

PAPER LAD

By the Senate
Majority Leader
on Tuesday
25th May 2017



REPUBLIC OF KENYA



Rt. Hon. Speaker
You may approve for
tabling.
18/05/17


ELEVENTH PARLIAMENT

(FIFTH SESSION)

PARLIAMENT
OF KENYA
LIBRARY

REPORT OF THE JOINT PARLIAMENTARY SELECT COMMITTEE ON THE
ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY
(EALA)

MAY 2017

Approved

24/5/2017

PREFACE

Mr. Speaker Sir,

Honourable Members, the Joint Parliamentary Committee on Election of Members to the East African Legislative Assembly (EALA) was established on 1st and 2nd March, 2017, respectively by the National Assembly and the Senate.

Mr. Speaker Sir,

The Committee comprises of the following members-

The National Assembly

- 1) The Hon. Katoo Ole Metito, MGH, EGH, M.P.
- 2) The Hon. Samuel Chepkong'a, M.P.
- 3) The Hon. Wanjiku Muhia, M.P.
- 4) The Hon. Ali Wario, M.P.
- 5) The Hon. Florence Mutua, M.P.
- 6) The Hon. Daniel Maanzo, M.P.
- 7) The Hon. Wafula Wamunyinyi, M.P.

The Senate

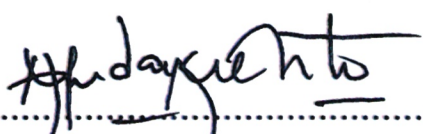
- 1) Sen. Kipchumba Murkomen, M.P.
- 2) Sen. Kimani Wamatangi, M.P.
- 3) Sen. Peter Mositet, M.P.
- 4) Sen. Mshenga Mvita, M.P.
- 5) Sen. Mutula Kilonzo Jnr., M.P.
- 6) Sen. Elizabeth Ongoro, M.P.
- 7) Sen. Henry Ole Ndiema, M.P.

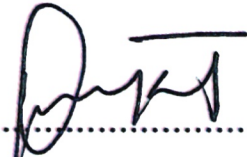
The Committee tabled its Report on the Review of Procedure and Rules for the Election of Members to the East Africa Legislative Assembly to the two Houses of Parliament on 6th April, 2017. The report was adopted by the two Houses on the same day.

On 16th May, 2017, pursuant to Rule 13(1) of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, the presiding officers forwarded the names and nomination papers of all duly nominated candidates together with complaints received in relation to the candidates nomination, to the Joint Committee for consideration.

Mr. Speaker Sir,

It is now my pleasant duty and privilege, on behalf of the Joint Committee, to present the Report on the Election of Members to the East African Legislative Assembly (EALA) for your consideration.

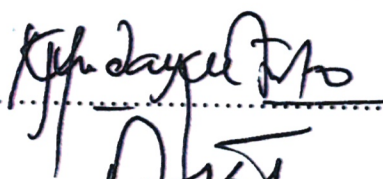

.....
Hon. Katoo Ole Metito, MGH, EGH, M.P.
Co-Chairperson


.....
Sen. Kipchumba Murkomen, M.P.
Co-Chairperson

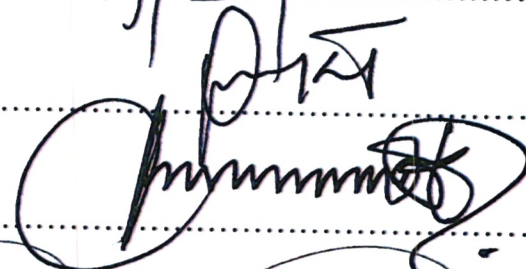
DATE..... 16th 9 May 2017

We, the undersigned, append our signatures to confirm the content of the Report.

Hon. Katoo Ole Metito, MGH, EGH, M.P.



Sen. Kipchumba Murkomen, M.P.



Hon. Wafula Wamunyinyi, M.P.



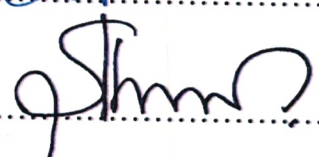
Hon. Ali Wario, M.P.

Sen. Elizabeth Ongoro, M.P.

Sen. Henry Ole Ndiema, M.P.



Hon. Samuel Chepkong'a, M.P.

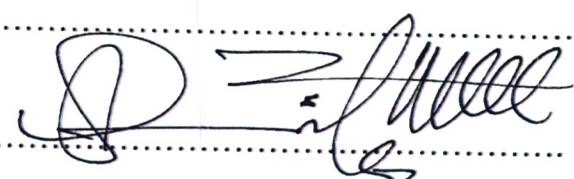


Hon. Wanjiku Muhia, M.P.

Hon. Florence Mutua, M.P.

Hon. Daniel Maanzo, M.P.

Sen. Kimani Wamatangi, M.P.



Sen. Peter Mositet, M.P.

Sen. Mshenga Mvita, M.P.....

Sen. Mutula Kilonzo Jnr., M.P.....

M. Mshenga Mvita
Mutula Kilonzo Jnr.

1.0 BACKGROUND

1. The East African Legislative Assembly is established under Article 9 of the Treaty for the Establishment of the East African Community (EAC) as one of the key organs and institutions of the Community.
2. Articles 50 and 51 of the Treaty for the Establishment of the East African Community provide for election of Members of the Assembly and the tenure of office of elected Members respectively. Specifically, Article 51(1) provides that an elected member of the Assembly shall hold office for five years and is eligible for re-election for a further term of five years.
3. By a letter dated 7th December, 2016, the Clerk of EALA wrote to the Speaker of the National Assembly informing the Speaker that the term of the 3rd East African Legislative Assembly as due to end on 4th June, 2017 and further requesting that the Speaker cause the election of the Members of the next Assembly in accordance with Article 50 of the Treaty, the relevant provisions of the EALA Act, 2011 and the Rules of Procedure relating to election of Members of the Assembly.
4. By a Motion adopted by the National Assembly and the Senate on 1st and 2nd March, 2017 respectively, the Houses of Parliament established a Joint Parliamentary Select Committee on the election of Members to EALA consisting of the following Members

—

The National Assembly

- 8) The Hon. Katoo Ole Metito, MGH, EGH, M.P.
- 9) The Hon. Samuel Chepkong'a, M.P.
- 10) The Hon. Wanjiku Muhia, M.P.
- 11) The Hon. Ali Wario, M.P.

- 12) The Hon. Florence Mutua, M.P.
- 13) The Hon. Daniel Maanzo, M.P.
- 14) The Hon. Wafula Wamunyinyi, M.P.

The Senate

- 8) Sen. Kipchumba Murkomen, M.P.
- 9) Sen. Kimani Wamatangi, M.P.
- 10) Sen. Peter Mositet, M.P.
- 11) Sen. Mshenga Mvita, M.P.
- 12) Sen. Mutula Kilonzo Jnr., M.P.
- 13) Sen. Elizabeth Ongoro, M.P.
- 14) Sen. Henry Ole Ndiema, M.P.

5. The Joint Committee was mandated-

- (a) to review the procedure and rules for election of Members of EALA contained in the Treaty for the Establishment of the East African Community (Election of Members of the Assembly) Rules, 2012 in light of Kenya's bicameral nature;
- (b) on the basis of the review in (a) above, to propose appropriate procedures and rules for election of persons to represent the Republic of Kenya at EALA;
- (c) within fourteen days, to submit a report to the Houses of Parliament containing the revised rules of procedure;
- (d) to suggest appropriate timelines for purposes of notifications, nominations and elections; and
- (e) to consider the nominees, oversee the election process and report to the House within the timelines stipulated in the Elections Rules.

6. Section 12 of the East African Legislative Assembly Elections Act provides that “*the National Assembly of each Partner State shall make rules governing the procedure for election of members subject to [the Act] and Article 50 of the Treaty*”. Pursuant to this

provision and in terms of its mandate, the Joint Committee tabled a Report proposing the adoption of Rules to govern the election of Members to the Assembly. Both Houses, by Resolution, adopted the proposed Rules which were subsequently published by under the hand of the Speakers of both Houses of Parliament on 21st April, 2017 as Legal Notice No. 58 of 2017.

7. The Rules are attached as *Annex 2*.

2.0 INVITATION FOR APPLICATIONS FOR ELECTION TO EALA

8. Pursuant to rule 4 of the EALA Rules, by an advertisement carried in the Daily Nation and the Standard Newspapers and in the Kenya Gazette on 27th April, 2017, the presiding officers invited interested qualified persons to apply for nomination for election as a Member of EALA. A copy of the advertisement is attached as *Annex 3*.

9. To qualify for nomination for election, interested persons were required to meet the qualifications set out under Article 50 of the Treaty which provides as follows-

(1) The National Assembly of each Partner State shall elect, not from among its members, nine members of the Assembly, who shall represent as much as it is feasible, the various political parties represented in the National assembly, shades of opinion, gender and other special interest groups in that Partner State, in accordance with such procedure as the National Assembly of each Partner State may determine.

(2) A person shall be qualified to be elected a Member of the Assembly by the National Assembly of a Partner State in accordance with paragraph (1) of this Article if such person-

(a) is a citizen of that Partner State;

- (b) is qualified to be elected a member of the National Assembly of that Partner State under its Constitution;*
- (c) is not holding office as a Minister in that Partner State;*
- (d) is not an officer in the service of the Community; and*
- (e) has proven experience or interest in consolidating and furthering the aims and objectives of the Community.*

10. Further, Article 99 of the Constitution sets out the qualifications and disqualifications for election as a Member of Parliament as follows-

Unless disqualified under subsection (2), a person qualifies for nomination as a member of Parliament if the person—

- (a) is registered as a voter;*
- (b) satisfies any educational, moral and ethical requirements prescribed by the Constitution and this Act; and*
- (c) is nominated by a political party, or is an independent candidate who is supported—*
 - (i) in the case of election to the National Assembly, by at least one thousand registered voters in the constituency; or*
 - (ii) in the case of election to the Senate, by at least two thousand registered voters in the county.*

(2) A person is disqualified from being elected a member of Parliament if the person—

- (a) is a State officer or other public officer, other than a member of Parliament;*
- (b) has, at any time within the five years immediately preceding the date of election, held office as a member of the Commission;*
- (c) has not been a citizen of Kenya for at least the ten years immediately preceding the date of election;*
- (d) is a member of a county assembly;*

(e) is of unsound mind;

(f) is an undischarged bankrupt;

(g) is subject to a sentence of imprisonment of at least six months, as at the date of registration as a candidate, or at the date of election; or

(h) is found, in accordance with any law, to have misused or abused a State office or public office or in any way to have contravened Chapter Six of the Constitution.

(3) A person is not disqualified under subsection (2) unless all possibility of appeal or review of the relevant sentence or decision has been exhausted.

11. At the close of the application period, the presiding officers received a total of ninety-nine (99) applications; fifty-eight (58) seeking nomination by the Jubilee Coalition and forty-one (41) seeking nomination by the CORD Coalition.

12. By a letter dated 5th May, 2017 the presiding officers forwarded the schedule of applicants to the respective party leaders for their action. The letter to the party leaders and the schedule of the applicants to the respective parties is attached at **Annex 4**.

13. The party leaders were requested to submit their nominees for election to the presiding officers on nomination day which was set for Thursday, 11th May, 2017. Independent candidates were similarly requested to submit their applications to the presiding officers on the nomination day.

3.0 PRE-NOMINATION BRIEFING

14. Pursuant to Rule 7 of the EALA Rules, on 10th April, 2017, the Presiding Officers held a pre-nomination briefing with the parliamentary party leaders of the Jubilee and CORD coalitions at which the leaders were updated on the requirements under the Treaty for nomination of candidates for election to EALA.

4.0 NOMINATION OF CANDIDATES BY THE PRESIDING OFFICERS

15. On 11th May, 2017; the nomination day, the presiding officers received nomination papers from parliamentary party leaders and independent candidates.
16. On 16th May, 2017, pursuant to Rule 13(1), the presiding officers presented their Report on the nomination process to the Joint Committee. The Report of the presiding officers is attached as *Annex 5*.
17. In the Report, the presiding officers informed the Committee that out of the forty (40) candidates who appeared before the Presiding Officers, a total of thirty-five (35) were cleared and issued with provisional nomination certificates. Out of the thirty-five (35), twenty (20) were affiliated to political parties and fifteen (15) were independent candidates.
18. They further informed the Committee that at the close of the nomination exercise on Thursday, 11th May, 2017, they had written to –
 - a) The Independent Electoral and Boundaries Commission (IEBC) to ascertain whether all the provisionally nominated candidates were registered voters as required under Article 99(1)(a) of the Constitution; and
 - b) The Registrar of Political Parties to ascertain the status of party membership of the independent candidates as at the day of nomination.
19. They further stated that the nomination papers and documents of provisionally nominated candidates were opened for public inspection on Friday, 12th and Monday, 15th May, 2017, in accordance to Rule 12 of the said Rules.
20. In addition the presiding officers stated that-

- a) Vide a letter Ref. RPP/ORG/37(46), dated 15th May, 2017, the Registrar of Political Parties indicated to the Presiding Officers that seven (7) of the fifteen (15) provisionally nominated independent candidates were members of political parties. In accordance with Articles 85 and 99(1)(c) of the Constitution, they would not be eligible as candidates for election to EALA; and
- b) Vide a letter Ref. IEBC/ELC/2/59, dated 15th May, 2017, the Secretary to the Independent Electoral and Boundaries Commission (IEBC) confirmed that all the thirty five (35) nominees were registered voters.

21. Pursuant to Rule 13(1) of the EALA Rules, the presiding officers forwarded to the Joint Committee the names and nomination papers of all duly nominated candidates for consideration by the Committee.

22. In addition, the presiding officers also presented the following three complaints which they had received-

1. A letter from John Ole Ketora, Orange Youth League Chairman raising issue with the fact that Erick Komolngole Changorok had not been nominated for election to EALA;
2. A letter from Zeth Ouma Omollo, dated 15th May, 2017, seeking that Wiper Democratic Movement – Kenya submits the names of at least two (2) nominees to Parliament for election as is the spirit of rule 6(1) on the number of nominees of each party; and
3. A letter dated 16th May, 2017 from the Leader of the Majority in the National Assembly, raising two issues-
 - i. An objection to the nomination of the fifteen (15) independent candidates as their nomination did not comply with Article 99(1)(c) of the Constitution as relates to gathering support by registered voters and that the candidates therefore fell short of the requirements of Article 50(2) of

the Treaty. The Leader of the Majority stated that the nomination of the independent candidates should be revoked; and

- ii. An objection to the nomination made by the CORD Coalition for failing to nominate thrice the number of candidates as per the party slots assigned to them so as to afford the House an opportunity to conduct an election by making the choice to reject any of the candidates in line with the election principle set by the East African Court of Justice in the Anyang' Nyong'o case. The Leader stated that in forwarding only four candidates, the CORD Coalition sought to deny the House the freedom of choice to reject any or all of the four candidates. He further stated "*that even if the number was increased to five, by virtue of the nomination by Ford Kenya Party, the House is still being denied a choice to reject four out of the five candidates*". The Leader of the Majority stated that the CORD Coalition should pursuant to Rule 8(3) avail a written record of the proceedings at which the final decision to nominate its four candidates was made.

23. Copies of the complaints are attached at *Annex 6*.

5.0 OBSERVATIONS OF THE COMMITTEE

24. The Committee made the following observations-

(1) Entitlements for Slots for Election under the Rules

25. The Committee considered the issue of the entitlement for slots under the Rules. The Committee observed that under rule 6(1) "*a party shall be entitled to nominate for election under these Rules any number of candidates not exceeding three times the figure arrived at by multiplying the number of elected Members of Parliament of that party by such number as the Joint Committee shall determine and dividing the result by the total number of elected Members of Parliament*". Further, under rule 9 of the

Rules “a person intending to vie for election independent of a political party shall submit his or her duly filled nomination form in the format prescribed in the Second Schedule to a presiding officer in the manner specified in the notice published under rule 4 and in accordance with rule 10”.

26. The Committee further observed that in the membership of Parliament, there are four (4) independent candidates out of 416 members (not including the Speakers of the Houses). Therefore, the entitlement for independent candidates would be 0.086% slots, while that for the Majority and Minority Parties would be five and four slots, respectively. To this extent therefore, independent candidates were not entitled to a slot in light of the current composition of Parliament.
27. The Committee however observed that in making provision for independent candidates, the Rules recognized the possibility of a future scenario where in the composition of Parliament, independent candidates may be entitled to a slot or slots of the membership of EALA.
28. The Committee determined that in light of its decision that independent candidates would not be entitled to be nominated for the present elections to EALA, it was not necessary to make a determination on the complaint on the matter of their eligibility as raised by the Leader of the Majority Party in the National Assembly.
29. The Committee however noted that, for the future, there was need to amend the Rules so as to make clear and unequivocal provisions on the matter of the nomination and election of independent candidates, more so in light of Article 99(1)(c) of the Constitution which requires, in respect of an independent candidate seeking election to the National Assembly, the candidate be supported by the signatures of one thousand (1,000) registered voters in the constituency and in the case of an independent candidate seeking election to the Senate, two thousand (2,000) registered voters in the county.

(2) **Compliance with Article 50(1) of the Treaty and Rule 6(2) of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017**

30. Article 50(1) of the Treaty provides as follows-

The National Assembly of each Partner State shall elect, not from among its members, nine members of the Assembly, who shall represent as much as it is feasible, the various political parties represented in the National assembly, shades of opinion, gender and other special interest groups in that Partner State, in accordance with such procedure as the National Assembly of each Partner State may determine.

31. Rule 6(2) of the Rules further provides that “*in nominating its candidates, each party shall, as much as it is feasible, take into account the need for fair representation of the various shades of opinion, regional balance, gender and other special interest groups in Kenya and shall ensure that at least one-third of its nominees are women*”.

32. The Committee observed that under Rule 6(1) of the Rules, a party could submit a number of nominees ranging from the minimum number it is entitled to under the Rules and up to three times the number of such entitlement. The Committee observed that this rule provided discretion to the parties as to the number of nominees that they would nominate so long as the number did not exceed the maximum number of their entitlement.

33. The Committee however took note of the decision of the East African Court of Justice in Reference No. 1 of 2006 - ***Prof. Peter Anyang' Nyong'o and Others and the Attorney-General and Others***, in which the Court emphasized that Rules made pursuant to the Treaty should not infringe the provisions of Article 50 in so far as that Article “*conferred the power, which primary purpose is to provide for the election of*

nine members of the Assembly by the National Assembly of each Partner State". The Court found that *"that purpose was defeated by the provision of rule 7 [of the then Rules for the election of Kenya's members to EALA], which provides for a fictitious election in lieu of a real election"*. The Court therefore held that the National Assembly of Kenya had not undertaken an election within the meaning of Article 50 of the Treaty.

34. It is noteworthy that at the time, rule 7 of the Rules provided that *"upon being satisfied that the requirements of rule 6 have been complied with, the House Business Committee shall cause the names of nine nominees of the parties to be tabled before the National Assembly and such nominees shall be deemed to have been elected as Members of the East African Legislative Assembly in accordance with Article 50 of the Treaty"*.
35. In the same breadth, the Committee observed that rule 6 in so far as it enables the parties to submit only the number of its entitlement of nominees violated Article 50(1) of the Treaty in the same manner as rule 7 had. The submission of the bare minimum of nominees would not provide Members of Parliament an opportunity to conduct an election as required under Article 50 of the Treaty and as determined by the Court in Reference No. 1 of 2006.
36. The Committee therefore resolved that in light of Article 50(1) of the Treaty, rule 6(2) of the Rules and noting the decision of the EACJ in Reference No. 1 of 2006, it was important to ensure that the number of nominees from each of the parties enabled Members of the Parliament of Kenya to conduct an election as required and that in that election Members had the opportunity to ensure *"fair representation of the various shades of opinion, regional balance, gender and other special interest groups"*. Consequently, the Committee resolved that the CORD Coalition which had submitted the names of five (5) nominees submits the names of a total of twelve (12) nominees so as to enable compliance with the Treaty.

37. The Committee further noted that, for the future, there was need to amend rule 6(1) to require parties to submit three times the number of their entitlement.

6.0 RECOMMENDATIONS

38. The Committee recommends that the Houses of Parliament resolve as follows-

1. That the entitlements to nominate persons for election to EALA are as follows-
 - (a) The Jubilee Coalition – five (5) nominees;
 - (b) The CORD Coalition – four (4) nominees; and
 - (c) Independent candidates – 0.086 nominees; being nil (0);
2. That, for the future, the Rules be amended so as to make clear and unequivocal provisions on the matter of the requirements for the nomination and election of independent candidates, in light of Articles 85 and 99(1)(c) of the Constitution;
3. That in line with the decision of the East African Court of Justice in Reference No. 1 of 2006 - ***Prof. Peter Anyang' Nyong'o and Others and the Attorney-General and Others***, the CORD Coalition which had submitted the names of five (5) nominees submit the names of a total of twelve (12) nominees, that is, an additional seven (7) nominees from the list of forty-one (41) applicants submitted to the Leaders of the Coalition by the letter dated 5th May, 2017 from the presiding officers;
4. That, for the future, rule 6(1) of the Rules be amended to require parties to submit three times the number of persons they are entitled to nominate under the Rules;

5. That the Presiding Officers appoint a new nomination day to receive and process further nominations from the CORD Coalition;
6. That on the conclusion of the further nominations, the presiding officers forward the list of the further nominees of the CORD Coalition to the Joint Committee for consideration in accordance with rule 13; and
7. That the Speakers of both Houses of Parliament make a determination pursuant to rule 25 extending the timelines required under the rules in order to enable the processes recommended to be undertaken and further extending the latest date for the holding of the election to a date not later than 4th June, 2017.



Annex 1: Minutes of Committee Sittings



**MEETING OF THE FIFTH SITTING OF THE JOINT PARLIAMENTARY
SELECT COMMITTEE TO REVIEW THE PROCEDURE AND RULES FOR
ELECTION OF MEMBERS OF THE EAST AFRICAN LEGISLATIVE
ASSEMBLY (EALA) HELD ON 16TH MAY, 2017 AT 3.00 P.M. IN COMMITTEE
ROOM NO.7, MAIN PARLIAMENT BUILDINGS**

PRESENT

Hon. Katoo Ole Metito, M.P. -Co-Chairperson
Sen. Kipchumba Murkomen, M.P -Co-Chairperson
Hon. Samwel Chepkong'a, M.P.
Sen. Henry Tiolo Ndiema, M.P.
Sen. Mshenga Mvita, M.P.
Hon. Ali Wario, M.P.
Sen. Mutula Kilonzo Jnr., M.P.
Hon. Wafula Wamunyinyi, M.P.
Sen. Peter Mositet, M.P.

APOLOGIES

Hon. Florence Mutua, M.P.
Hon. Wanjiku Muhia, M.P.
Sen. Elizabeth Ongoro, M.P.
Hon. Daniel Maanzo, M.P.
Sen. Kimani Wamatangi, M.P.

IN ATTENDANCE

Secretariat

Mr. Jeremiah Nyegenye - Clerk of the Senate (Presiding Officer)
Mr. Michael Sialai - Clerk of the National Assembly (Presiding Officer)
Ms. Eunice Gichangi - Senior Deputy Clerk (Senate)
Ms. Mary Chesire - Deputy Director, Committee Services (Senate)
Mr. Michael Karuru - Deputy Director, Legal Services (KNA)
Ms. Jeniffer Ndeto - Principal Legal Counsel (KNA)
Ms. Josephine Kusinyi - Senior Legal Counsel (Senate)
Mr. Mainah Wanjiku - Second Clerk Assistant (KNA)
Mr. Benson Inzofu - Third Clerk Assistant (KNA)

- Mr. Charles Ngatia - Third Clerk Assistant (Senate)
- Ms. Grace Wahu - Research Assistant III (Senate)
- Ms. Njeri Manga - Media Relations Officer
- Mr. Nimrod Ochieng - Audio Officer (KNA)

MIN/JCEALA/030/2017 PRELIMINARIES

The meeting was called to order at quarter past three O’ clock.

MIN/JCEALA/031/2017 CONFIRMATION OF PREVIOUS MINUTES

Minutes of the fourth sitting held on 16th May, 2017 at 10:00 a.m. were confirmed as a true record of the deliberations after they were proposed and seconded by Sen. Mvita Mshenga, M.P. and Hon. Wafula Wamunyinyi, M.P., respectively.

MIN/JCEALA/032/2017 ADOPTION OF REPORT ON THE ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY

The Committee adopted the report on the election of members to the East African Legislative Assembly after being proposed by Sen. Henry Tiolo Ndiema, M.P. and seconded by Sen. Mvita Mshenga, M.P., respectively.

MIN/JCEALA/033/2017 ADJOURNMENT

There being no other business, the meeting was adjourned at 4: 30 p.m.

Signed.....

Hon. Katoo Ole Metito, M.P.
Co-Chairperson

Signed.....

Sen. Kipchumba Murkomen, M.P
Co-Chairperson

Date.....

Date.....

MEETING OF THE FOURTH SITTING OF THE JOINT PARLIAMENTARY SELECT COMMITTEE TO REVIEW THE PROCEDURE AND RULES FOR ELECTION OF MEMBERS OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA) HELD ON 16TH MAY, 2017 AT 10.00 A.M. IN COMMITTEE ROOM NO.7, MAIN PARLIAMENT BUILDINGS

PRESENT

Hon. Katoo Ole Metito, M.P. -Co-Chairperson
Sen. Kipchumba Murkomen, M.P. -Co-Chairperson
Hon. Samwel Chepkong'a, M.P.
Sen. Henry Tirole Ndiema, M.P.
Hon. Florence Mutua, M.P.
Sen. Mshenga Mvita, M.P.
Hon. Ali Wario, M.P.
Sen. Mutula Kilonzo Jnr., M.P.
Hon. Wafula Wamunyinyi, M.P.
Sen. Peter Mositet, M.P.

APOLOGIES

Hon. Wanjiku Muhia, M.P.
Sen. Elizabeth Ongoro, M.P.
Hon. Daniel Maanzo, M.P.
Sen. Kimani Wamatangi, M.P.

IN ATTENDANCE

Secretariat

Mr. Jeremiah Nyegenye - Clerk of the Senate (Presiding Officer)
Mr. Michael Sialai - Clerk of the National Assembly (Presiding Officer)
Ms. Eunice Gichangi - Senior Deputy Clerk (Senate)
Ms. Mary Chesire - Deputy Director, Committee Services (Senate)
Mr. Michael Karuru - Deputy Director, Legal Services (KNA)
Ms. Jeniffer Ndeto - Principal Legal Counsel (KNA)
Ms. Josephine Kusinyi - Senior Legal Counsel (Senate)
Mr. Mainah Wanjiku - Second Clerk Assistant (KNA)
Mr. Benson Inzofu - Third Clerk Assistant (KNA)
Mr. Charles Ngatia - Third Clerk Assistant (Senate)

Ms. Grace Wahu - Research Assistant III (Senate)
Ms. Njeri Manga - Media Relations Officer
Mr. Nimrod Ochieng - Audio Officer (KNA)

MIN/JCEALA/024/2017 PRELIMINARIES

The meeting was called to order at half past ten o'clock and thereafter opened with prayer by Hon. Florence Mutua, M.P.

MIN/JCEALA/025/2017 INTRODUCTION

Introduction was done first from the members of the Committee and then followed by staff.

MIN/JCEALA/026/2017 ADOPTION OF AGENDA

The agenda of the meeting was adopted after it was proposed and seconded by Sen. Peter Mositet, M.P. and Hon. Florence Mutua, M.P. respectively as follows;

1. Introduction
2. Adoption of the Agenda;
3. Presentation of names and nomination papers of duly nominated candidates for election as Members of the East African Legislative Assembly (EALA);
4. Consideration of the Committee activities prior to the election day;
5. Any Other Business;
6. Date of next meeting;
7. Adjournment.

MIN/JCEALA/027/2017 PRESENTATION OF NAMES AND NOMINATION PAPERS OF DULY ELECTED CANDIDATES FOR ELECTION AS MEMBERS OF EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Pursuant to Rule 13(1), the Presiding Officers presented to the Joint Committee the names and nomination papers of all duly nominated candidates. In addition, they also presented three complaints:

1. John Ole Ketora regarding the nomination of Erick Komolngole Changorok on failure by the ODM to consider the said nomination.
2. Zeth Ouma Omollo, dated 15th May, 2017, regarding the failure by WIPER to present three names for nomination.

3. Leader of Majority in the National Assembly, dated 16th May, 2017, raising two issues:

- i. An objection to the nomination of independent candidates because their nomination did not comply with Article 99 of the Constitution.
- ii. An objection to the nomination made by the CORD coalition for failing to nominate thrice the number of candidates as per the party slots. Further requiring that the coalition do provide evidence of compliance with Rule 8(3) being a written record of proceedings of the meeting at which the final decision to nominate its four candidates was made.

ISSUES RAISED

1. The validity of nomination of Independent Candidates:

The Committee considered the issue of whether the independent candidates should have submitted 1000 signatures as per Article 99 of the Constitution qualify for a slot to the EALA taking into account the number of independent candidates in the current Parliament.

The Committee acknowledged that there are 4 independent candidates out of a possible 416 members, multiplied by 9, gives 0.086%. To this extent therefore, there is no entitlement for a slot for independent candidates in the current Parliament.

The Committee therefore resolved that Independent Candidates do not qualify for a slot to the EALA.

2. Compliance with Rule 6(2) of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017 on the one third gender.

The Committee determined that both coalitions had met requisite numbers as per their nominations.

3. Regional Balance

The Committee noted that the CORD coalition did not take into account regional balance and as such should forward a further nomination list with an additional seven members, observing regional balance.

4. The inadequacy of the of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017 on the framework to ensure that the election process conforms to the provisions of Article 50 (1) of the Treaty for the Establishment of the East African Community and the Ruling of the East African community and the East African Court of Justice in Arusha Reference No. 1 of 2006 on the election if members to EALA.

The Committee resolved that the Rule 6(1) should be amended to provide for election of members to EALA.

Recommendations

The Committee recommends that the Houses of Parliament resolve as follows-

1. That the entitlements to slots for election to EALA are as follows-
 - i. The Jubilee Coalition – five (5);
 - ii. The CORD Coalition – four (4); and
 - iii. Independent candidates – 0.086 nominees; being nil (0);
2. That, for the future, the Rules be amended to so as to make clear and unequivocal provisions on the matter of the requirements for the nomination and election of independent candidates, in light of Article 99(1)(c) of the Constitution;
3. That in line with the decision of the East Africa Court of Justice in Reference No. 1 of 2006 –***Prof. Peter Anyang' Nyong'o and Others and the Attorney General and Others***, the CORD Coalition which had submitted the names of five (5) nominees submit the names of a total of twelve (12) nominees, that is, an additional seven (7) nominees from the list of forty-one (41) applicants submitted to the Leaders of the Coalition by the letter dated 5th May, 2017 from the presiding officers;
4. That, for the future, rule 6(1) of the Rules be amended to require parties to submit three times the number of persons they are entitled to nominate under the Rules.

5. That the Presiding Officers appoint a new nomination day to receive and process further nominations from the CORD Coalition;
6. That on the conclusion of the further nominations, the presiding officers forward the list of the further nominees of the CORD Coalition to the Joint Committee for consideration in accordance with rule 13; and
7. That the Speakers of both Houses of Parliament make a determination under rule 25 extending the timelines required under the rules in order to enable the processes recommended to be undertaken and further extending the latest date for the holding of the election to a date not later than 4th June, 2017.

MIN/JCEALA/028/2017

DATE OF NEXT MEETING

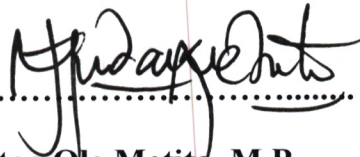
The date of the next meeting was scheduled for Tuesday, 16th May, 2017 at 3:00 p.m. at Committee Room 7, Main parliament Buildings.

MIN/JCEALA/029/2017

ADJOURNMENT

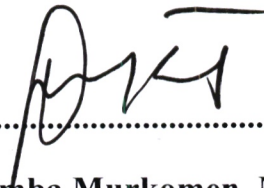
The meeting was adjourned at sixteen minutes to one o'clock.

Signed.....



**Hon. Katoo Ole Metito, M.P.
Co-Chairperson**

Signed.....



**Sen. Kipchumba Murkomen, M.P.
Co-Chairperson**

Date.....

16/5/2017

Date.....

16/5/2017



SPL.SN. 13/2017

Clerk's Chambers
The Senate
NAIROBI

25th May, 2017.

PAPER LAID

Mr. Speaker Sir, I beg to lay the following Report on the Table of the Senate today, Thursday, 25th May, 2017;

✓ ***Report of the Joint Parliamentary Select Committee for the Election of Members to (EALA).***

Majority Leader

(Sen. Kipchumba Murkomen, Co-Chairperson, Joint Parliamentary Select Committee)

Copies to:-

The Speaker
The Deputy Speaker
The Clerk
The Hansard



MEMO

TO: The Speaker

THR': The Clerk

THR': Senior Deputy Clerk, E.G.

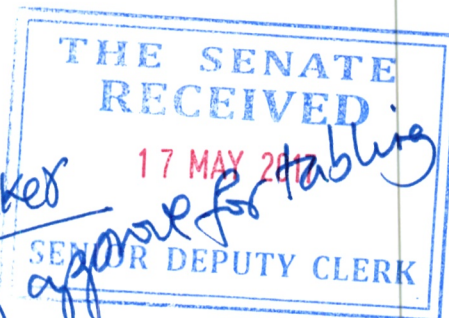
FROM: Deputy Director, Committee Services

DATE: 17th May, 2017

SUBJECT: REPORT OF THE JOINT PARLIAMENTARY SELECT COMMITTEE FOR THE ELECTION OF MEMBERS TO EALA

Attached herein, please find a report of the Joint Parliamentary Select Committee for Election of Members to the East African Legislative Assembly (EALA) for your consideration and approval for tabling in the Senate.


Mary Chesire



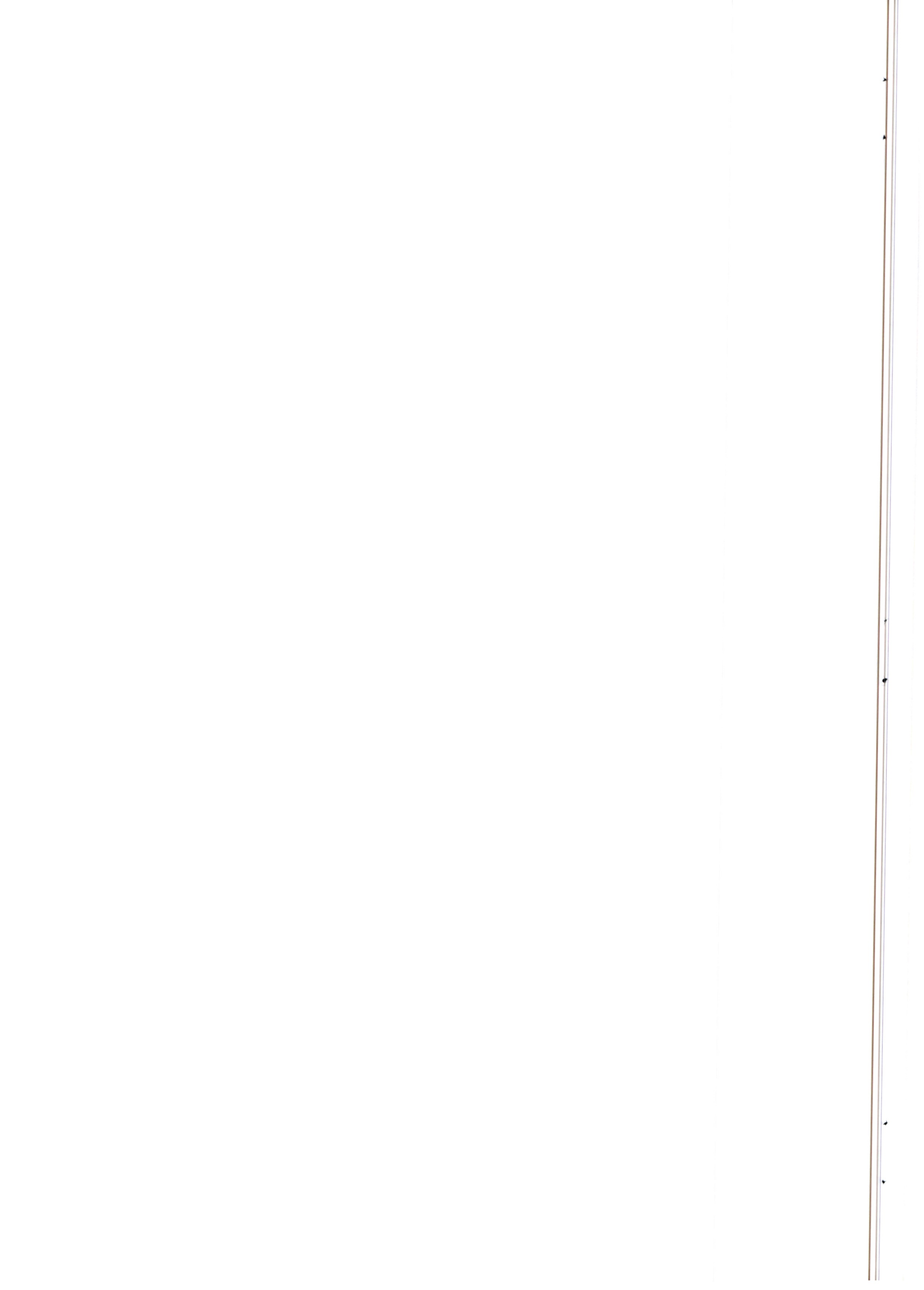
Rt. Hon. Speaker
You may approve for tabling

Forwarded and recommended for approval for tabling in the Senate.

Eg
17/05/17



**Annex 2: The East African Legislative Assembly Elections
(Election of Members) Rules, 2017**



(Legislative Supplement No. 24)

LEGAL NOTICE NO. 58

THE EAST AFRICAN LEGISLATIVE ASSEMBLY
ELECTIONS ACT, 2011

IN EXERCISE of the powers conferred by section 12 of the East African Legislative Assembly Elections Act, the Parliament of Kenya makes the following Rules:—

THE EAST AFRICAN LEGISLATIVE ASSEMBLY ELECTIONS
(ELECTION OF MEMBERS OF THE ASSEMBLY) RULES, 2017

PART I—PRELIMINARY

1. These Rules may be cited as the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017.

Citation.

2. In these Rules, the parliamentary words and expressions used have the same meaning as that assigned to them in the Standing Orders of the respective House of Parliament and unless the context otherwise requires—

Interpretation.

“candidate” means a person who is nominated to vie for election to the East African Legislative Assembly;

“election” means an election to the East African Legislative Assembly;

“joint committee” means a committee established by the National Assembly and the Senate for the purposes of elections conducted under these Rules;

“nomination” means nomination as a candidate to vie for election to the East African Legislative Assembly;

“party” means a parliamentary political party or coalition of parliamentary political parties;

“presiding officers” means the Clerk of the National Assembly and the Clerk of the Senate;

“returning officers” means the Speaker of the National Assembly and the Speaker of the Senate; and

“voter” means a member of the National Assembly or the Senate but does not include the Speaker of either House of Parliament.

PART II—QUALIFICATIONS AND NOMINATION OF
CANDIDATES

3. A person shall not qualify to vie for election unless he or she meets the requirements for election set out under Article 50(2) of the Treaty for the Establishment of the East African Community, Article 99 of the Constitution and section 22 of the Elections Act.

Qualification for election.

No. 24 of 2011.

4. Where an election is to be held, the presiding officers shall, by notice in the Gazette and in at least two newspapers of national circulation—
- (a) notify that fact and invite interested qualified persons to apply, within a period of seven days from the date of the notice, for nomination to be elected as a member of the East African Legislative Assembly; and
- (b) appoint a nomination day, which shall be within a period of seven days from the expiry of the period prescribed under paragraph (a) for the receipt of applications for nomination.
5. A person who qualifies for nomination shall submit his or her application for nomination to the specified political party of his or her choice in the manner specified in the notice published under rule 4.
6. (1) A party shall be entitled to nominate for election under these Rules any number of candidates not exceeding three times the figure arrived at by multiplying the number of elected Members of Parliament of that party by such number as Joint Committee shall determine and dividing the result by the total number of elected Members of Parliament.
- (2) In nominating its candidates, each party shall, as much as it is feasible, take into account the need for fair representation of the various shades of opinion, regional balance, gender and other special interest groups in Kenya and shall ensure that at least one third of its nominees are women.
7. The presiding officers may, before the expiry of the period prescribed under rule 4(b) invite the respective leader of the majority party and the leader of the minority party of all parties entitled to nominate candidates for a pre-nomination briefing on the nomination requirements under the Treaty for the Establishment of the East African Community, the East Africa Legislative Assembly Elections Act, 2011 and under these Rules.
8. (1) Upon the nomination of a candidate under these Rules, the respective political party or the nominee, as the case may be, shall submit the particulars of the nominee in the form prescribed in the First Schedule to the presiding officer in the manner prescribed under rule 10.
- (2) The nomination of a candidate by a political party shall not be valid unless the candidate or political party submits to the presiding officer, the prescribed form duly filled and certified by the leader of the majority party or the leader of the minority party, as the case may be, in the manner set out in the form.
- (3) Each party shall nominate candidates through a transparent and democratic process and shall keep a written record of the proceedings at which the final decision to nominate any candidate was made.
9. A person intending to vie for election independent of a political party shall submit his or her duly filled nomination form in the format prescribed in Second Schedule to a presiding officer in the

Notification of election and nomination date.

Application for nomination by a political party.

Number of nominees of each party.

Pre-nomination briefing.

Nomination of candidates by a political party.

Nomination of candidates independent of a political party.

manner specified in the notice published under rule 4 and in accordance with rule 10.

10. On the day of nomination, at any time not later than four o'clock in the afternoon, an independent candidate or a nominee, the leader of the majority party or the leader of the minority party, as the case may be, of all parties entitled to nominate candidates shall deliver nomination papers of the candidate or candidates nominated by the party to the presiding officer.

Delivery of nomination papers.

11. (1) A candidate may, not later than four o'clock in the afternoon of the day following the nomination day, withdraw his or her candidature by notice in writing signed and delivered to the presiding officer, and in the case of a candidate nominated by a political party, with a copy to the party leader of the party that nominated the candidate.

Withdrawal or death of a candidate.

(2) No withdrawal of a candidate shall be accepted after the expiry of the period prescribed under sub-rule (1).

(3) Where the presiding officer receives information that a candidate has died and the information is received after four o'clock in the afternoon of the nomination day, and before the election day, the election shall proceed, but the voters shall be informed of such death.

(4) In the case of a party nominee, the party which nominated the candidate who dies or for any other reason ceases to be a candidate before the election day, may notwithstanding rule 10, nominate another person in place of the candidate.

12. Subject to such conditions as the presiding officers may prescribe, any person may, during office hours for two working days from the nomination day, inspect the nomination papers of any candidate and may lodge a complaint with the presiding officers in relation to a candidate's nomination.

Inspection of nomination papers.

13. (1) Within three days after the expiry of the period provided for in rule 10, the presiding officers shall forward to the joint committee, for its consideration, the names and nomination papers of all duly nominated candidates together with any complaint that may have been received under rule 12.

Forwarding of nomination papers to joint committee.

(2) The joint committee may, in considering nomination papers under sub-rule (1), invite to appear before the committee, the respective nominee in order to verify any information affecting his or her qualification to vie for elections under these Rules.

(3) The joint committee may, upon considering the nomination papers of a candidate make a recommendation for the rejection of the papers of the candidate if it is apparent from the contents of the papers that the candidate is not qualified to vie for election.

(4) The joint committee may make a recommendation for the rejection of all nominations and order a fresh nomination if it is apparent from the list of nominees that it shall not be possible, upon the holding of elections, to have, as much as is feasible, a fair representation of the various political parties in Parliament, regional

balance, shades of opinion, gender and other special interest groups in Kenya and to ensure that at least not more than two thirds of the persons elected are of the same gender.

(5) The joint committee shall consider the nomination papers and table its report on the nominees in both Houses of Parliament within a period of seven days from the date of receipt of the papers.

(6) In the event that Parliament approves the recommendation of the joint committee for a fresh nomination, the presiding officer may shorten the periods specified under rule 4.

PART III—ELECTION CAMPAIGNS AND VOTING

14. An aspiring candidate may approach and seek the support of a Member of Parliament entitled to vote before the nomination day and may, if nominated, continue to do so after the nomination day.

Campaigns by nominees.

15. (1) The presiding officers shall, by notice published in the Gazette and in at least two newspapers of national circulation appoint a date and a venue for the holding of the election by the respective Houses of Parliament which shall be not more than fourteen days after the nomination day.

Publication of election date.

(2) The date and time for election appointed under sub-rule (1) shall be the same for the National Assembly and the Senate.

16. (1) Each presiding officer shall prepare and at the time appointed for the election, shall issue to each voter one ballot paper on which shall be written in alphabetical order, the names of all duly nominated candidates, their gender, age and county clustered under the heading of the names of the respective parties that nominated them.

Ballot paper.

(2) A voter shall be required to cast a specified number of votes, which shall be clearly indicated on the ballot paper, in respect of the candidates nominated by each party.

(3) The number of votes cast under sub-rule (2) in respect of each party shall be the figure arrived at by multiplying the number of Members of Parliament of that party by the number determined by the Joint Committee and dividing the result by the total number of Members of Parliament.

17. (1) The voting in each House shall be conducted under the general supervision of the respective Speaker, who shall be the returning officer, in the place appointed by the Speaker.

Voting.

(2) On receiving a ballot paper, a voter shall secretly record his or her votes by putting a mark against the names of the nine candidates that the voter wishes to elect as members of the East African Legislative Assembly, in the respective proportions specified under sub-rule (3) of rule 15.

(3) A voter shall cast as many votes as the number of candidates to be elected and in proportion to the number of candidates required to be elected as shall be determined by the Joint Committee.

(4) Where a voter casts more votes than the number of candidates required to be elected with respect to a category of candidates, the ballot paper of that voter shall be regarded as spoilt.

(5) The ballot paper of a voter shall not be regarded as spoiled where the voter casts a number of votes that falls below the number of candidates to be elected in an election conducted under these Rules.

(6) A voter who accidentally spoils a ballot paper while voting is in progress shall, on surrendering the spoiled ballot paper, be issued with a replacement ballot paper.

18. (1) Immediately after all voters have cast their votes, the respective returning officer shall appoint two members to act as counting agents for all the candidates.

Counting of votes.

(2) The respective presiding officer shall, in the presence of the counting agents as witnesses, count the votes cast.

19. When the votes have been counted and the results of the election have been ascertained—

Declaration of results.

- (a) each presiding officer shall record the results of the tally and report to the respective House the results of the election together with the number of votes recorded for each candidate under each cluster at the end of the election exercise;
- (b) the returning officer in each House shall the upon reporting the results of the elections under paragraph (a), send a message to the other House communicating the results of the election in the respective House;
- (c) the returning officer shall announce to the respective House, the results of the election in the other House; and
- (d) the returning officer in the National Assembly shall declare to be duly elected as members of the East African Legislative Assembly, nine persons who receive the highest number of votes.

20. Within seven days after the declaration of the duly elected members of the East African Legislative Assembly under rule 19 (d)—

Publication and transmission of names.

- (a) the presiding officers shall publish the names in the *Gazette*; and
- (b) the returning officers shall jointly transmit to the Clerk of the East African Legislative Assembly the names of the elected members as published in the *Gazette*.

21. The presiding officers of the respective Houses of Parliament shall ensure safe custody of all ballot papers and other documents relating to the conduct of the election and shall cause all such documents to be destroyed after the expiration of six months from the election day.

Custody of ballot papers.

PART IV—VOIDANCE OF ELECTION

22. Any question that may arise as to whether a person is an elected member of the East African Legislative Assembly or whether a seat in the Assembly is vacant shall be determined by the High Court.

Determination of validity of candidate's election.

23. The procedure, jurisdiction and grounds for election petitions in respect of a Member of Parliament shall apply *mutatis mutandis* for a

Procedure for voidance of elections.

Member of the East African Legislative Assembly elected under these Rules.

PART V – MISCELLANEOUS

24. Where the seat of a member elected under these Rules becomes vacant, the Speakers shall, upon receipt of notification of the vacancy from the Speaker of the East African Legislative Assembly, facilitate the election of a member to replace the member in accordance with the procedure set out under these Rules.

Filling of vacancy.

25. If any matter arises which is not specifically provided for in these Rules, the respective Speakers shall make a ruling directing what is to be done and in making such a ruling, the Speakers shall be guided by the practice and procedure normally followed in similar situations with regard to the conduct of elections in Parliament.

Matters not specifically provided for.

26. These Rules supercede any previous rules, procedure or practice for the election of members to the East African Legislative Assembly.

Supercession

27. The Treaty for the Establishment of the East African Community (Election of Members of the Assembly) Rules, 2001 and the Treaty for the Establishment of the East African Community (Election of Members of the Assembly) Rules, 2012 are revoked.

Revocation of L.N. 154 of 2001 and L.N. 31 of 2012.

FIRST SCHEDULE

(r. 8 (c))

NOMINATION OF PARTY NOMINEE FORM FOR ELECTION OF A MEMBER OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY

I, the undersigned, being the party leader of the party shown below hereby certify the nomination of the under mentioned person as a candidate at the said election.

<i>Candidates name in full</i>	<i>Address</i>	<i>Occupation or description</i>

Full names:

Party:.....

Signature of the party leader:

And I, the aforesaid

do hereby consent to my nomination as a candidate for the election as a member of the East African Legislative Assembly and hereby certify that I am in all respects qualified for nomination as such candidate.

I have attached herewith

- (a) a photocopy of my national identity card/passport; and
- (b) my detailed curriculum vitae showing my educational and other qualifications.

Signature of candidate:

FIRST SCHEDULE

(r. 9)

NOMINATION OF INDEPENDENT CANDIDATE FORM FOR
ELECTION OF A MEMBER OF THE EAST AFRICAN
LEGISLATIVE ASSEMBLY

I, the undersigned, being a person independent of a party do hereby present myself as a candidate for election as a member of the East African Legislative Assembly and I do certify that I am in all respects qualified to be elected as such. The following are my particulars—

<i>Name in full</i>	<i>Address</i>	<i>Occupation or description</i>

I have attached herewith

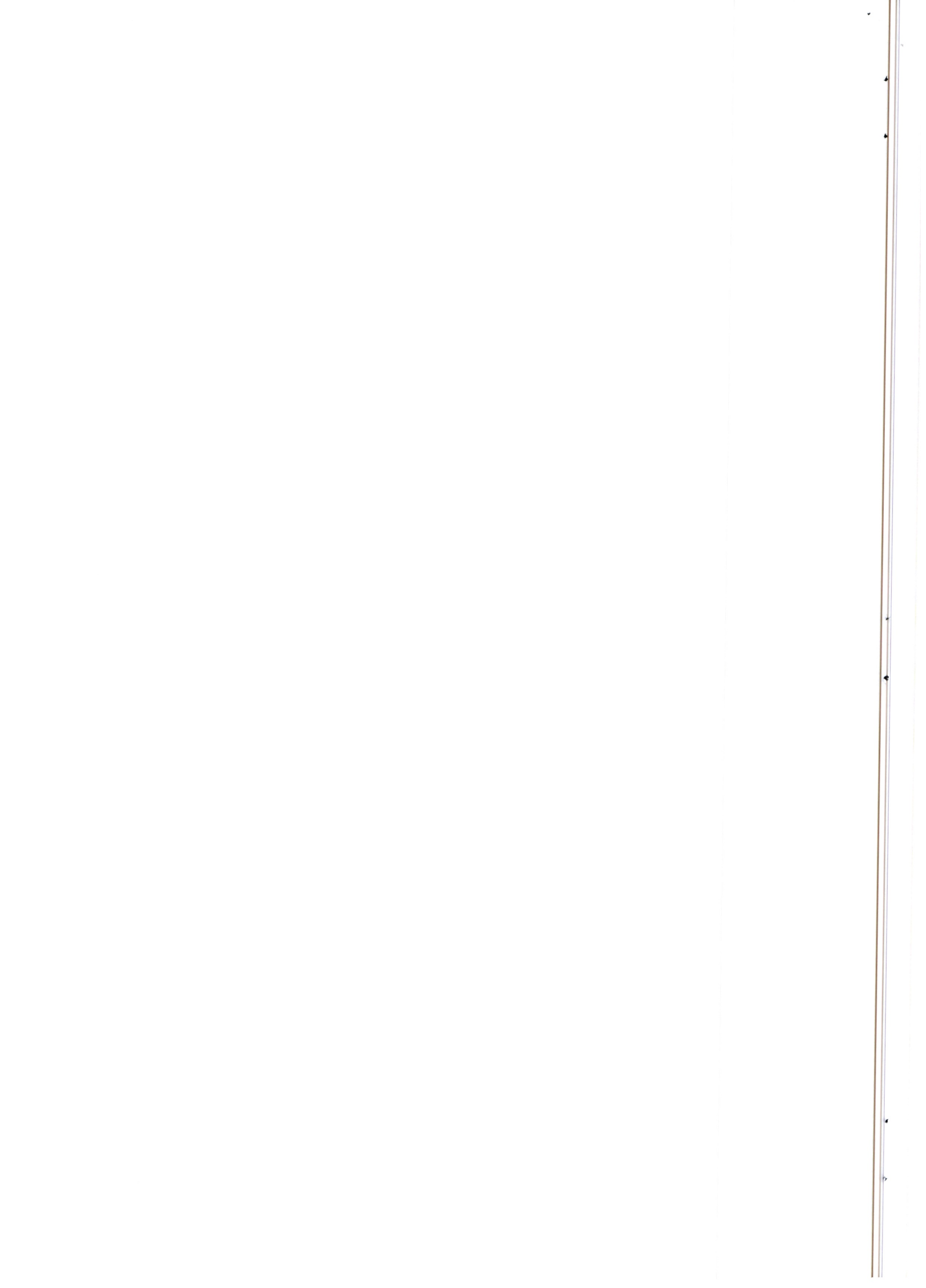
- (a) a photocopy of my national identity card/passport; and
- (b) my detailed curriculum vitae showing my educational and other qualifications.

Signature of candidate:

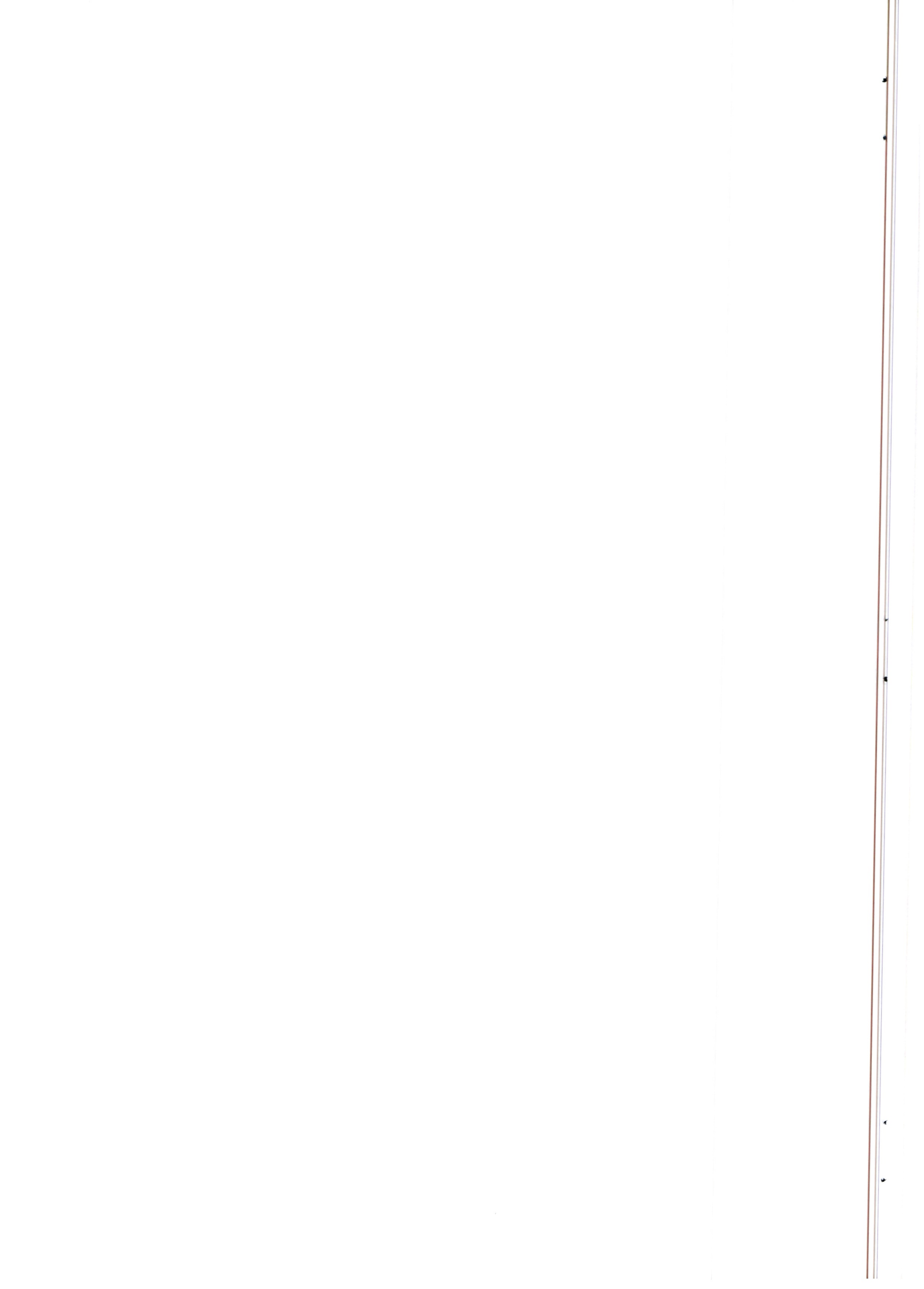
Dated 12th April, 2017.

EKWEE ETHURO,
Speaker of the Senate.

JUSTIN MUTURI,
Speaker of the National Assembly.



**Annex 3: Advertisements inviting applications for nomination
for election to the East African Legislative Assembly
Elections (Election of Members) Rules, 2017**



REPUBLIC OF KENYA



ELEVENTH PARLIAMENT

PARLIAMENT

THE EAST AFRICAN LEGISLATIVE ASSEMBLY ELECTIONS ACT, 2011

THE EAST AFRICAN LEGISLATIVE ASSEMBLY ELECTIONS (ELECTION OF MEMBERS OF THE ASSEMBLY) RULES, 2017 (L.N. No. 58 of 2017)

INVITATION FOR APPLICATIONS FOR NOMINATION AND ELECTION TO THE MEMBERSHIP OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY

IT IS NOTIFIED for the information of the general public that the positions of member of the East African Legislative Assembly shall fall vacant on 4th June, 2016.

IT IS FURTHER NOTIFIED that Article 50(1) of the Treaty for the Establishment of the East African Community requires the Parliament of each Partner State to the Community to elect, not from among its members, nine members of the Assembly who shall represent in as much as it is feasible, the various political parties represented in the Parliament, shades of opinion, gender and other special interest groups in the Partner State.

PURSUANT to Article 50(2) of the Treaty, a person is qualified to be elected as a member of the East African Legislative Assembly if such person -

- (i) is a citizen of Kenya;
- (ii) is qualified to be elected as a Member of Parliament under the Constitution of Kenya;
- (iii) does not hold office as a Cabinet Secretary;
- (iv) is not an officer in the Service of the East African Community; and
- (v) has proven experience or interest in consolidating and furthering the aims and objectives of the Community.

IT IS THEREFORE NOTIFIED that an election of Members of the East African Legislative Assembly shall be held on a date to be notified by the presiding officers in accordance with Rule 15(1) of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017.

PURSUANT to Rule 4(a) of the of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, applications are hereby invited from qualified persons as follows: -

1. Nomination by political parties

A person seeking to be nominated for election by a political party shall submit his or her application (together with certified copies of certificates and testimonials), indicating the political party whose nomination the applicant seeks, to the presiding officers, who are -

- (a) the Clerk of the Senate/Secretary, Parliamentary Service Commission, P.O. Box 41842-00100, Nairobi, or hand-delivered to the Office of the Clerk of the Senate, First Floor, Main Parliament Buildings, Nairobi;

or

- (b) the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi, or hand-delivered to the Office of the Clerk of the National Assembly, First Floor, Main Parliament Buildings, Nairobi,

or emailed to cala@parliament.go.ke so as to be received on or before Thursday, 4th May, 2017 by 5:00 p.m. for onward transmission to the relevant political party.

The political parties shall thereafter be required to nominate persons for election to the East African Legislative Assembly and submit the names of the nominees to the presiding officers on the nomination day. The names of the nominees shall be presented in the format prescribed in rule 8(1) and the First Schedule to the Rules.

2. Election independent of a political party

In accordance with rule 9 of the Rules, a person intending to vie for election independent of a political party shall submit his or her duly filled nomination form in the format prescribed in rule 9 and the Second Schedule to the Rules (together with certified copies of certificates and testimonials) to the presiding officers on the nomination day.

PURSUANT to rule 4 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules Thursday, 11th May, 2017 is hereby appointed as the nomination day. In accordance with rule 10, nomination papers shall be delivered to the presiding officers on the nomination day commencing at 9:00 a.m. and ending at 4:00 p.m. in County Hall, 1st Floor, Mini Chamber, Parliament Buildings, Nairobi.

The East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, may be accessed from the Parliament Website at <http://www.parliament.go.ke/statutory-documents>.

CLERK OF THE SENATE/SECRETARY,
PARLIAMENTARY SERVICE COMMISSION

CLERK OF THE NATIONAL ASSEMBLY



J.A. GETHENJI (NGOORU) SEC. SCHOOL

P.O. BOX 850, NYERI TEL: 0723 113388
Motto: JIHAHIDI USHIDE

**RE-ADVERTISEMENT
INVITATION FOR TENDERS**

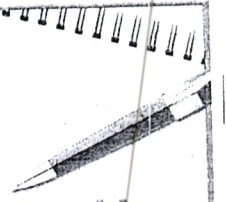
The Board of Management of J.A. Gethenji Ngooru Secondary School situated in Ngooru Location, Tetu Sub County in Nyeri County invites interested reputable hardware suppliers and contractors to tender for the following:

NSS/CDF/17/1	Supply of construction and hardware materials for completion of Library and Classrooms Block
NSS/CDF/17/2	Supply of skilled and unskilled labour for the completion of Library and Classrooms Block

The complete tender to the undersigned in separate plain sealed envelopes for each category, shall be clearly marked with category and title as indicated above. The tender shall be deposited in the Tender Box at the Administration Block of J.A. Gethenji Ngooru Secondary School so as to reach on/before **Thursday 11th May 2017 at 12 noon**. Tenders will be opened in public immediately thereafter in the presence of the bidders or their representatives who would wish to attend. Proof of dispatch of a tender will not be regarded as proof of receipt thereof.

Detailed tender documents for each category may be collected from the school during working hours (0800-1700hrs) at Kshs 1,000/= per set of documents, or via email upon written requests giving corresponding email

The Secretary,
Board of Management,
J.A. Gethenji Ngooru Secondary School,
P.O. Box 850-10100, Nyeri.

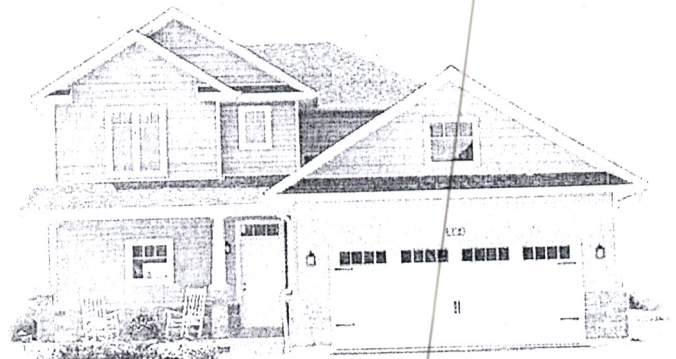


Looking to hire qualified personnel?

Advertise in The Standard and reach the right people!

Call 071-012555 / 0719-012910
Email: classifiedads@standardmedia.co.ke
standardmedia.co.ke

Buying or Selling a house?



Advertise in **Standard**

and get *real value!*

I&M Building, Banda Street, Ground Floor

classifiedads@standardmedia.co.ke

0719-012555 / 0719-012910



REPUBLIC OF KENYA



ELEVENTH PARLIAMENT

PARLIAMENT

THE EAST AFRICAN LEGISLATIVE ASSEMBLY ELECTIONS ACT, 2011

THE EAST AFRICAN LEGISLATIVE ASSEMBLY ELECTIONS (ELECTION OF MEMBERS OF THE ASSEMBLY) RULES, 2017
(L.N. No. 58 of 2017)

INVITATION FOR APPLICATIONS FOR NOMINATION AND ELECTION TO THE MEMBERSHIP OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY

IT IS NOTIFIED for the information of the general public that the positions of member of the East African Legislative Assembly shall fall vacant on 4th June, 2016.

IT IS FURTHER NOTIFIED that Article 50(1) of the Treaty for the Establishment of the East African Community requires the Parliament of each Partner State to the Community to elect, not from among its members, nine members of the Assembly who shall represent in as much as it is feasible, the various political parties represented in the Parliament, shades of opinion, gender and other special interest groups in the Partner State.

PURSUANT to Article 50(2) of the Treaty, a person is qualified to be elected as a member of the East African Legislative Assembly if such person -

- is a citizen of Kenya;
- is qualified to be elected as a Member of Parliament under the Constitution of Kenya;
- does not hold office as a Cabinet Secretary;
- is not an officer in the Service of the East African Community; and
- has proven experience or interest in consolidating and furthering the aims and objectives of the Community.

IT IS THEREFORE NOTIFIED that an election of Members of the East African Legislative Assembly shall be held on a date to be notified by the presiding officers in accordance with Rule 15(1) of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017.

PURSUANT to Rule 4(a) of the of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, applications are hereby invited from qualified persons as follows: -

1. Nomination by political parties

A person seeking to be nominated for election by a political party shall submit his or her application (together with certified copies of certificates and testimonials), indicating the political party whose nomination the applicant seeks, to the presiding officers, who are -

- the Clerk of the Senate/Secretary, Parliamentary Service Commission, P.O. Box 41842-00100, Nairobi, or hand-delivered to the Office of the Clerk of the Senate, First Floor, Main Parliament Buildings, Nairobi;

or

- the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi, or hand-delivered to the Office of the Clerk of the National Assembly, First Floor, Main Parliament Buildings, Nairobi,

or emailed to eala@parliament.go.ke so as to be received on or before Thursday, 4th May, 2017 by 5:00 p.m. for onward transmission to the relevant political party.

The political parties shall thereafter be required to nominate persons for election to the East African Legislative Assembly and submit the names of the nominees to the presiding officers on the nomination day. The names of the nominees shall be presented in the format prescribed in rule 8(1) and the First Schedule to the Rules.

2. Election independent of a political party

In accordance with rule 9 of the Rules, a person intending to vie for election independent of a political party shall submit his or her duly filled nomination form in the format prescribed in rule 9 and the Second Schedule to the Rules (together with certified copies of certificates and testimonials) to the presiding officers on the nomination day.

PURSUANT to rule 4 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules Thursday, 11th May, 2017 is hereby appointed as the nomination day. In accordance with rule 10, nomination papers shall be delivered to the presiding officers on the nomination day commencing at 9:00 a.m. and ending at 4:00 p.m. in County Hall, 1st Floor, Mini Chamber, Parliament Buildings, Nairobi.

The East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, may be accessed from the Parliament Website at <http://www.parliament.go.ke/statutory-documents>.

CLERK OF THE SENATE/SECRETARY,
PARLIAMENTARY SERVICE COMMISSION

CLERK OF THE NATIONAL ASSEMBLY



TAUSI ASSURANCE COMPANY LIMITED

A Symbol of Trust, Security and Progress

STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 31 DECEMBER 2016

	2016 Shs	2015 Shs
INCOME		
Gross Written Premium	963,338,361	876,774,996
Outward Reinsurance Premium	290,517,772	318,003,394
Net Written Premium	672,820,589	558,771,602
Gross Earned Premium	920,346,599	879,851,489
Net Earned Premium	629,828,827	561,848,095
Investment Income	147,715,377	142,910,856
Commission Earned	107,101,817	115,065,279
Total Income	884,646,021	819,824,230
OUTGO		
Claims & Policyholders benefits	320,773,841	305,881,225
Less: Reinsurers' share of claims	58,773,574	66,130,956
Net claims & Policyholders benefits	262,000,267	239,750,269
Commissions payable	164,148,260	156,866,141
Operating and other expenses	221,679,821	223,065,928
Total Outgo	647,828,348	619,682,338
Profit before tax	236,817,673	200,141,892
Income Tax Expense	65,208,730	58,545,453
Profit for the year after Tax	171,608,943	141,596,439
OTHER COMPREHENSIVE INCOME		
Items that shall not be reclassified subsequently to profit or loss:		
Surplus on revaluation of property, plant and equipment, Net of Tax	-	40,624,691
Items that may be reclassified subsequently to profit or loss when specific conditions are met:		
Fair Value gains on available for sale financial assets, Net of Tax	(7,916,510)	(19,358,874)
Total other comprehensive income	(7,916,510)	21,265,817
Total comprehensive income for the year attributable to shareholders of the company	163,692,433	162,862,256
Interim Dividend	60,000,000	50,224,420
Earnings per share	28.60	23.60

STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2016

	2016 Shs	2015 Shs
SHAREHOLDERS FUNDS		
Share Capital	600,000,000	600,000,000
Revaluation Reserve	149,943,509	152,682,694
Fair Value Reserve	(25,034,782)	(17,627,982)
Retained Earnings	372,532,338	257,984,210
Shareholders' funds	1,097,241,065	993,038,922
REPRESENTED BY:		
Assets		
Property, plant and equipment	289,078,379	295,598,812
Intangible assets	363,475	1,063,835
Investments in Equity	190,638,020	175,670,284
Mortgage and other loans	98,233,627	110,882,746
Receivables arising out of reinsurance arrangements	8,639,979	4,173,414
Receivables arising out of direct insurance arrangements	72,027,980	99,230,710
Reinsurers' share of insurance contract liabilities	222,092,759	255,714,094
Deferred acquisition costs	51,823,366	45,078,167
Other receivables	13,933,477	23,858,282
Tax recoverable	-	2,360,742
Government securities	1,009,122,836	800,033,825
Commercial paper	21,684,195	28,892,823
Deposits with financial institutions	214,604,669	256,676,665
Cash and bank balances	14,470,567	30,564,668
Total assets	2,206,713,329	2,129,799,067
Liabilities		
Insurance contract liabilities	656,487,009	688,268,959
Payables arising out of reinsurance arrangements	36,777,512	51,667,260
Unearned premium reserve	300,729,328	264,368,898
Deferred tax	50,681,904	54,361,741
Tax payable	527,825	-
Other payables	64,268,686	78,093,287
Total liabilities	1,109,472,264	1,136,760,145
Net assets	1,097,241,065	993,038,922
Capital Adequacy Ratio	168%	155%
Solvency Ratio	169%	160%
Claims Ratio	33%	35%
Expense Ratio	40%	43%

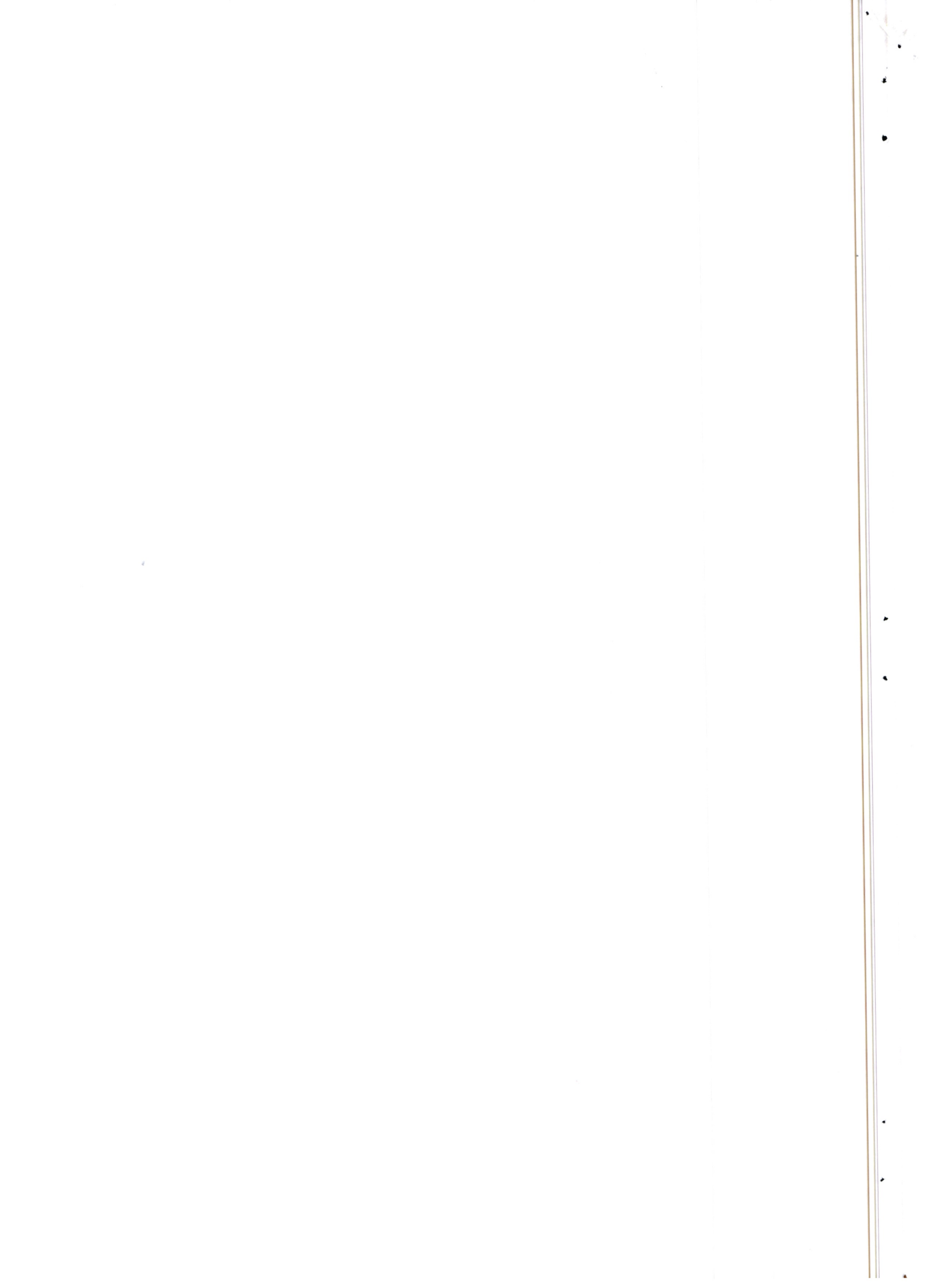
The above Statement of Profit or Loss and Other Comprehensive Income and Statement of Financial Position are extracts from the financial statements of the company for the year ended 31st December, 2016 which were audited by PKF Kenya and received an unqualified opinion. The financial statements were approved by the Board of Directors on 23rd March, 2017 and signed on its behalf by:

Amar Kantaria
DirectorDilesh Bid
DirectorRita Thaththi
Managing Director/Principal OfficerTausi Court, Tausi Road, Off Muthithi Road, Westlands, Nairobi P.O. Box 28889, 00200
Tel: 202312881/8/93 / 0735 149020 / 0729 148888 / Pilot no: 0709 914000
Email: clients@tausiassurance.com Website: www.tausiassurance.com

A (K.E.) Outlook

Accorded By

GCR Global Credit Ratings



Annex 4: Letters by Presiding Officers forwarding names of applicants to respective Leaders of Parliamentary Political Parties for nomination



REPUBLIC OF KENYA



Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694

Clerks Chambers
Parliament Buildings
P. O. Box 41842 -00100
Nairobi, Kenya

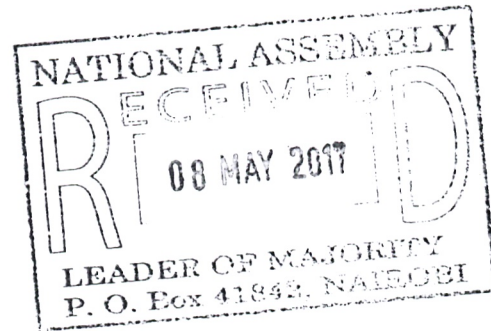
PARLIAMENT

DLS(S)/GEN-CORR/VOL.V/185

5th May, 2017

Hon. Aden Duale, EGH, MP
Leader of the Majority Party,
National Assembly,
Main Parliament Buildings,
NAIROBI.

Sen. Prof. Kithure Kindiki, EGH, MP
Senate Majority Leader,
Senate,
Main Parliament Buildings,
NAIROBI.



Dear *Sen*,

**RE: ELECTION OF MEMBERS TO SERVE IN THE EAST AFRICAN
LEGISLATIVE ASSEMBLY**

The East African Legislative Assembly is established under Article 9 of the Treaty for the Establishment of the East African Community (EAC) as one of the key organs and institutions of the Community.

The Assembly has a term of 5 years and each member State is required to nominate nine (9) members after every five-year term. The current Assembly was elected in 2012 and the term of the members comes to an end on 4th June, 2017.

Section 4 of the East African Legislative Assembly Elections Act, 2011 requires the election of Members to the Assembly to be conducted within **ninety** days before the expiry of the term of the current members. The election of members to the Assembly is to be conducted in accordance with procedures set out by each Partner State.

On 27th April, 2017 the Clerks of both Houses, who are also the Presiding Officers in the Elections, placed advertisements in the daily newspapers (copy attached) calling for applications from interested persons. The deadline for submission of the applications was 4th May, 2017 at 5:00p.m. A list of applicants who applied for nomination by your Coalition is hereby attached for your consideration.


Kindly note that, under Rules 6-10 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, Political Parties are required to nominate, from the names forwarded herewith, persons for election to the East African Legislative Assembly. The nomination papers of the candidates so nominated shall then be forwarded to the Presiding Officers on the nomination day. Thursday, 11th May 2017 has been appointed as the nomination day. The exercise will take place at County Hall, Parliament Buildings from 9.00 a.m. to 4.00 p.m. Independent Candidates will also be submitting their applications on the same day.


Based on the relative majority of Parliamentary Parties in the current Parliament, the Jubilee Coalition would be required to submit not more than fifteen (15) candidates while the Coalition for Reforms and Democracy (CORD) would be required to submit not more than twelve (12) candidates for election. Pursuant to Rule 6(1) of the said Rules, the Joint Committee on Nomination of Membership to the East Africa Legislative Assembly shall determine the *final* allocation to political parties taking into account applications received from independent candidates pursuant to Rule 9 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017.

Pursuant to Rule 13 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, the Presiding Officers shall submit the names of duly nominated candidates to the Joint Committee on Nomination of Membership to the East Africa Legislative Assembly. The Joint Committee is expected to consider the nomination papers of the candidates and table its Report on the nominees in both Houses.

A copy of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017 and an extract of key timelines required under the published Rules are attached for your information.

Yours

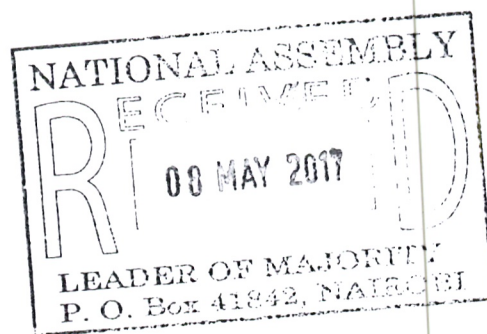

M. A. MOHAMED,
SENIOR DEPUTY CLERK,
FOR: CLERK OF THE SENATE/
SECRETARY TO THE
PARLIAMENTARY SERVICE
COMMISSION


JEREMIAH NDOMBI,
SENIOR DEPUTY CLERK,
FOR: CLERK OF THE NATIONAL
ASSEMBLY

CC: Hon. Justin Muturi, EGH, MP
Speaker of the National Assembly,
Parliament Buildings,
NAIROBI.

Sen. Ekwere Ethuro, EGH, EBS, MP
Speaker of the Senate,
Parliament Buildings,
NAIROBI.

REPUBLIC OF KENYA



PARLIAMENT

**LIST OF APPLICANTS FOR MEMBERSHIP OF THE EAST AFRICA
LEGISLATIVE ASSEMBLY (EALA) AS AT 1700HRS,
THURSDAY, MAY 04, 2017**

THE JUBILEE COALITION

S/No.	Applicant	ID/PP. No.	County/Sub- County	Political Party	Date of Applicati on
1.	Abraham Kipkoech Limo	8991154	Nandi	Jubilee	4/5/2017
2.	Adan Maalim Abdullahi	7276477	Mandera	Jubilee	4/5/2017
3.	Agnes Mantaine Pareyio	0911332	Narok	Jubilee	4/5/2017
4.	Charles Onsongo Mochama	8773420	Nyamira	Jubilee	28/4/2017
5.	Dr. Joe Muriithi Muriuki	0316548	Kiambu	Jubilee	4/5/2017
6.	E. Mutea Iringo, CBS	1091066	Meru	Jubilee	4/5/2017
7.	Eng. Kariuki Muchemi	0493432	Nairobi	Jubilee	4/5/2017
8.	Eunice Wanjiru Kamau Karanja	10961219	Trans Nzoia	Jubilee	4/5/2017
9.	Evans M. Ombongi	11295773	Kisii	Jubilee	4/5/2017
10.	Fredrick Motio Onchaba	10908059	Nyamira	Democra tic Party of Kenya	4/5/2017
11.	Harry Kimtai	25157399	Mt. Elgon	Jubilee	4/5/2017
12.	Hon. Abubakar Ogle	0039046	Wajir	Jubilee	3/5/2017
13.	Hon. Adan Mohamed Nooru, MBS, MP	0209144	Mandera	Jubilee	3/05/2017

14.	Hon. David K. Koech	7227127	Nandi	Jubilee	4/5/2017
15.	Hon. (Dr.) Isaac Maigwa Mwaura, MP	22484569	Kiambu	Jubilee	4/5/2017
16.	Hon. Geoffrey Kipngetich Korir	2229994	Bomet	Jubilee	4/5/2017
17.	Hon. Julius Kipyegon Kones	10990120	Bomet	Jubilee	3/5/2017
18.	Hon. Magerer K. J. Langat	12440774	Kericho	Jubilee	3/5/2017
19.	Hon. Saoli Ole Nkanae	3462360	Narok	Jubilee	28/4/2017
20.	Hon. Simon Nganga Mbugua	13308633	Nairobi	Jubilee	4/5/2017
21.	Hon. Zipporah J.K. Kering, MP	7445968	Nandi	Jubilee	4/5/2017
22.	Irene Cherop Masit	8032980	Elgeyo Marakwet	Jubilee	28/4/2017
23.	Isaac Wafula Masoni	11564116	Bungoma	Jubilee	4/5/2017
24.	Janet Nareyio Wuapi	5372201	Kajiado	Jubilee	3/5/2017
25.	Jepi Lentoijoni	3040381	Samburu	Jubilee	4/5/2017
26.	Jonathan Rayiani Saigilu	22234724	Kajiado	Jubilee	3/5/2017
27.	Joshua Omuganda	0249744	Kakamega	Jubilee	4/5/2017
28.	Justin Nthiiri Bundi	4828645	Tharaka Nithi	Jubilee	4/5/2017
29.	Linnet Mirehane	7967761	Nairobi	Jubilee	4/5/2017
30.	Michael Bowen	21054163	Nakuru	Jubilee	3/5/2017
31.	Mike Hamisi Banton	21329787	Taita Taveta	Jubilee	4/5/2017
32.	Mohamed Suraw	12427165	Nakuru	Jubilee	4/5/2017
33.	Nelson Dzuya	14619783	Kilifi	Jubilee	4/5/2017
34.	Rebecca Mulongo Wanyonyi	24469241	Bungoma	Jubilee	4/5/2017
35.	Reuben Kiborek Kipng'ok	29682284	Baringo	Jubilee	4/5/2017
36.	Rev. Canon Naomi Jillo Waqo	9558471	Marsabit	Jubilee	4/5/2017
37.	Simeon Pkatey Pkiyach Muket	-	West Pokot	Jubilee	28/4/2017
38.	Stephen Okoth Mwanga	13039760	Siaya	Jubilee	4/5/2017
39.	Thomas Letangule	10081793	Baringo	Jubilee	4/5/2017

40.	Veronica Birgen	0245905	Elgeyo Marakwet	Jubilee	4/5/2017
41.	Vicky Betty Chepkorir	26143425	Bomet	Jubilee	4/5/2017
42.	Chepkemoi Saida Stacey	29542470	Bomet	Jubilee	4/5/2017
43.	Christine Zawadi	11761443	Kilifi	Jubilee	4/5/2017
44.	Daoud Tari Abkula	0076233	Isiolo	Jubilee	4/5/2017
45.	Dr. Alexander K. Ronoh	3826647	Bomet	Jubilee	4/5/2017
46.	Dr. Ruth J. Choge	10540559	Nandi	Jubilee	4/5/2017
47.	Flowrence Jematian Serгон	22209767	Baringo	Jubilee	4/5/2017
48.	Franciscar J. Kamuren*	11428668	Nakuru	Jubilee	4/5/2017
49.	Hon. David Mugo	12781587	Nyeri	Jubilee	4/5/2017
50.	Hon. Justus K. Mate	13573005	Embu	Jubilee	4/5/2017
51.	Joseph K. Korir*	0904415	Baringo	Jubilee	4/5/2017
52.	Kabale Tache Arero	12754074	Marsabit	Jubilee	3/5/2017
53.	Michael K. Kirui	24663603	Kericho	Jubilee	3/5/2017
54.	Mohamed Abdi	26253826	Nairobi	Jubilee	4/5/2017
55.	Hon. Musa C. Sirma*	0484278	Baringo	Jubilee	4/5/2017
56.	Nicholas Ochieng' Onyango	20833753	-	Kanu	4/5/2017
57.	Pius Atok Ewoton	10772848	Turkana	Jubilee	3/5/3017
58.	William Ntoina Erimoi	22782706	West Pokot	Jubilee	4/5/2017

--END--

Notes

*Applications received via e-mail address, which for purposes of centrality was managed by the Secretariat from the Senate.



REPUBLIC OF KENYA



Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694

Clerks Chambers
Parliament Buildings
P. O. Box 41842 -00100
Nairobi, Kenya

PARLIAMENT

DLS(S)/GEN-CORR/VOL.V/185/1

5th May, 2017

Sen. Moses Wetangula, EGH, MP
Senate Minority Leader,
Senate,
Main Parliament Buildings,
NAIROBI.

Hon. Francis Nyenze, EGH, MP
Leader of the Minority Party,
National Assembly,
Main Parliament Buildings,
NAIROBI.



Received by A.O. Parpa'

Dear 

RE: ELECTION OF MEMBERS TO SERVE IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY

The East African Legislative Assembly is established under Article 9 of the Treaty for the Establishment of the East African Community (EAC) as one of the key organs and institutions of the Community.

The Assembly has a term of 5 years and each member State is required to nominate nine (9) members after every five-year term. The current Assembly was elected in 2012 and the term of the members comes to an end on 4th June, 2017.

Section 4 of the East African Legislative Assembly Elections Act, 2011 requires the election of Members to the Assembly to be conducted within **ninety** days before the expiry of the term of the current members. The election of members to the Assembly is to be conducted in accordance with procedures set out by each Partner State.

On 27th April, 2017 the Clerks of both Houses, who are also the Presiding Officers in the Elections, placed advertisements in the daily newspapers (copy attached) calling for applications from interested persons. The deadline for submission of the applications was 4th May, 2017 at 5:00p.m. A list of applicants who applied for nomination by your Coalition is hereby attached for your consideration.

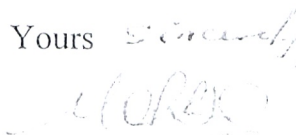
Kindly note that, under Rules 6-10 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, Political Parties are required to nominate, from the names forwarded herewith, persons for election to the East African Legislative Assembly. The nomination papers of the candidates so nominated shall then be forwarded to the Presiding Officers on the nomination day. Thursday, 11th May 2017 has been appointed as the nomination day. The exercise will take place at County Hall, Parliament Buildings from 9.00 a.m. to 4.00 p.m. Independent Candidates will also be submitting their applications on the same day.


Based on the relative majority of Parliamentary Parties in the current Parliament, the Jubilee Coalition would be required to submit not more than fifteen (15) candidates while the Coalition for Reforms and Democracy (CORD) would be required to submit not more than twelve (12) candidates for election. Pursuant to Rule 6(1) of the said Rules, the Joint Committee on Nomination of Membership to the East Africa Legislative Assembly shall determine the *final* allocation to political parties taking into account applications received from independent candidates pursuant to Rule 9 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017.

Pursuant to Rule 13 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, the Presiding Officers shall submit the names of duly nominated candidates to the Joint Committee on Nomination of Membership to the East Africa Legislative Assembly. The Joint Committee is expected to consider the nomination papers of the candidates and table its Report on the nominees in both Houses.

A copy of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017 and an extract of key timelines required under the published Rules are attached for your information.

Yours


M. A. MOHAMED,
SENIOR DEPUTY CLERK,
FOR: CLERK OF THE SENATE/
SECRETARY TO THE
PARLIAMENTARY SERVICE
COMMISSION


JEREMIAH NDOMBI,
SENIOR DEPUTY CLERK,
FOR: CLERK OF THE NATIONAL
ASSEMBLY

CC: Hon. Justin Muturi, EGH, MP
Speaker of the National Assembly,
Parliament Buildings,
NAIROBI.

Sen. Ekwere Ethuro, EGH, EBS, MP
Speaker of the Senate,
Parliament Buildings,
NAIROBI.

REPUBLIC OF KENYA



PARLIAMENT

**LIST OF APPLICANTS FOR MEMBERSHIP OF THE EAST AFRICA
LEGISLATIVE ASSEMBLY (EALA) AS AT 1700HRS,
THURSDAY, MAY 04, 2017**

THE COALITION FOR REFORMS AND DEMOCRACY (CORD)

S/No.	Applicant	ID/PP. No.	County/Sub- County	Political Party	Date of Applicati on
1.	Abubakar Zein Abubakar	8375661	Mombasa	ODM	4/5/2017
2.	Ahmed Mohamed Ibrahim	27623870	Garissa	Wiper	4/5/2017
3.	Amb. Tabitha Seii	A2066171	Elgeiyo Marakwet	ODM	4/5/2017
4.	Beth Kalunda Mutunga, HSC	7435755	Kitui	ODM	3/5/2017
5.	Caroline Achieng Odour	22118098	Siaya	Ford-K	4/5/2017
6.	Erastus Lotuk	23956658	Turkana	ODM	4/5/2017
7.	Erick K. Chang'orok	26069354	West Pokot	ODM	4/5/2017
8.	Evanson Mwakio Mghanga	1120029	Taita Taveta	ODM	4/5/2017
9.	Hon. Alexander Mwangela	8522493	Taita Taveta	ODM	4/5/2017
10.	Hon. (Dr.) Oburu Oginga, MP	0637188	Siaya	ODM	4/5/2017
11.	Hon. Judith N. Ramaita Pareno	D013228	Kajiado	ODM	4/5/2017
12.	Hon. Mumbi Ng'aru, EBS	2302476	Kiambu	ODM	4/5/2017
13.	Hon. Nancy Kabeyeka Abisai	10043299	Vihiga	ODM	2/05/2017

14.	Hon. Peter Ochieng Odoyo	8918049	Kisumu	ODM	4/5/2017
15.	James .OroraMachuka	1618494	Kisii	ODM	4/5/2017
16.	Japhet Muriira Muroko	20427647	Meru	ODM	4/5/2017
17.	Kennedy Musyoka	24804993	Kitui	Wiper	4/5/2017
18.	Lendsey Lilian Achudi	28272859	Busia	ODM	4/5/2017
19.	Mohamed Amir Mohamed	31619115	Mombasa	ODM	4/5/2017
20.	Nicholas Lepilal Matiko	11587835	Kajiado	ODM	4/5/2017
21.	Prof. Chacha Nyagotti Chacha	4869238	Migori	ODM	4/5/2017
22.	Ronald Kipngetch Arap Ngeny	1738454	Bomet	ODM	3/5/2017
23.	Salah Adan Abdi	12969904	-	ODM	28/4/2017
24.	Zeth Omollo Ouma	23608763	Nyamira	Wiper	4/5/2017
25.	Abdihakim A. Abdi*	-	-	Wiper	4/5/2017
26.	Charles Nzioki Nzuki	8832542	Machakos	ODM	4/5/2017
27.	Cynthia Mutere	10319788	Busia	Ford Kenya	3/5/2017
28.	Dr. Gideon Nkeyasha*	9743305	Kajiado	ODM	4/5/2017
29.	Dr. Temi M. Mutia	16116079	Kitui	Wiper	4/5/2017
30.	Everlyne B. Mayeku*	21621447	Bungoma	Ford Kenya	4/5/2017
31.	Fredrick M. Wandili	-	-	Ford Kenya	3/5/2017
32.	Jim O. Otana	13389452	Nairobi	ODM	4/5/2017
33.	Joel A. Ruhu	16019074	Tana River	Ford Kenya	3/5/2017
34.	John Ouko Jakakimba Silas	22515131	Homabay	ODM	4/5/2017
35.	Jotham K. Nyukuri*	3472500	Bungoma	ODM	4/5/2017
36.	Martin Kafwa	6653980	Busia	ODM	4/5/2017
37.	Michael K. Mure	5175492	Kilifi	ODM	4/5/2017
38.	Mohammed Chavulimu Logonze*	21235778	Vihiga	ODM	4/5/2017
39.	RoseMary W. Kariuki	3495736	Nairobi	ODM	4/5/2017

40.	Wesley C. Langat*	-	-	Wiper	4/5/2017
41.	Zachariah Rabago	-	Nyamira/Kisii	Wiper	4/5/2017

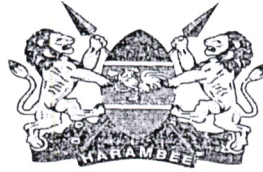
--END--

*Applications received via e-mail address, which for purposes of centrality, was managed by the Secretariat from the Senate.

Annex 5: Report of the Presiding Officers submitting names and nomination papers of duly nominated candidates to Chairpersons of the Select Committee

REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694



Clerks Chambers
Parliament Buildings
P.O. BOX 41842-00100
Nairobi, Kenya

PARLIAMENT OF KENYA

JC-EALA/GEN./004

15th May 2017

Hon. Katoo Ole Metito, M.P.

Co-Chairperson,

The Joint Parliamentary Select Committee on Election of Members
of the East African Legislative Assembly (EALA),
Parliament Buildings,

NAIROBI.

Sen. Kipchumba Murkomen, M.P.

Co-Chairperson,

The Joint Parliamentary Select Committee on Election of Members
of the East African Legislative Assembly (EALA),
Parliament Buildings,

NAIROBI.

Dear Sirs,

**RE: FORWARDING OF NAMES AND NOMINATION PAPERS OF DULY
NOMINATED CANDIDATES FOR ELECTION AS MEMBERS TO THE
EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)**

On 10th May, 2017, the Presiding Officers held a pre-nomination briefing of the Parliamentary Party Leaders pursuant to Rule 7 of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017 (EALA Rules) on the requirements under the Treaty for establishment of the East African Community (EAC).

On 11th May 2017, the Presiding Officers received nomination papers from the Parliamentary Party Leaders, nominees and independent candidates. Out of the forty (40) candidates who appeared before the Presiding Officers, a total of thirty-five (35) were cleared and issued with provisional nomination certificates. Out of the thirty-five (35), twenty (20) were affiliated to political parties and fifteen (15) were independent candidates.

At the closure of the nomination exercise on Thursday, 11th May, 2017, the Presiding Officers wrote letters to –

- a) The Independent Electoral and Boundaries Commission (IEBC) to ascertain whether all the provisionally nominated candidates were registered voters as required under Article 99(1)(a) of the Constitution; and
- b) The Registrar of Political Parties to ascertain the status of party membership of the independent candidates as at the day of nomination.

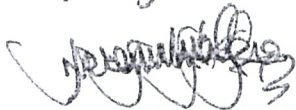
The nomination papers and documents of provisionally nominated candidates were opened for public inspection on Friday, 12th and Monday, 15th May, 2017, in accordance to Rule 12 of the said Rules. At the end of the inspection period, no complaints were lodged on any of the candidates.

Vide a letter Ref. RPP/ORG/37(46), dated 15th May, 2017 (*copy attached*), the Registrar of Political Parties indicated to the Presiding Officers that seven (7) of the fifteen (15) provisionally nominated independent candidates were members of political parties. In accordance with Articles 85 and 99(1)(c) of the Constitution, they would not be eligible as candidates for election to EALA.

Vide a letter Ref. IEBC/ELC/2/59, dated 15th May, 2017 (*copy attached*), the Secretary to the Independent Electoral and Boundaries Commission (IEBC) confirmed that all the thirty five (35) nominees were registered voters.

Pursuant to Rule 13(1) of the EALA Rules, we, the Presiding Officers, hereby forward to the Joint Committee the names and nomination papers of all duly nominated candidates, for your consideration.

Yours Truly,



J.M. NYEGENYE, CBS
Clerk of the Senate/ Secretary
Parliamentary Service Commission
(Presiding Officer)



MICHAEL R. SIALAI, EBS
Clerk of the National Assembly
(Presiding Officer)

Encs.

Hon. Justin Muturi, EGH, MP
Speaker of the National Assembly/
Chairperson, Parliamentary Service Commission/
(Returning Officer)
Parliament Buildings.

NAIROBI.

Sen. Ekwee Ethuro, EGH, EBS, MP
Speaker of the Senate
(Returning Officer)
Parliament Buildings,
NAIROBI.

REPUBLIC OF KENYA



PARLIAMENT

PERSONS PROVISIONALLY NOMINATED FOR ELECTION AS
MEMBERS OF THE EAST AFRICA LEGISLATIVE ASSEMBLY

A. JUBILEE COALITION

S/NO.	Name of Nominee	ID No.	Gender	County	Folio Number
1.	CHARLES ONSONGO MOCHAMA	8773420	Male	Nyamira	004
2.	DR. JOE MURIITHI MURIUKI	0316548	Male	Kiambu	005
3.	ELIJAH MUTEA IRINGO, CBS	1091066	Male	Meru	006
4.	EUNICE WANJIRU KAMAU KARANJA	10961219	Female	TransNzoia	007
5.	HON. ABUBAKAR DUBOW ABDI OGLE	0039046	Male	Wajir	008
6.	HON. ADAN MOHAMED NOORU, MBS, MP	0209144	Male	Mandera	009
7.	HON. SIMON NG'ANG'A MBUGUA	13308633	Male	Nairobi	010

Clerk of the Senate (Presiding Officer)

Clerk of the National Assembly (Presiding Officer)

REPUBLIC OF KENYA



PARLIAMENT

PERSONS PROVISIONALLY NOMINATED FOR ELECTION AS
MEMBERS OF THE EAST AFRICA LEGISLATIVE ASSEMBLY

S/NO.	Name of Nominee	ID No.	Gender	County	Folio Number
8.	IRENE CHEROP MASIT	8032980	Female	Elgeyo/ Marakwet	011
9.	NELSON DZUYA	14619783	Male	Kilifi	012
10.	REV. CANON NAOMI JILLO WAQO	9558471	Female	Marsabit	013
11.	SAIDA CHEPKEMOI STACEY	29542470	Female	Bomet	014
12.	FLOWRENCE JEMATIAN SERGON	22209767 /A097265	Female	Baringo	015
13.	PIUS ATOK EWOTON	10772848	Male	Turkana	016
14.	HON. JUSTUS KARIUKI MATE	13573005	Male	Embu	018
15.	JUSTIN NTHIIRI BUNDI	4828645	Male	Tharaka/ Nithi	019

.....
Clerk of the Senate (Presiding Officer)

.....
Clerk of the National Assembly (Presiding Officer)

REPUBLIC OF KENYA



PARLIAMENT

PERSONS PROVISIONALLY NOMINATED FOR ELECTION AS
MEMBERS OF THE EAST AFRICA LEGISLATIVE ASSEMBLY

B. CORD COALITION

S/NO.	Name of Nominee	ID No.	Gender	County	Index Number
16.	KENNEDY MUSYOKA KALONZO	24804993	Male	Kitui	023
17.	ABUBAKAR ZEIN ABUBAKAR	8375661	Male	Mombasa	024
18.	HON. JUDITH NAYIAI RAMAITA PARENO	10883558/ D013228	Female	Kajiado	025
19.	RONALD KIPNG'ETICH ARAP NG'ENY	1738454	Male	Kericho	026
20.	CAROLINE ACHIENG' ODUOR	22118098	Female	Siaya	028

.....
Clerk of the Senate (Presiding Officer)

.....
Clerk of the National Assembly (Presiding Officer)



PARLIAMENT

PERSONS PROVISIONALLY NOMINATED FOR ELECTION AS MEMBERS OF THE EAST AFRICA LEGISLATIVE ASSEMBLY

C.INDEPENDENT CANDIDATES WHO ARE NOT MEMBERS OF ANY POLITICAL PARTY

S/NO.	Name of Nominee	ID No.	Gender	County	Index Number
21.	DANCUN MWANGI NDEGWA	7039426	Male	Kirinyaga	001
22.	MOHAMUD SHEIKH ADAN	0022261	Male	Marsabit	002
23.	JOHN MAINA KIHU	13803503	Male	Nyeri	021
24.	JOHN NEKESA OLUSA	30215925	Male	Busia	022
25.	ANTONEY KIBAGENDI	22541681	Male	Kisii	029
26.	PAMELA ODIRA AIRA	12458941	Female	Homa Bay	032
27.	CAROLINE ALUOCH OBURE	20793420	Female	Homa Bay	033
28.	STEVE MARWA MACHAGE	22547031	Male	Migori	034

.....
Clerk of the Senate (Presiding Officer)

.....
Clerk of the National Assembly (Presiding Officer)



PARLIAMENT

PERSONS PROVISIONALLY NOMINATED FOR ELECTION AS MEMBERS OF THE EAST AFRICA LEGISLATIVE ASSEMBLY

D. INDEPENDENT CANDIDATES WHO ARE MEMBERS OF POLITICAL PARTIES

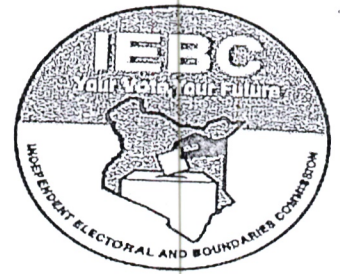
S/NO.	Name of Nominee	ID No.	Gender	County	Index Number
29.	DR. THOMAS KATUA NGUI	14472023	Male	Machakos	003
30.	ODONGO COLLINS ODHIAMBO	12598004 /B033004	Male	Homa Bay	017
31.	WALTER MOMANYI MISIRE	28853215	Male	Nyamira	020
32.	BILLY MREMA BALTAZAR	22440730	Male	Kajiado	027
33.	FREDRICK ISIKA KALUMBO	6126711	Male	Kitui	030
34.	JACK OBIERO JUMA	27475893	Male	Nakuru	031
35.	SULEIMAN ACHIKI SEKA	27715041	Male	Kisii	035

Clerk of the Senate (Presiding Officer)

Page 5 of 5

Clerk of the National Assembly (Presiding Officer)

INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION



REF: IEBC/ELC/2/59

15th May, 2017

J. M. Nyegenye, CBS
Clerk of Senate / Secretary
Parliamentary Service Commission
Presiding Officer



Michael Sialai, EBS
Clerk
National Assembly
Presiding Officer

Dear


Jerry,

RE: CONFIRMATION OF VOTER REGISTRATION STATUS OF PERSONS PROVISIONALLY
NOMINATED AS MEMBERS OF THE EAST AFRICA LEGISLATIVE ASSEMBLY

I acknowledge receipt of your letter JC-EALA/GEN./002 dated 11th May 2017 on the above subject matter refers.

This is to confirm that all the 35 nominees presented are Registered Voters. Please find attached list showing the registration status of the nominees as at 13th May 2017.

Yours

Sincerely,


EZRA CHILOBA
COMMISSION SECRETARY/CEO

Copy to

Hon. Justin Muturi, EGH, MP
Speaker of the National Assembly/
Chairperson, Parliamentary Service Commission/
Returning Officer
NAIROBI

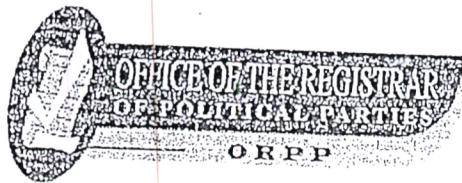
Sen. Ekwee Ethuro, EGH, EBS, MP
Speaker of the Senate/ Returning Officer
Parliament Buildings
NAIROBI

POLLING DETAILS OF PERSONS PRESENTED TO IEBC BY PARLIAMENT FOR NOMINATION TO EAST AFRICAN LEGISLATIVE ASSEMBLY

SNO	NAME	ID NUMBER	COUNTY	CONSTITUENCY	POLLING STATION	REG. STATUS
001	DANCUN MWANGI NDEGWA	7039426	KIAMBU	LIMURU	ACK KANTARIA SOCIAL HALL	YES
002	MOHAMUD SHEIKH ADAN	A1875992	NAIROBI	MAKADARA	ST ANNES GIRLS PRI. SCH	YES
003	Dr. THOMAS KATUA NGUI	14472023	MACHAKOS	MACHAKOS TOWN	MUVUTI/KIIMA-KIMWE	YES
004	CHARLES OSONGO MOCHAMA	8773420	NYAMIRA	KITUTU MASABA	MOITUNYA S.D.A PRIMARY SCHOOL	YES
005	DR. JOE MURIITHI	A1608352	NAIROBI CITY	JUJA	JOMO KENYATTA DEB PRI. SCH.	YES
006	ELIJAH MUTEA IRINGO, CBS	1091066	MERU	NORTH IMENTI	NJUKI NJIRU PRIMARY SCHOOL	YES
007	EUNICE WANJIRU KAMAU KARANJA	10961219	TRANS NZOIA	CHERANGANY	CHEPTERIT PRIMARY SCHOOL	YES
008	HON. ABUBAKAR DUBOW/ ABDI OGLE	0039046	GARISSA	FAFI	WARABLE PRIMARY SCHOOL	YES
009	HON. ADAN MOHAMED NOORU, MBS, MP	0209144	MANDERA	MANDERA SOUTH	ALUWES PRIMARY SCHOOL	YES
010	HON. SIMON NG'ANG'A MBUGUA	13308633	NAIROBI	KAMUKUNJI	KAMUKUNJI SECONDARY SCHOOL	YES
011	IRENE CHEROP MASIT	8032980	ELGEYO MARAKWET	KEYO SOUTH	SITOTWO PRIMARY SCHOOL	YES
012	NELSON DZUYA	14619783	KILIFI	RABAI	CHANG'OMBE PRIMARY SCHOOL	YES
013	REV. CANON NAOMI JILLO WAQO	9558471	MARSABIT	SAKU	KIWANJA NDEGE PR. SCH.	YES
014	SAIDA CHEPKEMOI STACEY	29542470	BOMET	SOTIK	SOTIK VETERINARY	YES

015	FLOWRENCE JEMATIAN SERGON	22209767	NAIROBI	LANGATA	NYAYO NAT. STADIUM	YES
016	PIUS ATOK EWOTON	10772848	TURKANA	TURKANA NORTH	LOKICHAR MIXED PRIMARY SCHOOL	YES
017	ODONGO COLLINS ODHIAMBO	12598004	HOMABAY	SUBA NORTH	NYAMUGA PRIMARY SCHOOL	YES
018	HON. JUSTUS KARIUKI MATE	13573005	EMBU	MBEERE NORTH	KANYUA MBORA PRIMARY SCHOOL	YES
019	JUSTIN NTHIIRI BUNDI	4828645	THARAKA-NTHI	CHUKA/IGAMBA NG'OMBE	KANORO PRIMARY SCHOOL	YES
020	WALTER MOMANYI MISIRE	28853215	NYAMIRA	WEST MUGIRANGO	GETA PAG PRI. SCH	YES
021	JOHN MAINA KIHU	13803503	NYERI	NYERI TOWN	HILL FARM PRIMARY SCHOOL	YES
022	JOHN NEKESA OLUSA	30215925	LAIKIPIA	LAIKIPIA WEST	IGWAMITI PRI SCHOOL	YES
023	KENNEDY MUSYOKA KALONZO	24804993	NAIROBI	LANGATA	ST. MATHEWS HALL	YES
024	ABUBAKAR ZEIN ABUBAKAR	8375661	NAIROBI	KIBRA	UPPERHILL SEC SCHOOL	YES
025	HON. JUDITH NAYIAI RAMAITA PARENO	KE036796	KAJIADO	KAJIADO EAST	MASHUURU BORDING PRI SCH	YES
026	RONALD KIPNG'ETICH ARAP NGENY	1738454	BOMET	KONOIN	KENYAGORO PRIMARY SCHOOL	YES
027	BILLY MRENA BALTAZAR	22440730	KAJIADO	KAJIADO NORTH	ACK PRI SCH	YES
028	CAROLINE ACHEIN'G ODUOR	22118098	NAIROBI	STAREHE	HIGHWAY SECONDARY SCHOOL	YES
029	ANTONEY KIBAGENDI	22541681	KISII	KITUTU CHACHE SOUTH	NYAMATARO MARKET	YES
030	FREDRICK ISIKA KALUMBO	6126711	KITUI	MWINGI WEST	YITWA MBEMBA SHOPPING CENTRE	YES
031	JACK OBIERO JUMA	27475893	NAIROBI	STAREHE	PLIANS VIEW PRIMARY SCHOOL	YES
032	PAMELA ODIRA AIRA	12458941	NAIROBI	DAGORETTI NORTH	KILIMANI PRIMARY SCHOOL	YES
033	CAROLINE ALUOCH OBURE	20793420	NAIROBI	LANGATA	LANG'ATA HIGH SCHOOL	YES
034	STEVE MARWA MACHAGE	D013112	MOGORI	KURIA WEST	IGENA PR. SCH	YES

035	SULEIMAN ACHIKI SEKA	27715041	NYAMIRA	NORTH MUGIRANGO	NYAMONGE PRI. SCHOOL	YES
-----	----------------------	----------	---------	--------------------	----------------------	-----



Republic of Kenya

Telephone: +254(0)204022000
Email: registrar@orpp.or.ke
Website: www.orpp.or.ke
When replying please quote

Lion Place, 1st Floor
Off Waiyaki Way
P.O Box 1131-00606
Sarit Centre, Nairobi.

Ref: RPP/ORG/37(46)



12th May, 2017

J.M. Nyegenye, CBS,
Clerk of the Senate/
Secretary, Parliamentary Service Commission,
P.O. Box 41842-00100,
NAIROBI.

Dear Sir,

RE: ELECTION OF MEMBERS TO SERVE IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY

Reference is made to your letter Ref.JC/EALA/GEN/003 dated 10th May, 2017 on the above subject matter.

Tabulated below is the list of fifteen (15) applicants political parties' membership status according to the records held by this office as at 12th May, 2017.

NO.	Name of Nominee	ID No.	Status
1.	Dancun Mwangi Ndegwa	7039426	Party less
2.	Mohamud Sheikh Adan	0022261	Party less
3.	Dr. Thomas Katua Ngui	14472023	Jubilee Party
4.	Odongo Collins Odhiambo	12598004	Orange Democratic Movement
5.	Walter Momanyi Misire	28853215	Safina
6.	John Maina Kihu	13803503	Party less
7.	John Nekesa Olusa	30215925	Party less
8.	Billy Mrema Baltazar	22440730	Jubilee Party
9.	Antony Kibagendi	22541681	Party less
10.	Fredrick Isika Kalumbo	6126711	Orange Democratic Movement
11.	Jack Obiero Juma	27475893	Jubilee Party
12.	Pamela Odira Aira	12458941	Party less
13.	Caroline Aluoch Obure	20793420	Party less
14.	Steve Marwa Machage	22547031	Party less
15.	Suleiman Seka Achiki	27715041	Jubilee Party



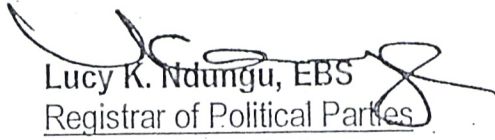
Office of the Registrar of Political Parties-ORPP



@ORPPKenya

Thank you for your continued support to this Office.

Yours faithfully


Lucy K. Ndungu, EBS
Registrar of Political Parties



Annex 6: Complaints received by the Presiding Officers on the nomination process



TO THE CLERK
NATIONAL ASSEMBLY/SENATE
PO BOX



② D. D. Com
Kindly bring to the
attention of the Committee
of 16/05/17
① SDC (EG)
To be presented to the
Joint Committee.
0000
12/05/17

Dear Sir,

RE: EAST AFRICAN LEGISLATIVE ASSEMBLY.

The above matter refers,

Our attention has been drawn by the decision of ORANGE DEMOCRATIC PARTY to alienate the youths in its appointments. We have been dismayed to learn that our nominee for the Youth League **ERICK KOMOLNGOLE CHANGOROK** from West Pokot County who was proposed by the National Governing Council of the youth has been short changed and his place given to someone who is not recognized by the youth league. Our nominee is more than qualified to sit in the EALA Assembly. He is a lawyer by profession and he comes from the minority and marginalized groups in our country.

We therefore request the party and the National Assembly /Senate to consider our plea and give our candidate an opportunity to be vetted on the floor of the House so that this country gets the best representation.

Our letter is backed by The EAST AFRICAN LEGISLATIVE ASSEMBLY ELECTIONS ACT, 2011 S.12 which states that "...Subject to such conditions the presiding officers may, during office hours for two working days, inspect the nomination papers of any candidate and may lodge a complaint with the presiding officers in relation with the candidate(s) nomination."

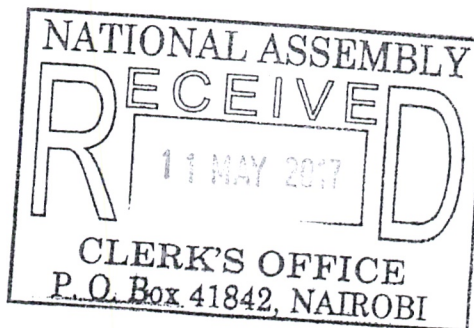
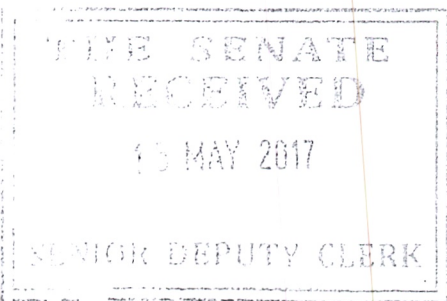
We therefore pray that give this young man a chance and members will have the last say in parliament.

(ENCLOSED HERewith IS A COPY OF THE MINUTES AND PETITION PRESENTED TO THE PARTY BY THE OYL-NGC)

Yours sincerely,

JOHN OLE KETORA

ORANGE YOUTH LEAGUE-CHAIRMAN.



CC; 1.ODM PARTY LEADER

2. LEADER OF MAJORITY

3. LEADER OF MINORITY

4. MAJORITY WHIP

5. MINORITY WHIP.

EAST AFRICAN LEGISLATURE ASSEMBLY POSITION (E.A.L.A)

TITLE: A PETITION OF ORANGE YOUTH LEAGUE NATIONAL GOVERNING COUNCIL MEMBERS THROUGH THEIR CHAIRMAN JOHN KETORA.

TO: HE. RT.HON.RAILA AMOLO ODINGA.

We the undersigned members of the National Governing Council (NGC) and National Executive Council would like to bring to your attention our resolution which all the National and County Youth Leaders from all the counties in Kenya have reached after a deliberation in that one ERICK KOMOLNG'OLE CHANG'OROK ID NO.26069354 , a member of the National Executive Council in charge of the marginalized communities in Kenya be and is hereby proposed to be nominated a member of the East African Legislative Assembly (E.A.L.A)

Your Excellency, we present this humble petition through our chairman Mr. John Mark Ketora. We have endorsed the appointment after considering his relentless efforts towards the party, his academic credentials (an advocate), his allegiance to you and to the party, his age, his community where he comes from is a swing vote and can really help the party in getting a block vote from the pokot community. He is coherent, able and eloquent in presentations and can be of good help for the party and the country in debating. We so pray humbly.

God bless you and God bless the party.

Yours sincerely



JOHN KETORA

OYL-NATIONAL CHAIRMAN

(Attached here is the list of youths who have endorsed him).

Susan A. Odeny	Siaya	0726895352	<i>Susan</i>
Gaddiel Maika	Kajiado	0720410221	<i>Gaddiel</i>
John Abuom	NAKURU	0722116987	<i>John</i>
Koech Susan	BARIAD	0792603948	<i>Koech</i>
Jackton Guang Kisumu		0722251986	<i>Jackton</i>
Festus Muthuka	MAATHAKOS	0725823294	<i>Festus</i>
Benter Bellah	KISUMU	0711199129	<i>Benter</i>
Shallo Issa	LAMU	0720678275	<i>Shallo</i>
Changorok Erick	WEST POKOT	0710844510	<i>Changorok</i>
Halkano Boru Sora	ISIOLO	0727501640	<i>Halkano</i>
Alvan Nyaga	EMBU	0721674033	<i>Alvan</i>
George Wanyaga	BENERI	0727925595	<i>George</i>
Jadeton O. Ogendo	KISUMU	0722519986	<i>Jadeton</i>
Mohammed Dabaso	TANA RIVER	0729591709	<i>Mohammed</i>
Catherine Mutisya	KWALE	0702542185	<i>Catherine</i>
Cheruyoi Peter	BOMET	0720100413	<i>Cheruyoi</i>
Denis Mambwe Nambwe	Nyamira	0724325936	<i>Denis</i>
Ruth Muthoni	EMBU KIRINYA	0720374829	<i>Ruth</i>
Nakibuse Dennis	TURKANA	0712769099	<i>Nakibuse</i>
Robert Bett	KERICHO	0725501517	<i>Robert</i>
Paul Lokopir	TURKANA	0713569689	<i>Paul</i>
Malyon Ali	GARISA	0722554561	<i>Malyon</i>
Pascal Okoth	HYAKALI	0720771085	<i>Pascal</i>
Damon Oryatho	JUJA NARIBU	0704658162	<i>Damon</i>
MARTIN MUTOS	MAATHAKOS	0713272551	<i>Martin</i>
Innocent Wanyu	Kisumu		<i>Innocent</i>

ODM



TUKO TAYARI

ORANGE DEMOCRATIC MOVEMENT

MINUTES OF THE NGC ORANGE DEMOCRATIC MOVEMENT YOUTH LEAGUE

HELD AT LELESHWA INN HOTEL- KITEGELA ON 26TH JANUARY 2017AT

9.00AM.

ATTENDANCE

As per the attendance sign in sheet.

In-Attendance

1. Mr. Fredrick Ogwenyo- Executive director Inter regional peace Network
2. Mr. Fidel Oywaya- Communication Expert

Absent with apology

1. Mr. Benson Musungu- National Youth Coordinator

Absent without apology

1. Ms. Sharon Kigen -NEC rep North Rift

Agenda

1. Preliminaries
2. Filling in of the vacant national positions
3. Reports from various departments
4. presentations
5. Mass voter registrations in relation to the forthcoming National Elections
6. Popularizing the party
7. Discuss conduct of some national youth leaders
8. A.O.B.



Min1/2017 Preliminaries

The meeting was called to order by the chairman Mr. John Ketorah at 9:00 am with a word of prayer by Abdirizak Ismail, followed by welcoming remarks to all the members. And later members introduced themselves.

Min2/2017 Opening remarks

In the chairman's opening remarks he thanked the members for diligently accepting him and supporting and standing by the party and its leadership. He went further and encouraged them to continue being loyal to the party and its ideals. He urged county coordinators to be strong and work together as a team.

He encouraged the youth to take up the responsibility of making their voices heard in order to realize their involvement in achieving democracy. In addition to this he congratulated Kisii and Nyamira county for them getting the reward of nominations from the mother party for being loyal, subsequently he promised members that this time round he will make sure that he seats in the negotiation table for party primaries and party nominations to fight for their interest.

ODM TUKO TAYARI ORANGE DEMOCRATIC MOVEMENT

Min3/2017 Filling in of the National position

Members were taken through factor that were considered in filling in vacant position following the realization that the lists of the national ODM youth league had vacancies maybe as a result of a member ditching the party to another out fit or through a properly structured disciplinary process. In that regard the secretary general did inform them that Mr. Martin Muthusi (Deputy chairman) suggested that when filling in the positions we consider regional balance. Ms. Benter Bella and Sheila Koskei further said there was no need for other regions to have more slots than others. Beside we should elevate NEC members who have been loyal to the party.

Member Ruth Muthoni said before we bring the new members in we should know how their track record is on party issues. Notwithstanding all concerns the following names were proposed to take National slots:

1. Emmamet Kemunto for Deputy Organizing secretary (Nairobi)
2. Malyun Ally Abdi – committee member (North Eastern)
3. Irene Ayimba- Committee member (Nairobi)
4. Syntei Nchoe – Committee member (Rift valley)
5. Paul Mutoga – Committee member (North Rift)
6. Jerusa Mogaka – Committee member (Nyanza Kisii).



After proper deliberation the national executive council confirmed the names and adopted as presented by the secretary general of ODM youth league. Names were deliberated on by the national governing council and adopted without change.

Min4/2017 Reports from various Departments

There was a detailed report presented by Secretary general Eng. Onyango Kevin who outlined chronology of events on how the ODMYL had transited since its inception and election into office in 2011 and subsequence youth involvement in politics since 2007 up to date . He lamented about structures of the mainstream of the party had not been amended to conform to the new structure to accommodate the ODMYL. He explained to members why the NEC felt there was need to change name from OYDL to ODMYL. He also explained to members why there was no proper involment of them in the last election explaining what ideas they had and how they were frustrated by forces in the secretariat.

Members were informed and showed a detailed action plan (2016/2017) for adoption and implementation in order to achieve our objectives. In line with our ideology members were informed of the ODM youth league tool kit that described who we are and what we stand for as young democrats.

Secretary General subsequently brought to attention of members that some particular programs have been going on e.g. the program for young politician in Africa (PYPA) which during the first meeting we were represented by Eng Onyango Kevin – Homabay, Mellab Atema – Nairobi,

ODMA

TUKO TAYARI ORANGE DEMOCRATIC MOVEMENT

Kanaiza Daisy – Kakamenga, Dickson Chamanje – Kilifi. The 2nd program we were represented by Sheila Koskei – Uasin Gishu, Martin Muthusi – Machakos and Benson Musungu – Nairobi. The 3rd program we were represented by John Ketorah – Kajiado, Mark Mushila – Taita Taveta and Yashmin Muhamed – Wajir. The 4th program we were represented by Ombati Edwin – Mombasa, Cathrine Atieno – Kisumu and Elijah Simago – Kajiado. The 5th program which is due this year from March the national executive council has proposed and adopts the following names:

1. Roselyne Akoth – Homabay
2. Syntei Nchoya – Narok
3. Edgar Lunani Muyodi – Busia.

To represent Orange Democratic Movement Party Youth League in those programs offered by Christian Democratic Institute.

A program known as FES (PLGP) we were represented by Bonventure Mugatsia – Vihiga, Benson Musungu – Nairobi and Weldon Rogony – Kericho. Subsequently in the inter-party youth forum which involves all political parties represented in the 11th parliament. We were previously represented by Mellab Atema, Innocent Katoo, Sheila Koskei, and Martin Muthusi, but currently we are represented by Eng. Onyango Kevin and Sheila Koskei. In addition to this Eng. Onyango Kevin and Marry Achieng' (Mombasa county chief whip IPYF) will be representing the party in political study tour in Norway late this month.

ODM

TUKO TAYARI

ORANGE DEMOCRATIC MOVEMENT

The treasurer's report was presented by Sheila Koskei who gave a well structured report on funds that the ODMYL has received from the party. Beside that the national treasurer Mwamboza Mwasabu said that finances is always a challenge but we should not bank on that because the vehicle should go on and proper network is required in our respective counties so as to deliver on our promises to the people Kenya.

Eric Chagorok representing marginalized group stressed on the need to move with speed or else we will be shot changed again. He further suggested that the youth should have a person to represent us in the coming East African legislative assembly and other members of the league from the weaker regions be considered for nominations in our strong holds.

Benter Bella representing persons with disability emphasized that everything start with a step, we have fought they have a challenge sometimes they are being forgotten.

Hon Benson Amutavi on his side said youths should stamp authority to make sure Raila Amollo Odinga must be announced as the president of Kenya by hook or crook. He call on us to make sure we help the party to clinch most of the seats in for Mp's, Mc's who are youthful and further called upon youths to seat in the negotiation table with our governors to come up with a working formula on what slots are available for them.



Min5/2017 Presentations

The executive director Mr. Fredrick Ogwen stated that we should look beyond tribe especially during this election. He further gave an account of trained peace ambassadors beyond tribe in universities and promised to work with ODM youth league leaders during their meetings to enable our league capture more data to help in strengthening of the party grassroots.

Min6/2017 Mass voter registration & the forthcoming General Election

Members were instructed to consider mass voter registration as a serious concern of the party notwithstanding IEBC constant misbehavior with the register and war on manual registration.

A number of issues were raised such as low voter turnout in Kisumu as a result of individual aspirants mass vote transfer.

Members were informed of an impending national general election in the next coming months. They were encouraged to apply for positions and vie without fear. They also agreed to support any youth vying for a seat in the election.

Min 7/2017 Popularizing the party

The members resolved to continue popularizing the party and creating harmony among the structures. It was also agreed that the executive work to bring forth a tangible communication tool and schedule of various activities to be executed at the pooling station.



Min 8/2017 Discuss conduct of some national youth leaders

Members expressed outrage over misconduct of Bonventure Mugatsia and members resolved that his conduct was wanting. It was put clearly that he was misrepresenting the ODMYL position having been allegedly shifting to Amani party. It was said that he was an element of sabotage and that he had frustrated efforts to unit youths in western Kenya. Not withstanding all the allegations the meeting resolved to pardon him on condition that he work hard to deliver western youth votes to our party ODM.

Min 9/2017 A.O.B

There was unanimous agreement on the fact that youths are marginalized, misrepresented, neglected and to some extent graded as the vulnerable in the society. Therefore there was need for Youth Empowerment Programme.

ODM

TUKO TAYARI

ORANGE DEMOCRATIC MOVEMENT

vi. Jerusa Mogaka – Committee member (Nyanza Kisii).

7. That the detailed report presented by Eng Onyango Kevin be taken seriously and all measure needed should be place before.
8. All youth leaders to come out strongly and support the party in voter registration,
9. The issues affecting Nairobi and Kisumu youth leagues be iron out by ODMYL NEC,
10. The National governing council to plan for the National delegate convention and have a meeting with the party leader,
11. The county youth leaders to be supported by the party in distribution of party merchandise and finances,
12. Youth leaders to be included in the party national and county campaigns committees,
13. Narok and Nyamira concerns to be forwarded to the party leader,
14. The two slots in the election board as proposed and adopted by the national governing council of the party at Bomas of Kenya be reserved for the youth league,
15. Creation of the ODM Youth League directorate at the Orange house as we had earlier proposed last year is overdue and should be actualized.

ODM TUKO TAYARI ORANGE DEMOCRATIC MOVEMENT

It was further resolved that the umbrella Orange Democrat youth League (ODMYL) prepare a project proposal for funding to enhance job and wealth creation opportunities.

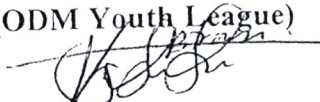
The youth leaders were urged to work up modalities with organizations and co-operations that offer technological training skills and innovations to help instill growth and productivity in various spheres like in the agro-business and Jua Kali sectors.

The nurturing of young up-coming sportsmen and women should be ensured through networking with various organizations to enhance proper and adequate service delivery. Youth reliance on handouts should be faced out. To ensure peaceful and non-violent campaigns and demonstrations among the youths, it was urged that delegates would ensure guidance to the youths on respect to protocol and rule of law. Thus youths must be stakeholders in every county affair within our locality.

Finally the meeting had several guests who came to encourage and express their interests. There was Mr. Fredrick Ogweno who encouraged members to embrace peace. Mr. Fidel Oywaya Communications expert who encouraged and gave insights on what ODMYL should endeavor to become. There being no other business the meeting was adjourned with a word of prayer from Ms Benter Bella.

Chairperson

(ODM Youth League)


Mr. John Ketorah

Secretary General

(ODM Youth League)

Eng. Onyango Kevin

ZETH OUMA OMOLLO

REF: WDM-K/EALA/PET/15/05/17

P.O BOX 89-00618

NAIROBI.

15TH MAY, 2017

+254722313835

THE PRESIDING OFFICERS/CLERKS OF NATIONAL ASSEMBLY & SENATE (KENYA)
EAST AFRICA LEGISLATIVE ASSEMBLY (EALA) ELECTIONS

P.O BOX 41842-00100

NAIROBI.

Dear Sir,

RE: WIPER DEMOCRATIC MOVEMENT-KENYA EALA NOMINATION

I hereby seek that WDM-K party submits at-least two names to parliament for election as is the spirit of rule 6(1) on the number of nominees of each party. Otherwise, subjecting the voters (Hon. Members of Parliament) to an election where the candidate is one would defeat the very essence of an election.

At least three candidates appeared for vetting before the party's National Executive Council (NEC) and the logic of submitting one name for an election leaves a lot be desired. I, therefore, seek that the party submits at-least two names to the presiding officers in reasonably good time to avert a possibility of throwing the preparation for the said elections in jeopardy. Thank you.

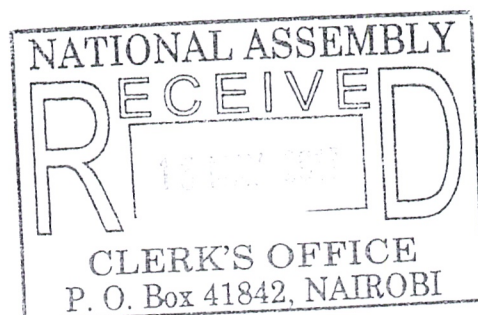
Yours Truly


Zeth Ouma Omollo

EALA Nomination Candidate, WDM-K

+254722313835

CC:-WDM-K Secretary General







Telephone: +254 20 2848 000
Fax: +254 20 315 950
E-mail: leaderofmajority@parliament.go.ke

When replying, please quote

NATIONAL ASSEMBLY

OFFICE OF THE LEADER OF MAJORITY

Ref: ML/ NA/VOL 1/ 2017/13

Date: May 16, 2017

The Presiding Officers
Election of EALA Members of Parliament
Parliament Buildings,
P.O Box 41842- 00100,
NAIROBI.

Dear *CLERK - N.A*

**RE: OBJECTION TO NOMINATION OF CERTAIN CANDIDATES TO VIE
FOR ELECTION AS MEMBERS OF THE EAST AFRICAN LEGISLATIVE
ASSEMBLY**

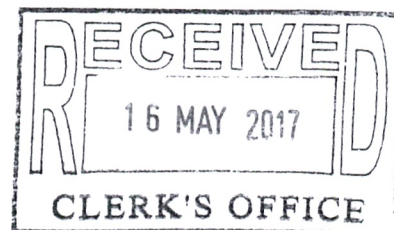
*Joint Secretariat
to bring to the
attention of the
Joint Auth.
CMA*

16/5/17

Pursuant to rule 12 of the East African Legislative Assembly Elections (Elections of Members of the Assembly) Rules, 2017, I hereby wish lodge my Party's two objections to the nomination of persons to vie for election as members of the East African Legislative Assembly.

The first objection relates to the nomination of the following candidates to vie as independent candidates

1. Duncan Mwangi Ndegwa
2. Mohamud Shikh Adan
3. Thomas Katua Ngui
4. Collins Odongo Odhiamb
5. Walter Momanyi Misire
6. John Maina kihu
7. John Nekesa Olusa
8. Billy Mrema Baltazar
9. Anthony Kibagendi
10. Fredrick Isika Kalumbo



11. Jack Obiero juma
12. Pamela Odira Aira
13. Caroline Aluoch Obure
14. Steve Marwa Machage
15. Suleiman Seka Achiki

A perusal of their nomination papers reveals that none of these candidates complied with the requirements of Article 99(1)(c) of the Constitution as relates to gathering support by registered voters. Support by registered voters is the formula used to replace the rigorous process of nomination by a political party and it would be unfair to require party candidates to undergo the party process while the independent candidates spared from the process of gathering the requisite signatures from the registered voters. Consequently, these candidates fall short of the requirements of Article 50(2) of the Treaty as read together with rule 3 of the Election Rules.. The nomination of these candidates should therefore be revoked.


The Second objection relates to the Nomination of the following candidates by the Coard Coalition-

1. Abubakar Zein Abubakar
2. Judith Ramaitha Pareno
3. Ronald Kipng'etich Arap Ngeny
4. Kennedy Musyoka

Rule 6(3) requires a political party to nominate thrice the number of candidates as the party slot. This is presumably to afford the House the opportunity to conduct an election by making the choice to reject any of the candidates in line with the election principle set out by the East Africa Court of Justice in the Anyang Nyong Case. In forwarding only four candidates, the Cord Coalition mischievously seeks to deny the House the freedom of choice to reject any or all of the four candidates. Even if the number is increased to five by virtue of the nomination by the Ford Kenya Party, the House is still being denied a choice to reject four out of the five candidates. This is clearly a mischievous attempt to tie the freedom of choice of at the voting stage more so where the records indicate that at the time of the close of applications on 4th May, 2017, the Cord Coalition had received a total of 41 applicants (24 in the National Assembly and 17 in the Senate).

As the party process has the effect of negating the choice of the House, the Cord Coalition should therefore, pursuant to rule 8(3) avail a written record of the proceedings at which the final decision to nominate its four candidates was made to enable the Houses satisfy themselves that indeed a transparent and democratic process was undertaken by the party

Yours,



THE HON. ADEN DUALE, EGH, M.P
LEADER OF MAJORITY PARTY

Copy to: **The Hon. Justin B. N Muturi, EGH, MP,**
Speaker of the National Assembly &
Chairman, Parliamentary Service Commission
Parliament Buildings
NAIROBI

The Hon. Ekwee Ethuro, EGH, MP,
Speaker of the Senate
Parliament Buildings
NAIROBI

