairs for consideration pursuant to provisions of Standing Order 42 (3) (c)

The Committee's Report contains observations, findings and recommendation by the majority of the Committee's members that the nominee is suitable and qualified for appointment as Chairperson of Ethics and Anti-Corruption Commission.

The Committee conducted the vetting process for approval of the nominee with reference to the Constitution of Kenya 2010, the Public Appointments (Parliamentary Approvals) Act, 2011, Ethics and Anti-Corruption Commission Act, 2012 the Leadership and Integrity Act, 2012 and other relevant provisions of the law.

On behalf of the committee, I wish to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate.

Finally, pursuant to Standing Order 216(5) (f), it is my pleasure and duty to present to the House, the Report on the approval for appointment of Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe as Chairperson of Ethics and Anti-Corruption Commission.

Hon. Samuel Chepkong'a, M.P

2.0 MANDATE OF THE COMMITTEE

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

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

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

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

The Committee oversees the following Ministries/Departments:

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

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

3.0 MEMBERS OF THE COMMITTEE

Chairperson	Hon. Samuel Chepkong'a, M.P.
Vice Chairperson	Hon. Priscilla Nyokabi, M.P.
Members	Hon. Njoroge Baiya, M.P. Hon. Muriithi Waiganjo, M.P. Hon. Ndirangu Waihenya, M.P. Hon. Florence Kajuju, M.P. Hon. Kang'ata Irungu, M.P. Hon. Benson Mutura, M.P. Hon. John Njoroge Chege, M.P. Hon. William Cheptumo, M.P. Hon. Mohamed Abdi Haji, M.P. Hon. Bitok Kirwa, M.P. Hon. Sammy Koech, M.P. Hon. Moses Cheboi, M.P. Hon. Paul Bii, M.P. Hon. Charles Gimose, M.P. Hon. Johana Ng'eno, M.P. Hon. Boniface Otsiula, M.P. Hon. David Ouma Ochieng, M.P. Hon. Neto Agostinho, M.P. Hon. Kaluma Peter, M.P. Hon. Fatuma Ibrahim Ali, M.P. Hon. Ben Momanyi Orori, M.P. Hon. T. J. Kajwang', M.P. Hon. (Bishop)Mutua Mutemi, M.P. Hon. Olago Aluoch, M.P. Hon. Christine Oduor Ombaka, M.P. Hon. Benjamin Andayi, M.P. Hon. Mwamkale William Kamoti, M.P.

4.0 COMMITTEE SECRETARIAT

First Clerk Assistant

Principal Legal Counsel

Second Clerk Assistant

Legal Counsel

Research and Policy Analyst

Mr. Abenayo Wasike

Mr. Dennis Abisai

Mr. Ahmed Salim

Ms. Mugure Gituto

Ms. Clare Jerotich

5.0 BACKGROUND

5.1 Establishment of the Departmental Committee on Justice and Legal Affairs

The Departmental Committee on Justice and Legal Affairs is one of the Departmental Committees established under National Assembly Standing Order No.216 (1).The Committee has mandate to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments).

The committee is mandated to consider for approval by the National Assembly, appointments of the chairperson and members of the commission under section 6 of the EACC Act. The said provision requires H.E the President to forward the names of the persons so selected to the National Assembly for approval.

The vetting process is guided by the Public Appointments (Parliamentary Approval) Act; 2012. Section 7 of the Act provides that-

The issues for consideration by the relevant House of Parliament in relation to any nomination shall be;

- a. the procedure used to arrive at the nominee;*
- b. any constitutional or statutory requirements relating to the office in question; and*
- c. the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which nomination is being made.*

Section 10 of the Act further provides that;

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

5.2 Establishment of the Ethics and Anti-Corruption Commission (EACC)

The Ethics and Anti-Corruption Commission (EACC) is established by Article 79 of the Constitution of Kenya which gives it the status and powers of a Commission under Chapter 15 of the same constitution. Article 79 provides that;

“Parliament shall enact legislation to establish an independent ethics and anti-corruption commission, which shall be and have the status and powers of a commission under Chapter fifteen, for purposes of ensuring compliance with, and enforcement of this chapter.”

5.3 Chairmanship and membership of the Commission

Section 4 of the Ethics and Anti-Corruption Commission Act, 2011 as amended by the Ethics and Anti-Corruption Commission (Amendment) Act No. 12 of 2015 provides that;

“The Commission shall consist of a chairperson and four Members appointed in accordance with the provisions of the Constitution of Kenya and the Ethics and Anti-Corruption Commission Act”.

Section 5 (1) of the Act states the qualifications for appointment as chairperson or member as follows:-

- (1) *A person shall be qualified for appointment as chairperson if that person-*
 - (a) *meets the requirements of Chapter 6 of the Constitution;*
 - (b) *holds a degree from a university recognized in Kenya;*
 - (c) *has knowledge and experience of not less than fifteen years in any of the following fields:-*
 - (i) *ethics and governance;*
 - (ii) *law;*
 - (iii) *public administration;*
 - (iv) *leadership;*
 - (v) *economics;*
 - (vi) *social studies;*
 - (vii) *audit;*
 - (viii) *accounting;*
 - (ix) *fraud investigation;*
 - (x) *public relations and media; and*
 - (xi) *religious studies or philosophy;*
 - (d) *has a distinguished career in their respective fields*

Sub-section 3 states that;

A person shall not be qualified for appointment as a chairperson or as a member if the person-

- (a) is a member of a governing body of a political party;
- (b) is an undischarged bankrupt;
- (c) has been convicted of a felony;
- (d) has been removed from public office for contravening the provisions of the Constitution or any other law.

Section 132(2) of the constitution of Kenya states as follows:-

- (2) *‘The President shall nominate and with the approval of the National Assembly, appoint and may dismiss:-*
 - (a) *the Cabinet Secretaries in accordance with Article 152;*
 - (b) *the Attorney-General in accordance with Article 156;*
 - (c) *the Secretary to the Cabinet in accordance with Article 154;*
 - (d) *Principal Secretaries in accordance with Article 155;*
 - (e) *High Commissioners, ambassadors and diplomatic and consular representatives; and*
 - (f) *in accordance with this constitution, any other state or public officer whom this Constitution requires or empowers the President to appoint or dismiss’*

Section 10 (1) and (2) of the Ethics and Anti-Corruption Commission (Amendment) Act, 2015 states as follows:-

- (1) *“Whenever a vacancy arises in the membership of the Commission, the Public Service Commission shall within fourteen days -*
 - (a) *Invite applications from persons who qualify for nomination and appointment by advertisement in at least two daily newspapers of national circulation;*
 - (b) *Consider applications received to determine their compliance with the provisions of the constitution and this Act;*
 - (c) *Short list the applicants;*
 - (d) *Conduct interviews of the shortlisted applicants;*
 - (e) *Shortlist three qualified applicants for each vacancy; and*
 - (f) *Forward the names of the qualified persons to the President.*
 - (g) *The President shall within fourteen days of receipt of the names of successful applicants forwarded under subsection (1) (f), select the person to fill the vacancy in the Commission and forward the name of the person to the National Assembly for approval”*

5.4 Appointment process of the Chairperson of EACC

In exercise of functions conferred to him by Article 132 (2) of the Constitution of Kenya as read with Section 10 of the Ethics and Anti-Corruption Commission Act 2011 as amended by Act No. 12 of 2015, His Excellency the President submitted to the National Assembly the name of **Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe** for approval for appointment as chairperson of the Ethics and Anti-Corruption Commission (EACC).

- a. The Position of chairperson of the EACC fell vacant after the resignation of Mr. Philip Kinisu.
- b. Thereafter, the Commission invited applications to fill the position through the print media and the commission's website on 7th September, 2016. The advertisement was closed on 28th September, 2016
- c. The Commission reviewed the applications received but did not find adequate qualified applicants to proceed to the next level of interviews. The post was re-advertised in the print media and the Commissions website on 10th October, 2016
- d. Shortlisting of the one hundred and twenty- three (123) applicants received in the initial advert and the re-advert was carried out on 27th October, 2016 where six (6) candidates were shortlisted for the interviews.
- e. The interviews were conducted on 17th November, 2016 at the Commission House by a panel comprising of the public Service Commission, Office of the President and Office of the Attorney General and Department of Justice.
- f. The Commission requested all the shortlisted candidates to obtain and present to the interview panel current clearances from KRA, HELB, CID and the Credit Research Bureau
- g. The Commission adhered to all the provisions of the Constitution of Kenya 2010; including merit, gender, ethnic and regional diversity of all the people of Kenya. The panel also considered reports from the National Intelligence Service and the EACC and two submissions from concerned citizens on two of the candidates which were considered by the panel but lacked merit.
- h. A letter from the Chief of Staff and Head of Public Service dated 20th December, 2016 to the Speaker of the National Assembly indicated that the Public Service Commission had recommended to His Excellency the President the nomination of **Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe** for appointment as the Chairperson of Ethics and Anti-Corruption Commission.

- i. On Tuesday, December 20th, 2016, the Hon. Speaker in a communication to the House referred the name of the nominee to the Departmental Committee on Justice and Legal Affairs for approval hearing and prepare a report for tabling in the House within the stipulated time.

5.5 Notification to the Public

Section 6(9) of the Public Appointments (Parliamentary Approval) Act Chapter 136 Revised Edition 2014 (2012) provides that *“any person may, prior to the approval hearing and by a written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated”*.

The Clerk of the National Assembly placed an advertisement in the print media on Thursday 22nd December, 2016 inviting the public to submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominee in conformity with section 6(9) of the Public Appointments (Parliamentary Approval) Act 2011. The submissions were to be received latest by Friday 30th December, 2016.

Pursuant to provisions of Article 118 of the Constitution, section 6(4) of the Public Appointments (Parliamentary Approval) Act (No.33 Of 2011) and Standing Order 45(3), the general public was also notified in the print media by the Clerk of the National Assembly of the intention of the Departmental Committee on Justice and Legal Affairs to conduct the vetting and approval hearing of the nominee on Thursday 5th January, 2017.

5.6 Submission of Memoranda

Section 7 of the Public Appointments (Parliamentary Approval) Act, 2012 provides that the issues for consideration by the relevant House in relation to any nomination shall be:-

- (a) the procedure used to arrive at the nominee;
- (b) any constitutional or statutory requirements relating to the office in question; and
- (c) the suitability of the nominee for appointment proposed having regard to whether the nominee’s abilities, experience and qualities meet the needs of the body to which nomination is being made.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2012, the Committee, through the Clerk of the National Assembly, invited submissions from the public on the suitability or otherwise of the nominee for appointment to the positions of Cabinet Secretary.

Further, section 6(10) of the Public Appointments (Parliamentary Approval) Act, 2012 provides that a candidate may at any time, by notice in writing addressed to the Clerk withdraw from the

approval process and his nomination shall thereupon lapse.

The Departmental Committee on Justice and Legal Affairs held a sitting for vetting and approval hearing of the nominee on Thursday 5th January 2017 and was informed that-

- 1) by the deadline date of 30th December 2016, the Clerk of the National Assembly had only received objections from John Mbugua (Rev) and three others.
- 2) the nominee had not notified the Clerk of the National Assembly of withdrawal from the approval process as outlined under Section 6(10) of the Public Appointments (Parliamentary Approvals) Act .

In view of the foregoing and in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly, the Departmental Committee on Justice and Legal Affairs resolved to proceed to undertake the approval hearing as required and scheduled.

5.7 Clearance Requirements

On 20th December, 2016 the Clerk of the National Assembly wrote to the Ethics and Anti-Corruption Commission, Kenya Revenue Authority (KRA) and the Higher Education Loans Board (HELB) requesting for reports with respect to the nominee on-

- matters touching on integrity;
- tax compliance; and
- loan repayments.

In response, HELB confirmed vide a letter Ref. HELB/RD/56593/POV/40 dated 30th December, 2016 that the nominee was a non- beneficiary of the HELB Loans Scheme. Kenya Revenue Authority confirmed vide a letter RE. CDTD/HO/81 dated 23rd December, 2016 that the nominee was tax compliant. The Ethics and Anti-Corruption Commission vide a letter Ref. EACC.7/10/5 VOL.III (128) dated 28th December, 2016 confirmed having no outstanding issues or ongoing investigations against the nominee.

6.0 APPROVAL HEARING OF ARCHBISHOP (RTD) DR.ELIUD WABUKALA WAMUKEKHE – CHAIRPERSON NOMINEE OF THE ETHICS AND ANTI-CORRUPTION COMMISSION

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

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

Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe appeared before the Committee on Thursday 5th January, 2017 and was informed by the Chairperson that, pursuant to Section 6(9) of the Public Appointments (Parliamentary Approvals) Act, 2011, the Committee had invited submissions from the public on his suitability or otherwise for appointment to the position of the Chairperson of Ethics and Anti-Corruption Commission (EACC) by the deadline date of 30th December 2016, the Clerk of the National Assembly had received objections from; John Mbugua (Rev) and three others stating that;

- a. That Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe has failed as Chairperson of the NACCSC.
- b. That the retired Archbishop has not been transparent and accountable at the helm of NACCSC.

The Chairperson informed the nominee that in view of the foregoing and in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly, the Committee had resolved to proceed to undertake the approval hearing as required.

On self-Introduction, the nominee stated that;

He was born on 26th June, 1951 in Bungoma County, Went to Kolanya High School, St. Paul's Theological College (St. Paul's University) and Wycliffe College – University of Toronto. He is the immediate former Archbishop of the Anglican Church of Kenya (ACK). During his tenure as the Archbishop, the Church experienced relative peace, expansion in Mission and its resource base

The nominee responded to questions from members of the Committee as follows:-

Vision and leadership of EACC;

He stated that;

- a. He will strive to build public trust and confidence in the institution as that is the foundation of its success.
- b. He will draw experience from his religious background where he left his church in a strong and stable position.
- c. He will work closely with the secretariat and create a conducive environment for the commission to implement its policies.
- d. He will recognize and appreciate the good in each and every person he works with.
- e. Kenyans are aware of anti-corruption and will help to translate it into action.
- f. Having consultations on a regular basis with stakeholders will be key in execution of his mandate.
- g. He was at the forefront to discourage fundraising in church by politicians and stopped receiving donations.

Religious views and Punishment

- a. As a Christian, the Bible says government must punish evil. He is ready to serve in government to help punish evil because government has divine responsibility to inflict punishment on corrupt people.
- b. We should not kill offenders but rather enforce the constitution of Kenya 2010.

His experience and achievements as Chairperson of the National Anti-Corruption Campaign Steering Committee (NACCSC)

The nominee informed members that;

- A large segment of the Kenyan society is aware of anti-corruption initiatives as spearheaded through his public awareness campaigns.
- He established an aggressive media campaign to educate the public on matters of
- The steering committee is given limited budget but commitment has always been there.
- At independence in 1963 there was a lot of optimism in the future of this country.
- The task ahead of him needs collective responsibility of all groups such as the media, parliament, religious groups and the civil society.

On objections by John Mbugua (Rev) and three others, the nominee stated that;

- The mandate of the NACCSC is limited to public education and his team has done its best with a limited budget.
- Churches have structures and guidelines which they follow in matters such as marriages/weddings and burials among others.

On Challenges he stated that politics i.e. different persuasions, tribalism and poverty among others have undermined the war on corruption in this country.

On his independence, and strategy, the nominee informed members that;

- He is his own man. He will not entertain interference and will apply the law and regulations to realize the commission's mandate.
- He was influenced by his sense of patriotism to apply for the position.
- He will seek partnerships with all stakeholders to be on board.
- With proper direction he thinks the EACC Secretariat should be able to reach a large segment of the society.
- Because of his interest he believes he has the energy and with support of parliament and other institutions he shall succeed.
- He cannot put timelines on what he can deliver in his first 100 days in office.
- He has no interest in government on matters such as procurement of services or tenders.
- Speedy investigations of cases involving grabbed land will be considered on merit as the commission receives complaints.

7.0 COMMITTEE'S OBSERVATIONS AND FINDINGS

7.1 Observations

The Committee having considered the curriculum vitae of Archbishop (Rtd) Dr. Eliud Wabukala Wamukekhe and having heard his submissions during the vetting made the following observations on his nomination;

- That Archbishop (Rtd) Dr. Eliud Wabukala Wamukekhe was born on 26th June, 1951
- He holds a Masters Degree in Religion from Wycliffe College - University of Toronto; a Bachelor of Divinity from St. Paul's University.
- He participated in National issues notably, the Peace initiatives after post-election violence and the steps towards attaining the Constitution of Kenya 2010.
- The nominee is currently the Chairperson of the National Anti-Corruption Campaign Steering Committee (NACCSC), having been appointed by H. E. the President of Kenya vide Kenya Gazette Notice No. 8738 of 14th August 2009. Previously he had served as a NACCSC Committee Member for five years.
- He served as Bishop of ACK Bungoma Diocese and oversaw the expansion and development of the Diocese, putting up schools and institutions of training in addition to economic empowerment of the Community.
- The retired Archbishop is a former Chairman of the National Council of Churches of Kenya (NCCCK) where he was responsible for the growth and turn-over of the Council to over KShs.1 billion during his tenure.
- He has risen through the ranks as a teacher in Primary and Secondary Schools to a Lecturer and Academic Dean of St. Paul's University and Archbishop of the Anglican Church of Kenya.
- He has also served as Chairman of St. Paul's University Council and a Member of the Board of Sangalo Institute in Bungoma County.
- He is a visiting lecture and mentor on leadership in the Leadership Institute - North Carolina in the United States of America.
- As chairperson of NACCSC he established 22 anti-corruption committees across the country.
- In Community service and probono, activities, he has been school fees for less privileged children and is involved in other philanthropic activities through a charitable foundation.

7.2 Findings

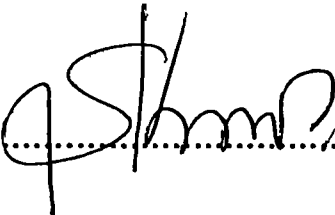
After conducting the approval hearings, the Committee made the following findings;

1. Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe has the requisite qualifications and experience in the domain of Ethics and Anti-Corruption.
2. Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe, according to the records and information availed to the Committee, has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
3. The candidate exhibited impressive knowledge of topical issues including demonstrated understanding of administration and management principles required to address the challenges facing the EACC. The nominee exhibited a proper understanding of the mandate of EACC.
4. The objection to the appointment by John Mbugua (Rev) and three others lacked merit because the nominee properly exercised his religious duties.

8.0 RECOMMENDATION OF THE COMMITTEE

THAT Pursuant to the provisions of Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216 (5) (f) of the National Assembly, the Committee recommends that;

The House approves the nomination of Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe for appointment by H.E the President as the Chairperson of Ethics and Anti-Corruption Commission.

Signed .....

Hon. Samuel Chepkong'a, M.P

(Chairperson)

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

Dated this 13th Day of January.....2017



DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS

MEMBERS' ATTENDANCE

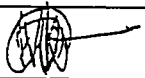
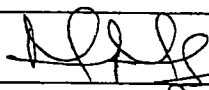
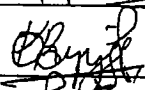

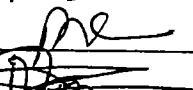
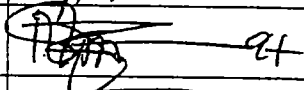

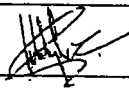
Date: 12/01/2017*****


Venue: MINI CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS

Agenda: ADOPTION OF REPORTS ON IEBC AND EACC

	NAMES	SIGNATURE
1.	Hon. Samuel Chepkonga (Chairperson)	
2.	Hon. Priscila Nyokabi (Vice Chairperson)	
3.	Hon. Agostinho Neto	
4.	Hon. Ben Momanyi Orori	
5.	Hon. Benson Mutura	
6.	Hon. Boniface Otsiula	
7.	Hon. Bitok Kirwa	
8.	Hon. Charles Gimose	
9.	Hon. Christine Ombaka (Dr.)	
10.	Hon. David Ochieng'	
11.	Hon. Fatuma Ibrahim	
12.	Hon. Florence Kajuju	
13.	Hon. Irungu Kang'ata	
14.	Hon. Johana Ngeno	
15.	Hon. John M. Waiganjo	



16.	Hon. John Njoroge	
17.	Hon. John Olago Aluoch	
18.	Hon. Kamoti W. Mwamkale	
19.	Hon. Mohamed Abdi Haji	
20.	Hon. Moses Cheboi	
21.	Hon. Njoroge Baiya	
22.	Hon. Paul K. Bii	
23.	Hon. Peter Kaluma	
24.	Hon. Robert Mutemi (Bishop)	
25.	Hon. Sammy Koech	
26.	Hon. T.J. Kajwang	
27.	Hon. Waihenya Ndirangu	
28.	Hon. William Cheptumo	


A. M. Wasike

For: The Clerk of the National Assembly

MINUTES

MINUTES OF THE 5TH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON THURSDAY, 12TH JANUARY 2017 AT 10.00 A.M. IN MINI CHAMBER, COUNTY, PARLIAMENT BUILDINGS

PRESENT

Hon. Samuel Chepkonga, M.P. - Chairperson
Hon. Ben Momanyi, M.P.
Hon. Boniface Otsiula, M.P.
Hon. Bitok Kirwa, M.P.
Hon. Charles Gimose, M.P.
Hon. David Ochieng, M.P.
Hon. Fatuma Ibrahim, M.P.
Hon. Kang'ata Irungu, M.P.
Hon. John Njoroge Chege, M.P.
Hon. Moses Cheboi, M.P.
Hon. Paul K. Bii, M.P.
Hon. Peter Kaluma, M.P.
Hon. Sammy Koech, M.P.
Hon. Ndirangu Waihenya, M.P.
Hon. Njoroge Baiya, M.P.
Hon. Dr. Christine Ombaka, M.P.
Hon. (Bishop) Robert Mutemi, M.P.

APOLOGY

Hon. Kamoti Mwamkale William, M.P.
Hon. Olago Aluoch, M.P.
Hon. Benson Mutura, M.P.
Hon. Florence Kajuju, M.P.
Hon. John M. Waiganjo, M.P.

ABSENT

Hon. Tom J. Kajwang', M.P.
Hon. Priscilla Nyokabi, M.P. - Vice Chairperson
Hon. Agostinho Neto, M.P.
Hon. Johana Ngeno, M.P.
Hon. Mohamed Abdi Haji, M.P.
Hon. William Cheptumo, M.P.

SECRETARIAT

Mr. Abenayo Wasike	-	Clerk Assistant I
Mr. Ahmed Salim	-	Clerk Assistant III
Ms. Mary Lemerelle	-	Clerk Assistant III
Ms. Mugure Gituto	-	Legal Counsel II
Mr. Joseph Muriuki	-	Audio Officer
Mr. Moses Kariuki	-	Sergeant-at-arm

MIN No. JLA.17/2017:-

PRELIMINARIES

The Chairperson called the meeting to order at 10:20 a.m.

The Chairperson offered a word of prayer. He informed members that the agenda of the meeting was as follows;

- i. Confirmation of previous minutes
- ii. Adoption of the Committee's Report on the approval hearing for appointment of Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe as Chairperson of EACC.
- iii. Adoption of the Committee's Report on the approval hearing for appointment of Mr.Wanyonyi Wafula Chebukati and six others as Chairperson and Members of IEBC.

MIN No. JLA.18/2017:-

ADOPTION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the 1st meeting held on 5th January, 2017 were proposed for adoption by Hon. Bitok Kirwa and seconded by Hon.Boniface Otsiula.

Minutes of the 2nd meeting held on 10th January, 2017 at 10.00 a.m. were proposed for adoption by Hon. Moses Cheboi and seconded by Hon.Benson Momanyi.

Minutes of the 3rd meeting held on 10th January, 2017 at 2.00 p.m were proposed for adoption by Hon. Charles Gimose and seconded by Hon.Sammy Koech.

Minutes of the 4th meeting held on 11th January, 2017 at 10.00 a.m were proposed for adoption by Hon. Paul Bii and seconded by Hon.Ndirangu Waihenya.

**MIN.No. JLA.19/2017:- FINDINGS OF THE COMMITTEE ON THE
NOMINATION OF ARCH.(RTD) DR.ELIUD
WABUKALA WAMUKEKHE**

After conducting the approval hearings, the Committee made the following findings;

1. Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe has the requisite qualifications and experience in the domain of Ethics and Anti-Corruption.
2. Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe, according to the records and information availed to the Committee, has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
3. The candidate exhibited impressive knowledge of topical issues including demonstrated understanding of administration and management principles required to address the challenges facing the EACC. The nominee exhibited a proper understanding of the mandate of EACC.
4. The objection to the appointment by John Mbugua (Rev) and three others lacked merit because the nominee properly exercised his religious duties.

**MIN.No.JLA.20/2017:- ADOPTION OF THE REPORT ON APPOINTMENT
OF ARCH.(RTD) DR.ELIUD WABUKALA
WAMUKEKHE**

THAT Pursuant to the provisions of Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 216 (5) (f) of the National Assembly, the Committee recommends that;

The House approves the nomination of Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe for appointment by H.E the President as the Chairperson of Ethics and Anti-Corruption Commission.

The Report was proposed for adoption by Hon.Sammy Koech and seconded by Hon. (Bishop) Robert Mutemi.

The Report was adopted by majority of the members present.

FINDINGS OF THE COMMITTEE ON THE NOMINATION OF WANYONYI CHEBUKATI AS CHAIRPERSON OF IEBC AND MS.CONSOLOTA NKATHA BUCHA MAINA, PROF.ABDI YAKUB GULIYE, DR.ROSELYNE KWAMBOKA AKOMBE, DR. PAUL KIBIWOTT KURGAT, MS. MARGARET WANJALA MWACHANYA AND MR.BOYA MOLU AS MEMBERS OF THE COMMISSION.

A. Mr.Wanyonyi Wafula Chebukati

After conducting the approval hearings, the Committee made the following findings;

5. Mr. Wanyonyi Wafula Chebukati has the requisite qualifications and experience which qualifies him for appointment to the position of Chairperson of IEBC.
6. Mr.Wanyonyi Wafula Chebukati according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
7. The candidate exhibited impressive knowledge of topical issues including demonstrated understanding of administration and management principles required to address the challenges facing the IEBC and its mandate. The nominee exhibited a proper understanding of the doctrine of separation of powers which requires the three branches of government to exercise their powers in a manner that respects their respective constitutional territories while upholding the rule of law and the principle of checks and balances.

B. Amb. Dr. Paul Kibiwott Kurgat, PhD

After conducting the approval hearings, the Committee made the following findings;

1. Amb. Dr. Paul Kibiwott Kurgat, PhD has the requisite qualifications and experience which qualifies him for appointment as a member of IEBC.
2. Dr. Paul Kibiwott Kurgat according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
3. The candidate exhibited impressive knowledge of topical issues including demonstrated understanding of administration and management principles required to address the challenges facing the IEBC. The nominee exhibited a proper understanding of the public service and the diversity and uniqueness of Kenyan cultures.

C. Mr. Boya Molu

After conducting the approval hearings, the Committee made the following findings;

1. Mr.Boya Molu has the requisite qualifications and experience in Human Resources Management which qualifies him for appointment as a member of IEBC.
2. Mr.Boya Molu according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
3. The candidate exhibited impressive knowledge of topical issues including demonstrated understanding of administration and management principles required to address the challenges facing the IEBC.
4. The nominee exhibited proper understanding of ICT, performance and appraisal activities in public service.

D. Prof.Abdi Guliye

After conducting the approval hearings, the Committee made the following findings;

1. Prof.Abdi Guliye has the requisite qualifications and experience which qualifies him for appointment as a member of IEBC.
2. Prof.Abdi Guliye according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
3. The candidate exhibited impressive knowledge in a wide range of issues including outstanding research skills, demonstrated understanding of leadership and management experience at local and international level.

E. Dr. Kwamboka Roselyn Akombe

After conducting the approval hearings, the Committee made the following findings;

1. Dr. Kwamboka Roselyn Akombe has the requisite qualifications and experience which qualifies her for appointment as a member of IEBC.
2. Dr. Kwamboka Roselyn Akombe according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on her part.
3. The nominee exhibited expert knowledge on management and challenges of conducting elections in different countries around the world.
4. Dr. Akombe has deep knowledge of electoral processes and political affairs gained as an adviser to the United Nations under- Secretary – General.

F. MS. MARGARET WANJALA MWACHANYA

After conducting the approval hearings, the Committee made the following findings;

1. Ms. Margaret Wanjala Mwachanya has the requisite qualifications and experience which qualifies her for appointment as a member of IEBC.
2. Ms. Margaret Wanjala Mwachanya according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on his part.
3. Ms. Mwachanya exhibited a wealth of experience in Swahili language and will be a significant asset to the commission in terms of translation and public education on electoral matters.

Ms.Consolata Nkatha Bucha Maina

1. Ms.Consolata Nkatha Bucha Maina has the requisite qualifications and experience which qualifies her for appointment as a member of IEBC.
2. Ms.Consolata Nkatha Bucha Maina according to the records and information availed to the Committee has never been implicated in any issues that may lead to a conclusion of lack of integrity on her part.
3. The nominee exhibited experience in communication, public relations, and business management.

MIN.No. JLA.22/2017:-

**ADOPTION OF THE REPORT ON APPOINTMENT
OF WANYONYI CHEBUKATI AND SIX OTHERS
AS CHAIRPERSON AND MEMBERS OF IEBC**

THAT Pursuant to the provisions of the Public Appointments (Parliamentary Approval) Act, 2012, the IEBC Act and Standing Order 216 (5) (f) of the National Assembly, the Committee recommends that;

The House approves the nomination of the following for appointment by H.E as Chairperson and members of IEBC;

- | | | |
|---------------------------------------|---|-------------|
| 1. Mr. Wanyonyi Wafula Chebukati | - | Chairperson |
| 2. Amb. Dr. Paul Kibiwott Kurgat, PhD | - | Member |
| 3. Mr. Boya Molu | - | Member |
| 4. Prof. Abdi Guliye | - | Member |
| 5. Dr. Kwamboka Roselyn Akombe | - | Member |
| 6. Ms. Margaret Wanjala Mwachanya | - | Member |
| 7. Ms. Consolata Nkatha Bucha Maina | - | Member |

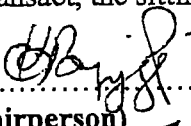
The Report was proposed for adoption by Hon.Moses Cheboi and seconded by Hon.Benson Momanyi.

The Report was adopted by majority of the members present.

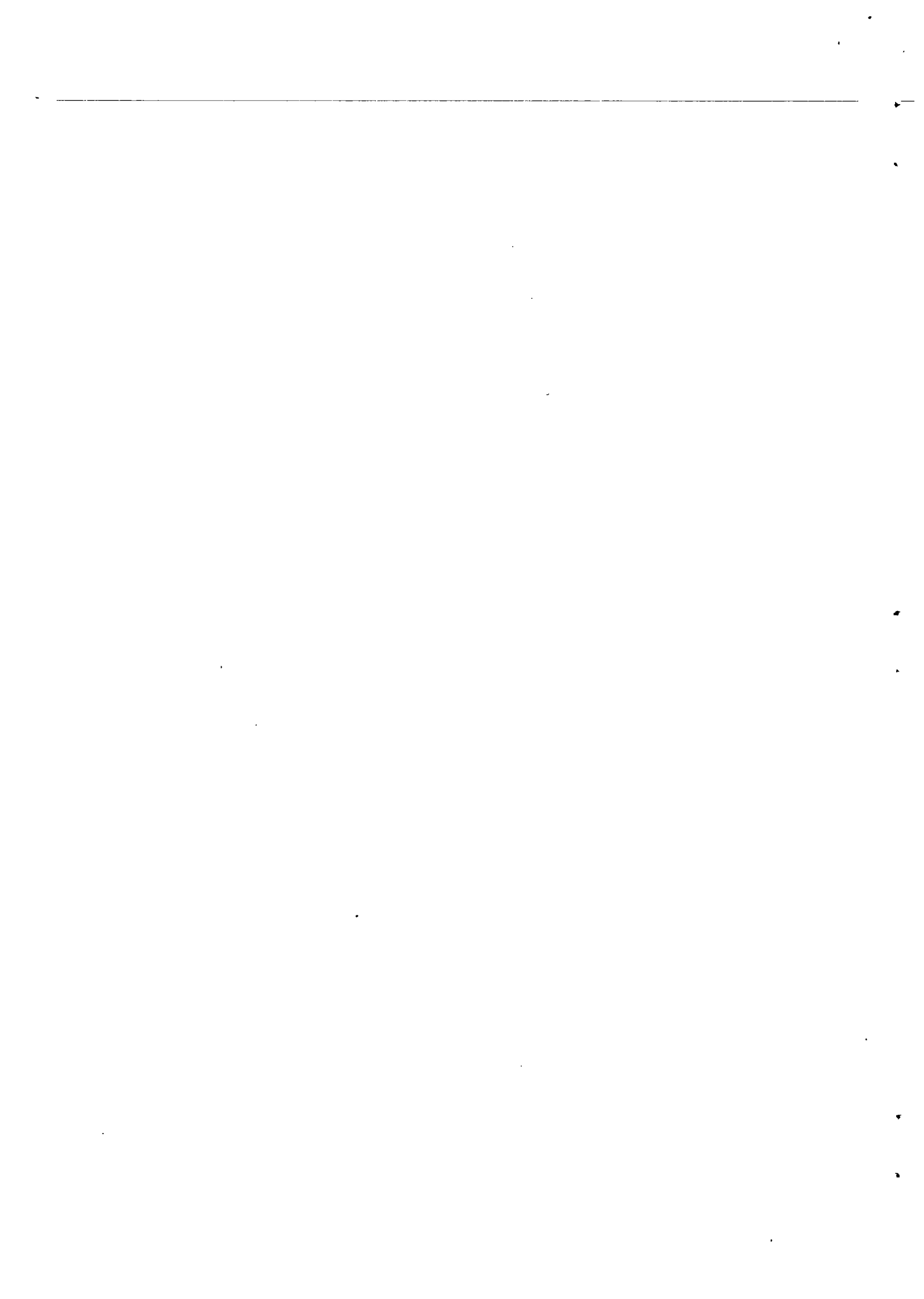
MIN No. JLA.23/2017:-

ADJOURNMENT

There being no other business to transact, the sitting adjourned at 12.20 p.m.

Signed..... .....

Date..... 16th January 2017.....
(Chairperson)



1

MINUTES OF THE 1ST SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON THURSDAY, 5TH JANUARY 2017 AT 9.30 A.M. IN MINI CHAMBER, COUNTY, PARLIAMENT BUILDINGS

PRESENT

Hon. Samuel Chepkonga, M.P. - Chairperson
Hon. Ben Momanyi, M.P.
Hon. Benson Mutura, M.P.
Hon. Boniface Otsiula, M.P.
Hon. Bitok Kirwa, M.P.
Hon. Dr. Christine Ombaka, M.P.
Hon. David Ochieng, M.P.
Hon. Florence Kajuju, M.P.
Hon. Kang'ata Irungu, M.P.
Hon. Johana Ngeno, M.P.
Hon. John M. Waiganjo, M.P.
Hon. John Njoroge Chege, M.P.
Hon. Kamoti Mwamkale William, M.P.
Hon. Moses Cheboi, M.P.
Hon. Njoroge Baiya, M.P.
Hon. Peter Kaluma, M.P.
Hon. (Bishop) Robert Mutemi, M.P.
Hon. Sammy Koech, M.P.
Hon. Tom J. Kajwang', M.P.
Hon. Ndirangu Waihenya, M.P.
Hon. William Cheptumo, M.P.

APOLOGY

Hon. Fatuma Ibrahim, M.P.
Hon. Olago Aluoch, M.P.

ABSENT

Hon. Priscilla Nyokabi, M.P. - Vice Chairperson
Hon. Agostinho Neto, M.P.
Hon. Charles Gimose, M.P.
Hon. Mohamed Abdi Haji, M.P.
Hon. Paul K. Bii, M.P.

SECRETARIAT

Ms. Florence Abonyo	-	Director, Committee Services - NVA
Mr. Abenayo Wasike	-	Clerk Assistant I
Mr. Ahmed Salim	-	Clerk Assistant III
Ms. Mary Lemerelle	-	Clerk Assistant III
Ms. Mugure Gituto	-	Legal Counsel II
Mr. Stephen Nyakuti	-	Audio Officer
Ms. Noelle Chelagat	-	Media Relations Officer
Mr. Moses Kariuki	-	Sergeant-at-arm

IN ATTENDANCE

Archbishop Dr. Eliud Wabukala	-	Nominee for EACC chairperson
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MIN No. JLA.01/2017:- PRELIMINARIES

The Chairperson called the meeting to order at 9:45 a.m. The meeting was opened with a word of prayer by the Chairperson.

MIN No. JLA.02/2017:- APPROVAL HEARING OF DR. ELIUD WABUKALA AS THE CHAIRPERSON OF ETHICS & ANTI-CORRUPTION COMMISSION

The Committee held a brief discussion on the approval hearing and resolved that Members will be brief in questioning to ensure that all Members get an opportunity to interact with the nominee.

The nominee was invited in the approval hearing session and introductions were made before commencement of the session.

The nominee informed members that;

1. He will work hard stabilize the EACC secretariat as a way of rebuilding trust in the Commission.
2. He would reach out to other groups of professionals, politicians, civil society and all Kenyans in his efforts to rescuing the country from corruption.
3. He was well positioned to lead the fight against corruption following his experience as chair of the NACCSC.

4. He has in his religious duties used the pulpit at the All Saints Cathedral and other places of worship to speak against the vice.

The nominee responded to members questions as follows;

On his vision and leadership of EACC;

He stated that;

- a. He will strive to build public trust and confidence in the institution as that is the foundation of its success.
- b. He will draw experience from his religious background where he left his church in a strong and stable position.
- c. He will work closely with the secretariat and create a conducive environment for the commission to implement its policies.
- d. He will recognize and appreciate the good in each and every person he works with.
- e. Kenyans are aware of anti-corruption and will help to translate it into action.
- f. Having consultations on a regular basis with stakeholders will be key in execution of his mandate.
- g. He was at the forefront to discourage fundraising in church by politicians and stopped receiving donations.

Religious views and Punishment

- a. As a Christian, the Bible says government must punish evil. He is ready to serve in government to help punish evil because government has divine responsibility to inflict punishment on corrupt people.
- b. We should not kill offenders but rather enforce the constitution of Kenya 2010.

His experience and achievements as Chairperson of the National Anti-Corruption Campaign Steering Committee (NACCSC)

The nominee informed members that;

- A large segment of the Kenyan society is aware of anti-corruption initiatives as spearheaded through his public awareness campaigns.
- He established an aggressive media campaign to educate the public on matters of
- The steering committee is given limited budget but commitment has always been there.
- At independence in 1963 there was a lot of optimism in the future of this country.
- The task ahead of him needs collective responsibility of all groups such as the media, parliament, religious groups and the civil society.

On objections by John Mbugua (Rev) and three others, the nominee stated that;

- The mandate of the NACCSC is limited to public education and his team has done its best with a limited budget.
- Churches have structures and guidelines which they follow in matters such as marriages/weddings and burials among others.

On Challenges he stated that politics i.e. different persuasions, tribalism and poverty among others have undermined the war on corruption in this country.

On his independence, and strategy, the nominee informed members that;

- He is his own man. He will not entertain interference and will apply the law and regulations to realize the commission's mandate.
- He was influenced by his sense of patriotism to apply for the position.
- He will seek partnerships with all stakeholders to be on board.
- With proper direction he thinks the EACC Secretariat should be able to reach a large segment of the society.
- Because of his interest he believes he has the energy and with support of parliament and other institutions he shall succeed.
- He cannot put timelines on what he can deliver in his first 100 days in office.
- He has no interest in government on matters such as procurement of services or tenders.
- Speedy investigations of cases involving grabbed land will be considered on merit as the commission receives complaints.

The nominee defended his tenure as the chairperson of the National Steering Committee for the Fight against Corruption for 12 years, saying they worked with a shoe-string budget despite the committee's wide mandate of public awareness creation and education on matters corruption.

In his final submissions, the nominee asked for cooperation from all agencies, including Members of Parliament and Kenyans in general, saying such cooperation was required especially in dealing with the powerful cartels.

The Chairperson of the Committee thanked the nominee for his attendance and wished him well as the Committee considers his nomination.

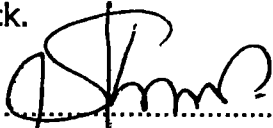
The Committee having considered the curriculum vitae of Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe and having heard his submissions during the vetting made the following observations on his nomination;

- That Archbishop (Rtd) Dr.Eliud Wabukala Wamukekhe was born on 26th June, 1951
- He holds a Masters Degree in Religion from Wycliffe College - University of Toronto; a Bachelor of Divinity from St.Paul's University.
- He participated in National issues notably, the Peace initiatives after post-election violence and the steps towards attaining the Constitution of Kenya 2010.
- The nominee is currently the Chairperson of the National Anti-Corruption Campaign Steering Committee (NACCSC), having been appointed by H. E. the President of Kenya vide Kenya Gazette Notice No. 8738 of 14th August 2009.Previously he had served as a NACCSC Committee Member for five years.
- He served as Bishop of ACK Bungoma Diocese and oversaw the expansion and development of the Diocese, putting up schools and institutions of training in addition to economic empowerment of the Community.
- The retired Archbishop is a former Chairman of the National Council of Churches of Kenya (NCCCK) where he was responsible for the growth and turn-over of the Council to over KShs.1 billion during his tenure.
- He has risen through the ranks as a teacher in Primary and Secondary Schools to a Lecturer and Academic Dean of St. Paul's University and Archbishop of the Anglican Church of Kenya.
- He has also served as Chairman of St. Paul's University Council and a Member of the Board of Sangalo Institute in Bungoma County.
- He is a visiting lecture and mentor on leadership in the Leadership Institute - North Carolina in the United States of America.
- As chairperson of NACCSC he established 22 anti-corruption committees across the country.
- In Community service and probono, activities, he has been school fees for lee privileged children and is involved in other philanthropic activities through a charitable foundation.

Members made a general observation on the need for balanced appointments of heads of constitutional and independent offices as per the values and principles of public service under Article 232 and 250(4) of the Constitution.

MIN No. JLA.04/2017:- ADJOURNMENT

There being no other business to transact, the sitting adjourned at thirty minutes past twelve o'clock.

Signed..... 
Date..... 13th January 2017
(Chairperson)

**MESSAGE
FROM H.E
THE
PRESIDENT**



D / C / P
pse process
CHA
20/12/16



THE PRESIDENCY
EXECUTIVE OFFICE OF THE PRESIDENT
CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE

Telegraphic Address
Telephone: +254-20-2227436
When replying please quote

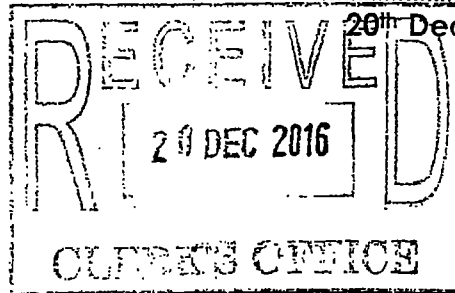
STATE HOUSE
P.O. Box 40530-00100
Nairobi, Kenya

CONFIDENTIAL

Ref. No.
and date

SH/5/52 VOL.I (4)

20th December, 2016



Hon. Justif Muturi, EGH. MP
Speaker of the National Assembly
Parliament Buildings
NAIROBI

Dear

RE: NOMINEE FOR THE POSITION OF CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION (EACC)

I refer to the above captioned matter.

Pursuant to Section 6 of the Ethics and Anti-corruption Commission Act, 2011 [Chapter 65A of the Laws of Kenya]; as read together with Sections 3 and 5 of the Parliamentary Appointments (Parliamentary Approval) Act [Chapter 136 of the Laws of Kenya], I hereby forward to the National Assembly His Excellency the President's nominee for the position of Chairperson of the EACC, **Archbishop (Rtd.) Eliud Wabukala Wamukekhe** for vetting by the House. Enclosed herewith is Archbishop (Rtd) Eluid Wabukala Wamukekhe Curriculum Vitae and Testimonials, to aid the House in the vetting process.

Given the pivotal nature of EACC's functions within our Society, I urge the National Assembly to prioritize the vetting of the nominee.

Yours

JOSEPH K. KINYUA, EGH
CHIEF OF STAFF AND HEAD OF THE PUBLIC SERVICE

Encl.
cc: **Mr. Justin Buridi, CBS**
Clerk of the National Assembly
Parliament Buildings
NAIROBI

Mr. Njoroge
Miss Lily Wang'ani
Pls let us prepare a message for S.P. to communicate to House and to the Senate

CONFIDENTIAL

CURRICULUM VITAE

CURRICULUM VITAE

SUMMARY

ARCHBISHOP DR. ELIUD WABUKALA WAMUKEKHE

P. O. B O X Box 72546-00200, NAIROBI, K E N Y A

Mobile phone: 0722-885672 E-mail : w_eliud2005@yahoo.com

PERSONAL INFORMATION

- Nationality - Kenyan
- Date of Birth - 26th June, 1951
- Marital Status - Married
- Religion - Christian
- Languages - English, Kiswahili and Luhya

PROFESSIONAL QUALIFICATION

1974 : Kaimosi Teachers College
Graduated as a P1 Teacher

ACADEMIC QUALIFICATIONS

1994 : Wycliffe College – University of Toronto
Attained Masters of Religion

1988 : St. Paul's Theological College (St. Paul's University)
- Attained Bachelor of Divinity

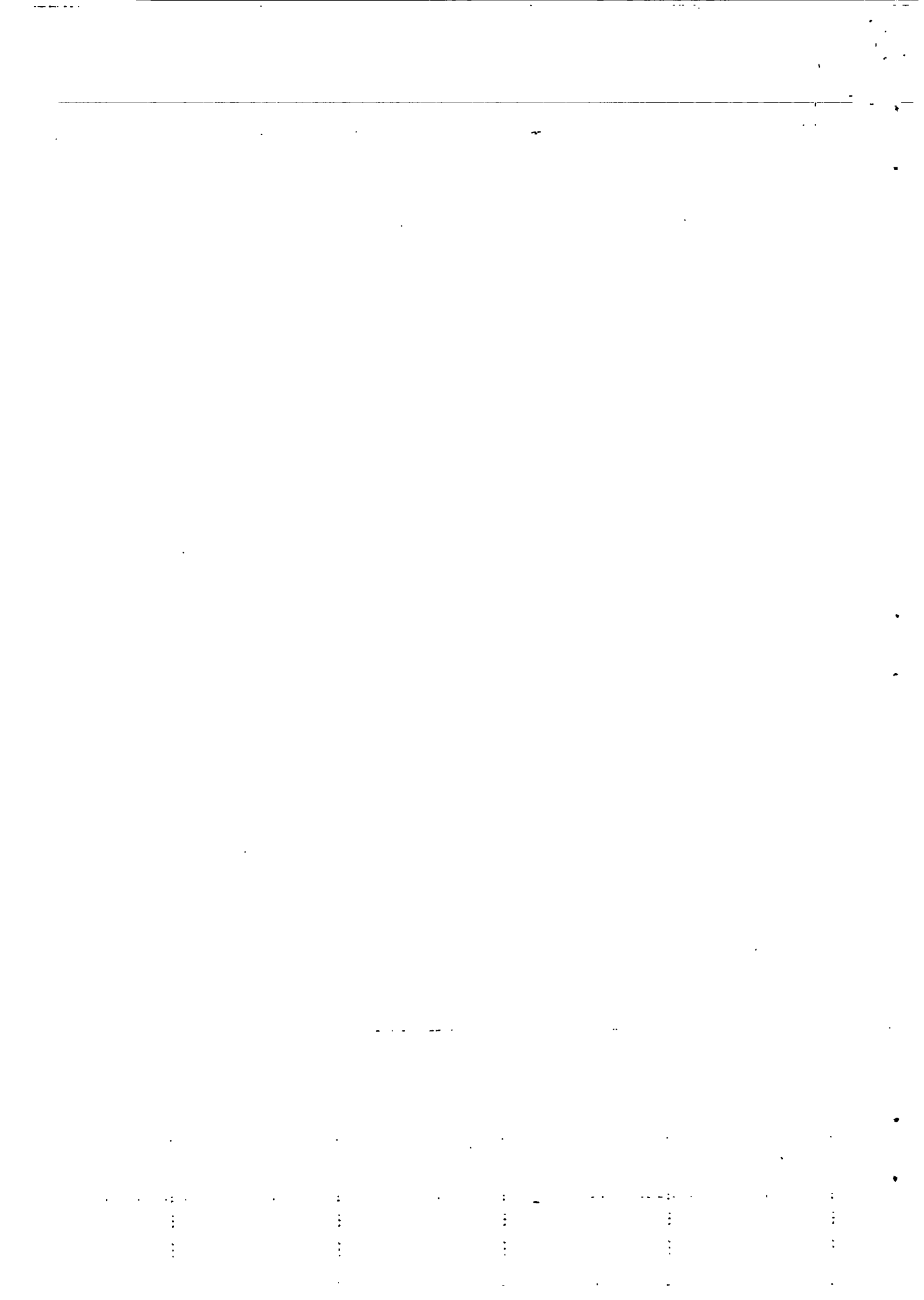
1969 : Kolanya High School
Attained Cambridge School Certificate (Division II)

1965 : Butonge Primary School
KCPE

WORK EXPERIENCE

CURRENTLY:

I, Archbishop Eliud Wabukala is now the Chairperson of the National Anti-Corruption Campaign Steering Committee (NACCSC), having been appointed by H. E. the President of Kenya vide Kenya Gazette Notice No. 8738 of 14th August 2009. I previously served as an NACCSC Committee Member for five years.



PREVIOUS POSITIONS: I am the immediate former Archbishop of the Anglican Church of Kenya (ACK). During my tenure as the Archbishop, the Church experienced relative peace, expansion in Mission and its resource base.

In addition to the Church work, I participated in National issues notably, the Peace initiatives after post election violence and the steps towards attaining the Constitution 2010.

I served as Bishop of ACK Bungoma Diocese. I oversaw the expansion and development of the Diocese, putting up schools and institutions of training in addition to economic empowerment of the community.

I am a former Chairman of the National Council of Churches of Kenya (NCCCK). I was responsible for the growth and turn-over of the Council to over KShs.1 billion during my tenure.

I previously served as a Lecturer and Academic Dean of St. Paul's University.

I also served as a teacher in Primary and Secondary Schools.

I have been Chairman of St. Paul's University Council.

I was a Member of the Board of Sangalo Institute in Bungoma County.

REFEREES

Archbishop Jackson Ole Sapit
P.O. Box 40502
NAIROBI
Tel.0722373934

Rev. Canon Peter Karanja
National Council of Churches Kenya
NAIROBI
Tel.0736642449

Bishop Zacheas Epusi
P.O. Box 68
AMAGORO
Tel.0724524249



CURRICULUM VITAE FOR ARCHBISHOP DR. ELIUD WABUKALA

ADDRESS: P. O. Box 72546 – 00200, NAIROBI

CURRENTLY: Archbishop Dr. Eliud Wabukala is now the Chairperson of NACCSC having been appointed by H.E. the President of Kenya vide Kenya Gazette Notice no. 8738 of 14th August 2009. He previously served as an NACCSC Committee Member for five years.

The Most Rev. Dr. Wabukala is the retired Archbishop of the Anglican Church of Kenya (ACK).

PREVIOUS POSITIONS:

Archbishop of the Anglican Church of Kenya and Bishop of All Saints Diocese, Bishop of ACK Bungoma Diocese, Chairperson of GAFCON. He oversaw the expansion and development of the Anglican Communion both nationally and internationally, putting up schools and institutions of training in addition to economic empowerment of the community.

He is former Chairman of the National Council of Churches of Kenya (NCCCK) and chairs the ACK Provincial College. Responsible for the growth and turn-over of the Council to over Ksh 1 billion.

Archbishop Wabukala is a graduate of Wycliffe College, University of Toronto, Canada, Makerere University and St. Paul's College Limuru.

He has previously served as the Academic Dean of St. Paul's University, a lecturer, and administrator in the provinces.

D/Committees

No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 8

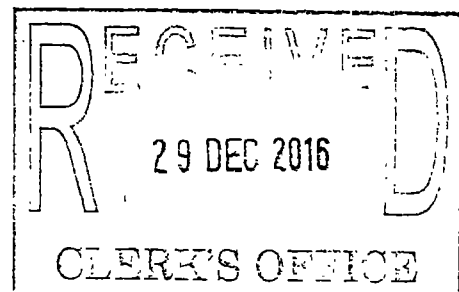
SCHEDULE
[Section 6(8).]

**CRITERIA FOR VETTING/APPROVAL OF NOMINEES FOR
APPOINTMENT TO PUBLIC OFFICE BY PARLIAMENT QUESTIONNAIRE**

Notes:

- a) This questionnaire applies to appointments to public office arising by or under the Constitution or any other law where parliamentary approval is required.
- b) The questionnaire shall be used by the relevant parliamentary committee to vet a nominee appearing before the committee in the process of parliamentary approval.
- c) The questionnaire shall be filled and submitted by the nominee to the relevant parliamentary committee through the Clerk of the relevant House of Parliament on or before a date set by the committee.
- d) The submission of false information in the questionnaire is an offence and may result in prosecution.
- e) Any form of canvassing by a nominee shall lead to disqualification.
- f) The nominee must answer all the questions.

1. **Name:** (State full name)..... ELIUD WABUKALA WAMUKERE.....
2. **Position:** (State office to which you have been nominated).
..... CHAIRPERSON.....
..... The Ethics and Anti-Corruption Commission.....
3. **Sex:** MALE.....
4. **Date of Birth:** (State year and place of birth)..... 26th June 1951.....
5. **Marital Status:** MARRIED.....
6. **Daytime phone number:**
7. **Mobile phone number:** 0722885672.....
8. **Email Address:** W-elind2005@yahoo.com.....
9. **ID Number:** 47 29 270.....



10. PIN Number: A0011692002F

11. Nationality: Kenyan

12. Postal Address: P.O. Box 165

13. Town/City: MALAKSI (Bungoma)

14. Knowledge of Languages: (Specify Languages): English, Kiswahili, Luhukwa

15. Education: (List, in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).

- (1) Wycliffe College, University of Toronto, Canada.
Master of Religion degree (Mrel) 1992 - 1994
- (2) St. Paul's Theological College (St. Paul's University - Lamu) - 1985 - 1988
Bachelor of Divinity degree
B.D.
- (3) Kaimosi T.T.C 1972 - 1974 P. Teacher
- (4) Kolony High School 1966 - 1969 (C.S.C.O.V.II)
- (5) Butange primary school K.P.E (1965)

Employment Record: (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant)

- 1) Archbishop, Anglican Church of Kenya
- 1) National Anti-Corruption Campaign Steering Committee - chair person
- 2) Office of the President, Provincial Administration clerical officer 1970 - 1972
- (3) Teachers Service Commission - Teacher
- (4) St. Paul's University - Cherriman University Council
- (5) Lecture, Academic Dean - St. Paul's ^{Hebrew} ~~University~~ College 1994 - 1998
- (6) Chairman N.C.C.K (National Council of Churches of Kenya for 8 years)
- (7) Chairman Global Anglican Future Conference 2013 - 2016. World wide

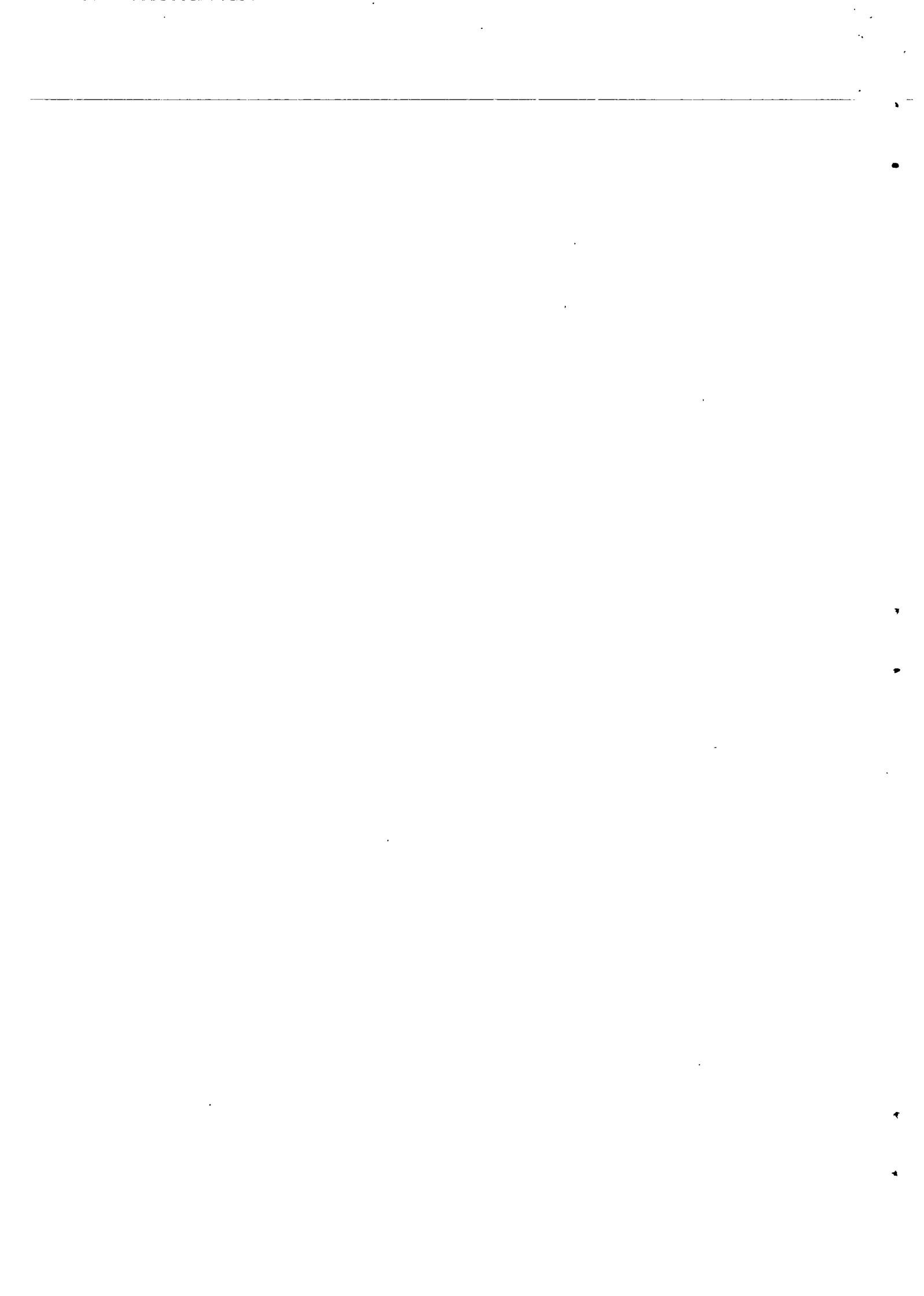


16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award).

- Anglican Church of Canada - Scholarship
for a Masters degree at University of Toronto.
- Admore prize - For the Best Student B.A.
class 1988, St. Paul's University, Limon.
- Doctor of Divinity (Hon.) D.D. - by
Wycliffe College, Toronto, Canada.
- FAS - Presidential Award.

17. **Professional Association** (where applicable): (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).

18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).



19. Published Writings:

(a) List the titles, publishers and dates of books, articles, reports, letters to the editor, editorial pieces or other published materials you have authored or edited.

(1) The Truth ~~is~~ shall set you free.
"Latimer Times"

(2) The Bible in Africa + "The Cross of Christ"

(3) Monthly Pastoral letter on (Gafcom website)

(4) Archbishop's Charge to 2009 (July)
July

(b) Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member.

20. Public Office, Political Activities and Affiliations:

(a) List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.

- Chairperson - National Anti-Corruption
Campaign steering committee - to date

(b) List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.

N/A





(b) Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern

.....
..... N/A

27. **Pro-Bono/Charity Work/Donations to charity:** (Describe what you have done by way of pro bono or charity work, listing specific instances, the amount contributed and the amount of time devoted to each).

.....
..... ✓

28. Have you ever been charged in a court or law in the last three years? If so, specify the nature of the charge, where the matter is ongoing, the present status of the matter, or where the matter is concluded, the judgment of the court, or otherwise, how the case was concluded.

.....
..... NO

29. Have you ever been adversely mentioned in an investigatory report of Parliament or any other Commission of inquiry in the last three years?

.....
..... NO

30. Have you any objection to the making of enquiries with your present employer/referees in the course of consideration of your nomination?

.....
..... NO

31. **References:** (List three persons who are not your relatives who are familiar with your character, qualification and work).

- ① Rev. Canon Peter Karanja (NCCIA)
- ② Most Rev. Jackson Ole Sapit - A.C.K.
- ③ Prof. Joseph Galgalo, St. Paul's Limuru



No. 33 of 2011 [Rev. 2012]

Public Appointments (Parliamentary Approval)

[Issue 1] 10

CLEARANCE CERTIFICATES



ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Jakaya Kikwete Rd. Junction) P.O. Box 61130 – 00200, NAIROBI, Kenya
TEL.: 254 (020) 2717318 / 2720722, MOBILE: 0729 888881/2/3
Fax: 254 (020) 2717473 Email: eacc@integrity.go.ke Website: www.eacc.go.ke

When replying please quote:

OUR REF: EACC.7/10/5 VOL III(128)

28th December, 2016

The Clerk of the National Assembly
Clerk's Chambers, National Assembly
Parliament Buildings
P.O. Box 41842 00100
NAIROBI.

D/Committees

Att: Justin Bundi, CBS

Dear Sir,


RE: VETTING OF NOMINEE TO THE POSITION OF CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION

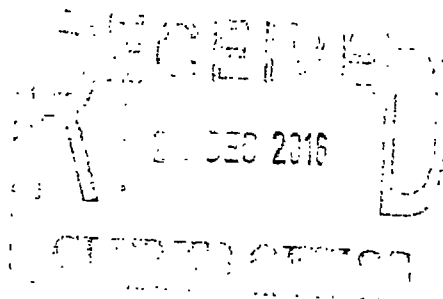
Your letter referenced NA/JLA/2016/VOL.II dated 21st December 2016, on the above matter, refers.

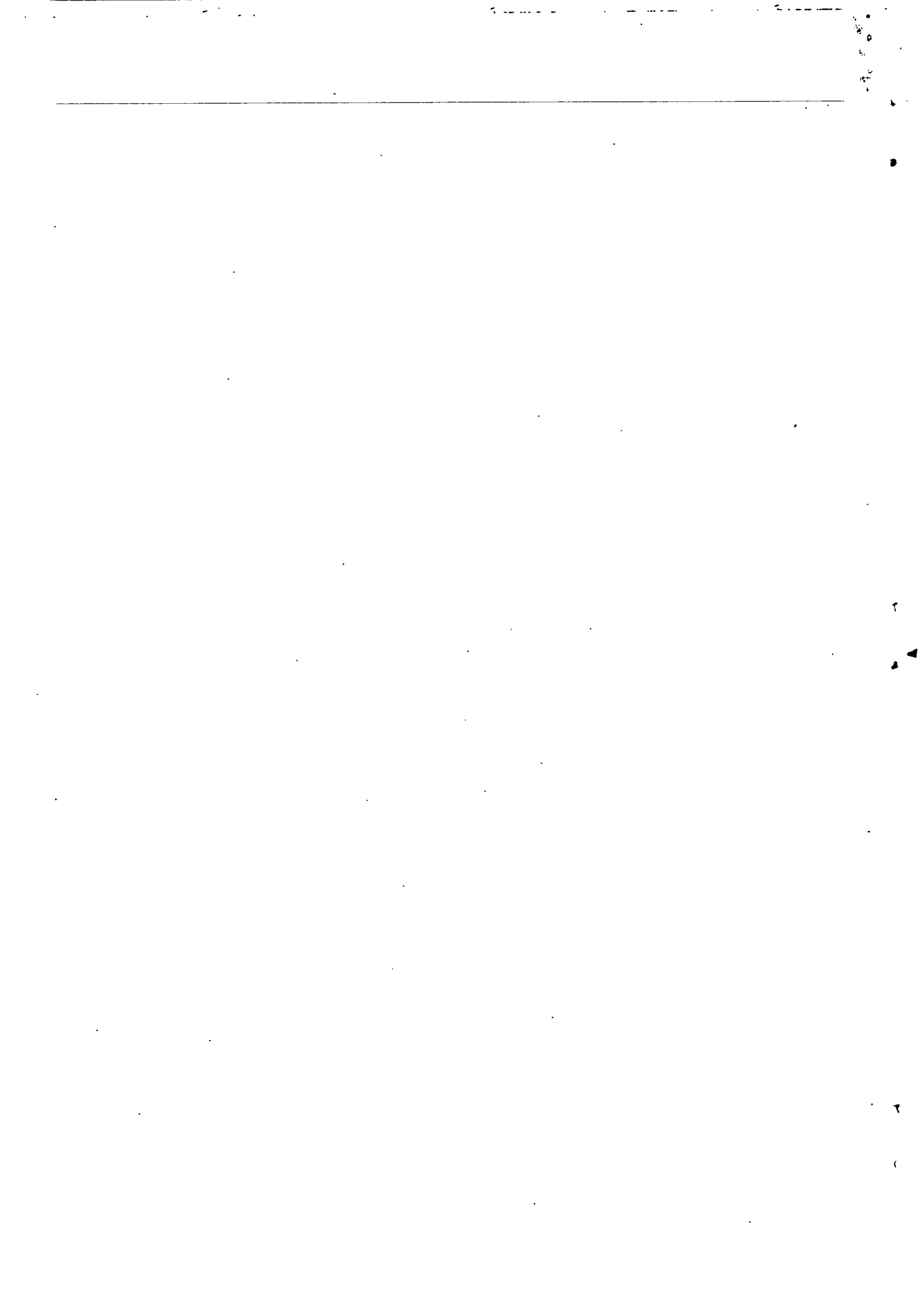
We wish to confirm that there are no outstanding issues or ongoing investigations against **Archbishop Dr. (Rtd.) Eliud Wabukala Wamukeke**.

Please note that the absence of records in the Commission's database is not a guarantee of absolute integrity of the nominee.

Yours faithfully,


ABDI A. MOHAMUD, MBS
DIRECTOR, INVESTIGATION
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER
AAM/oo







KENYA REVENUE
AUTHORITY

ISO 9001:2008 CERTIFIED

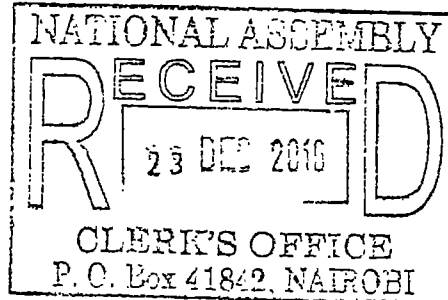
OUR REF: KRA/CDTD/HO/81

D/Commissioner

YOUR REF: NA/JLA//2016/vol.II

23rd December, 2016

The Clerk
National Assembly
Clerk's Chambers
Parliament Buildings
P.O. Box 41842-00100,
NAIROBI



Dear Sir,

**VETTING OF NOMINEE TO THE POSITION OF CHAIRPERSON OF THE
ETHICS AND ANTI-CORRUPTION COMMISSION.**

We refer to your letter dated 21st December, 2016 on the subject matter herein.

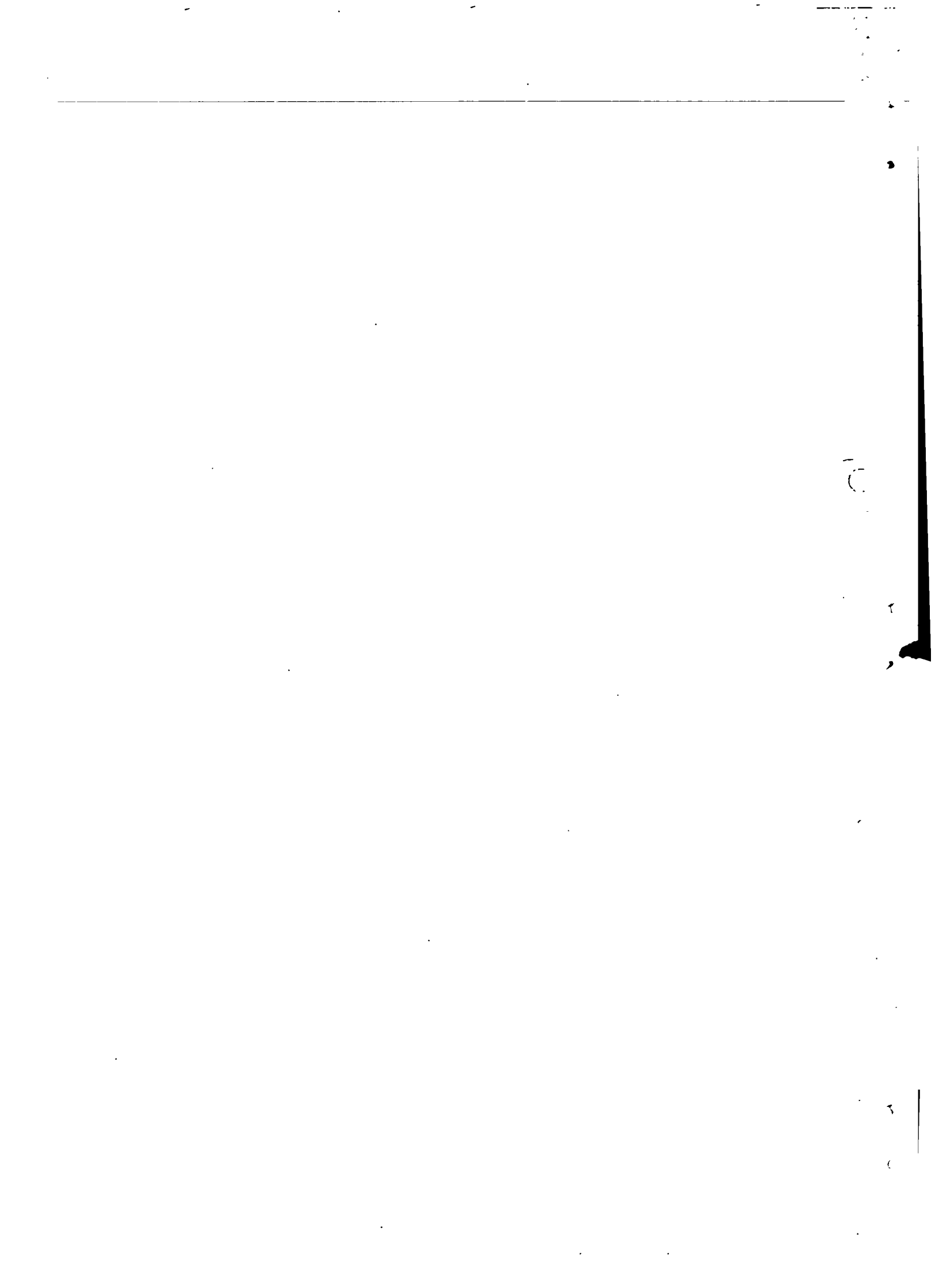
We hereby confirm that **Archbishop Dr.(Rtd.) Eliud Wabukala Wamukekhe** has complied with all his Tax obligations and consequently has been issued with a Tax Compliance Certificate (TCC) number KRAWON5626012016.

Yours faithfully,

**E. Meyo (Mrs.)
For Commissioner of Domestic Taxes**

Tulipe Ushuru Tujitegeme!







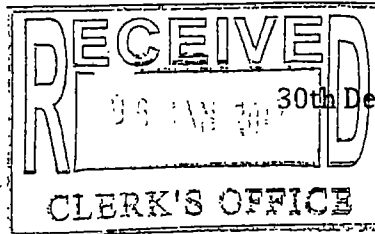
HIGHER EDUCATION LOANS BOARD

tel: 0711052000, 2278000, 0722205292, 0733205292,
04333035, 0704 333036, 0737205292
mail: ceo@helb.co.ke
website: www.helb.co.ke

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

HELB/RD/56593/POV/40

JUSTIN BUNDI
CLERK OF THE NATIONAL ASSEMBLY
P.O. Box 41842-00100
NAIROBI.



Dear Sir,

CLEARANCE OF THE SHORTLISTED CANDIDATE TO THE POSITION OF CHAIRPERSON OF THE ETHICS AND ANTI-CORRUPTION COMMISSION

We acknowledge with thanks the receipt of your letter regarding the clearance of the shortlisted candidate for the Positions of position of chairperson of the Ethics and Anti-corruption commission.

Please find the loan status of the applicant with the Board.

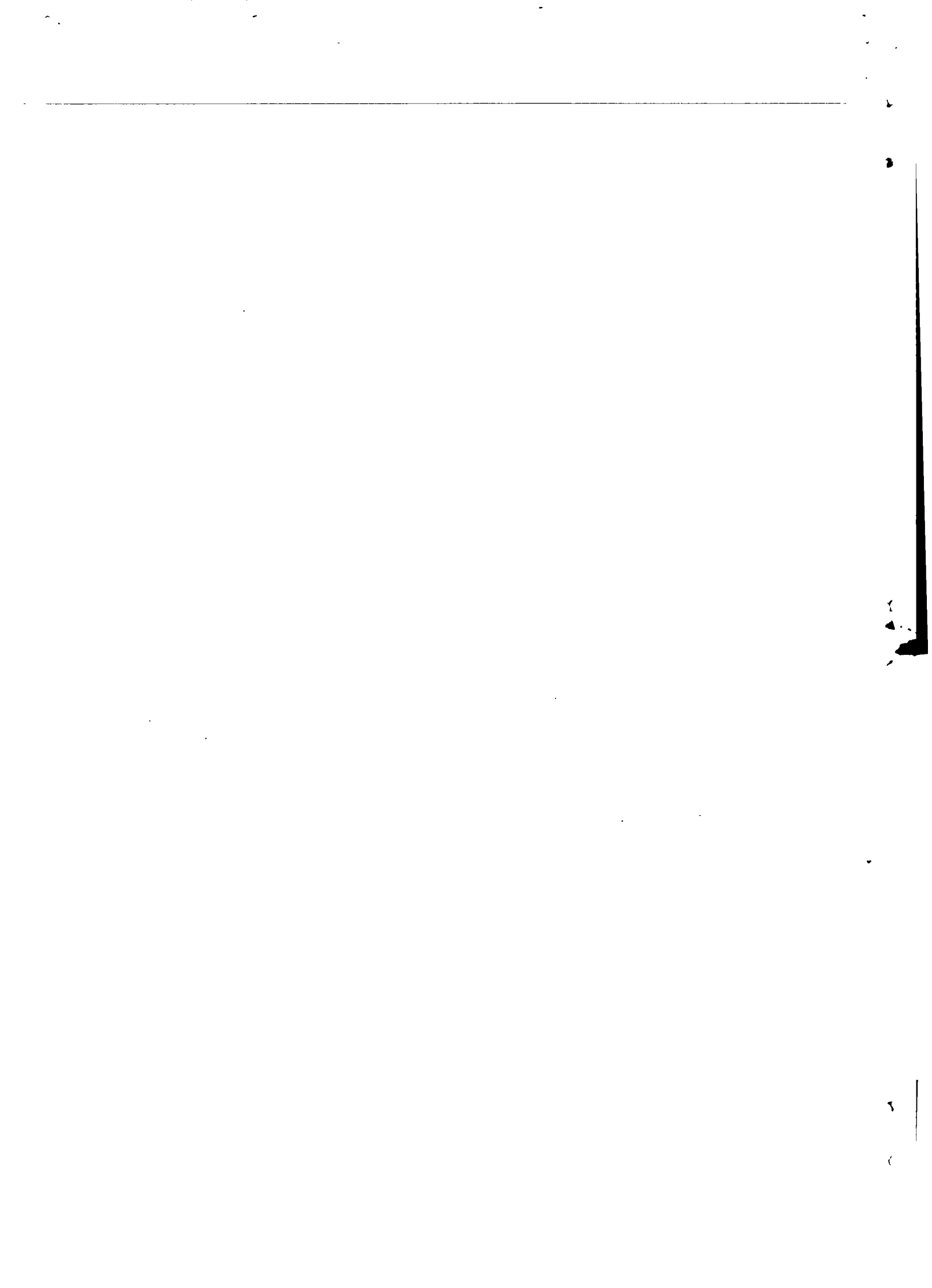
S/NO	NAME	STATUS	YEAR OF CLEARANCE
1	Archbishop Dr.(Rtd.) Eliud Wabukala Wamukekhe	Non- Beneficiary	N/A

We urge you to encourage applicants to seek their compliance certificate from the Board as part of testimonials and conformity to Chapter six of the constitution of Kenya.

We wish to thank you most sincerely for allowing us to provide you this information as this kind of collaboration goes a long way in assisting HELB finance needy Kenyans pursuing higher education now and in the future.

Yours faithfully

✓ GEOFFREY MONARI
Ag. CHIEF OPERATIONS OFFICER
FOR: CHIEF EXECUTIVE OFFICER & BOARD SECRETARY





DIRECTORATE OF CRIMINAL INVESTIGATIONS

DIRECTORATE OF CRIMINAL INVESTIGATIONS HEADQUARTERS
P.O.Box 30036-00100 GPO
NAIROBI, KENYA

Ref. No. PCC-AAAAHQ4

Date. 17 November 2016

POLICE CLEARANCE CERTIFICATE

I hereby certify that the fingerprints recorded from

ELIUD WABUKALA WAMUKEKHE

holder of ID No. **4729270** have been searched in Criminal Records Office's database with/without previous record. The validity of the information on this certificate is as of the date of issue.

REMARKS IN CASE OF PREVIOUS RECORD

OFFENCE(S): NIL

RESULTS OF TRIAL: NIL

DATE:

This Certificate has been issued without any alteration or any erasure

(J.M. Jeremiah)
