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TWELFTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

DEPARTMENTAL COMMITTEE ON DEFENCE AND
FOREIGN RELATIONS

REPORT ON THE VETTING OF PRINCIPAL SECRETARY
NOMINEE FOR THE STATE DEPARTMENT FOR FOREIGN
AFFAIRS

Clerks Chambers,
Directorate of Committee Services,
Parliament Buildings,
NAIROBI

February, 2018

Table of Contents

FOREWARD	6
1.0 PREFACE	8
1.1 Establishment of the Committee	8
1.2 Mandate of the Committee	8
1.3 Committee Membership	10
1.4 Committee Secretariat	11
2.0 BACKGROUND	12
2.1 Establishment of the Office of High Commissioners/Ambassadors	12
2.2 Nomination of Principal Secretary	12
2.3 Notification of nomination	12
2.4 Committal to the Departmental Committee of the nomination	13
2.5 Notification to the public	13
2.6 Notification to the nominees	14
2.7 Clearance requirements	Error! Bookmark not defined.
2.7.1 Higher Education Loans Board	15
2.7.2 Kenya Revenue Authority	15
2.7.3 Ethics and Anti-Corruption Commission	15
2.7.4 Registrar of Political Parties	15
2.8 Issues for consideration in conducting the Approval hearing	15
2.9 Memoranda from members of the public	18
3.0 APPROVAL HEARINGS/ VETTING OF NOMINEE FOR APPOINTMENT TO THE POSITION OF PRINCIPAL SECRETARY FOR THE STATE DEPARTMENT FOR FOREIGN AFFAIRS AND INTERNATIONAL TRADE	18
Potential Conflict of Interest	22
Net worth	22
Political Activities and Affiliations	22
Integrity	22
4.0 COMMITTEE OBSERVATIONS ON SUITABILITY OF AMB. MACHARIA KAMAU TO SERVE AS PRINCIPAL SECRETARY STATE DEPARTMENT FOR FOREIGN AFFAIRS AND INTERNATIONAL TRADE	27
5.0 COMMITTEE'S RECOMMENDATION	28

Pursuant to Article 155(3) of the Constitution and Standing Order 216 (5) (f), the Committee recommends that the National Assembly28

LIST OF APPENDICES

1. Public Appointments (Parliamentary Approval), Act, 2011	Appendix 1
2. Message from the H.E President and communication from The Chair	Appendix 2
3. Letter by the Clerk of National Assembly to the nominee	Appendix 3
4. Letter by the Clerk of the National Assembly to Commissioner General, Kenya Revenue Authority (KRA)	Appendix 4
5. Letter by the Clerk of the National Assembly to Chief Executive , Higher Education Loans Board(HELB)	Appendix 5
6. Letter by the Clerk of the National Assembly to the Secretary/Chief Executive, Ethics and Anti-corruption Commission (EACC)	Appendix 6
7. Letter by the Clerk of the National Assembly to Director, Criminal Investigation Department (CID)	Appendix 7
8. Reply from the Commissioner General , KRA to the Clerk of the National Assembly	Appendix 8
9. Reply from the Chief Executive, HELB to the Clerk of the National Assembly	Appendix 9
10. Reply from the Secretary/Chief Executive, (EACC) to the Clerk of the National Assembly	Appendix 10
11. Reply from the Director, CID to the Clerk of the National Assembly	Appendix 11
12. Advert in print media inviting public submission of memoranda	Appendix 12
13. Advert to the public of the intention to vet the Principal Secretary by the DC on Defence & Foreign Relations	Appendix 13
14. Adoption list	Appendix 14

ABBREVIATIONS

EACC	Ethics and Anti-Corruption Commission
UN	United Nations
UNICEF	United Nation International Children’s Education Fund
HELB	Higher Education Loans Board
KRA	Kenya Revenue Authority
DCI	Directorate of Criminal Investigations
CV	Curriculum Vitae
SDG’s	Sustainable Development Goals
MFA	Ministry of Foreign Affairs
RPP	Registrar of Political Parties
PS	Principal Secretary
EGH	Elder of the Golden Heart
ID	Identity Card
MGH	Moran of the Order of the Golden Heart
KU	Kenyatta University
UoN	University of Nairobi
PWD	Persons with Disability
KSG	Kenya School of Government
IGAD	Inter-Governmental Authority on Development
CHE	Commission for Higher Education
KCPE	Kenya Certificate of Primary Education
KCSE	Kenya Certificate of Secondary Education

FOREWARD

Pursuant to Article 155 (3) of the Constitution and section 5 of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, H.E. the President, forwarded to the Clerk of the National Assembly, a notification of nomination containing the name and Curriculum Vitae of Principal Secretary nominee for the State Department for Foreign Affairs on 30th January, 2018. This was for vetting by the Departmental Committee on Defence and Foreign Relations and consideration for approval by the National Assembly for appointment as Principal Secretary, State Department for Foreign Affairs.

On 13th February, 2018, the notification of nomination was communicated by the Speaker and thereafter referred to the Departmental Committee for vetting and reporting to the House within fourteen (14) days.

The Committee held two (2) sittings to consider the suitability of the nominee. The nominee appeared before the Committee on 21st February, 2018 and was vetted in accordance with the provisions of the Constitution, the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011 and the National Assembly Standing Orders on his suitability or otherwise for appointment as Principal Secretary for the State Department for Foreign Affairs.

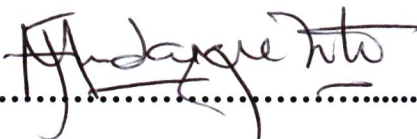
The Committee deliberated on the nominee's duly filled questionnaire in accordance with Section 6 (8) Public Appointments (Parliamentary Approval) Act, curriculum vitae, reports from relevant authorities, submission made by the nominee including his oral submissions during the vetting at the sitting held on Wednesday 21st February, 2018.

The Committee, in compliance with the Constitutional and other legal

requirements and established procedures for vetting, ensured its meetings were open to the public and covered by the media.

May I take this opportunity to thank all Members of the Committee for their input and valuable contributions during the deliberations and vetting exercise. I also take this opportunity on behalf of the Committee to thank the Offices of the Speaker and of the Clerk of the National Assembly for the logistical support accorded to the Committee during the exercise. As a Committee, we appreciate the role played by the media following its coverage of the proceedings, thus enhancing accountability, transparency and ensuring the participation of the public.

On behalf of the Departmental Committee on Defence and Foreign Relations and pursuant to Article 155 (3) of the Constitution, Section 8(1) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, and the provisions of Standing Order 199(6), it is my pleasure and duty to present to the House, the Committee's report on the approval hearings of Ambassador Macharia Kamau, Principal Secretary nominee for the State Department for Foreign Affairs.

Signed.....

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

(CHAIRPERSON)

Date.....*27th February, 2018*.....

1.0 PREFACE

1.1 Establishment of the Committee

The Departmental Committee on Defence and Foreign Relations is established pursuant to Standing Order 216 (1) of the National Assembly Standing Orders.

1.2 Mandate of the Committee

The Committee is mandated under Standing Order No. 216(4) (5) to, *inter-alia*;

- i. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
- ii. study the programme and policy objectives of ministries and departments and the effectiveness of the implementation and effectiveness of the implementation;
- iii. study and review all legislation referred to it;
- iv. study, assess and analyze the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
- v. investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;
- vi. vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing

Order 204 (Committee on Appointments); (fa) examine treaties, agreements and conventions;

- vii. make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.
- viii. consider reports of Commissions and independent offices submitted to the house pursuant to the provisions of Article 254 of the Constitution; and
- ix. examine any questions raised by Members on a matter within its mandate.

In executing its mandate, the Committee oversees the following Ministries and Departments:

- i. Ministry of Defence;
- ii. Ministry of Foreign Affairs;
- iii. East African Community; and
- iv. National Intelligence Service.

According to the Second Schedule of the National Assembly Standing Orders, the Committee is mandated to consider the following subjects -

- i. Defence;
- ii. Intelligence;
- iii. Foreign Relations;
- iv. Diplomatic and Consular Services;
- v. International Boundaries;
- vi. International Relations; and
- vii. Agreements, Treaties and Conventions.

1.3 Committee Membership

The Departmental Committee on Defence and Foreign Relations comprises the following Members: -

1. The Hon. Katoo Ole Metito, EGH, MGH, M.P **Chairperson**
2. The Hon. Richard Tong'i, M.P **Vice Chairperson**
3. The Hon. Patrick Makau, M.P
4. The Hon. Nelson Koech, M.P
5. The Hon. Charles Mutavi Kilonzo, M.P
6. The Major (Rtd.) Hon. Bashir Sheikh Abdullahi, M.P
7. The Hon. Martha Wangari Wanjira, M.P
8. The Hon. Dido Ali Raso, M.P
9. The Hon. Peter Mungai Mwathi, M.P
10. The Hon. Yusuf Hassan Abdi, M.P
11. The Hon. Beatrice Nkatha Nyagah, HSC, M.P
12. The Hon. Memusi Ole Kanchory, M.P
13. The Hon. John Lodepe Nakara, M.P
14. The Hon (Dr) Lilian Gogo, M.P
15. The Hon. Vincent Kipkurui Tuwei, M.P
16. The Hon. Silvanus Osoro, M.P
17. The Hon. Moses Nguchine Kirima, M.P
18. The Hon. Ernest Ogesi Kivai, M.P
19. The Hon. Caleb Amisi, MP

1.4 Committee Secretariat

- | | |
|---------------------------|------------------------------------|
| 1. Mr. Nicholas Emejien | Deputy Director Committee Services |
| 2. Mr. Abdiaziz M. Shobay | Third Clerk Assistant |
| 3. Ms. Naserian Lotuai | Third Clerk Assistant |
| 4. Mr. Edison Odhiambo | Fiscal Analyst III |
| 5. Ms. Brigitta Mati | Legal Officer III |
| 6. Ms. Grace Wahu | Research Officer III |
| 7. Mr. Rodgers Kilungya | Audio Officer |

2.0 BACKGROUND

2.1 Establishment of the Office of Principal Secretary

The Office of Principal Secretary is an Office under the Ministry of Foreign Affairs. The duties of Principal Secretary include, among others:-

- a) advancement and protection of Kenya's interests through innovative Diplomacy;
- b) promotion of Kenya's influence in international decision making;
- c) protection of Kenya's sovereignty and territorial integrity;
- d) promotion and strengthening of bilateral/multilateral co-operation/ties;
- e) promotion of sub-regional, regional and international integration and cooperation;
- f) promotion of public Diplomacy, among other duties: and
- g) Accounting officer for the state department for foreign affairs.

2.2 Nomination of Principal Secretary

Article 155 (3) of the Constitution confers upon the President the power to nominate from among persons recommended by the Public Service Commission, and subject to approval by the National Assembly, appoint a Principal Secretary. It provides that;

“The President shall –

- (a) nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission; and,*
- (b) with the approval of the National Assembly, appoint Principal Secretaries”*

2.3 Notification of nomination

In accordance with the provisions of Article 155(3) (e) of the Constitution and

section 5 of the Public Appointments (Parliamentary Approvals) Act, H.E. the President vide a letter dated 30th January, 2018 under reference number OP.CAB.14.1 (*Annexure 1*) forwarded to the National Assembly, for consideration and approval, the notification of nomination of Ambassador Macharia Kamau, Principal Secretary nominee for the State Department for Foreign Affairs.

2.4 Committal to the Departmental Committee of the nomination

In his Communication to the House on 13th February, 2018 pursuant to Standing Order 42(2), the Speaker of the National Assembly informed the House that H.E. the President, by way of a letter dated 30th January, 2018 had nominated Ambassador Macharia Kamau, as Principal Secretary for the State Department for Foreign Affairs. The name was submitted for approval by the House pursuant to Article 155 (3) of the Constitution.

After conveying the message from H. E., the President on the nomination, the Speaker of the National Assembly forwarded the name of the nominee and his curriculum vitae to the Departmental Committee on Defence and Foreign Relations to conduct approval hearings.

2.5 Notification to the public

Section 6(9) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, provides that *“any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated”*.

The Clerk of the National Assembly placed an advertisement in the print media on Wednesday, 14th February, 2018 and Thursday, 15th February, 2018 (*Annexure 4*) inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominee in conformity with

section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011. The advertisements indicated that the submissions were to be received by Tuesday, 20th February, 2018 at 5.00 pm.

Pursuant to the provisions of Article 118 of the Constitution, Section 6(4) of the Public Appointments (Parliamentary Approval) Act and Standing Order 45 (3), the general public was on Wednesday, 14th February, 2018 and Thursday, 15th February, 2018 notified in the print media by the Clerk of the National Assembly of the intention of the Departmental Committee on Defence and Foreign Relations to conduct the vetting of the nominee on Wednesday, 21st February, 2018.

2.6 Notification to the nominees

On 14th February, 2018, the Clerk of the National Assembly, pursuant to Section 6(3) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, notified the nominee of the date, time, and place for holding the Approval hearing.

2.7 Clearance requirements

On 8th February, 2018 and 14th February, 2018, the Clerk of the National Assembly wrote to the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), the Directorate of Criminal Investigation (DCI), the Higher Education Loans Board (HELB), and the Registrar of Political Parties (RPP) requesting for information with respect to the nominee on the following -

- (a) matters touching on integrity;
- (b) tax compliance;
- (c) loan repayments; and
- (d) Political affiliations.

2.7.1 Higher Education Loans Board

Responding to the request, the HELB confirmed vide a letter under Ref. HELB/RR/112009/V/64 dated 16th February, 2018 that the nominee is not a beneficiary of the HELB Loans Scheme.

2.7.2 Kenya Revenue Authority

The Kenya Revenue Authority confirmed vide a letter under Ref. CDT/HO/54 dated 16th February, 2018 (*Annexure 9*) that the nominee was tax compliant.

2.7.3 Ethics and Anti-Corruption Commission

The Ethics and Anti-Corruption Commission vide a letter under Ref. EACC 7/10/5 VOL.V (101) dated 13th February, 2018 (*Annexure 10*) confirmed that there were no outstanding issues or ongoing investigations against the nominee.

2.7.4 Registrar of Political Parties

The Office of the Registrar of Political Parties vide a letter under Ref No. RPP/ORG/34 Vol II (13) dated 15th February, 2018 (*Annexure 11*) confirmed that according to the records held by the office as at 15th February 2018, the nominee was not an official of a registered political party.

2.8 Issues for consideration in conducting the Approval hearing

The Committee observed that the issues for consideration in relation to the nomination and approval exercise are as provided under section 7 of the Public Appointments (Parliamentary Approvals) Act, as follows-

- a) the procedure used to arrive at the nominee;
- b) the constitutional and statutory requirements relating to the office in question; and

- c) the suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which the nomination is being made.

(a) Procedure used to arrive at the nominee

The procedure for appointment of a Principal Secretary is outlined under the Constitution and the Public Appointments (Parliamentary Approval) Act, 2011.

The Committee observed that Article 155(3) of the Constitution and the Public Appointments (Parliamentary Approvals) Act provides that nomination of Principal Secretaries is a constitutional prerogative of the President on recommendation by the Public Service Commission as there is no further procedure prescribed in the Constitution or statute law.

(i) Leadership and Integrity

The Committee, in determining the suitability of the nominees, took into consideration the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, the Committee took cognizance of the following provisions -

- i. Article 73 (2) of the Constitution which provides that the guiding principles of leadership and integrity include –
 - (a) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;
 - (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;
 - (c) selfless service based solely on the public interest, demonstrated by —

- (i) honesty in the execution of public duties; and
 - (ii) the declaration of any personal interest that may conflict with public duties;
 - (d) accountability to the public for decisions and actions; and
 - (e) discipline and commitment in service to the people.
- ii. Article 75(1) of the Constitution that requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties and Article 75(3) of the Constitution that prohibits a State Officer who has been removed from office under that Article from holding any other State Office.
 - iii. Article 77(1) of the Constitution that prohibits a full time State Officer from participating in any other gainful employment.
 - iv. Article 77(2) of the Constitution that prohibits an appointed State officer from holding office in a political party.
 - v. Article 78 of the Constitution that disqualifies persons who are not Kenyan Citizens and persons holding dual citizenship from appointment as State Officers.
- (ii) Suitability of the nominee for the appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the needs of the body to which the nomination is being made***

The Committee observed that suitability of the nominee should be evaluated holistically taking into account the nominee's academic credentials,

professional training, experience, background and personal qualities as well as the performance of the nominee during the approval hearing.

The Committee's observations and resolutions on the nominee are contained another section of this report.

2.9 Memoranda from members of the public

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

The Clerk of the National Assembly placed an advertisement in the print media on Wednesday 14th February, 2018 inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominee in conformity with section 6(9) of the Public Appointments (Parliamentary Approval) Act.

By close of business on Tuesday 20th February, 2018 at 5.00 p.m., the Committee had not received any written statements on oath in respect of the nominee.

3.0 APPROVAL HEARINGS/VETTING OF NOMINEE FOR APPOINTMENT TO THE POSITION OF PRINCIPAL SECRETARY FOR THE STATE DEPARTMENT FOR FOREIGN AFFAIRS.

The Departmental Committee on Defence and Foreign Relations held a sitting on Wednesday, 20th February, 2018 to deliberate on the approval hearings and the following were highlighted:-

- (a) That, by the deadline date of 20th February, 2018 the Clerk of the National

Assembly had not received any written statements on oath in respect of Amb. Macharia Kamau, Principal Secretary nominee for the State Department for Foreign Affairs; and

(b) That, the nominee had not notified the Clerk of the National Assembly of withdrawal from the approval process as outlined under Section 6(10) of the Public Appointments (Parliamentary Approvals) Act.

The Committee resolved to undertake the approval hearing as per the schedule that had been advertised by the Clerk of the National Assembly and which was communicated to the members of the public and the nominee.

In conducting the approval hearings, the Committee on Defence and Foreign Relations examined the nominee against the following criteria as set out in the Public Appointments (Parliamentary Approval) Act-

- i. Academic qualifications;
- ii. Employment record;
- iii. Professional affiliations;
- iv. Potential conflict of interest;
- v. Knowledge of the relevant subject;
- vi. Overall suitability for the position;
- vii. Integrity;
- viii. Vision and leadership; and
- ix. Expectations and key priorities.

3.1 AMBASSADOR MACHARIA KAMAU - PRINCIPAL SECRETARY NOMINEE FOR THE STATE DEPARTMENT FOR FOREIGN AFFAIRS.

Ambassador Macharia Kamau appeared before the Committee on Wednesday, 21st February, 2018 at 9.00am and was interviewed pursuant to the provisions of the Constitution, the Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Personal Background

1. He is a Kenyan Citizen, born in 1958 in Kiambu County.

Professional Qualifications

2. He began his education at St. Augustine Preparatory School in Mombasa and proceeded to Lenana School for his 'O' Levels. He attended Highway Secondary School for his 'A' level.
3. He holds a Bachelor of Arts degree in History and Economics from College of Wooster, Ohio and a Master of Education degree on Social Policy and Planning from Harvard University, Massachusetts. He also attended an executive programme on macro-Economic Policy and Management from Harvard University, Massachusetts.

Employment records and Work Experience

He informed the Committee that his work experience expounded below grounds him in understanding international relations —

4. He had worked in the domain of international relations, international development and international peace and security and the Ministry of Foreign affairs for over thirty five (35) years.
5. He began his career by starting a business in Nairobi called Rank Xerox Kenya Limited, where his position was that of a marketing representative. He later joined UNICEF and worked for twenty-four (24) years, during which, he managed nine (9) missions among them; Kenya, Zambia, South Sudan, Namibia and Botswana. He later transitioned to UNICEF headquarters in 1990s, working for the executive office where he dealt with inter-governmental and inter-agency affairs of the organization.
6. He later worked in the Caribbean and ran the UNICEF offices covering sixteen (16) countries and had incredible experience working with the governments. This experience also grounded him in understanding how governments work. He moved to Botswana for four years and also worked with government departments. Subsequently he was deployed to Rwanda as the UN coordinator.
7. In 2008, he was appointed UN Ambassador and worked for seven (7) years. In 2010, he became the Kenyan representative to the UN a position he held for seven years until his nomination, as Principal Secretary, by H.E. the President.

Honours and Awards

8. He has received the following honours and awards-
 - (a) Elisabeth Haub Award for Environmental Diplomacy, Gold Medal;
 - (b) Moran of the Order of the Burning Spear;
 - (c) Honourary Professor, Utah Valley University;

- (d) Recognition by Zayed International Foundation for the Environment for Contribution to South-South and Triangular Cooperation;
- (e) AfricaConnect Online Global Achievement Award; and
- (f) United Nations Foundation: Recognition for Sustainable Development Goals (SGDs),

Potential Conflict of Interest

- 9. He informed the committee that he has no conflict of interest.

Net worth

- 10. He informed the Committee that his net worth is approximately KES 76,630,000.00

Political Activities and Affiliations

- 11. He informed the Committee that he has not held any office in a political party and is not affiliated to any political party.

Integrity

- 12. The nominee informed the Committee that he has never been dismissed or otherwise removed from office under Article 75 of the Constitution. The nominee has not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
- 13. He had neither been charged in a court of law in the last three years nor adversely mentioned in any investigatory report of Parliament or any other commission of inquiry.
- 14. The nominee is tax compliant.

Leadership and Suitability of the nominee for the position of Principal Secretary Foreign Affairs

The nominee informed the Committee that the following international work experiences have prepared him for the position of a Principal Secretary for Foreign Affairs-

15. His experience was wide and deep on matters international relations, leadership and management. During his tenure he undertook various activities over and above what was demanded and expected of him. He was appointed co-chair of the Sustainable Development Goals (SDGs) at the UN for three years. This position required global leadership to be able to navigate through the challenging task to negotiate with countries around the world and agree to the SDGs. In recognition of the work on SDGs he was awarded an honorary professorship on the work he did in the sector of SDGs.

16. He was also appointed to a new role as a co - chair of science, technology and innovation. This role was important because science and technology changes countries. He was also the chair of peace building commission and worked for 3 years providing global leadership on peace architecture of the world. During his tenure he was the President of the UNICEF Board (the 6th and 7th session) on people with disability for 2 years.

17. He was also President of the UN South- South Co-operation and was appointed by the UN Secretary General as a Special envoy on Climate change and El-Nino.

Dealing with issues of Corruption at the State Department of Foreign Affairs

He stated that-

18. Corruption is a plague in the world. The biggest challenge is putting in place governance systems, systems of discipline and ensuring that no one can get away with any kind of impunity. Corruption thrives in a society where there are no consequences for impropriety. It thrives in an environment where professionals are frustrated. Corruption is reduced when there is a system that respects people's careers; provides a sense of belonging and progress in terms of their work. He will endeavor to ensure that there is a system that rewards what is right and punishes what is wrong. As the accounting officer, he hopes to input a system whereby everybody sees that the system is fair.
19. He is cognizant of the fact that every government has its own tempo and way of doing things. He however, intends to calibrate his experience and knowledge to the challenges by creating an entity that is efficient and responsive to the interests of Kenya as a country of great diversity.

Policy on international decisions

20. Kenya's position on the International arena is clear on major international issues. Kenya has since independence supported liberation agenda in the world. Kenya has been forthright in her position in terms of liberation struggles for example on the Palestine issue.
21. During the UN vote on Jerusalem the embassy had closed for Christmas holidays and had notified the UN as required. The vote was called late (48hrs before the vote took place) and was country specific and spearheaded by the US on the matter of moving its embassy to Jerusalem. When the vote was called the ambassador had been recalled to take up some responsibilities in

Kenya and Tanzania. Kenya has a policy of not voting for the policy of another nation. If Kenya was present, during the vote she would have abstained.

Ethnic-Diversity of Kenya

22. There cannot be a perfect balance in getting representations from all tribes in Kenya to work in missions abroad. If appointed as the Principal Secretary he will strive to ensure that there is progressive representation of the face of Kenya at the Ministry including missions abroad.

Post Cotonou Agreement

23. The Ministry has a fully-fledged department of International trade that is taking stock of all trade agreements that Kenya is party to. There is need to integrate every single country engagement with all the treaties where Kenya is a signatory to. This is practiced in other countries successfully and their people are benefiting from such agreements.

24. Kenya is making significant progress in trade, and its revisiting all trade agreements with other countries so as to align them with the demands of the 21st century and reposition the country to maximize returns from such trade agreements.

Employment Overseas

25. The Ministry has up - scaled consular services in all its Embassies and High Commissions so as to support Kenyans in foreign countries. However, there is need for Kenya to focus on technical skills so as to export professional skilled labour to other countries as opposed to unskilled labour. Where there are Kenyans being discriminated against, the MFA has up-scaled the consular

offices and further makes sure all persons travelling to those countries are briefed accordingly.

Retirement and Retention in Service

26. The nominee informed the Committee that when considering the matter of retention in service beyond retirement, one should take into account the value of experience. Experience is mandatory in some top notch jobs that require a depth of knowledge and expertise and not just the academic qualifications. There is however need to continually grow and build capacity of young people through mentorship to take up heavy international responsibilities.
27. He further informed the Committee that extension of service for officers who have attained the mandatory retirement age should only be based on merit, exceptional skills and expertise. Mentoring young people is key to retaining skills and expertise.

Adoption

28. Kenya is among countries in Africa with very stringent adoption frameworks, which are designed to protect Kenyan Children. This has made it unfavorable for foreigners to adopt Kenyan children. He supports the stringent adoption policy.

Advisory on friendly countries

29. Kenya has for the first time issued an advisory on South Sudan. It is the first advisory given to our neighbors. The Ministry is working to resolve the issues between neighbors and this should grow from strength to strength. Kenya has invested a lot in peace and security in the region including helping to rebuild South Sudan.

International Employment

30.If appointed the Principal Secretary (PS) he will restart the International jobs office at the Ministry of Foreign Affairs and push for lobbying for International jobs for Kenyans. He will also tap into the wide knowledge and expertise of Kenyans abroad to support missions while ensuring that key positions are reserved for the home-based staff who are critical in the running of mission affairs.

4.0 COMMITTEE OBSERVATIONS ON SUITABILITY OF AMB. MACHARIA KAMAU TO SERVE AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR FOREIGN AFFAIRS.

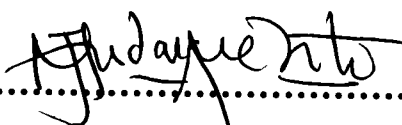
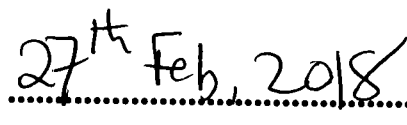
31.The Committee having considered the nominee's filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary State Department for Foreign Affairs, THAT–

- a) in accordance with Article 78(1) and (2) he is a Kenyan Citizen and does not hold dual citizenship;
- b) he satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA on tax compliance, HELB and the EACC;
- c) the nominee has not been charged or found guilty in any Court of Law in the last three years;
- d) as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;

- e) The nominee satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment upon appointment to office;
- f) he does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- g) he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76(financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution;
- h) The nominee has exhibited extensive knowledge of topical global issues in the Foreign Affairs docket; and
- i) The nominee has shown that he is an accomplished expert, in International affairs with extensive experience in contemporary global issues.

5.0 COMMITTEE’S RECOMMENDATION

Pursuant to Article 155(3) of the Constitution and Standing Order 216 (5) (f), the Committee recommends that the National Assembly APPROVES the appointment of Ambassador Macharia Kamau, as the Principal Secretary for the State Department for Foreign Affairs.

Signed.......... Date: .....

Hon. Katoo Ole Metito, EGH, MGH, M.P
(CHAIRPERSON)

**MINUTES OF THE 18TH SITTING OF THE DEPARTMENTAL COMMITTEE
ON DEFENCE & FOREIGN RELATIONS HELD ON SATURDAY, 24TH
FEBRUARY, 2018 AT BOMA HOTEL, AT 9.00 AM**

PRESENT

- The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
- The Hon. Richard Tongi, MP (Vice Chairperson)
- The Hon. Yusuf Hassan Abdi, MP
- The Hon. Patrick Makau King'ola, MP
- The Hon. Peter Mungai Mwathi, MP
- The Hon. Charles Kilonzo, MP
- The Hon. Martha Wangari Wanjira, MP
- The Hon. Dido Ali Raso, MP
- The Hon. Memusi Ole Kanchory, MP
- The Hon. Beatrice Nkatha Nyaga, HSC, MP
- The Hon. John Lodepe Nakara, MP
- The Hon. Nelson Koech, MP
- The Hon. Lilian Gogo, MP
- The Hon. Silvanus Osoro, MP
- The Hon. Ernest Ogesi Kivai, MP
- The Major (Rtd.) Hon. Bashir Sheikh Abdullah, MP
- The Hon. Caleb Amisi, MP
- The Hon. Moses Nguchine Karima, MP
- The Hon. Vincent Kipkurui Tuwei, MP

NATIONAL ASSEMBLY SECRETARIAT

- Mr. Nicholas Emejen - Deputy Director, Committee Services
- Mr. Abdiaziz Shobay - Third Clerk Assistant
- Ms. Naserian Lotuai - Third Clerk Assistant
- Ms. Brigita Mati - Legal Counsel
- Ms. Wahu Karanja - Research Officer
- Mr. Andrew Shangarai - Senior Sergeant At-Arm
- Mr. Rodgers Kilungya - Audio Officer

AGENDA

- Preliminaries
 - Prayers
 - Introductions

- Communication from the Chair
- Adoption of the Agenda
- Confirmation of Minutes from the previous sittings
- Matters Arising
- **Consideration of the draft report on vetting of the nominee for appointment as Ambassadors/High Commissioners**
- Any Other Business
- Adjournment/ Date for the Next Sitting

MIN.NO.DC.DFR/092/2018: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 12:00pm. Prayer was read by Hon. Richard Tong’i MP.

MIN.NO.DC.DFR/093/2018: CONSIDERATION OF THE DRAFT REPORT ON VETTING OF THE NOMINEE FOR APPOINTMENT AS AMBASSADORS/HIGH COMMISSIONERS

The Committee having vetted all the nominees’ made the following general observations

:-

- THAT, in accordance with Article 78(1) (2) all nominees are Kenyan citizens and do not hold dual citizenship;
- THAT, the academic credentials, and professional training and experience of all the nominees are in accordance with the provisions of Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;
- THAT, all nominees satisfy the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA, HELB and the EACC.
- THAT, none of the nominees has been charged in a Court of Law or mentioned adversely in a Parliamentary Committee report or Commission of inquiry;
- THAT, as stipulated in Article 75(1), all the nominees have no potential conflict of interest;
- THAT, all the nominees satisfy the requirements of Article 77(1) in that they do not intend to participate in any other gainful employment;
- THAT, all the nominees do not hold office in any political party hence satisfy the provisions of Article 77(2) of the Constitution.
- THAT, none of the nominees has been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of

interest), 76(financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution;

- THAT, the Committee had not received any written statements on oath (affidavit) for or against the nomination of ALL the eight (8) nominees.

COMMITTEE RECOMENDATIONS

Pursuant to Article 152(2) of the Constitution and Standing Order 216 (5) (f),the Committee recommends that the National Assembly **APPROVES** the nomination of;

- **Prof. Judy Wakhungu** for appointment by H.E. the President as Kenya Ambassador to France.
- **Dr. Cleopa Mailu** for appointment by H.E. the President as Permanent Representative to UN, Geneva.
- **Hon. Dan Kazungu** for appointment by H.E. the President as Kenya High Commissioner to the United Republic of Tanzania.
- **Mrs. Phyllis Kandie** for appointment by H.E. the President as the Kenya Ambassador to Belgium, Luxemburg and the EU.
- **Mr. Willy Bett Kipkorir** for appointment by H.E. the President as Kenya High Commissioner to India.
- **Prof. Jacob Kaimenyi** for appointment by H.E. the President as Kenya Permanent Representative to UNESCO, Paris.
- **Dr. Hassan Wario Arero** for appointment by H.E. the President as Kenya Ambassador to Austria.
- **Mr. Lawrence Ntoye Lenayapa** for appointment by H.E. the President as Kenya ambassador to the Netherlands.

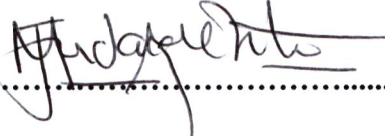
MIN.NO.DC.DFR/094/2018: ADOPTION OF THE REPORT ON THE VETTING OF THE NOMINEES FOR APPOINTMENT AS AMBASSADORS/HIGH COMMISSIONERS

The Committee Members unanimously adopted the report on the vetting of the nominees for appointment **Ambassadors/High Commissioners** after having been proposed by

Hon. Richard Tong'i, MP and Seconded by Hon. Dido Ali Raso, MP.

MIN.NO.DC.DFR/095/2018: ADJOURNMENT & DATE OF THE NEXT SITTING

There being no other business the Chairperson adjourned the meeting at 11.04am and the Committee resolved to reconvene on Tuesday 27th February, 2018 at 9.00am

Signed.....


**Hon. Katoo Ole Metito, EGH, MGH, M.P
(CHAIRPERSON)**

Date.....
27th Feb. 2018

**MINUTES OF THE 17TH SITTING OF THE DEPARTMENTAL COMMITTEE
ON DEFENCE & FOREIGN RELATIONS HELD ON FRIDAY, 23RD
FEBRUARY, 2018 IN NYATI HALL, BOMA HOTEL AT 12.00 PM**

PRESENT

- The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
- The Hon. Richard Tongi, MP (Vice Chairperson)
- The Hon. Yusuf Hassan Abdi, MP
- The Hon. Patrick Makau King'ola, MP
- The Hon. Peter Mungai Mwathi, MP
- The Hon. Charles Kilonzo, MP
- The Hon. Martha Wangari Wanjira, MP
- The Hon. Dido Ali Raso, MP
- The Hon. Memusi Ole Kanchory, MP
- The Hon. Beatrice Nkatha Nyaga, HSC, MP
- The Hon. Vincent Kipkurui Tuwei, MP
- The Hon. John Lodepe Nakara, MP
- The Hon. Lilian Gogo, MP
- The Hon. Silvanus Osoro, MP
- The Hon. Ernest Ogesi Kivai, MP
- The Hon. Caleb Amisi, MP
- The Major (Rtd.) Hon. Bashir Sheikh Abdullah, MP
- The Hon. Nelson Koech, MP
- The Hon. Moses Nguchine Karima, MP

NATIONAL ASSEMBLY SECRETARIAT

- Mr. Nicholas Emejen - Deputy Director, Committee Services
- Mr. Abdiaziz Shobay - Third Clerk Assistant
- Ms. Naserian Lotuai - Third Clerk Assistant
- Ms. Brigita Mati - Legal Counsel
- Ms. Wahu Karanja - Research Officer
- Mr. Andrew Shangarai - Senior Sergeant At-Arm
- Mr. Rodgers Kilungya - Audio Officer

AGENDA

- Preliminaries

- Prayers
- Introductions
- Communication from the Chair
- Adoption of the Agenda
- Confirmation of Minutes from the previous sittings
- Matters Arising
- **Consideration of the draft report on vetting of the nominee for appointment as Principal Secretary, State Department for Foreign Affairs.**
- Any Other Business
- Adjournment/ Date for the Next Sitting

MIN.NO.DC.DFR/083/2018: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 12:00pm. Prayer was read by Hon. Richard Tong’i MP.

MIN.NO.DC.DFR/084/2018: CONSIDERATION OF THE DRAFT REPORT ON VETTING OF THE NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR FOREIGN AFFAIRS

The Committee considered the draft report on the vetting of the Principal Secretary nominee:-

The Committee having considered the nominee’s filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary State Department for Foreign Affairs, THAT-

- in accordance with Article 78(1) and (2) he is a Kenyan Citizen and does not hold dual citizenship;
- he satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA on tax compliance, HELB and the EACC;
- the nominee has not been charged or found guilty in any Court of Law in the last three years;
- as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
- The nominee satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment upon

appointment to office;

- he does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76 (financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution;
- The nominee has exhibited extensive knowledge of topical global issues in the Foreign Affairs docket; and
- The nominee has shown that he is an accomplished expert, in International affairs with extensive experience in contemporary global issues.

COMMITTEE'S RECOMMENDATION

Pursuant to Article 155(3) of the Constitution and Standing Order 216 (5) (f), the Committee recommends that the National Assembly APPROVES the appointment of Ambassador Macharia Kamau, as the Principal Secretary for the State Department for Foreign Affairs.

MIN.NO.DC.DFR/085/2018: ADOPTION OF THE REPORT ON THE VETTING OF THE NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARY, STATE DEPARTMENT FOR FOREIGN AFFAIRS

The Committee Members unanimously adopted the report on the vetting of the nominees for appointment as Principal Secretary on a proposal by Hon. Charles Kilonzo, MP and Seconded by Hon. Peter Mwathi, MP.

MIN.NO.DC.DFR/086 /2018: ADJOURNMENT & DATE OF THE NEXT SITTING

There being no other business the Chairperson adjourned the meeting at 12.10pm and Committee resolved to reconvene on Saturday 24th February, 2018 at Boma Hotel at 9.00am

Signed.....

Hon. Katoo Ole Metito, EGH, MGH, M.P
(CHAIRPERSON)

Date..... *27th Feb, 2018*

**MINUTES OF THE 16TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
DEFENCE & FOREIGN RELATIONS HELD ON THURSDAY, 22ND FEBRUARY, 2018
IN COUNTY HALL, PARLIAMENT BUILDINGS AT 11.00 AM**

PRESENT

1. The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
2. The Hon. Richard Tong'i, MP (Vice Chairperson)
3. The Hon. Yusuf Hassan Abdi, MP
4. The Hon. Peter Mungai Mwathi, MP
5. The Hon. Nelson Koech, MP
6. The Hon. Charles Kilonzo, MP
7. The Hon. Memusi Ole Kanchory, MP
8. The Hon. Dido Ali Raso, MP
9. The Hon. Beatrice Nkatha Nyagah, HSC, MP
10. The Hon. John Lodepe Nakara, MP
11. The Hon. Lilian Gogo, MP
12. The Hon. Silvanus Osoro, MP
13. The Hon. Ernest Ogesi Kivai, MP
14. The Hon. Caleb Amisi, MP
15. The Major (Rtd.) Hon. Bashir Sheikh Abdullah, MP
16. The Hon. Moses Nguchine Karima, MP

APOLOGY

1. The Hon. Patrick Makau King'ola, MP
2. The Hon. Martha Wangari Wanjira, MP
3. The Hon. Vincent Kipkurui Tuwei, MP

NOMINEES

1. Mr. Hassan Wario -Austria
2. Mr. Lawrence Lenayapa -Netherlands

NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Nicholas Emejen - Deputy Director, Committee Services
2. Mr. Abdiaziz Shobay - Third Clerk Assistant
3. Ms. Naserian Lotuai - Third Clerk Assistant
4. Ms. Brigita Mati - Legal Counsel
5. Ms. Wahu Karanja - Research Officer
1. Mr. Andrew Shangarai - Senior Sergeant At-Arm
2. Mr. Rodgers Kilungya - Audio Officer

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions
 - (iii) Communication from the Chair
 - (iv) Adoption of the Agenda
 - (v) Confirmation of Minutes from the previous sittings
 - (vi) Matters Arising
2. **Vetting of the following persons nominated as Ambassadors/High Commissioners.**
 - a) Mr. Hassan Wario, Nominee to Austria at 11:00am
 - b) Mr. Lawrence Lenayapa, Nominee to Netherlands at 12:00pm
3. Any Other Business
4. Adjournment/ Date for the Next Sitting

MIN.NO.DC.DFR/079/2018: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 11:30am. Prayer was read by Hon. Richard Tong'i MP.

In conducting the vetting process, the Committee on Defence & Foreign Relations examined the nominees against criteria that included the following as set out in the Public Appointment (Parliamentary Approval) Act, 2011

- (i) Academic Qualifications
- (ii) Employment Records
- (iii) Professional Affiliations
- (iv) Potential Conflict of interest
- (v) Knowledge of relevant subjects
- (vi) Expectations and Key Priorities
- (vii) Overall suitability of the position
- (viii) Integrity
- (ix) Vision and Leadership

MIN.NO.DC.DFR/080/2018: DR. HASSAN WARIO ARERO- AMBASSADOR NOMINEE TO AUSTRIA

Dr. Hassan Wario Arero appeared before the Committee on Thursday, 22nd February, 2018 at 11.00am and was interviewed pursuant to the provisions of the Constitution, the Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Citizenship, Date and Place of Birth

1. The nominee is a Kenyan Citizen born in 1970 in Marsabit County.

Academic and Professional Qualifications

2. He holds a Bachelor of Arts degree in Social Anthropology from the University of Nairobi (1995) and a Masters of Arts degree in the Advanced Arts of Africa, Oceania and the Americas (1998). In 2002, he completed his PhD in Social Anthropology from the University of East Anglia, Norwich, UK.

Employment records and Work Experience

3. He started his career in Anthropology in 1995 as collections and database administrator in the National Museums of Kenya and later headed the Department of Ethnography (now Cultural Heritage) in the same organization in 1998.
4. In 2002, he worked with Horniman Museum in London as keeper of Anthropology, becoming the first ever black museum curator or keeper in the United Kingdom. He later became the curator for African collections in the British Museum in London. In 2007 he was appointed the Curator of the British museum and became the first Kenyan in the 250 years of the history of the British Museum to hold the post of curator.
5. He later re-joined the National Museums of Kenya in 2010 and was appointed as Director, Museums, Sites and Monuments.
6. He served as a Cabinet Secretary in the Ministry of Sports, Culture and the Arts from 2013-2018.

Net worth

7. The nominee informed the Committee that his net worth is approximately KES 170,000,000.00

Consultancies and Abridged Events

8. The nominee has been involved in various consultancies and conducted several abridged events and exhibitions.

Suitability

9. He informed the Committee that he is best suited for the position because prior to being appointed as a Cabinet Secretary, he worked in London and Vienna for almost twelve (12) years in Museums. He therefore has better knowledge on Vienna. Further, his experience as a Cabinet Secretary in terms of policy development would be useful in executing diplomatic duties.

Corruption

10. He informed the Committee that the allegation made against him on the Olympics saga had been investigated by several agencies and institutions including parliamentary committees, the police, EACC and an independent Committee led by Prof. Ochieng, a sports expert

from Strathmore University and he was found not culpable. He was surprised that EACC has not changed its position in spite the outcome from the aforementioned institutions.

11. He explained to the Committee that the Ministry never dealt with sports kits for the Olympians during the Rio Olympics. The National Olympic Committee of Kenya (NOCK), was responsible for the sports kits. Members of NOCK were investigated, found culpable and charged.

Achievements in Public Service

12. He informed the Committee that during his tenure at the Ministry of sports, Culture and the Arts he achieved the following -
 - (a) introduction of cash prizes for athletes who won medals;
 - (b) Kenya became world champions and the best team in Olympics;
 - (c) introduced a system where athletes were be paid directly;
 - (d) refurbished the National theatre and made sure that its title deed was reverted back to the organisation;
 - (e) engaged music platforms to pay royalties to musicians such as skiza tunes; and
 - (f) Created new parastatals in sports such as anti-doping Agency, the sports tribunal among others.

Bilateral engagement with Austria

13. He informed the Committee that Bilateral engagement between Kenya and Austria since the 1960s is scanty. To tackle this problem, there is need to enhance engagement with Austria (Austrian Development Agency) in the same level as Uganda, Ethiopia and Burkina Faso which benefit from Austrian support of close to five hundred million euros. He also noted that Kenya had better bilateral engagements with Hungary and Slovakia.
14. He further informed the Committee that Kenya can benefit not only in tourism from Austria, but also in sports and music. These activities provide opportunities for the youth to acquire employment and also learning exchanges.

Position as Ambassador

15. His nomination as an ambassador is an opportunity to serve the Kenyan people and as a public servant he is ready to serve with diligence.

Committee observations on suitability of Dr. Hassan Wario to serve as Kenya ambassador to Austria

16. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having

heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Kenya ambassador to Austria, THAT –

- a) in accordance with Article 78(1) (2) of the Constitution he is a Kenyan citizen and does not hold dual citizenship;
- b) his academic credentials, and professional training and experience are impressive and in accordance with Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;
- c) the nominee has been cleared by the DCI, KRA and HELB;
- d) the EACC in a letter ref. EACC.7/10/5 VOL.V (101) dated 13th February, 2018 indicated that it had received allegations against **Mr. Hassan Wario Arero** to the effect that he and other senior officials of the Ministry of Sports, Culture and the Arts were involved in embezzling KES 88 million meant for Kenyan athletes in the November, 2016 Olympic Games in Rio de Janeiro, Brazil. The Commission further indicated that the case is being investigated by the DCI.
- e) the DCI vide letter ref. DCI/CRO/SEC/6/7/2/A/VOL. VI/12 dated 19th February, 2018 cleared the nominee and issued him with a clearance certificate;
- f) the candidate informed the Committee that he was not under investigations;
- g) he has never been charged in a Court of Law for the last three years;
- h) as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
- i) he satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
- j) the nominee does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- k) he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76(financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

**MIN.NO.DC.DFR/081/2018: MR. LAWRENCE NTOYE LENAYAPA- AMBASSADOR
NOMINEE TO NETHERLANDS**

Mr. Lawrence Ntoye Lenayapa appeared before the Committee on Thursday, 22nd February, 2018 at 12.00pm and was interviewed pursuant to the provisions of the Constitution, Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Citizenship, Date and Place of Birth

1. The nominee is a Kenyan Citizen, born in 1963 in Marsabit County.

Academic and Professional Qualifications

2. He attended Baragoi High School for 'O' Levels and Kerugoya Boys High School for 'A' Levels. He holds a Diploma in International Studies from the University of Nairobi (UoN).
3. In the course of his career, he attended the following courses-
 - (a) District Officer Induction;
 - (b) Paramilitary;
 - (c) Strategic Leadership and Management;
 - (d) Finance Management;
 - (e) Public Administration;
 - (f) Constitution Implementation;
 - (g) IFMIS; and
 - (h) Customer Care.

Employment records and Work Experience

4. His work experience spans over thirty (30) years. After 'A' levels, the then President Arap Moi through affirmative action appointed him in the Provincial Administration. In 1988, he served as a District Officer for ten (10) years in various districts in Kenya among them Busia, Bungoma, Garissa, Marakwet, Nakuru and Taita Taveta. He further served as a District Commissioner in various Districts in the then Rift Valley, North-Eastern and Central provinces.
5. He later joined the Government Press before his appointment as a Principal Secretary in the Ministry of Environment and Natural Resources and the Ministry for State Development for Northern Kenya and other Arid Lands.
6. As from 2013, he has been serving as State House Comptroller.

Achievements

7. The nominee informed the Committee that he is credited for; maintaining peace, security and order in Kiambu and Garissa districts which had prior to his posting been considered insecure; being a successful career administrator; and Cleaning of Nairobi river.

Suitability

8. He informed the Committee that his long service as a career public officer/administrator has been an exemplification of diplomacy albeit in the country. He has been exposed to diplomacy while travelling with His Excellency the President and attending conferences, as a Principal Secretary in the Ministry of Environment and Natural Resources, which involved negotiations.
9. He is a humble person and has never and will never use his position to harass anyone working under him or extort public resources for personal benefit.

Bilateral relations with Netherlands

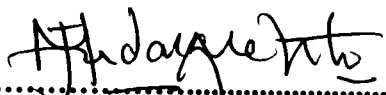
10. Kenya's exports to the Netherlands amount to KES 30 billion while Netherlands exports to Kenya are KES10 billion. He noted that Netherlands direct investment in Kenya is about 690 million Euros. Kenya can maximize benefits from its relations with Netherlands in the areas of agriculture, trade and tourism. In agriculture, Kenya will benefit from its mechanization of agricultural processes; in trade, citizens of Netherlands will soon invest directly in Kenya following the creation of an investor friendly climate through a progressive legal framework; in tourism, the number should increase because this is an untapped market.
11. He informed the Committee that he will pursue bilateral engagement with Dutch investors particularly in realizing the Big Four Agenda i.e. affordable housing, universal health care, food security and Manufacturing industries. Kenya can also benefit from value addition of products it exports to the Netherlands.

Committee observations on suitability of Mr. Lawrence Lenayapa to serve as Kenya ambassador to Netherlands

12. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Kenya ambassador to Netherlands, THAT –
 - a) in accordance with Article 78(1) (2) of the Constitution he is a Kenyan citizen and does not hold dual citizenship;
 - b) his academic credentials, and professional training and experience are impressive and in accordance with Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;
 - c) the nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA, HELB and the EACC;
 - d) he has never been charged in a Court of Law for the last three years;
 - e) as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
 - f) he satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
 - g) the nominee does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
 - h) he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76(financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

MIN.NO.DC.DFR/082/2018: ADJOURNMENT & DATE OF THE NEXT SITTING

There being no other business the Chairperson adjourned the meeting at 12.10pm and Committee resolved to reconvene on Friday 23rd February, 2018 in Boma Hotel at 9.00am

Signed.....

**Hon. Katoo Ole Metito, EGH, MGH, M.P
(CHAIRPERSON)**

Date..... 27th Feb. 2018

**MINUTES OF THE 15TH SITTING OF THE DEPARTMENTAL COMMITTEE
ON DEFENCE & FOREIGN RELATIONS HELD ON THURSDAY, 22ND
FEBRUARY, 2018 IN COUNTY HALL, PARLIAMENT BUILDINGS AT 8.30 AM**

PRESENT

- The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
- The Hon. Richard Tongi, MP (Vice Chairperson)
- The Hon. Yusuf Hassan Abdi, MP
- The Hon. Peter Mungai Mwathi, MP
- The Hon. Memusi Ole Kanchory, MP
- The Hon. Charles Kilonzo, MP
- The Hon. Dido Ali Raso, MP
- The Hon. Beatrice Nkatha Nyaga, HSC, MP
- The Hon. John Lodepe Nakara, MP
- T The Major (Rtd.) Hon. Bashir Sheikh Abdullah, MP
- The Hon. Lilian Gogo, MP
- The Hon. Silvanus Osoro, MP
- The Hon. Ernest Ogesi Kivai, MP
- The Hon. Caleb Amisi, MP
- The Hon. Nelson Koech, MP
- The Hon. Moses Nguchine Karima, MP

APOLOGY

- The Hon. Patrick Makau King'ola, MP
- The Hon. Martha Wangari Wanjira, MP
- The Hon. Vincent Kipkurui Tuwei, MP

NOMINEES

- Mr. Willy Bett - India
- Prof. Jacob Kaimenyi -Permanent Mission, UNESCO

NATIONAL ASSEMBLY SECRETARIAT

- Mr. Nicholas Emejen - Deputy Director, Committee Services
- Mr. Abdiaziz Shobay - Third Clerk Assistant
- Ms.Naserian Lotuai - Third Clerk Assistant
- Ms.Brigita Mati - Legal Counsel
- Ms.Wahu Karanja - Research Officer
- Mr. Andrew Shangarai - Senior Sergeant At-Arm

- Mr. Rodgers Kilungya - Audio Officer

AGENDA

- Preliminaries
 - Prayers
 - Introductions
 - Communication from the Chair
 - Adoption of the Agenda
 - Confirmation of Minutes from the previous sittings
 - Matters Arising
- **Vetting of the following persons nominated as Ambassadors/High Commissioners.**
 - Mr. Willy Bett, Nominee to India at 8:30am
 - Prof. Jacob Kaimenyi, Nominee to Permanent Mission, UNESCO at 9:30am
- Any Other Business
- Adjournment/ Date for the Next Sitting

MIN.NO.DC.DFR/075/2018: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 8:30am. Prayer was read by Hon. Richard Tong'i MP.

In conducting the vetting process, the Committee on Defence & Foreign Relations examined the nominees against criteria that that included the following as set out in the Public Appointment (Parliamentary Approval) Act, 2011

- Academic Qualifications
- Employment Records
- Professional Affiliations
- Potential Conflict of interest
- Knowledge of relevant subjects
- Expectations and Key Priorities
- Overall suitability of the position

- Integrity
- Vision and Leadership

**MIN.NO.DC.DFR/076/2018: MR. WILLY BETT, EGH- AMBASSADOR
NOMINEE, TO INDIA**

Mr. Willy Kipkorir Bett appeared before the Committee on Thursday, 22nd February, 2018 at 9.00am and was interviewed pursuant to the provisions of the Constitution, the Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Citizenship, Date and Place of Birth

- The nominee is a Kenya Citizen born in 1963 in Kapsabet, Nandi County.

Academic and Professional Qualifications

- He holds a Bachelor of Arts (BA) degree in Economics and Sociology (1990) and Master of Business Administration degree (Marketing option) from University of Nairobi (2015).

Employment records and Work Experience

- He began his work experience as a management trainee at Post Bank in 1991 and rose through the ranks to a Senior Manager in charge of Money Transfer Services, a post he held until 2009. His major achievements were: developing strategies that helped achieve increased revenue and profitability; increase in the recruitment of western Union partners from fifty (50) locations to one hundred and fifty-three (153); and led the Bank in participating in Western Union global programmes in which the bank won the club 500 in 2006, 2007 and 2009.
- He later joined the Kenya Seed Company Ltd as a Managing Director in 2009 where he oversaw the financial performance of the Company improve from a turnover of KES2.9 Billion in 2011 to KES5.0 Billion in 2015.
- He served as a Cabinet Secretary in the Ministry of Agriculture, Livestock and Fisheries.

Suitability as high commissioner and realization of the big four agenda

- He stated that the hall mark on his track record is hard work, passion to duty and performance, and this is evident from progression of positions previously held. Taking into account India's technological advancement in agriculture, and its ability to feed a huge population, that is food secure, Kenya can benchmark and adopt some best practices on agriculture and strategies for food security.
- He believes that his nomination to serve as High Commissioner to India was because of his specific background in agriculture. The big four agenda resonates well with India's success in feeding its people, housing them, providing universal healthcare and achieving industrial development.
- The nominee informed the Committee that the role of a Cabinet Secretary and CEO is more or less the same as diplomacy hence he has the requisite abilities and background to take up the office. India has adopted appropriate technology in agriculture that has enabled it to feed its population and therefore Kenya needs to reconfigure its technologies other than relying on western technologies.
- He informed the Committee that if appointed he shall focus on agriculture for food security. He will also recommend zero rating tax for agricultural and water harvesting technologies that enhance food security and water harvesting and storage. There is also need to take advantage of IT related business that India has excelled in. Kenya needs to benchmark on the outsourcing concept in order to provide job opportunities to the youth.
- He will fastrack the implementation of a number of MOUs on trade between Kenya and India for the benefit of the people of Kenya.
- He observed that real-estate had overtaken farming especially in Kiambu where performance of coffee was dismal thus threatening productive agricultural land, but once the report from the taskforce on coffee is implemented the fortunes of coffee will change. There is need for a legal framework to protect agricultural land for a

food secure country.

- He noted that cartels in the sector thrive in an environment with no regard to procedure. To address this, there is need for strict adherence to laid down procedures and removal of discretionary powers in provision of services.

Committee observations on suitability of Mr. Willy Kipkorir Bett to serve as Kenya High Commissioner to India

The Committee having considered the nominees filled questionnaire pursuant to section 6 (8) of the Public Appointments (Parliamentary Approval) Act, curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as High Commissioner to India, THAT –

- in accordance with Article 78(1) (2) of the Constitution he is a Kenyan citizen and does not hold dual citizenship;
- his academic credentials, and professional training and experience are impressive and in compliance to Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;
- the nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA on tax compliance, HELB and the EACC;
- he has never been charged in a Court of Law for the last three years;
- as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
- he satisfies the requirements of Article 77(1) of the Constitution in that she does not intend to participate in any other gainful employment;
- the nominee does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76 (financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

MIN.NO.DC.DFR/077/2018: PROF. JACOB KEIMENYI- AMBASSADOR

NOMINEE TO PERMANENT MISSION, UNESCO, PARIS

Prof. Jacob Thurania Kaimenyi appeared before the Committee on Thursday, 22nd February, 2018 at 10.30pm and was interviewed pursuant to the provisions of the Constitution, Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Citizenship, Date and Place of Birth

- The nominee is a Kenyan Citizen, born in 1952 in Meru County.

Academic and Professional Qualifications

- He attended Meru High School for his East African Certificate of Education (1971) and Kenyatta College for his East African Advanced Certificate of Education (1973).
- He holds a Bachelor of Dental Surgery degree from the University of Nairobi (1978) and a master of Dental Surgery degree from the University of Mangalore (1982). He further obtained a Doctor of Philosophy from the University of Nairobi in 1998.

Employment records and Work Experience

- His career began in hospital administration in 1978 as a Dental officer (intern) at Kenyatta National Hospital, Nairobi. He rose through the ranks in the hospital to become a senior dental officer, Dental Unit in 1983.
- He later moved to head the Dental School at the University of Nairobi in 1989 and began his career in university administration. In 2002, he was elected the Dean, Faculty of Dental Sciences at the University of Nairobi. He became Deputy Vice Chancellor in academic affairs and acted as a vice-Chancellor in various instances.
- He has served as a Cabinet Secretary in the Ministry of Education, Science and Technology (2016) and Cabinet Secretary in the Ministry of Land, Housing and Urban Development (2017 – 2018).

Suitability

- He informed the Committee that his managerial and leadership roles in various levels gave him opportunities to interact with different people and countries therefore he has developed diplomacy as a skill. He has been Chairman of Dental Association, Dean (University of Nairobi) for two years, President of Commonwealth Dental Association, President of East, Central and South African dental research association,

CS for Education and CS Lands, and in the Summit, he served as chair of both matters of Education and Land.

- He informed the Committee that he is not ready to retire and further that global trends don't favour discrimination on any grounds.

Position as Representative to UNESCO

- He informed the Committee that the two ambassadors to be stationed in France have separate and distinct roles. The Kenya Ambassador to France will be dealing with bilateral and general issues in France but the Permanent Representative to UNESCO focuses on issues related to UNESCO as a UN agency. The role of the Permanent Representative to UNESCO, Paris include-
 - education at global level;
 - science, natural science, social and human science;
 - promotion of culture; and
 - Cross-cutting issues such as women empowerment.
- He informed the Committee that his priority areas once appointed will be-
 - re-appointed of Retired President Mwai Kibaki as special envoy for water;
 - Lobby for Kenyans to secure key positions at UNESCO such as chairing of ethics and gender equality and women empowerment programmes; and
 - Actualization of Sessional Paper No.14 of 2012 on education.
- UNESCO is important for the country because there is need to focus on the aspects of UNESCO that will benefit the Country.

Achievements

- He informed the Committee that he achieved the following while at the Ministry of Education and Ministry of Lands-
 - Laid out foundations for reforms in the education sector;
 - Reduction of school fees (affordable education) where the guidelines were gazzetted;

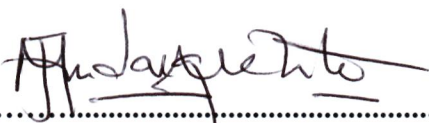
- Curriculum review with materials;
- forensic audit of KNEC;
- operationalized regulations;
- Established institutions such as TVETA, National Nomadic Commission,
- Establishment of Quality assurance departments; and
- Standardization of Colleges.

Committee observations on suitability of Prof. Jacob Kaimenyi as Permanent Representative to UNESCO, Paris

- The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Permanent Representative to UNESCO, Paris, THAT –
 - in accordance with Article 78(1) (2) of the Constitution he is a Kenyan citizen and does not hold dual citizenship;
 - his academic credentials, and professional training and experience are impressive and in compliance with Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;
 - the nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA, HELB and the EACC;
 - he has never been charged in a Court of Law for the last three years;
 - as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
 - he satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
 - the nominee does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
 - he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76 (financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

MIN.NO.DC.DFR/078/2018: ADJOURNMENT & DATE OF THE NEXT SITTING

There being no other business the Chairperson adjourned the meeting at 10.30am and the Committee resolved to reconvene at 11.00am

Signed.....


**Hon. Katoo Ole Metito, EGH, MGH, M.P
(CHAIRPERSON)**

Date.....
27th Feb, 2018
.....

**MINUTES OF THE 14TH SITTING OF THE DEPARTMENTAL COMMITTEE
ON DEFENCE & FOREIGN RELATIONS HELD ON WEDNESDAY, 21ST
FEBRUARY, 2018 IN COUNTY HALL, PARLIAMENT BUILDINGS AT 2.30 PM**

PRESENT

- The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
- The Hon. Richard Tong'i, MP (Vice Chairperson)
- The Hon. Yusuf Hassan Abdi, MP
- The Hon. Patrick Makau King'ola, MP
- The Hon. Peter Mungai Mwathi, MP
- The Hon. Charles Kilonzo, MP
- The Hon. Martha Wangari Wanjira, MP
- The Hon. Dido Ali Raso, MP
- The Hon. Beatrice Nkatha Nyagah, HSC, MP
- The Hon. Vincent Kipkurui Tuwei, MP
- The Hon. Lilian Gogo, MP
- The Hon. Silvanus Osoro, MP
- The Hon. Ernest Ogesi Kivai, MP
- The Hon. Caleb Amisi, MP
- The Hon. Nelson Koech, MP
- The Major (Rtd.) Hon. Bashir Sheikh Abdullah, MP
- The Hon. Moses Nguchine Karima, MP

APOLOGY

- The Hon. Memusi Ole Kanchory, MP
- The Hon. John Lodepe Nakara, MP

NOMINEES

- Hon. Dan Kazungu - Tanzania
- Ms. Phyllis Kandi -Belgium

NATIONAL ASSEMBLY SECRETARIAT

- Mr. Nicholas Emejen - Deputy Director, Committee Services
- Mr. Abdiaziz Shobay - Third Clerk Assistant
- Ms. Naserian Lotuai - Third Clerk Assistant
- Ms. Brigita Mati - Legal Counsel

- Ms. Wahu Karanja - Research Officer
- Mr. Andrew Shangarai - Senior Sergeant At-Arm
- Mr. Rodgers Kilungya - Audio Officer

AGENDA

- Preliminaries
 - Prayers
 - Introductions
 - Communication from the Chair
 - Adoption of the Agenda
 - Confirmation of Minutes from the previous sittings
 - Matters Arising
- **Vetting of the following persons nominated as Ambassadors/High Commissioners.**
 - Hon. Dan Kazungu, Nominee to Tanzania at 2:00pm
 - Ms. Phyllis Kandie, Nominee to Belgium, Luxemburg & European Union at 3:30pm
- Any Other Business
- Adjournment/ Date for the Next Sitting

MIN.NO.DC.DFR/070/2018: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 2:24pm. Prayer was read by Hon. Hon. John Lodepe, MP.

In conducting the vetting process, the Committee on Defence & Foreign Relations examined the nominees against criteria that that included the following as set out in the Public Appointment (Parliamentary Approval) Act, 2011

- Academic Qualifications
- Employment Records
- Professional Affiliations
- Potential Conflict of interest
- Knowledge of relevant subjects

- Expectations and Key Priorities
- Overall suitability of the position
- Integrity
- Vision and Leadership

**MIN.NO.DC.DFR/071/2018: HON. DAN KAZUNGU, EGH- AMBASSADOR
NOMINEE TO THE UNITED REPUBLIC OF TANZANIA**

Hon. Dan Kazungu appeared before the Committee on Wednesday, 21st February, 2018 at 2.35pm and was interviewed pursuant to the provisions of the Constitution, the Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Citizenship, Date and Place of Birth

- He is a Kenyan Citizen, born in 1970 in Kilifi County.

Academic and Professional Qualifications

- He attended Kwale High School for his 'O' Levels. He holds a Bachelor of Science degree in Information Sciences majoring in Information and Media Technology from the Moi University (1995) and a Master of Arts degree in Diplomacy and Foreign Policy, Moi University (2015).

Employment records and Work Experience

- His work experience spans over 20 years. He possesses vast experience in Information technology with regard to the Eastern African market.
- In 2001, he became the channel development manager, East Africa in Mustek Electronics (a company based in South Africa) and he successfully introduced Mercer Computers in the East African Market. In 2003, he joined IBM East Africa as a territory sales manager, Eastern Africa.
- He became regional manager for Eastern Africa in 2006 under Lenovo Africa. It was during his tenure that saw the closure of EMEA's biggest Government Bilateral project in 2008 between the Government of the People's Republic of China and the Government of Kenya.

- In 2013, he began his political career, serving as Member of Parliament for Malindi Constituency and was subsequently appointed as Cabinet Secretary, the Ministry of Mining until 2018.

Honors and Awards

- He was awarded the Elder of the Order of the Golden Heart of Kenya (E.G.H.)

Potential Conflict of Interest

- The nominee indicated that he will not engage in activities that will result in a conflict of interest between personal interests and public official duties or compromise any public interest in favour of personal interest.

Net worth

- He informed the Committee that his net worth is approximately KES32,700,000.00

Political Activities and Affiliations

- He informed the Committee that though he was a member of United Democratic Front (UDF), Orange Democratic Movement (ODM) and campaigner for Jubilee Party (JP) at different periods and he does not hold office in any political party.

Integrity

- The nominee informed the Committee that has never been dismissed or otherwise removed from office under Article 75 of the Constitution. Further he has not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
- He had neither been charged in a court of law in the last three years nor adversely mentioned in any investigatory report of Parliament or any other commission of inquiry.
- The nominee has paid taxes due as provided by law.

Suitability

- His experience in the public service and private sector has given him a wealth of knowledge that will be important in the new assignment. He was part of the team that negotiated for TICAD to hold its conference in Kenya, a function he felt gave him a chance to understand diplomacy. He also worked with the National Assembly Committee on Regional Integration with regard to East African Community matters.
- As a servant leader, he always strives to reach his goal in two years in any job before embarking on another goal and thus the reason as to why his CV was seen as one of a

migratory nature.

Leadership and Performance as High Commissioner

- He informed the Committee that in the first one hundred days in office, he will seek to find and redress the problem between Kenya and Tanzania.
- He undertook to ensure that all EAC protocols passed are implemented, roles and institutions harmonized for the better working of the EAC.
- He noted that there is a historical link between Tanzania and Southern Africa countries since the pre-independence period when Tanzania hosted freedom fighters from the ANC. However, he finds that Tanzania understands its role and it's also clear on its vital role in the EAC.

Performance in the Ministry

- He elaborated his achievements to the Committee as follows-
 - Improved Kenya's global ranking index in mining from 102 to 86;
 - He oversaw the mining bill become an Act in collaboration with the relevant stakeholders;
 - Created a task force that produced a mining policy in 5 months;
 - Participated in the organization of mining Conferences (I and II) in Kenya.
 - During his tenure as CS, minerals became Kenya's number one export from the port of Mombasa;
 - Developed and transmitted 14 regulations to Parliament for scrutiny.

Committee observations on suitability of Hon. Dan Kazungu to serve as High Commissioner to the United Republic of Tanzania

- The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Kenya High Commissioner to the United Republic of Tanzania, THAT –

- in accordance with Article 78(1) (2) of the Constitution he is a Kenyan citizen and does not hold dual citizenship;
- his academic credentials, and professional training and experience are impressive and in accordance with Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;
- the nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA, HELB and the EACC;
- he has never been charged in a Court of Law for the last three years;
- as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
- the nominee satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
- the nominee does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76 (financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

**MIN.NO.DC.DFR/072/2018: MS. PHYLLIS KANDIE- AMBASSADOR NOMINEE
TO BELGIUM, LUXEMBURG AND EUROPEAN UNION**

Ms. Phyllis Kandie appeared before the Committee on Wednesday, 21st February, 2018 at 3.50pm and was interviewed pursuant to the provisions of the Constitution, the Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Citizenship, Date and Place of Birth

- He is a Kenyan Citizen born in 1963 in Baringo County.

Academic and Professional Qualifications

- She holds a Bachelor of Commerce degree (Economics) from Saint Mary's University in Canada and a Master's degree in Business Administration from Middlesex Business School in London. During her career, she has attended Women in Leadership Course.

Employment records and Work Experience

- She has worked with Standard Investment Bank as a Director in Investment Advisory sector.
- She served as a Cabinet Secretary for the Ministry of East African Affairs, Commerce and Tourism, from 2013 to 2015 and Cabinet Secretary to East African Affairs (EAC), Labour and Social Protection, from 2015 to 2018.

Honors and Awards

- She was awarded the order of the Elder of the Golden Heart (EGH) by H.E. the President.

Potential Conflict of Interest

- The nominee indicated that she has no conflict of interest.

Net worth

- She informed the Committee that her net worth is approximately KES 268,000,000.00

Political Activities and Affiliations

- She informed the Committee that she has not held any office in a political party and is not affiliated to any political party.

Integrity

- She has never been dismissed or otherwise removed from office under Article 75 of the Constitution. The nominee has not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
- She had neither been charged in a court of law in the last three years nor adversely mentioned in any investigatory report of Parliament or any other commission of inquiry.
- The nominee has paid taxes due as provided by law.

Suitability

- She informed the Committee that she has gained knowledge on the technical aspects of working of the European Union, knowledge she amassed while working as Cabinet Secretary in the Ministry of EAC. She finds it a privilege to be part of the team that negotiated the EPAs. Apart from EPAs, she has also negotiated other trade

agreements.

Performance in the Ministry

- She noted that young Kenyan men and women recruited by unscrupulous agents to work in the Middle–East faces numerous challenges. During her tenure as the Cabinet Secretary Labour, she spearheaded a taskforce that came up with legislation that seeks to streamline and penalize agents who are not registered in Kenya. She believes that she had done a lot in the Ministry in terms of performance.
- As the Cabinet Secretary for Tourism she travelled across the globe to market Kenya as the best tourism destination. When she was appointed as CS terrorism had seriously affected tourism in the country and the region. She attended meetings to convince the world that terrorism was a global threat and not an isolated Kenyan matter. The world, as a result accepted terrorism as a global issue and not peculiar to Kenya.
- She informed the Committee that signing of the EPAs guarantees the country a vibrant agricultural sector with increased commodity exports. She stated that the two partnerships (EPAs and Cotonou agreement) are important because there is increased market access by Kenyan commodities in the European market.

Miraa market

- She explained to the Committee that the subject of ‘Khat’ was taken up by a select Committee of Parliament and the debate on whether it was a drug or not was never finalized. She will endeavor if appointed to engage other markets in the EU.

Employment matters

- She informed the Committee that-
 - The EU supports the blue economy and there are a number of agreements that need to be signed. There is need to fast track the process and moreover add value of the products from the blue economy;
 - She will pursue proposals to ensure prominent Kenyans would be recognized as prominent persons at the ACP –EU;
 - A policy framework on placement of Kenyans at the UN and other international organizations should be developed so that Kenyans are supported by missions abroad to secure high-profile jobs;

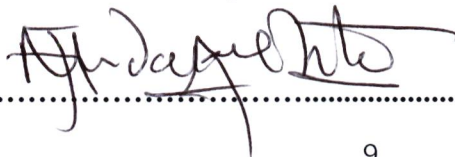
- She welcomes the proposal to have Parliament oversight donor funded money for purposes of transparency, accountability and service delivery;

Committee observations on suitability of Mrs. Phyllis Kandie to serve as Ambassador to Belgium, Luxemburg and European Union

- The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, her curriculum vitae and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as Ambassador to Belgium, Luxemburg and European Union, THAT –
 - in accordance with Article 78(1) (2) of the Constitution she is a Kenyan citizen and does not hold dual citizenship;
 - her academic credentials, and professional training and experience are impressive and in accordance with Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;
 - the nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA, HELB and the EACC;
 - she has never been charged in a Court of Law for the last three years;
 - as stipulated in Article 75(1) of the Constitution, she has no potential conflict of interest;
 - she satisfies the requirements of Article 77(1) of the Constitution in that she does not intend to participate in any other gainful employment;
 - the nominee does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
 - she has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76 (financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

MIN.NO.DC.DFR/073/2018: ADJOURNMENT & DATE OF THE NEXT SITTING

There being no other business the Chairperson adjourned the meeting at 4:50pm and resolved to reconvene on Thursday, 22.02.2018 at 9.00am

Signed.....

Hon. Katoo Ole Metito, EGH, MGH, M.P
(CHAIRPERSON)

Date.....27th Feb, 2018.....
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MINUTES OF THE 13TH SITTING OF THE DEPARTMENTAL COMMITTEE ON DEFENCE & FOREIGN RELATIONS HELD ON WEDNESDAY, 21ST FEBRUARY, 2018 IN COUNTY HALL, PARLIAMENT BUILDINGS AT 8.00 AM

PRESENT

1. The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
2. The Hon. Richard Tongi, MP (Vice Chairperson)
3. The Hon. Yusuf Hassan Abdi, MP
4. The Hon. Patrick Makau King'ola, MP
5. The Hon. Peter Mungai Mwathi, MP
6. The Hon. Charles Kilonzo, MP
7. The Hon. Martha Wangari Wanjira, MP
8. The Hon. Dido Ali Raso, MP
9. The Hon. Beatrice Nkatha Nyaga, HSC, MP
10. The Hon. John Lodepe Nakara, MP
11. The Hon. Memusi Ole Kanchory, MP
12. The Hon. Moses Nguchine Karima, MP
13. The Hon. Vincent Kipkurui Tuwei, MP
14. The Hon. Lilian Gogo, MP
15. The Hon. Silvanus Osoro, MP
16. The Hon. Ernest Ogesi Kivai, MP
17. The Hon. Caleb Amisi, MP
18. The Hon. Nelson Koech, MP
19. The Major (Rtd.) Hon. Bashir Sheikh Abdullah, MP

NOMINEES

1. Amb. Macharia Kamau - Principal Secretary- Ministry of Foreign Affairs
2. Prof. Judy Wakhungu -France
3. Dr. Cleopa Mailu- -Permanent Mission UN Geneva

NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Nicholas Emejen - Deputy Director, Committee Services
2. Mr. Abdiaziz Shobay - Third Clerk Assistant
3. Ms.Naserian Lotuai - Third Clerk Assistant
4. Ms.Brigita Mati - Legal Counsel
5. Ms.Wahu Karanja - Research Officer
6. Mr. Andrew Shangarai - Senior Sergeant At-Arm
7. Mr. Rodgers Kilungya - Audio Officer

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions

- (iii) Communication from the Chair
 - (iv) Adoption of the Agenda
 - (v) Confirmation of Minutes from the previous sittings
 - (vi) Matters Arising
2. **Vetting of the following persons nominated as Principal Secretary and Ambassadors/High Commissioners.**
 - a) Amb. Macharia Kamau, Ministry of Foreign Affairs at 9:00am
 - b) Prof. Judy Wakhungu, Nominee to France, at 10:30am
 - c) Dr. Cleopa Mailu, Permanent Mission UN Geneva, at 2:00pm
 3. Any Other Business
 4. Adjournment/ Date for the Next Sitting

MIN.NO.DC.DFR/065/2018: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 8:50am. Prayer was read by Hon Charles Kilonzo MP.

The Meeting had been convened following the nominations of Principal Secretaries and ambassadorial nominees by H.E The President on 29th January, 2018 and subsequently forwarded to the Departmental Committee on Defence & Foreign Relations which is mandated to vet and consider the suitability of the nominees for appointment and submit its report to the House for approval.

In conducting the vetting process, the Committee will be expected to examine the nominees against criteria that included the following as set out in the Public Appointment (Parliamentary Approval) Act, 2011

- (i) Academic Qualifications
- (ii) Employment Records
- (iii) Professional Affiliations
- (iv) Potential Conflict of interest
- (v) Knowledge of relevant subjects
- (vi) Expectations and Key Priorities
- (vii) Overall suitability of the position
- (viii) Integrity
- (ix) Vision and Leadership

The meeting was informed that the vetting exercise is guided by section 6 of the Parliamentary approval Act. The chairperson told the meeting that until Tuesday 20th February 2018, the Committee had not received any memoranda.

He informed members that there are guiding questions that has been presented by the Secretariat to the Committee, but it should not limit members in asking any other relevant questions.

It was agreed that the day's sessions should be two, and members were urged to consider time while engaging the nominees.

MIN.NO.DC.DFR/066/2018: VETTING OF AMBASSADOR MACHARIA KAMAU - PRINCIPAL SECRETARY NOMINEE FOR THE STATE DEPARTMENT FOR FOREIGN AFFAIRS.

Ambassador Macharia Kamau appeared before the Committee on Wednesday, 21st February, 2018 at 9.00am and was interviewed pursuant to the provisions of the Constitution, Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Personal Background

1. He is a Kenyan Citizen and was born in 1958 in Kiambu County.

Professional Qualifications

2. He began his education at St. Augustine Preparatory School in Mombasa and proceeded to Lenana School for his 'O' Levels. He attended Highway Secondary School for his 'A' level.
3. He holds a Bachelor of Arts degree in History and Economics from College of Wooster, Ohio and a Master of Education degree on Social Policy and Planning from Harvard University, Massachusetts.

Employment records and Work Experience

He informed the Committee that his work experience expounded his understanding in international relations —

4. He had worked in the domain of international relations, international development and international peace and security and at the Ministry of Foreign affairs for over thirty five (35) years.
5. He began his career by starting a business in Nairobi called Rank Xerox Kenya Limited, where his position was that of a marketing representative. He later joined UNICEF and worked for twenty-four (24) years, during which, he managed nine (9) missions among them; Kenya, Zambia, South Sudan, Namibia and Botswana. He later transitioned to UNICEF headquarters in 1990s, working for the executive office where he dealt with intergovernmental and inter-agency affairs of the organization.
6. He later worked in the Caribbean and ran the UNICEF offices of sixteen (16) countries and had incredible experience working with the governments. This experience also grounded him in understanding how governments work. He moved to Botswana for four years and also worked with government departments. Subsequently he was deployed to Rwanda as the UN coordinator.

7. In 2008, he was appointed UN Ambassador and worked for seven (7) years. In 2010, he became the Kenyan representative to the UN a position he held for seven years until his nomination by H.E. the President.

Potential Conflict of Interest

8. There is no conflict of interest.

Net worth

9. He informed the Committee that his net worth is approximately KES 76, 630,000.

Political Activities and Affiliations

10. He informed the Committee that he has not held any position in a political party and is not affiliated to any political party.

Integrity

11. The nominee informed the Committee that he has never been dismissed or otherwise removed from office under Article 75 of the Constitution. The nominee has not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
12. He had neither been charged in a court of law in the last three years nor adversely mentioned in any investigatory report of Parliament or any other commission of inquiry.
13. The nominee is tax compliant.

Leadership and Suitability for the nominee for the position of Principal Secretary Foreign Affairs

The nominee informed the Committee that the following international work experiences have prepared him for the position of a Principal Secretary for Foreign Affairs-

14. He informed the Committee that his experience was wide and deep on matters international relations, leadership and management.
15. He was also appointed to a new role as a co- chair of science and technology and innovation. This role was important because science and technology changes countries. He was also the chair of peace building commission and worked for 3 years providing global leadership and peace architecture of the world. During his tenure he was the President of the UNICEF Board (the 6th and 7th) session on people with disability for 2 years.

16. He was also President of the UN the South- South Co-operation and was appointed by the UN Secretary General as a Special envoy on Climate change and El- Nino.

On how he will Deal with issues of Corruption at the State Department of Foreign Affairs; he stated that-

17. corruption is a plague in the world. The biggest challenge is putting in place governance systems, systems of discipline, ensuring that no one could get away with any kind of impunity. He will endeavor to ensure that there is a system that rewards what is right and punishes what is wrong. As the accounting officer, he hopes to input a system whereby everybody sees that the system is fair.

18. He is cognizant of the fact that every government has its own tempo and way of doing things. He however, intends to calibrate his experience and knowledge to the challenges by creating an entity that is efficient and responsive to the interests of Kenya as a country of great diversity.

As regards to Policy on international decisions, the nominee noted that;

19. Kenya's position on the International arena is clear on major international issues. He further noted that Kenya has since independence supported liberation agenda in the world. Kenya has been forthright in her position in terms of liberation for example on the Palestine issue.

20. He informed the Committee that during the UN vote on Jerusalem the embassy had closed for Christmas holidays. The vote was called late (48hrs before the vote took place) the vote was also country specific and spearheaded by the US on the matter of moving its embassy to Jerusalem. He further noted that if Kenya was present, during the vote she would have abstained.

On Ethnic-Diversity of Kenya, he noted that;

21. There cannot be perfect balance in getting representations from all tribes in Kenya to work in missions abroad. If appointed as the Principal Secretary he will strive to ensure that there is progressive representation of the face of Kenya at the ministry including missions abroad.

As regards to Post Cotonou Agreement, he informed the Committee that;

22. The Ministry has a fully-fledged department of International trade that is taking stock of all trade agreements that Kenya is party to. There is need to integrate every single country engagement with

all the treaties where Kenya is a signatory to. This is practiced in other countries successfully and their people are benefiting for such agreements.

23. Kenya is making significant progress in trade, and its revisiting all trade agreements with other countries so as to align them with the demands of the 21st century and reposition the country to maximize returns from such trade agreements.

Employment Overseas

24. The Ministry has up - scaled consular services in all its Embassies and High Commissions so as to support Kenyans in foreign countries. There is need for Kenya to focus on technical skills so as to export professional skilled labour to other countries as opposed to unskilled labour. Where there are Kenyans being discriminated against, the Ministry of Foreign Affairs has up-scaled their consular offices and further makes sure all persons travelling to those countries are briefed.

Retirement and Retention in Service

25. the nominee informed the Committee that on when considering the matter of retention in service beyond retirement, one should take into account the value of experience. Experience is required in some top notch jobs that require a depth of knowledge and expertise and not just the academic qualifications. There is however need to continually grow and build capacity of young people through mentorship to take up heavy international responsibilities.
26. He further informed the Committee that extension of service for officers who have attained the mandatory retirement age should only be based on merit, exceptional skills and expertise. Mentoring young people is key to retaining skills and expertise.

Adoption

27. Kenya is among countries in Africa with very stringent adoption frameworks, which are not designed to protect Kenyan Children. This has made it unfavorable for foreigners to adopt Kenyan children. He supports the stringent adoption policy.

Advisory on friendly countries

28. The nominee informed the Committee that Kenya has for the first time issued an advisory on South Sudan. It is the first advisory given to our neighbors. The Ministry was working to resolve the issues between neighbors and this should grow from strength to strength. He further noted that

Kenya has invested a lot in peace and security in the region including helping to rebuild South Sudan.

International Employment

29. If appointed the principal Secretary (PS) he will restart the International jobs office at the Ministry of Foreign Affairs and push for lobbying for International jobs for Kenyans. He will also tap into the wide knowledge and expertise of Kenyans abroad to support missions while ensuring that key positions are reserved for the home-based staff who are critical in the running of mission affairs.

Committee observations on suitability of Amb. Macharia Kamau to serve as Principal Secretary, State Department for Foreign Affairs.

30. The Committee having considered the nominee's filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Principal Secretary State Department for Foreign Affairs, THAT–

- a) in accordance with Article 78(1) and (2) he is a Kenyan Citizen and does not hold dual citizenship and is therefore fit to hold office as a Principal Secretary.
- b) he satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA on tax compliance, HELB and the EACC.
- c) The nominee has not been charged or found guilty in any Court of Law in the last three years.
- d) as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest.
- e) The nominee satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment upon appointment to office.
- f) he does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution.
- g) he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76(financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

- h) The nominee has exhibited extensive knowledge on topical global issues in the Foreign Affairs docket.
- i) The nominee has shown that he is an accomplished expert, in International affairs with extensive experience in contemporary global issues.

MIN.NO.DC.DFR/067/2018: PROF. JUDY WAKHUNGU, EGH – AMBASSADOR NOMINEE TO FRANCE

Professor Judy Wakhungu appeared before the Committee on Wednesday, 21st February, 2018 at 10.52am and was interviewed pursuant to the provisions of the Constitution, Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Citizenship, Date and Place of Birth

1. The nominee is a Kenyan Citizen, born in 1962 in Bungoma County.

Academic and Professional Qualifications

2. She holds a Bachelor of Science degree in Geology from St. Lawrence University, New York (1983) and a Master of Science degree in Petroleum Geology from Acadia University, Nova Scotia(1986).She further obtained a Doctor of Philosophy (PhD) in Energy Resources Management from Pennsylvania State University (1993).

Employment records and Work Experience

3. Her work experience spans over thirty (30) years. She started her career as a geologist in 1983 at the then Ministry of Energy and Regional Development. She progressed to work at Women in Science & Engineering (WISE) Institute, Penn State in various capacities namely; Assistant Professor, Associate Director and finally Director of the Institute.
4. In 2002, she became the Executive Director/Professor in African Centre for Technology Studies, a post she served for eleven (11) years.
5. She served as a Cabinet Secretary for the Ministry of Environment & Natural Resources until 2018.

Potential Conflict of Interest

6. The nominee indicated that she does not anticipate any conflict of interest and if any issue arises she will inform the relevant authorities.

Net worth

7. She informed the Committee that her net worth is approximately KES 170,000,000.00comprising expected future benefits from service gratuity and investments in real estate.

Political Activities and Affiliations

8. She informed the Committee that she has not held any position in a political party and is not affiliated to any political party.

Integrity

9. She has never been dismissed or otherwise removed from office under Article 75 of the Constitution. The nominee has not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
10. She had neither been charged in a court of law in the last three years nor adversely mentioned in any investigatory report of Parliament or any other commission of inquiry.
11. The nominee has paid taxes due as provided by law.

Suitability

12. She stated that she has had a long distinction of service in terms of bilateral and the multilateral world. Her job as World Bank adviser on energy and the fact that she studied her PhD in France makes her extremely prepared to serve in any field. She pointed out that she has also published widely in various fields. Further, her communication in French is elementary therefore she shall manage in her new posting effectively.
13. She stated that she would work towards positioning Kenya for increased business with francophone countries. Kenya's embassy in France is strategic considering that most Francophone countries have embassies in Paris and thus easy to engage them on trade and other diplomatic matters of interest to Kenya.
14. She will leverage on the existing diplomatic relations and agreements between Kenya and France to ensure that Kenyans access the international job market and improved trade.

Achievements

15. The Constitution mandated the Ministry of Environment to deliver on Articles 42, 69, 70, 71 and 72 of the Constitution. She stated that she has excelled under those mandates by delivering legislation pertaining to wildlife, creation of conservancies; and the enactment of the Climate Change Act. Further during her tenure, she instituted changes in the meteorological department which saw over hundred and ten weather stations in Kenya being automated including automation of met observatory systems at JKIA and Kisumu and Eldoret. This was a precondition for Kenya to access rights to direct flights to the USA.
16. She informed the Committee that in terms of legislation and policy she is the best serving Cabinet Secretary for Environment in Kenya.

Work experience at the Ministry

17. The Constitution mandates that the state shall maintain at least 10 percent forest cover. She prides herself to have increased the percentage from 6.9% to 7.4%. Under her tenure as CS there has been an expansion of indigenous trees and forests. She also initiated a programme for Forestry, in arid and semi- arid areas such as Kitui which now boasts over 7 % forest cover. There is however need to expand the programme to other arid areas.
18. On matters concerning human wildlife conflict, she stated that compensation cases in Kenya total KES 2.9 billion and Treasury provided only KES 235 million shillings hence many people have not been compensated. Compensation might not be feasible in the near future because the government will not be able to afford compensating people affected by human wildlife conflict. Parliament should explore amending the law to bring in the aspect of insurance as opposed to compensation by the exchequer which has limited resources in the midst of competing interests.

Manpower Development

19. She stated that there are several Memoranda of Understanding (MOU) between France and Kenya on areas of capacity building and training. This opportunity can be used to train farmers, scientists. if appointed the ambassador to France she will leverage on the position to actualize these agreements for maximum benefits to Kenya.

Trade imbalances

20. She stated that there was need to mitigate trade imbalance which is in favour of France. Kenya's exports to France amount to 0.1 billion euros. She will use her position to market Kenyan goods as well as market and position Kenya as the best tourist destination with the aim of increasing tourist numbers from France.

Plastic ban policy

21. She informed the Committee that the ban on plastic bag has been attempted for almost fifteen years. She consequently put her best efforts in the realization of the plastic ban. The ban on plastic bags was effected after wide, deep and lengthy consultations and negotiations with all stakeholders.

Committee observations on suitability of Prof. Judy Wakhungu to serve as Kenya Ambassador to France

22. The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, her curriculum vitae and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as Kenya Ambassador to France, THAT –
 - a) in accordance with Article 78(1) (2) of the Constitution she is a Kenyan citizen and does not hold dual citizenship;
 - b) her academic credentials, professional training and experience are impressive and in accordance with Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;

- c) the nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA, HELB and the EACC;
- d) she has never been charged in a Court of Law for the last three years;
- e) as stipulated in Article 75(1) of the Constitution, she has no potential conflict of interest;
- f) she satisfies the requirements of Article 77(1) of the Constitution in that she does not intend to participate in any other gainful employment;
- g) the nominee does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- h) she has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76(financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

MIN.NO.DC.DFR/068/2018: DR. CLEOPA MAILU, EGH – AMBASSADOR NOMINEE TO PERMANENT MISSION, UN GENEVA

Dr. Cleopa Mailu appeared before the Committee on Wednesday, 21st February, 2018 at 12.30pm and was interviewed pursuant to the provisions of the Constitution, Public Appointments (Parliamentary Approvals) Act and the Standing Orders of the National Assembly. The nominee responded to several questions during the vetting as follows-

Citizenship, Date and Place of Birth

1. The nominee is a Kenyan Citizen, born in 1956 in Makueni County.

Academic and Professional Qualifications

2. He holds a Bachelors of Surgery degree from the University of Nairobi (1984) and a Master’s degree in Medical Sciences (genetics) from the University of Glasgow (1989). He attained a Diploma from Strathmore Business School on Advanced management programme in 2007.

Employment records and Work Experience

3. His work experience spans over thirty (30) years. He started his medical career as a medical intern at the Kenyatta National Hospital, rose through the ranks to become a Quality Assurance Manager and Consultant Clinical Geneticist in the same Hospital.
4. His career in the Ministry of Health began in 1995 as a manager for the National Expanded Programme on Immunization (EPI) under the Kenya Expanded Programme on Immunization (KEPI) in the Ministry. He rose through the ranks administering the same programme in various capacities.
5. In 2000, he joined the Non-Governmental Organization (NGO) sector as reproductive health adviser, project officer in Delhi and a part-time consultant UNICEF/NY-HQ and WHO in GENEVA. He later joined Nairobi Hospital as the Chief Executive Officer.
6. He served as the Cabinet Secretary responsible for Health, a position he has held since 2015.

Honors and Awards

7. He was awarded the following honors and awards-
- (a) the Elder of the Order of the Golden Heart (EGH) 1st Class by H.E. the President;
 - (b) Member of International WHO is WHO Historical Society; International WHO is WHO of Professionals;
 - (c) “Distinguished Service Award 2008” by the Kenya Medical Association;
 - (d) the Elder of the Order of the Burning Spear (EBS), by H.E. the President; and
 - (e) the Moran of the Order of the Burning Spear (MBS) by H.E. the President

Potential Conflict of Interest

8. The nominee informed the Committee that he will not engage in activities that will result in a conflict of interest between personal interests and public official duties or compromise any public interest in favour of personal interest.

Net worth

9. He informed the Committee that his net worth is approximately KES617,000,000.00.

Political Activities and Affiliations

10. He informed the Committee that he has not held any office in a political party and is not affiliated to any political party.

Integrity

11. The nominee informed the Committee that he has never been dismissed or otherwise removed from office under Article 75 of the Constitution. The nominee has not been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties.
12. He had neither been charged in a court of law in the last three years nor adversely mentioned in any investigatory report of Parliament or any other Commission of inquiry.
13. The nominee has paid taxes due as provided by law.

Suitability to hold office

14. He informed the Committee that his experience in public, private and the UN system makes him confident on delivering the requisite service for the country. His engagement with UNICEF and other multilateral organizations gave him a diplomatic experience that will be handy in his posting to the UN mission in Geneva.
15. His nomination as an ambassador is a positive move and an opportunity to serve the public. As a public servant, he is ready to serve with humility and diligently wherever he is posted by the appointing authority.

Performance Goals

16. He stated that he intends to advance the Governments “Big Four Agenda” and Sustainable Development Goals (SDGs) for the Country as the Permanent Representative to the UN Mission

in Geneva. His posting to Geneva would be fundamental in supporting the line ministries in achieving their mandate.

17. In advancing the agenda on Universal Health Coverage for all, it is important to engage with WHO which is an institution based in Geneva in order to tackle the burden of diseases, immunization of children. In the Manufacturing sector, it is important to engage with World Trade Organization and embark on negotiations with countries that support manufacturing. On food security it is critical to work towards the attainment of SDG goal on elimination of hunger. Therefore, the big four are interlinked with the SDGs.
18. He stated that he would like to address universal health care in the following three phases-
 - (a) Ensure that Kenyans do not pay out of pocket expenses for health services through a comprehensive insurance cover. The Government will have to cater for insurance for those who are poor;
 - (b) Create quality health care systems. This will help the country become health sufficient;
 - (c) Ensure that there is a minimum health package for all Kenyans. There are proposed changes of laws in insurance Act, the NHIF Act and other

Tackling corruption

19. He informed the Committee that there is a misconception that there was corruption in the Ministry of Health under his tenure yet no funds were embezzled or stolen as revealed by an audit that was undertaken and which confirmed that there was mis-allocation of funds to another programme.
20. He pointed out that the reduction in donor funding at the Ministry of Health was as a result of issues raised in 2013. Under his tenure, the audits are sound and the donor programmes during his tenure as CS are still on going.

Negotiations over labour unrest in the health sector

21. He informed the Committee that the strikes in the health sector were bound to happen. The Constitution provides for the right to picket and does not ring-fence essential services against disruption by labour unrest. Health workers have refused to accept that they are employed by the County Governments since health services are devolved.
22. Committee observations on suitability of Dr. Cleopa Mailu to serve as Permanent Representative to UN Mission, Geneva

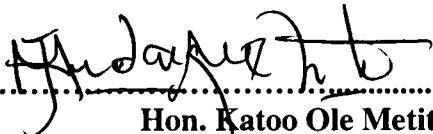
The Committee having considered the nominees filled questionnaire pursuant to section 6(8) of the Public Appointments (Parliamentary Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Permanent Representative to UN Mission, Geneva, THAT –

- a) in accordance with Article 78(1) (2) of the Constitution he is a Kenyan citizen and does not hold dual citizenship;
- b) his academic credentials, and professional training and experience are impressive and in accordance with Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;

- c) the nominee satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI, KRA, HELB and the EACC;
- d) he has never been charged in a Court of Law for the last three years;
- e) as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
- f) the nominee satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
- g) the nominee does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- h) he has never been dismissed from office under Article 75 of the Constitution for contravention of the provisions of Articles 75(1) (conflict of interest), 76(financial probity), 77(restriction of State Officers) and 78(2) (dual citizenship) of the Constitution.

MIN.NO.DC.DFR/069/2018: ADJOURNMENT & DATE OF THE NEXT SITTING

There being no other business the Chairperson adjourned the meeting at 12.33pm and resolved to reconvene on Wednesday, 21st February, 2018 at 2.30pm

Signed.....
Hon. Katoo Ole Metito, EGH, MGH, M.P
(CHAIRPERSON)

Date.....27th Feb, 2018.....

**MINUTES OF THE 12TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
DEFENCE & FOREIGN RELATIONS HELD ON TUESDAY, 20TH FEBRUARY, 2018 IN
COUNTY HALL, PARLIAMENT BUILDINGS AT 9.00 AM**

PRESENT

1. The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
2. The Hon. Richard Tong'i, MP (Vice Chairperson)
3. The Hon. Yusuf Hassan Abdi, MP
4. The Hon. Peter Mungai Mwathi, MP
5. The Hon. Charles Kilonzo, MP
6. The Hon. Martha Wangari Wanjira, MP
7. The Hon. Beatrice Nkatha Nyagah, HSC, MP
8. The Hon. Lilian Gogo, MP
9. The Hon. Silvanus Osoro, MP
10. The Hon. Vincent Kipkurui Tuwei, MP
11. The Hon. Moses Nguchine Karima, MP
12. The Hon. Caleb Amisi, MP
13. The Major (Rtd.) Hon. Bashir Sheikh Abdullah, MP

APOLOGY

1. The Hon. Patrick Makau King'ola, MP
2. The Hon. Dido Ali Raso, MP
3. The Hon. Memusi Ole Kanchory, MP
4. The Hon. John Lodepe Nakara, MP
5. The Hon. Ernest Ogesi Kivai, MP
6. The Hon. Nelson Koech, MP

National Assembly Secretariat

1. Mr. Nicholas Emejen - Deputy Director, Committee Services
2. Mr. Abdiaziz Shobay - Third Clerk Assistant
3. Ms. Naserian Lotuai - Third Clerk Assistant
4. Ms. Wahu Karanja - Research Officer
5. Mr. Rodgers Kilungya - Audio Officer

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions
 - (iii) Communication from the Chair
 - (iv) Adoption of the Agenda
 - (v) Confirmation of Minutes from the previous sittings
 - (vi) Matters Arising
2. **Pre-vetting Meeting of the nominees for Principal Secretary and Ambassadorial Positions**

3. Any Other Business
4. Adjournment/ Date for the Next Sitting

MIN.NO.DC.DFR/062/2018: PRELIMINARIES

The Chairperson called the meeting to order at 10:00am. Prayer was read by Hon Richard Tongi, MP.

The Committee was informed of the receipt of the nominations from H.E the President and subsequently forwarded to the Departmental Committee on Defence & Foreign Relations which is mandated to vet and consider the suitability or otherwise of the nominees for appointment and submit its report to the House for approval.

He informed the meeting that the vetting process will be open and transparent as possible to ensure the integrity of the process. Further, the rules and procedures provided for in the Standing Orders of the House will apply to the proceedings of the Committee.

MIN.NO.DC.DFR/063/2018: PRE-VETTING GUIDELINES

The Committee was informed that:-

1. The public and the nominees had already been notified of the time and the venue of the vetting through the press advertisement on Wednesday 14 February, 2018;
2. The committee was also informed that there will be guiding questions for members but it will not limit members from asking other questions.
3. EACC had cleared all the nominees apart from Mr. Hassan Wario Arero whom the commission received allegations against him that he and other officials in the Ministry of Sports were involved in embezzling of Ksh.88 million meant for Kenyan Athletes. The Committee agreed that the matter be discussed further during report writing retreat;
4. Section 6(9) of the Public Appointments (Parliamentary Approvals) Act, which provides that *any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold office to which the candidate has been nominated.* In this regard, the meeting was informed that the Clerk of the National Assembly placed an advertisement in the print media on Wednesday 14th February, 2018 inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominees in conformity with section 6(9) of the Public Appointments (Parliamentary Approval) Act.
5. By close of business on Tuesday 20th February, 2018 at 5.00 p.m., the Committee had not received any written statements on oath in respect of ALL the eight (8) Ambassadorial and High Commissioner nominees.

Consequently the Committee resolved that:-


1. The vetting exercise be undertaken on Wednesday 21st February, 2018 and that all sessions to start at 8:00am;
2. The questions to be developed by the Secretariat should focus on each nominees competence, leadership, strength and weaknesses in their respective portfolios
3. In developing questions, the Secretariat should be guided by the criteria set out in the questionnaire attached to the public appointment (Parliamentary approval Act) Act 2011;
4. Members were taken through the documents that were required for vetting and it was agreed that all documents should be filled in one folder;
5. The approval hearing to take one hour for each nominee
6. Members should be sensitive and avoid asking candidates questions are personal in nature; and
7. Members were requested to observe punctuality for the meetings

MIN.NO.DC.DFR/064/2018: ADJOURNMENT

There being no other business the meeting was adjourned to Wednesday 21st February 2018 at 8.00am.

Signed.....

**Hon. Katoo Ole Metito, EGH, MGH, M.P
(CHAIRPERSON)**

Date.....



THE REPUBLIC OF KENYA

LAWS OF KENYA

PUBLIC APPOINTMENTS(PARLIAMENTARY APPROVAL) ACT

NO. 33 OF 2011

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NO. 33 OF 2011

PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Exercise of powers of appointment.
4. Notification of vetting requirements.
5. Notification of nomination.
6. Approval hearing.
7. Issues for consideration.
8. Period for consideration and report.
9. Failure of Parliament to act on nomination.
10. Rejection of nomination.
11. Notification of decision.
12. Powers of the committee.
13. Extension of time.

SCHEDULE

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

NO. 33 OF 2011

PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT

[Date of assent: 11th November, 2011.]

[Date of commencement: 14th November, 2011.]

An Act of the Parliament to provide for procedures for parliamentary approval of constitutional and statutory appointments and for connected purposes

[Act No. 33 of 2011, Act No. 18 of 2014, Sch.]

1. Short title

This Act may be cited as the Public Appointments (Parliamentary Approval) Act.

2. Interpretation

In this Act, unless the context otherwise requires—

“**appointing authority**” means any person who, under the Constitution or any other law, is required to make an appointment for which the approval of Parliament is required;

“**appointment**” includes any re-appointment to the same body, whether or not in the same capacity;

“**candidate**” means a person who has been proposed or nominated for appointment to a public office;

“**Clerk**” means the Clerk of the relevant House of Parliament; and

“**Committee**” means the relevant committee of Parliament or such other Committee as the Speaker may, for good reasons, direct.

3. Exercise of powers of appointment

An appointment under the Constitution or any other law for which the approval of Parliament is required shall not be made unless the appointment is approved or deemed to have been approved by Parliament in accordance with this Act.

4. Notification of vetting requirements

Any advertisement inviting applications for nomination for appointment to an office to which this Act applies shall indicate that candidates so nominated shall be required to appear before a committee of Parliament for vetting.

5. Notification of nomination

(1) An appointing authority shall, upon nominating a person for an appointment to which this Act applies, notify the relevant House of Parliament accordingly.

(2) A notification under subsection (1) shall be—

- (a) in writing;
- (b) be lodged with the Clerk of the relevant House of Parliament.

(3) A notification of appointment shall be accompanied by information concerning the nominee, having regard to the issues mentioned in section 7.

(4) For purposes of this Act, a notification of nomination shall be deemed to be duly given on the day on which it complies fully with subsections (2) and (3).

6. Approval hearing

(1) Upon receipt of a notification of appointment, the Clerk shall invite the Committee to hold an approval hearing.

(2) The Committee shall determine the time and place for the holding of the approval hearing and shall inform the Clerk.

(3) The Clerk shall notify a candidate of the time and place for the holding of an approval hearing.

(4) The Committee shall notify the public of the time and place for holding an approval hearing at least seven days prior to the hearing.

(5) Subject to this Act, all Committee proceedings on public appointments shall be open and transparent.

(6) Despite subsection (5), a Committee may, on its own motion or on the application of a candidate or any other concerned person, determine that the whole or part of its sittings shall be held in camera.

(7) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.

(8) The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.

(9) Any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.

(10) A candidate may, at any time, by notice in writing addressed to the Clerk, withdraw from the approval process and the candidate's nomination shall thereupon lapse.

7. Issues for consideration

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

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

8. Period for consideration and report

(1) Unless otherwise provided in any law, a Committee shall consider a nomination and table its report in the relevant House for debate and decision within fourteen days from the date on which the notification of nomination was given in accordance with section 5.

(2) At the conclusion of an approval hearing, the Committee shall prepare its report on the suitability of the candidate to be appointed to the office to which the candidate has been nominated, and shall include in the report, such recommendations as the Committee may consider necessary.

9. Failure of Parliament to act on nomination

If, after expiry of the period for consideration specified in section 8, Parliament has neither approved nor rejected a nomination of a candidate, the candidate shall be deemed to have been approved.

10. Rejection of nomination

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

11. Notification of decision

The Clerk shall notify the appointing authority of the decision of the relevant House of Parliament within seven days of the decision.

12. Powers of the committee

(1) The committee shall have power to summon any person to appear before it for the purpose of giving evidence or providing information during approval hearing.

(2) For purposes of subsection (1), the committee shall have the same powers as the High Court to—

- (a) enforce the attendance of witnesses and examine them on oath, affirmation or otherwise;
- (b) compel the production of documents; and
- (c) issue a commission or request to examine witnesses abroad.

(3) Any person who—

- (a) disobeys any order made by a committee for attendance or for production of papers, books, documents or records; or
- (b) refuses to be examined before, or to answer any lawful and relevant question put by, a committee,

commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding one year, or to both.

13. Extension of time.

(1) Despite the provision of this Act or any other written law, where a time is prescribed for doing an act or taking a proceeding by the National Assembly relating to a public appointment, the National Assembly may, by resolution, extend that time by a period not exceeding fourteen days.

(2) Where an extension of time is granted under subsection (1), the doing of all other acts consequential thereto shall be deemed to have been extended accordingly.

(3) The power of the National Assembly contemplated under subsection (1), may be exercised —

- (a) only once in a session of the National Assembly in respect of a particular matter; and
- (b) only in exceptional circumstances to be certified by the Speaker.

[Act No. 18 of 2014, Sch.]

Public Appointments(Parliamentary Approval)

SCHEDULE

[Section 6(8).]

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

Notes:

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

1. **Name:** (State full name).
 2. **Position:** (State office to which you have been nominated).
 3. **Sex:**
 4. **Date of Birth:** (State year and place of birth).
 5. **Marital Status:**
 6. **Daytime phone number:**
 7. **Mobile phone number:**
 8. **Email Address:**
 9. **ID Number:**
 10. **PIN Number:**
 11. **Nationality:**
 12. **Postal Address:**
 13. **Town/City:**
 14. **Knowledge of Languages:** (Specify Languages).
 15. **Education:** (List in reverse chronological order, each university, college, or any other institution of higher education attended and indicate, in respect of each, the dates of attendance, academic award obtained, whether a degree was awarded, and the dates on which each such degree was awarded).
- Employment Record:** (List in reverse chronological order all government agencies, business or professional corporations, companies, firms or other enterprises with which you have been affiliated as an officer, director, partner, proprietor, employee or consultant).

Public Appointments (Parliamentary Approval)

SCHEDULE—continued

16. **Honours and Awards:** (List any scholarships, fellowships, honorary degrees, academic or professional honours, honorary society memberships, military awards and any other special recognition for outstanding service or achievement and in respect of each, state the date of award and the institution or organization that made the award)
17. **Professional Association** (where applicable). (List all professional associations of which you are or have a member and give any positions held and the respective dates when each such position was held).
18. **Memberships:** (List all professional, business, fraternal, scholarly, civic, charitable or other organizations, (other than those listed in response to Question 16) to which you belong or have belonged).
19. **Published Writings:**
- List the titles, publishers and dates of books, articles, reports letters to the editor, editorial pieces or other published materials you have authored or edited.
 - Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any law association, committee, conference or organization of which you were a member.
20. **Public Office, Political Activities and Affiliations:**
- List chronologically any public office you have held or are currently holding, including the terms of service and whether such positions were elected or appointed.
 - List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present.
 - Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?
 - Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?
21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc.)
22. **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).
23. **Sources of Income:** (List sources and amounts of all income received during the calendar year preceding your nomination and in the current calendar year).
24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment)

Public Appointments (Parliamentary Approval)

SCHEDULE—*continued*

25. **Statement of Net Worth:** (State your financial net worth).
 26. **Potential Conflicts of Interest:**
 - (a) Identify the family members or other persons, parties, categories of litigation or financial arrangements that are likely to present potential conflicts of interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to rise.
 - (b) Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.
 27. **Pro-Bono/Charity Work/Donations to charity:** (Describe what you have done by way of pro bono or charity work, listing specific instances, the amount contributed and the amount of time devoted to each).
 28. **Have you ever been charged in a court or law in the last three years? If so, specify the nature of the charge, where the matter is ongoing, the present status of the matter, or where the matter is concluded, the judgment of the court, or otherwise, how the case was concluded.**
 29. **Have you ever been adversely mentioned in an investigatory report of Parliament or any other Commission of inquiry in the last three years?**
 30. **Have you any objection to the making of enquiries with your present employer/referees in the course of consideration of your nomination?**
 31. **References:** (List three persons who are not your relatives who are familiar with your character, qualification and work).
-



TWELFTH PARLIAMENT (SECOND SESSION)
THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE FROM THE PRESIDENT
(No. 001 of 2018)

ON THE NOMINATION OF CABINET SECRETARIES, PRINCIPAL
SECRETARIES AND AMBASSADORS/HIGH COMMISSIONERS.

Honourable Members,

It is my pleasure to welcome you back from a long recess, hoping that you are rejuvenated and ready for a busy Second Session.

As you are aware, pursuant to Standing Order 42(2), I conveyed to you a Message from His Excellency the President on 30th January, 2018, regarding his nominations for appointment to the offices of Cabinet Secretaries and indeed, Principal Secretaries, Ambassadors and High Commissioners. The Messages were submitted by way of separate letters received in my office during the period of the long recess. You will also recall that, on 14th December, 2017, the House passed a resolution authorizing the Speaker to directly refer the names of proposed appointees to the office of Cabinet Secretary to the Committee on Appointments without having to recall the House for that purpose. Indeed, I am certain that the Leader of the Majority Party will be tabling the report of that Committee in the course of today's sitting.

Honourable Members,

In addition and pursuant to the provision of Articles 132 (2)(e) and 155(3)(a) of the Constitution, H.E. the President also submitted three further Messages nominating the following persons to the offices of Principal Secretaries and Ambassadors and High Commissioners-

a) Principal Secretaries

<u>S/No.</u>	<u>Name</u>	<u>State Department</u>
(1)	Ms. Safina Kwekwe	Gender
(2)	Mr. Nelson Marwa	Devolution
(3)	Amb. Macharia Kamau	Foreign Affairs
(4)	Dr. Julius Muia	Planning
(5)	Maj. Gen. (Rtd.) Gordon Kihalangwa	Immigration, Border Control and Registration of Persons
(6)	Mr. Hamadi Boga	Agricultural Research
(7)	Mr. Peter Tum	Health
(8)	Mr. Joseph Wairagu Irungu	Water and Sanitation
(9)	Mr. Charles Hinga Mwaura	Housing and Urban Development
(10)	Mr. Kevit Desai	Vocational and Technical Training (TVET)

b) Ambassadors/ High Commissioners

<u>S/No.</u>	<u>Name of Nominee</u>	<u>Country</u>
(1)	Prof. Judy Wakhungu	France
(2)	Dr. Cleopa Mailu	Permanent Mission, UN Geneva
(3)	Hon. Dan Kazungu	United Republic of Tanzania
(4)	Mrs. Phyllis Kandie	Kingdom of Belgium, the Grand Duchy of Luxemburg and the European Union
(5)	Mr. Willy Bett	India
(6)	Prof. Jacob Kaimenyi	Permanent Mission, UNESCO Paris
(7)	Mr. Hassani Wario Arerō	Austria
(8)	Mr. Lawrence Ntoye Lenayapa	Kingdom of Netherlands

Honourable Members,

In accordance with the provision of Standing Order 45 (1) which requires that upon receipt of notification of nomination for appointments, such nominations shall stand committed to the relevant Departmental Committees for consideration, the nominations for appointment to the positions of Principal Secretaries and Ambassadors/High Commissioners are hereby referred to the respective Departmental Committees as follows-

<u>S/No.</u>	<u>Departmental Committee</u>	<u>Nominee</u>
(1)	Finance and National Planning	(i) Mr. Nelson Marwa (ii) Dr. Julius Muia
(2)	Administration & National Security	Maj. Gen. (Rtd.) Gordon Kihalangwa
(3)	Defence & Foreign Relations	(i) Amb. Macharia Kamau (ii) Prof. Judy Wakhungu (iii) Dr. Cleopa Mailu (iv) Hon. Dan Kazungu (v) Mrs. Phyllis Kandie (vi) Mr. Willy Bett (vii) Prof. Jacob Kaimenyi (viii) Mr. Hassan Wario Atero (ix) Mr. Lawrence Ntoye Lenayapa, CBS
(4)	Labour and Social Welfare	Ms. Safina Kwekwe
(5)	Agriculture and Livestock	Mr. Hamadi Boga
(6)	Health	Mr. Peter Tum
(7)	Environment and Natural Resources	Mr. Joseph Wairagu Irungu
(8)	Transport, Public Works and Housing	Mr. Charles Hinga Mwaura

(9) Education and Research

Mr. Kevit Desai

I have also directed the office of the Clerk to publish and circulate the list of the nominees, showing clearly the respective Committees in which they will be vetted.

Hon. Members,

Section 8 of the Public Appointments (Parliamentary Approval) Act requires that a Committee shall consider a nomination and table a report for debate and decision in the House within fourteen (14) days from the date of notification. It is therefore imperative that each of the aforementioned Committees immediately seizes itself of the matter to enable speedy conclusion within the set timelines. The Committees are expected to have concluded their reports and submit them to the House on or before Tuesday February 27, 2018 to enable the House to consider and finalize on the nominees within the stipulated timelines.

I thank you!



THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

February 13, 2018



TWELFTH PARLIAMENT
THE NATIONAL ASSEMBLY

COMMUNICATION TO MEMBERS OF THE NATIONAL ASSEMBLY

RECEIPT OF MESSAGE ON APPOINTMENT OF PRINCIPAL
SECRETARIES AND HIGH COMMISSIONERS/AMBASSADORS

Pursuant to Standing Order 42(2) of the National Assembly Standing Orders, I hereby notify Members of the National Assembly of my receipt, on the 29th day of January 2018 of the attached message dated 29th January 20018 from His Excellency the President and Commander in Chief of the Kenya Defence Forces of the Republic of Kenya Hon. Uhuru Kenyatta with respect to appointment of the persons to the various offices of Cabinet Secretaries, Principal Secretaries and of High Commissioners /Ambassadors of the Republic of Kenya.

HON. JUSTIN B.N MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, 30th January 2018

REPUBLIC OF KENYA

APPENDIX 3

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694
E-mail: clerk@parliament.go.ke
When replying please quote



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

Ref: NA/DCS/DFR/2018

14th February, 2018

Amb. Macharia Kamau
866 UN PLAZA SUITE 304,
NEW YORK 10017
Tel. No. 212-421-4741
Email: Macharia.kamau@gmail.com / ambassador@kenyaun.org

Your Excellency,

**RE: INVITATION FOR VETTING BY THE DEPARTMENTAL COMMITTEE ON DEFENCE
AND FOREIGN RELATIONS**

Following your nomination by H.E. the President for appointment to the position of Principal Secretary, State Department of Foreign Affairs in the Ministry of Foreign Affairs & International Trade, the Departmental Committee on Defence & Foreign Relations of the National Assembly hereby invites you for vetting pursuant to section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, on Wednesday 21st February, 2018, in the Mini-Chamber, County Hall, Parliament Buildings at 9.00 am.

Kindly fill the attached questionnaire as required by the Public Appointments (Parliamentary Approval) Act, 2011 and return on or before Monday 19th February, 2018. You are required to bring with you originals of your National Identity Card, academic and professional certificates and any other documents and testimonials. In addition, you should bring letters/certificates of clearance from the following:-

- i. Ethics and Anti-Corruption Commission.
- ii. Kenya Revenue Authority Tax Compliance Certificate.
- iii. Higher Education Loans Board.
- iv. Directorate of Criminal Investigations.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Michael R. Sialai'.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

2

9A

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694
E-mail: clerk@parliament.go.ke
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National Assembly
Clerk's Chambers
Parliament Buildings
P. O. Box 41842 -00100
NAIROBI, Kenya

APPENDIX 4

14th February, 2018

KNA2/4/2018/(47)

Mrs. Lucy Ndung'u
Registrar of Political Parties,
Office of the Registrar of Political Parties,
P.O Box 1131 -00606,
Lions Place, 1st Floor,
Karuna Close, Waiyaki Way, Westlands,
NAIROBI

Mr. George Kinoti
Director of Criminal Investigations,
Directorate of Criminal Investigations,
P.O Box 30036 -00100,
Mazingira Hse, Kiambu Road,
Opp. Forestry Department Headquarters, Karura,
NAIROBI

Mr. Halake Dida Waqo
Secretary/Chief Executive Officer,
Ethics and Anti - Corruption Commission,
Integrity Centre,
Milimani/Valley Road Junction,
P.O Box 61130 -00200,
NAIROBI

Mr. Charles M. Ringera
Chief Executive,
Higher Education Loans Board,
Anniversary Towers, 18th Floor,
University Way,
P.O Box 69489 -00100,
NAIROBI

✓ Mr. John Njiraini, MBS
Commissioner General,
Kenya Revenue Authority,
Times Towers, 30th Floor,
Haile Selassie Avenue,
P.O Box 48240 -00100
NAIROBI

Dear Sir/Madam,

RE: VETTING OF PERSONS NOMINATED AS PERMANENT SECRETARIES,
AMBASSADORS/HIGH COMMISSIONERS AND JUDICIAL SERVICE COMMISSIONERS BY
THE NATIONAL ASSEMBLY

Our letter dated 8th February, 2018 on the above subject refers.

We are in receipt of notification of nominations of twenty one (21) persons for appointment as Permanent Secretaries, Ambassadors/High Commissioners and Judicial Service Commissioners by H.E. the President.

Attached please find the list of the nominees and the relevant details as requested for your action.

We will appreciate if the information is received on or before Tuesday 20th February, 2018.

Yours faithfully,



MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694
E-mail: clerk@parliament.go.ke
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APPENDIX 5

14th February, 2018

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CLERK OF THE NATIONAL ASSEMBLY**

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APPENDIX G

14th February, 2018

KNA2/4/2018/(47)

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CLERK OF THE NATIONAL ASSEMBLY

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APPENDIX 7
14th February, 2018

KNA2/4/2018/(47)

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CLERK OF THE NATIONAL ASSEMBLY

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NAIROBI, Kenya

APPENDIX V
14th February, 2018

KNA2/4/2018/(47)

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Yours faithfully,



MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY



KENYA REVENUE
AUTHORITY

ISO 9001:2008 CERTIFIED

APPENDIX 9

OUR REF: KRA/CDT/HO/54

YOUR REF: KNA2/4/2018/(47)

16th February, 2018

Mr. Michael R. Sialai, EBS
Clerk of the National Assembly
National Assembly, Clerk's Chambers
Parliament Buildings
P.O. Box 41842-00100,
NAIROBI

Dear Sir,

COMPLIANCE STATUS OF NOMINEES TO POSITIONS OF PRINCIPAL
SECRETARY, AMBASSADORS/HIGH COMMISSIONERS AND JUDICIAL
SERVICE COMMISSIONERS.

We refer to your letters dated 8th February 2018 and 14th February 2018 on the subject
matter herein.

The compliance status of the respective nominees is as follows:-

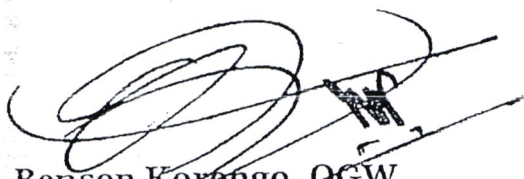
No.	Name	ID Number	PIN	Tax Status
A. Nominees to be appointed as Principal Secretaries				
1	Safina Kwekwe	11367097	A002582244P	Compliant
2	Mr. Nelson Marwa	3980474	A001749543G	Compliant
3	Amb. Macharia Kamau	28095481	A000157209G	Compliant
4	Dr. Julius Muia	4827415	A000230027T	Compliant
5	Maj. Gen. (Rtd.) Gordon Kihalangwa	0569046	A001330135X	Compliant
6	Mr. Hamadi Iddi Boga	8434346	A001383665V	Compliant
7	Mr. Charles Hinga Mwaura	13535122	A011325336K	Compliant
8	Mr. Peter Tum Kiplagat	3276913	A001268954D	Compliant
9	Mr. Kevit Desai	21361733	A001735177F	Compliant
10	Mr. Joseph Wairagu Irungu	7197113	A001261870J	Compliant

Tulipe Ushuru, Tujitegemeel

01/03/2010

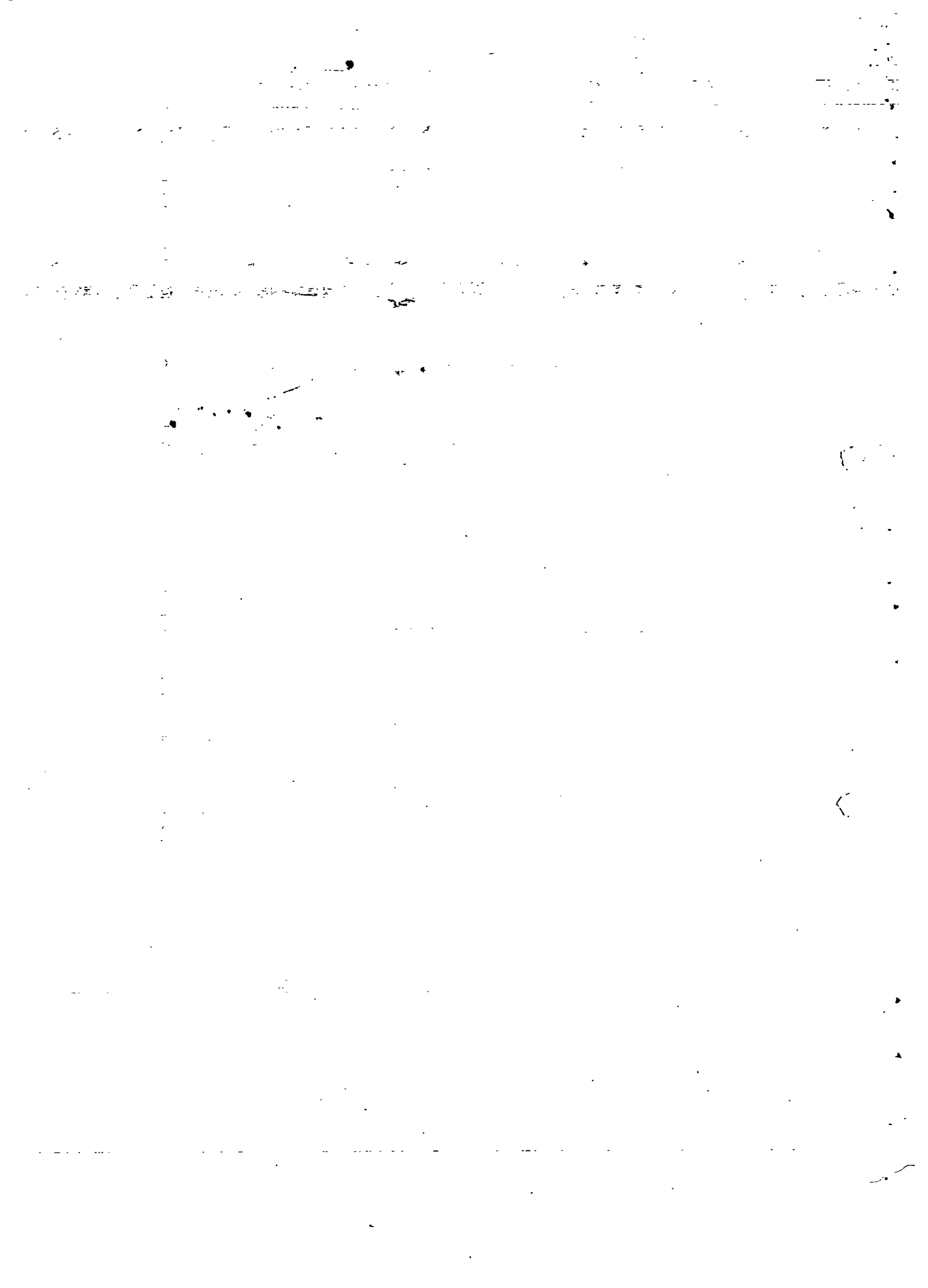
B. Nominees to be appointed as Ambassadors/High Commissioners				
1	Prof. Judy Wakhungu	3962007	A003623927U	Compliant
2	Dr. Cleopa Mailu	4829569	A000114568K	Compliant
3	Hon. Dan Kazungu	10831431	A002481727K	Compliant
4	Mrs. Phyllis Kandie	0334848	A002309241Z	Compliant
5	Mr. Willy Bett	3448933	A001596445C	Compliant
6	Prof. Jacob Kaimenyi	0995606	A000108709I	Compliant
7	Mr. Hassan Wario Arero	10956527	A005665918C	Compliant
8	Lawrence Ntoye Lenayapa	16121196	A001948313X	Compliant
C. Nominees to be appointed as Judicial Service Commissioners				
1	Mr. Patrick Gichohi	5541762	A000100244O	Compliant (has undertaken to clear outstanding issues)
2	Prof. Olive Mugenda	4835662	A001957347J	Compliant
3	Mr. Felix Koskei Kiptarus	6665340	A001383634M	Compliant

Yours faithfully,



Benson Korongo, OGW
Commissioner of Domestic Taxes

A . PRINCIPAL SECRETARIES			
	MINISTRY	NOMINEE	ID No.
1.	State Department – Gender	Ms Safina Kwekwe	11367097
2.	State Department - Devolution	Mr. Nelson Marwa Sospeter	3980474
3.	State Department – Foreign Affairs	Amb. Macharia Kamau	28095481
4.	State Department - Planning	Dr. Julius Muia	4827415
5.	State Department - Immigration, Border Control & Registration of Persons	Maj. Gen. (Rtd.) Gordon Kihalangwa	0569046
5.	State Department- Agricultural Research	Prof. Hamadi Iddi Boga	8434346
7.	State Department – Housing & Urban development	Mr. Charles Hinga Mwaura	13535122
3.	Health	Mr. Peter Tum Kiplagat	3276913
	State Department-Vocational & Technical Training (TVET)	Mr. Kevit Desai	21361733
10.	Water & Sanitation	Mr. Joseph Wairagu Irungu	7197113
3 AMBASSADORS/HIGH COMMISSIONERS			
No	COUNTRY	NOMINEE	
	France	Prof. Judy Wakhungu	3962007
2..	Permanent Mission, UN Geneva	Dr. Cleopa Mailu	4829569
3.	Tanzania	Hon. Dan Kazungu	10831431
4	Belgium, Luxemburg; European Union	Mrs. Phyllis Kandie	0334848
5.	India	Mr. Willy Bett	3448933
5.	Permanent Mission UNESCO, Paris	Prof. Jacob Kaimenyi	0995606
7.	Austria	Mr. Hassan Wario Arero	10956527
3.	Netherlands	Mr. Lawrence Ntoye Lenayapa	16121196
JUDICIAL SERVICE COMMISSIONERS			
	Mr. Patrick Gichohi	Member (PSC Nominee)	5541762
2.	Prof. Olive Mugenda	Member	4835662
1.	Mr. Felix Koskei Kiptarus	Member	6665340





APPENDIX 10

HIGHER EDUCATION LOANS BOARD

Tel: 0711052000, 2278000, 0722205292, 0733205292,
0704333035, 0704 333036, 0737205292
E-mail: ceo@helb.co.ke
Website: www.helb.co.ke

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

HELB/RR/112009/V/64

16th February, 2018

Michael R. Sialai, EBS
Clerk
The National Assembly
P.O Box 41842-00100
NAIROBI.

Dear *Michael,*

VETTING OF NOMINEES TO POSITIONS OF PRINCIPAL SECRETARY BY THE NATIONAL ASSEMBLY

We acknowledge with thanks the receipt of your letter dated 14th February 2018 regarding the vetting of the nominees to positions of principal secretary by the committee on appointments.

Please find a list confirming the loan status of the nominees with the Board.

S/NO	NAME	ID NO.	STATUS	YEAR OF CLEARANCE
1.	Safina Kwekwe	11367097	Cleared Certificate No. 08290	29 th August, 2017
2.	Mr. Nelson Marwa	3980474	Not a Beneficiary	N/A
3.	Amb. Macharia Kamau	28095481	Not a Beneficiary	N/A
4.	Dr. Julius Muia	4827415	Cleared Certificate No. 45395	2 nd September, 2016
5.	Maj. Gen. (Rtd.) Gordon Kihlangwa	0569046	Not a Beneficiary	N/A
6.	Prof. Hamadi Iddi Boga	8434346	Cleared Certificate No. 38552	9 th February, 2016
7.	Mr. Peter Tum	3276913	Not a Beneficiary	N/A
8.	Mr. Charles Hinga Mwaura	13535122	Cleared Certificate No. 07778	2 nd August, 2017
9	Mr. Kevit Desai	21361733	Not a Beneficiary	N/A
10	Mr. Joseph Wairagu Irungu	7197113	Cleared Certificate No. 19248	20 th September, 2007



ISO 9001: 2008 Certified. Working with you to finance Higher Education now and in the future

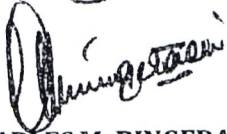
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We urge you to encourage applicants to seek their compliance certificate from the Board as part of testimonials and conformity to Chapter six of the constitution of Kenya.

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

Yours

Sincerely



CHARLES M. RINGERA

CHIEF EXECUTIVE OFFICER & BOARD SECRETARY

① D/Committee

20/2/18



130

HIGHER EDUCATION LOANS BOARD

Tel: 0711052000
E-mail: contactcentre@helb.co.ke
Website: www.helb.co.ke

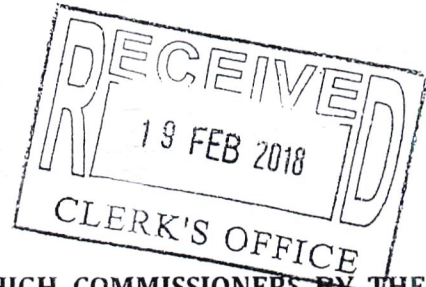
Anniversary Towers
University Way
P.O Box 69489-00400
Nairobi, Kenya

② KAZUNGA
pls deep
FA
20/2/18

HELB/RR/112009/V/64

14th February, 2018

**MICHAEL R. SIALAI, EBS
CLERK,
THE NATIONAL ASSEMBLY,
P.O BOX 41842-00100
NAIROBI.**



Dear *Michael*

VETTING OF PERSONS NOMINATED AS AMBASSADORS/ HIGH COMMISSIONERS BY THE NATIONAL ASSEMBLY

We acknowledge with thanks the receipt of your letter dated 14th February 2018 regarding the vetting of the nominees to positions of ambassadors/ high commissioners by the committee on appointments.

Please find a list confirming the loan status of the nominees with the Board.

S/NO	NAME	ID NO.	STATUS	YEAR OF CLEARANCE
1.	Prof. Judy Wakhungu	3962007	Not a Beneficiary	N/A
2.	Dr. Cleopa Mailu	4829569	Cleared Certificate No. 10077	22 nd October, 2007
3.	Hon. Dan Kazungu	10831431	Cleared Certificate No. 43498	20 th December, 2012
4.	Mrs. Phyllis Kandie	0334848	Not a Beneficiary	N/A
5.	Mr. Willy Bett	3448933	Cleared Certificate No. 88243	27 th November, 2015
6.	Prof. Jacob Kaimenyi	0995606	Cleared Certificate No. 45364	26 th October, 2013
7.	Mr. Hassan Wario Arero	10956527	Cleared Certificate No. 56279	5 th July, 2013
8.	Mr. Lawrence Ntoye Lenayapa	16121196	Not a Beneficiary	N/A

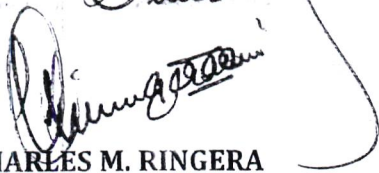


ISO 9001:2008 Certified

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

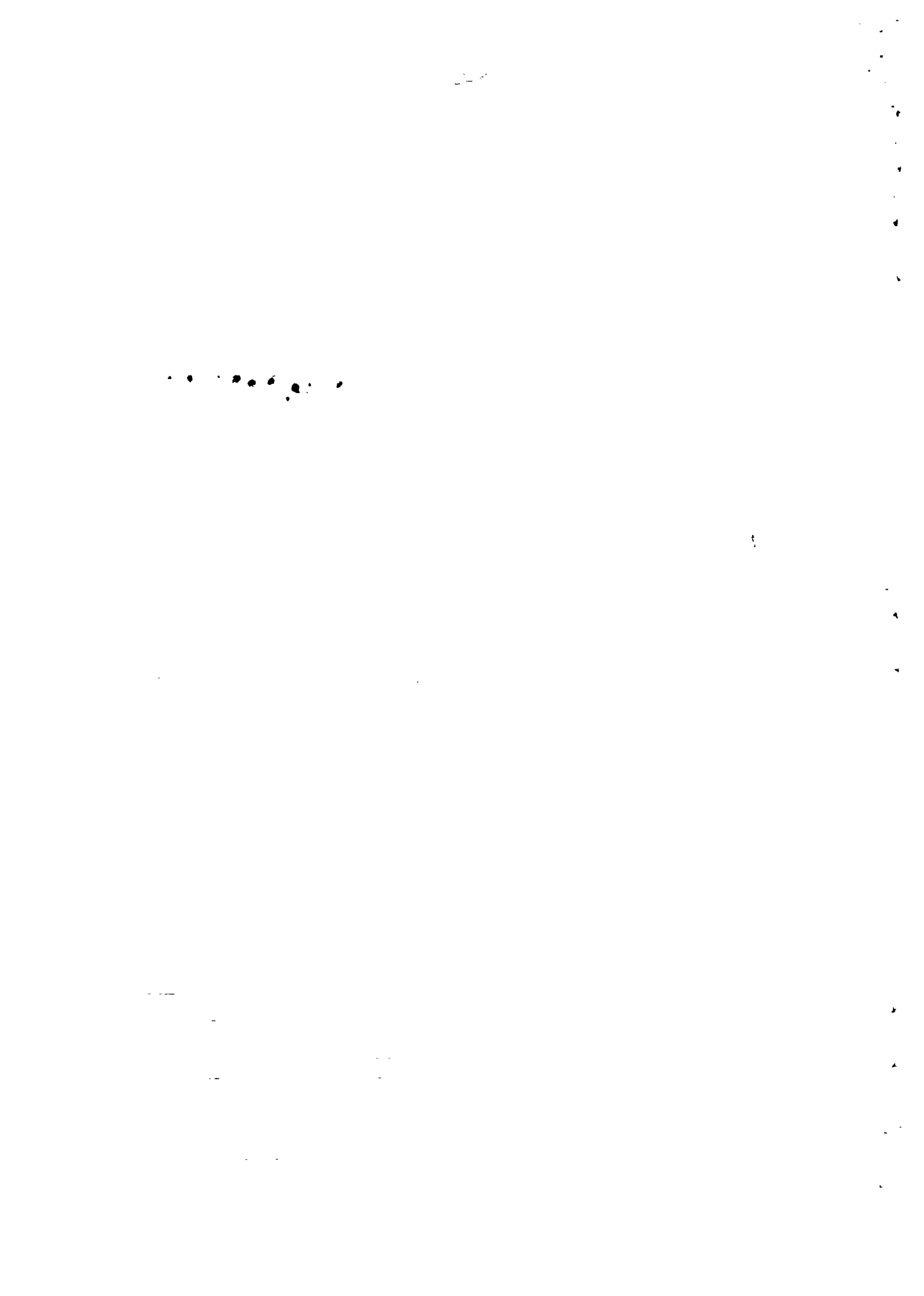
We wish to thank you most sincerely for allowing us to provide you this information as this kind of collaboration goes a long way in assisting HELB finance needy Kenyans pursuing higher education now and in the future.

Yours

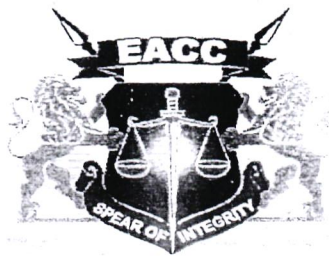
Sincerely


CHARLES M. RINGERA

CHIEF EXECUTIVE OFFICER & BOARD SECRETARY



① D/Gmttees
13/2/18



KALAMU
14/2/18
pls note
FA

ETHICS AND ANTI-CORRUPTION COMMISSION

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

When replying please quote:

CONFIDENTIAL

AMEND 1

Our Ref: EACC.7/10/5 VOL. V (101)

13th February 2018

Michael R. Sialai, EBS
Clerk of the National Assembly
Clerk's Chambers
National Assembly, Parliament Building
P.O Box 41842-00100
NAIROBI



RE: VETTING OF PERSONS NOMINATED FOR APPOINTMENT AS AMBASSADORS/HIGH COMMISSIONERS BY THE NATIONAL ASSEMBLY

Your letter unreferenced and dated 8th February, 2018 on the above subject matter, refers.

We wish to confirm that there are no outstanding issues or ongoing investigations against the following nominees:

S/No	Name of Nominee	Country
1.	Prof. Judy Wakhungu	France
2.	Dr. Cleopa Mailu	Permanent Mission, UN Geneva
3.	Hon. Dan Kazungu	Tanzania
4.	Mrs. Phyllis Kandie	Belgium, Luxemburg; European Union
5.	Mr. Willy Bett	India
6.	Prof. Jacob Kaimenyi	Permanent Mission to UNESCO, Paris

However, the Commission received allegations against **Hon. Hassan Wario Arero** alleging that he and other senior officials in the Ministry of Sports were involved in embezzling Kshs. 88 million meant for Kenyan athletes in the November, 2016 Olympic Games in Rio de Janeiro, Brazil. The case is being investigated by the Directorate of Criminal Investigations (DCI).

The information provided is based on records available as at 13th February 2018.



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

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MICHAEL K. MUBEA, EBS
DEPUTY SECRETARY/CEO - TECHNICAL SERVICES
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

LCK/thm

① D/Courtesy
13/2/18



②

VETTING
COMMITTEES
TO NOTE

RA
14/2/18

ETHICS AND ANTI-CORRUPTION COMMISSION

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

When replying please quote:

Our Ref: EACC.7/10/5 VOL.V (102)

13th February, 2018

Michael R. Sialai, EBS
Clerk of the National Assembly
National Assembly
Parliament Building
P. O. Box 41842-00100
NAIROBI

CONFIDENTIAL



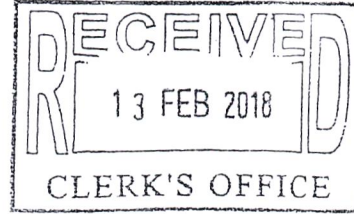
RE: VETTING OF NOMINEES TO POSITIONS OF PRINCIPAL SECRETARY BY THE NATIONAL ASSEMBLY

Your letter dated 6th February, 2018 on the above subject matter, refers.

We wish to confirm that there are no outstanding issues or ongoing investigations against the following nominees:-

S/No	Name	Ministry	State Department
1.	Safina Kwekwe	Public Service, Youth and Gender Affairs	Gender
2.	Mr. Nelson Marwa	Devolution and ASAL	Devolution
3.	Amb. Macharia Kamau	Foreign Affairs and International Trade	Foreign Affairs
4.	Dr. Julius Muia	The National Treasury and Planning	Planning
5.	Maj. Gen (Rtd) Gordon Kihalangwa	Interior and Coordination of National Government	Immigration, Border Control & Registration of Persons
6.	Mr. Hamadi Boga	Agriculture and Irrigation	Agricultural Research
7.	Mr. Peter Tum	Health	Health

The information provided is based on records available as at 13th February, 2018.



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



MICHAEL K. MUBEA, EBS
DEPUTY SECRETARY/CEO - TECHNICAL SERVICES
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

EH/tnm

① D. Muthua
19/2/18



② KARANTA
pls deaf
FA
19/2/18

ETHICS AND ANTI-CORRUPTION COMMISSION

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

When replying please quote:

Our Ref: EACC.7/10/5 VOL (133)

16th February, 2018

Michael R. Sialai, EBS
Clerk of the National Assembly
National Assembly
Parliament Building
P. O. Box 41842-00100
NAIROBI

CONFIDENTIAL

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS BY THE NATIONAL ASSEMBLY

We acknowledge receipt of your letter referenced KNA2/4/2018/ (47) dated 14th February, 2018 on the above subject matter.

We wish to confirm that information regarding seven (7) nominees for Ambassadors/High Commissioners was provided vide our letter Ref:EACC.7/10/5 VOL.V (101) dated 13th February, 2018.

We wish to confirm that there is no outstanding issue or ongoing investigations against the following nominee in the Ambassador/High Commissioner category:

S/No	COUNTRY	NOMINEE	ID NO.
1.	Netherlands	Mr. Lawrence Ntoye Lenayapa	16121196

The information provided is based on records available as at 16th February, 2018.


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

MICHAEL K. MUBEA, EBS
DEPUTY SECRETARY/CEO - TECHNICAL SERVICES
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

EH/trm

B. Nominees to be appointed as Ambassadors/High Commissioners				
1	Prof. Judy Wakhungu	3962007	A003623927U	Compliant
2	Dr. Cleopa Mailu	4829569	A000114568K	Compliant
3	Hon. Dan Kazungu	10831431	A002481727K	Compliant
4	Mrs. Phyllis Kandie	0334848	A002309241Z	Compliant
5	Mr. Willy Bett	3448933	A001596445C	Compliant
6	Prof. Jacob Kaimenyi	0995606	A000108709I	Compliant
7	Mr. Hassan Wario Arero	10956527	A005665918C	Compliant
8	Lawrence Ntoye Lenayapa	16121196	A001948313X	Compliant
C. Nominees to be appointed as Judicial Service Commissioners				
1	Mr. Patrick Gichohi	5541762	A000100244O	Compliant (has undertaken to clear outstanding issues)
2	Prof. Olive Mugenda	4835662	A001957347J	Compliant
3	Mr. Felix Koskei Kiptarus	6665340	A001383634M	Compliant

Yours faithfully,


Benson Korongo, OGW
 Commissioner of Domestic Taxes

① J/antler
2/12/18

② VETTING
COMMITTEES

pls deep
FA
2/12/18

NATIONAL POLICE SERVICE

Telegrams: "IDENT CRIMINAL". Nairobi
Telephone: 020-8512089/98
Fax: 020-2606149
E-mail: identsubi@gmail.com
When replying please quote ref No. and date



CRIMINAL RECORDS OFFICE,
P.O. Box 30460 - 00100 GPO,
NAIROBI.

ADDITIONAL

DIRECTORATE OF CRIMINAL INVESTIGATIONS

DCI/CRO/SEC/6/7/2/A/VOL.VI/12

19 FEBRUARY, 2018

The Clerk

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



Attn: Michael R. Sialai, EBS

SUBJECT: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS AND JUDICIAL SERVICE COMMISSIONERS BY THE NATIONAL ASSEMBLY

Your correspondence Ref. No. KNA2/4/2018 (47) dated 14th February, 2018 refers.

We hereby confirm that the below mentioned applied for Police Clearance Certificates on diverse dates and were **genuinely** issued with certificates by this office.

S/NO.	NAME	IDENTITY NO.
1.	Mr. Nelson Marwa Sospeter	3980474
2.	Amb. Macharia Kamau	28095481
3.	Dr. Julius Muia	4827415
4.	Maj. Gen. (Rtd.) Gordon Kihalangwa	0569046
5.	Prof. Hamadi Iddi Boga	8434346
6.	Mr. Charles Hinga Mwaura	13535122
7.	Mr. Peter Tum Kiplagat	3276913

OUR VISION: To be the best forensic science laboratory with emphasis on continual linkage of the Crime, the Crime -Scene and the Criminal.
FACES CAN LIE, FINGERPRINTS NEVER.

511243015

8.	Mr. Joseph Wairagu Irungu	7197113
9.	Pr. Judy Wakhungu	3962007
10.	Dr. Cleopa Mailu	4829569
11.	Hon. Dan Kazungu	10831431
12.	Mrs. Phyllis Kandie	0334848
13.	Mr. Willy Bett	3448933
14.	Prof. Jacob Kaimenyi	0995606
15.	Mr. Hassan Wario Arero	10956527
16.	Mr. Lawrence Ntoye Lenayapa	16121196
17.	Mr. Patrick Gichohi	5541762
18.	Prof. Olive Mugenda	4835662
19.	Mr. Felix Koskei Kiptarus	6665340

Please note that this office could not give you details pertaining the status of the below mentioned persons since their applications have not reached us.

S/NO.	NAME	IDENTITY NO.
1.	Ms. Safina Kwekwe	11367097
2.	Mr. Kevit Desai	21361733

Kind regards.


P. NDUNDA
FOR: DIRECTOR OF CRIMINAL INVESTIGATIONS

Copy to: DCI

**NATIONAL ASSEMBLY
TWELFTH PARLIAMENT – SECOND SESSION**

AM
Handwritten signature/initials

SUBMISSION OF MEMORANDA

In the Matter of Approval by the National Assembly of persons nominated for appointment as Principal Secretaries, Ambassadors/High Commissioners & Members of the Judicial Service Commission

Pursuant to Articles 155(3), 132(2), 171(2)(g) & 250(2)(b) of the Constitution, H.E. the President has nominated the following ten (10) Principal Secretaries; eight (8) Ambassadors/High Commissioners and three (3) members of the Judicial Service Commission for appointment to their respective positions as indicated below:-

A. PRINCIPAL SECRETARIES		
No.	MINISTRY	NOMINEE
1.	Public Service, Youth & Gender Affairs State Department – Gender	Ms. Safina Kwekwa Tsungu
2.	Devolution and ASAL State Department – Devolution	Mr. Nelson Marwa Sospeter
3.	Foreign Affairs & International Trade State Department – Foreign Affairs	Amb. Macharia Kamau
4.	The National Treasury & Planning State Department – Planning	Dr. Julius Muia
5.	Interior and Coordination of National Government State Department – Immigration, Border Control & Registration of Persons	Maj. Gen. Gordon Kihlangwa
6.	Agriculture and Irrigation State Department – Agricultural Research	Prof. Hamadi Iddi Boga
7.	Transport, Infrastructure, Housing & Urban Development State Department – Housing & Urban development	Mr. Charles Hinga Mwaura
8.	Health	Mr. Peter Tum Kiplagat
9.	Education, Vocational & Technical Training (TVET) State Department – Vocational & Technical Training (TVET)	Mr. Kevit Desal
10.	Water & Sanitation	Joseph Wairagu Irungu
B. AMBASSADORS/HIGH COMMISSIONERS		
No.	COUNTRY	NOMINEE
1.	France	Prof. Judy Wakhungu
2.	Permanent Mission, UN Geneva	Dr. Cleopa Mailu
3.	Tanzania	Hon. Dan Kazungu
4.	Belgium, Luxemburg; European Union	Mrs. Phyllis Kandle
5.	India	Mr. Willy Bett
6.	Permanent Mission UNESCO, Paris	Prof. Jacob Kaimenyl
7.	Austria	Mr. Hassan Wario Arero
8.	Netherlands	Lawrence Ntoye Lenayapa
C. JUDICIAL SERVICE COMMISSION		
No.	NOMINEE	POSITION
1.	Mr. Patrick Gichohi	Member (JSC Nominee)
2.	Prof. Olive Mugenda	Member
3.	Felix Koskei Kiptarus	Member

Following the receipt of the nominations from H.E. the President, the respective Departmental Committees are mandated pursuant to Standing Order 216(5)(f) to vet and consider their suitability for appointment to their respective positions and submit their reports to the House for approval.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the respective Departmental Committees now invites interested members of the public to submit any representations by written statement on oath (affidavit), that they may have on the suitability or otherwise of the said nominees for appointment to their respective positions. The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to clerk@parliament.go.ke; to be received on or before Tuesday 20th February, 2018 at 5.00 pm.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

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REPUBLIC OF KENYA



**NATIONAL ASSEMBLY
TWELFTH PARLIAMENT - SECOND SESSION**

NOTIFICATION FOR VETTING BY THE DEPARTMENTAL COMMITTEES OF PERSONS NOMINATED FOR APPOINTMENT AS PRINCIPAL SECRETARIES, AMBASSADORS/HIGH COMMISSIONERS AND MEMBERS OF THE JUDICIAL SERVICE COMMISSION

Pursuant to Article 155(3), 132(2), 171(2)(g) & 20(2)(b) of the Constitution and Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the National Assembly invites the following persons nominated for appointment as Principal Secretaries, Ambassadors/High Commissioners and members of the Judicial Service Commission for vetting by their respective Departmental Committees

Pursuant to provisions of Article 118 of the Constitution, Section 6(4) of the Public Appointments (Parliamentary Approval) Act (No.33 Of 2011) and Standing Order 45(3), the general public is hereby notified that the respective Departmental Committees shall conduct the vetting of the following persons for appointment to their respective positions on **Wednesday 21st and Thursday 22nd February, 2018** as indicated below:-

WEDNESDAY 21 st FEBRUARY, 2018			
VENUE - COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING			
DEPARTMENTAL COMMITTEE	JUDICIAL SERVICE COMMISSION	NOMINEE	TIME
C-Justice & Legal Affairs	Member (PSC Nominee)	Mr Patrick Gichohi	9.00 am
	Member	Prof. Olive Mugenda	10.30 am
	Member	Mr Felix Koskei Kiptarus	12.00 pm
VENUE - COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDING			
MINISTRY			
DC - Finance & National Planning	1. The National Treasury & Planning		
	PS - Planning	Dr. Julius Muia	9.00 am
DC- Health	2. Devolution & ASAL		
	PS - Devolution	Mr Nelson Marwa	10.30 am
	Ministry of Health		
	PS - Health	Mr. Peter Tum Kiplagat	12.00 pm
VENUE - COMMITTEE ROOM 2 nd FLOOR, CONTINENTAL HOUSE			
DC - Labour & social Welfare	Ministry of Public Service, Youth & Gender		
	PS - Gender	Ms. Safina Kwekwe	9.00 am
DC - Environment & Natural Resources	Ministry of Environment & Forestry		
	PS - Water & Sanitation	Mr. Joseph Wairagu Irungu	11.00 am
VENUE - COMMITTEE ROOM 4 th FLOOR, CONTINENTAL HOUSE			
DEPARTMENTAL COMMITTEE	MINISTRY	NOMINEE	TIME
DC - Education & Research	Education, Vocational & Technical Training		
	PS - Vocational & Technical Training	Mr. Kevit Desai	9.00 am
DC - Administration & National Security	Ministry of Interior & Coordination of National Government		
	PS - Immigration, Border Control & Registration of Persons	Maj. Gen. Gordon Kihlangwa	11.00 am
VENUE - COMMITTEE ROOM 5 th FLOOR, CONTINENTAL HOUSE			
DC - Agriculture & Livestock	Agriculture & Irrigation		
	PS - Agricultural Research	Prof. Hamadi Iddi Boga	9.00 am
DC - Transport, Public Works & Housing	Ministry of Infrastructure, Housing & Urban Development		
	PS - Housing & Urban Development	Mr. Charles Hinga Mwaure	11.00 am
DC - DEFENCE & FOREIGN RELATIONS			
VENUE - MINI CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS			
WEDNESDAY 21 st FEBRUARY, 2018			
Ministry of Foreign Affairs & International Trade	PS- Foreign Affairs	Amb. Macharia Kamau	9.00 am
AMBASSADORS/HIGH COMMISSIONERS			
COUNTRY	NOMINEE		TIME
1. France	Prof. Judy Wakhungu		10.30 am
2. Permanent Mission, UN Geneva	Dr. Cleopa Mailu		12.00 pm
3. Tanzania	Hon. Dan Kazungu		2.00 pm
4. Belgium, Luxemburg, European Union	Ms. Phyllis Kandle		3.30 pm
THURSDAY 22 nd FEBRUARY, 2018			
5. India	Mr. Willy Bett		9.00 am
6. Permanent Mission UNESCO, Paris	Prof. Jacob Kaimenyi		10.30 am
7. Austria	Mr. Hassan Wario Arero		12.00 pm
8. Netherlands	Lawrence Ntoye Lenayapa		2.00 pm

The nominees should bring the originals of their identity card, academic and professional certificates and other relevant testimonials. In addition, the nominees should bring letters/certificate of clearance/compliance from the following:-

- (i) Ethics and Anti-Corruption Commission;
- (ii) Kenya Revenue Authority;
- (iii) Higher Education Loans Board; and
- (iv) Directorate of Criminal Investigations.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

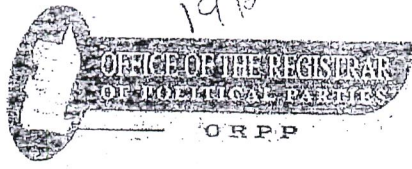
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(2) VETTING COMMITTEES
Please note
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19/2/18

(1) D/Cuttler
19/2/18

APPENDIX 13



Republic of Kenya

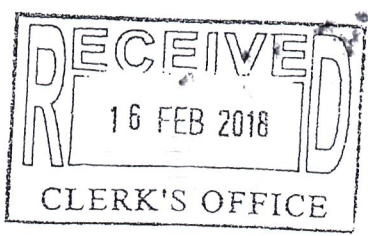
Telephone: +254(0)204022000
Email: registrar@orpp.or.ke
Website: www.orpp.or.ke
When replying please quote

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

REF NO.: RPP/ORG/34 Vol. II (13)

DATE: 15th February, 2018

Michael R. Sialai, EBS,
Clerk of the National Assembly,
Clerks Chamber,
Parliament Buildings,
P.O. Box 41842-00100,
NAIROBI.



Dear Sir,

RE: VETTING OF PERSONS NOMINATED AS PERMANENT SECRETARIES, AMBASSDORS/HIGH COMMISSIONERS AND JUDICIAL SERVICE COMMISSIONERS BY THE NATIONAL ASSMBLY

Reference is made to your letter Ref.KNA2/4/2018/(47) dated on 14th February, 2018 on the above subject matter.

According to the records held by this office as at 15th February, 2018, the list of the twenty one (21) nominees tabulated herein below are not officials of a registered political party.

No.	Name of Nominee	ID No.
1.	Ms. Safina Kwekwe	11367097
2.	Mr. Nelson Marwa Sospeter	3980474
3.	Amb. Macharia Kamau	28095481
4.	Dr. Julius Muia	4827415
5.	Maj. Gen. (Rtd) Gordon Kihalangwa	0569046
6.	Prof. Hamadi Iddi Boga	8434346
7.	Mr. Charles Hinga Mwaura	13535122
8.	Mr. Peter Tum Kiplagat	3276913
9.	Mr. Kevit Desai	21361733
10.	Mr. Joseph Wairagu Irungu	7197113
11.	Prof. Judy Wakhungu	3962007
12.	Dr. Cleopa Mailu	4829569
13.	Hon. Dan Kazungu	10831431
14.	Mrs. Phyllis Kandie	0334848
15.	Mr. Willy Bett	3448933



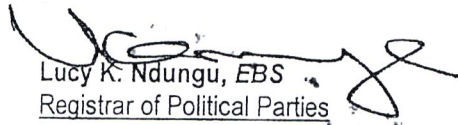
Office of the Registrar of Political Parties-ORPP



@ORPPKenya

16.	Prof. Jacob Kaimenyi	0995606
17.	Mr. Hassan Warioarero	10956527
18.	Mr. Lawrence Ntoye Lenayapa	16121196
19.	Mr. Patrick Gichohi	5541762
20.	Prof. Olive Mugenda	4835662
21.	Mr. Felix Koskei Kiptarus	6665340

Yours faithfully,


Lucy K. Ndungu, EBS
Registrar of Political Parties





THIRDWAY HEADQUARTERS
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 P.O. Box 4781-00100 Nairobi
 Email. leader@thirdwayalliance.org
 Website. www.thirdwayalliance.org
 Tel. +254 20 3860296

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 SNA
 9/2/18
 6th January 2017

② D. Amath...
 president

12/2/18

MEMORANDUM OF THE *THIRDWAY ALLIANCE KENYA* TO THE VETTING COMMITTEE OF THE NATIONAL ASSEMBLY ON THE APPOINTMENT OF NATIONAL EXECUTIVE (CS, CAS, PS & AMBASSADORS) OUR PERSPECTIVE AND WHAT NATIONAL ASSEMBLY SHOULD CONSIDER BEFORE RECOMMENDING THEM FOR APPOINTMENT.

PREAMBLE

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First, *Thirdway Alliance Kenya* (hereinafter "*Thirdway*"), a political party duly registered under our laws and which participated in the 2017 General Elections, welcomes the decision of President Uhuru Kenyatta to propose a Cabinet after such a long wait.

Secondly, we appreciate that Parliament is set to begin this long-awaited cabinet. Therefore, and pursuant to *Section 6(9)* of the *Public Appointments (Parliamentary Approval) Act 2011* and further to the provisions of *Article 119* of our 2010 Constitution, *Thirdway* shares below our party's perspective on the proposed nominees for Cabinet Secretaries (CSs), Permanent Secretaries (PSs), Ambassadors, and a newly created post of Chief Administrative Secretary (CAS). Even as we share our views herein, we, however, note that the Cabinet remains incomplete. We hope that Parliament would urge President Uhuru to finalize on his nominees. Any further delay, continues to create anxiety and delayed service delivery to Kenyans.

As Parliament now sits to vet these names, we provide our perspective as follows:

1. Role of the National Assembly

- a. We see the role of the National Assembly, as not just being about vetting the nominees, but also pointing the Executive to the right direction in as far as some national concerns are. We have documented those concerns in this memorandum. To this extent, parliament would be playing its oversight role over the Executive. We urge you not to look at party politics; rather what is in the best interest of Kenyans; it is the responsibility of the National Assembly to guide the president on the best public servants to serve Kenyans.

③ COMMITTEE CLERKS

Pls bring to the attention of your respective committees

FA
 14/2/18

The need to observe chapter 6 of our Constitution & justification for appointments.

- a. Ch.6 of our Constitution speaks to "responsibilities of leadership", and that in selecting such State Officers, regard shall be had to their "competence and suitability", and in the particular instance, to perform a function as a CS, PS, and Ambassadors, amongst others.
- b. *On suitability & competence.* To use two examples in order to illustrate this issue, we do not see a clear justification for the transfer of a CS like Amb. Amina Mohammed to the Education Ministry. Her long, painstaking experience as CS Foreign Affairs will be a great loss to Kenya in terms of experience, skill and

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resources. This is because she will have to learn how to manage a new Education docket. Assuming, the transfer was occasioned by her non-performance at the Foreign Affairs docket, why transfer her to the very crucial Education ministry where she has had no experience at all? Similarly, there is no clear justification for the appointment of Dr. Matiang'i as CS for Interior. This is because, he has arguably done an exemplary job as CS Education. At the same time, he has also received wide criticism both locally and internationally for his alleged contribution to the violation of human rights, including recent failure to obey court orders, and shutdown of media houses without compliance with *Article 24* of our Constitution.

- c. *Underperformance:* We urge your Committee to consider the performance, as well as underperformance by some CSs, PSs, who are now either transferred to a new docket or proposed for Ambassadorial appointment. You may want to interrogate the performance track record of each nominee. If on a balance of probability, a CS/PS never performed to expectation, you should reject such a name (*see also issue of integrity & corruption below*). We believe there are many Kenyans with skill, expertise, competence and who are suitable to serve in our public service.
- d. *On qualifications:* It is not clear what justification was used by the President to propose some nominees into Cabinet. Our proposal is that each of the nominees should produce before you, at least, a certified degree certificate from a recognized university. Kenya has so many learned and qualified individuals. We cannot appoint people into our public service, especially at such level as CS, PS and Ambassadors with questionable education credentials.
- e. *Integrity & corruption:* Our reading of the *Auditor General Reports* worryingly indicates that over 20 government departments could not account for public funds; neither could they demonstrate value for money. As you vet some of the returnee CSs and PSs, as well as those nominated for Ambassadorial appointments, it would be prudent to consider the findings of the *Auditor General* in the Ministries/departments they held prior to their now nomination for yet another appointment. For instance, the *Auditor General Reports* for the years 2013/14 and 2014/15 show that various ministries incurred unsupported Expenditure of KES 66,782,697,987 and KES 7,321,277,260 respectively. Additionally, various ministries incurred expenditure amounting to KES 14,435,690,489 whose value for money could not be established. We insist that accounting of public money is paramount, and any nominee whose previous ministry or department could not account for funds must be rejected with recommendation that such individuals be investigated and prosecuted; and money to be recovered.

3. The Gender Rule.

- a. We have observed that President Uhuru Kenyatta overlooked the obligation in our Constitution to ensure the gender rule (1/3 or 2/3) in all key government appointments is met. So far, only 6 women have been appointed to CS positions out of the available 22 slots as well as Ambassadorial positions. This is below the threshold minimum of 30% required in our Constitution. This vetting Committee would agree that continued relegation of women in public appointments fuels inequality and disunity with a majority of Kenyan population who are women and

youth. A progressive government would ensure that it has equal representation of capable women and men for a more harmonious and balanced leadership. Continual denial of the rights of women is no longer tolerable. For the sake of Wanjiku and Atieno, *Thirdway* proposes that there be inclusion of many more capable women into the Cabinet and parliament using all resources under the government's power and control.

4. **The Youth Factor.**

- a. The obvious and rather glaring omission of the youth, 35 years old and below is unfortunate and unacceptable. It must be remembered that our population is more than 70% youth. Young people are excelling in various fields such as IT, communication, Sports, trade and others placing Kenya on the map in many areas including scientific inventions. The Jubilee government must create space for more young and brilliant minds to manage high level government portfolios with introduction of electronic and modern technology to improve public participation.

5. **Special Interest Groups (SIG).**

- a. It is our observation that SIGs (persons living with disabilities, extreme minorities, etc.) have been left out of the list of nominees. The obvious omission of people living with disability is a key area of concern as this group of people deserve to head one or two cabinet positions. We know that disability is not inability and many people are actually victims, for example, of health and transportation failures. Therefore, it would benefit this country to appoint them into cabinet and other sectors where they can contribute lasting solutions. Their continued under-representation is a culture we can no longer be proud of, as a country.

6. **Observance of Art. 130 of the Constitution.**

- a. The Cabinet, being the National Executive of our Republic, is required to meet the provisions of our Constitution in *Article 130* that "the composition of the national executive shall reflect the regional and ethnic diversity of the people of Kenya".
- b. The diversity and inclusivity clause in our Constitution has not been overlooked. At first glance, and without necessarily going into detail, it is clear that the list is ethnically imbalanced and overly generous to members of one or two communities whilst completely omitting and ignoring others. With the current political temperatures and divisive politics that is polarizing communities in our country (principally because of exclusion from government), it only good for our Country to ensure ethnic balancing is achieved in these appointments. We do not expect the government to increase the number of positions to fulfil this requirement; however, an effort must be evident to ensure inclusivity and representativeness of all groups of Kenyans as far as possible.
- c. *Thirdway formula on ethnic and regional balancing.* We propose that the President nominates his first 22 nominees for CS positions from 22 different ethnic groups of Kenya; then his second 22 nominees for PS positions from another 22 different ethnic groups of Kenya. That way, the President would have fulfilled both the ethnic and regional diversity of the people of Kenya. His Cabinet would be the true face of Kenya. We believe this would help President Kenyatta build a better legacy and good precedent for future presidents.

7. "Recycling" of certain names in public service.
 - a. "Recycling" or "rewinding" of personalities makes for a retrogressive society devoid of new ideas, ways of approaching important issues and problem-solving. We must make space for new faces and personalities who should be carefully selected based on their professional experience and less on their political influence, which is a role best left to MPs to deliver. If someone is today not deemed to have done a better job at Cabinet level, why transfer them to an ambassadorial position?
8. Incomplete Cabinet list.
 - a. We observe that the Cabinet remains incomplete. Our view is that this opens up space for unnecessary speculation and negative competition, which following a five-month long wait is clearly unhealthy for the country. All positions should be announced simultaneously and in good time, so as to minimize opportunities for canvassing and irregular appointments due to the need to pay political debts.
9. Creation of Chief Administrative Secretary ignored need for transparency & a public consultation process.

- a. *Funding and void CAS is to fill:* We have asked ourselves these questions: which constitutional bodies gave their approval and advised the president to create the CAS category and for what specific reason? How does government plan to fund this role? Which void does the post of CAS fill in the current public service?
- b. *Non-compliance with Procedure & consultation under Article 132:* While we appreciate that it is the right of the President in *Article 132* to create a new position in the public service, we also believe that the right and constitutional procedure in creating this new position was overlooked. This makes the position of CAS unconstitutional. The creation of the CAS post ought to have been preceded by a recommendation from the Public Service Commission (PSC). It is only then that the President can create a position in the public service.
- c. *Public participation:* In addition to the foregoing, it also means that the principle of public participation was overlooked. The Kenyan general public ought to have been given the chance to give views whether this post is necessary under the circumstances; or not.
- d. *Increased wage bill:* Kenyans are currently unhappy with the huge bill in our public sector including in devolved counties. We believe that the position of CAS is already going to come with another wage bill at a time when we are concerned about cost cutting.
- e. *Replication of & conflict over duties:* In fact, we believe that the CAS position would replicate the Assistant Minister position that was scrapped in previous regimes. In fact, this post is already introducing an additional bureaucracy through yet another middle level/tier of management. We also see this post as a recipe for conflict between the CS and CAS on the one hand, and CAS and PS on the other. It is worth noting that efficient companies and governments around the world are currently obliterating the "middleman/woman" role due to high costs and

unnecessary bureaucracy, which affects service delivery. Our position is that it is an unnecessary addition to an already bloated government. Kenyans cannot sustainably carry this additional expense with our already highly indebted country. We are an already overburdened citizenry. The CAS positions must, therefore, be rejected with no additional names presented in this category until it is properly justified and resources identified to sustain it. Retaining this post will actually prompt high taxes on an already heavily taxed Kenyan worker.

10. Need for a Lean Government.

- a. Our party holds the view that a lean government in all its levels, is economically desirable for Kenya including, but not limited, to our current over representation in Parliament. A large government is a huge wage bill to the taxpayer. This huge wage bill robs Kenyans of development money (e.g., to ensure adequate water, healthcare, food, security, roads, education, electricity, etc.). Kenyans have expressed support for this view and we will continue to push for consultations and conversations with the Jubilee administration, as well as with Parliament at all levels, on how best to reduce the burden of government on Kenyans. Rather, government must work to create opportunities and support efforts of citizens while conserving funds for essential needs and releasing funds for development and for service provision to the Kenyan people guaranteeing our future prosperity and growth.

Conclusion: Lastly, we thank the Vetting Committee for the opportunity to share our party's views on this important national exercise. We remain optimistic that Parliament will take this views into consideration. We also take this early chance to urge parliament to steer the country towards constructive political conversation. Parliament may want to consider our proposed National Conversation with a 14-point agenda.

FOR: THIRDWAY ALLIANCE KENYA

Ekuru Aukot

Ekuru Aukot.
Party Leader

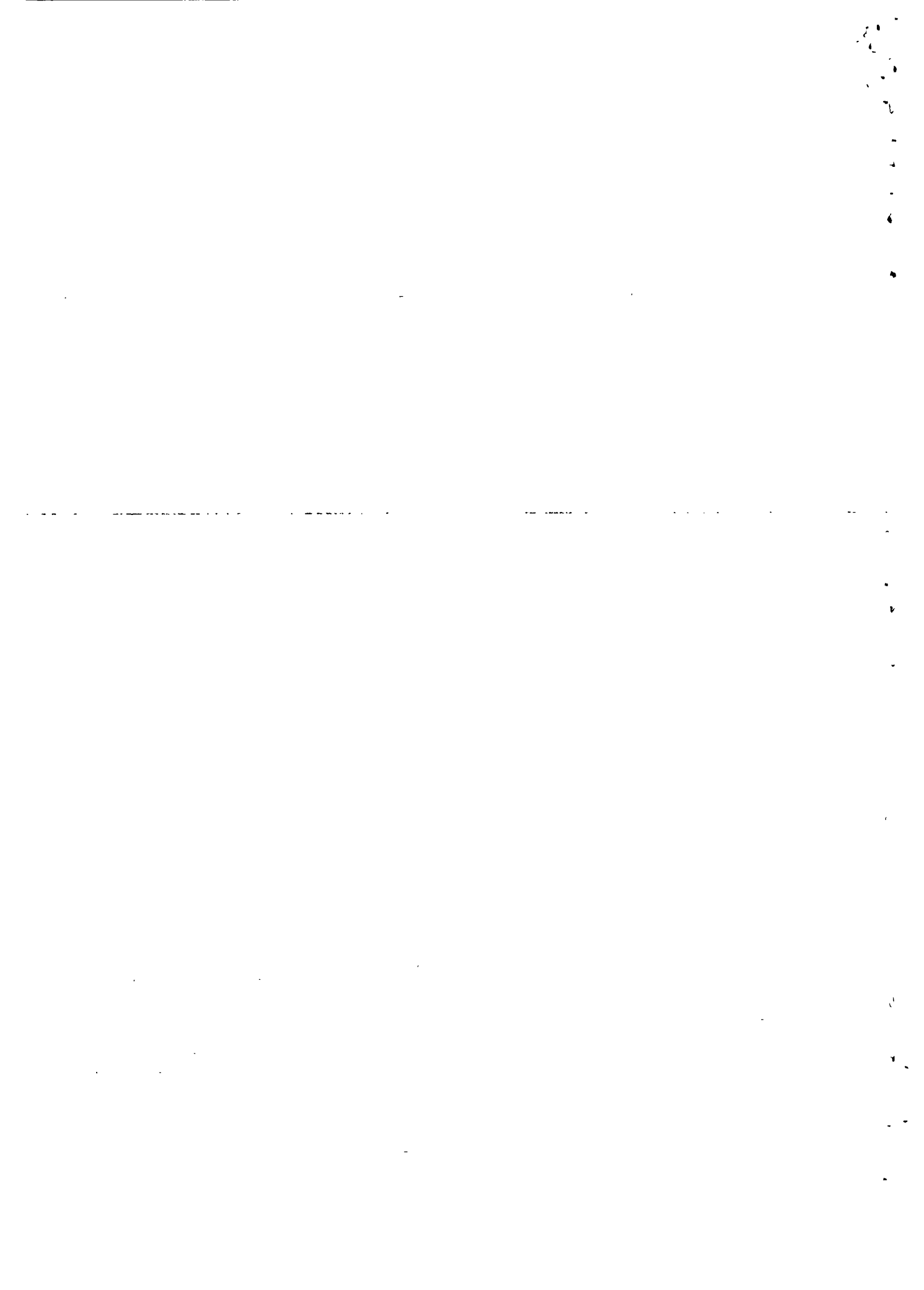
Miruru Waweru

CPA Miruru Waweru
National Party Chairman

Frederick T. Okango

Frederick T. Okango
Secretary General

Tusipojipanga, Tutapangwa!



12

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

SCHEDULE
[Section 6(8).]

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

Notes:

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

- 1. **Name:** (State full name).....
- 2. **Position:** (State office to which you have been nominated).
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- 3. **Sex:**
- 4. **Date of Birth:** (State year and place of birth).....
- 5. **Marital Status:**
- 6. **Daytime phone number:**
- 7. **Mobile phone number:**
- 8. **Email Address:**
- 9. **ID Number:**

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19. Published Writings:

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

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

20. Public Office, Political Activities and Affiliations:

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

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

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(c) Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?

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(d) Have you ever been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of public duties?

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21. **Deferred Income/Future Benefits:** (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc).

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22. **Outside commitment during service in office:** (Do you have any plans, commitments or agreements to pursue outside employment with or without compensation during your service in office? If so explain).

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23. **Sources of Income:** (List sources and mounts of all income received during the calendar year preceding your nomination and in the current calendar year).

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24. **Tax Status:** (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment).

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25. **Statement of Net Worth:** (State you financial net worth).

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26. **Potential Conflicts of Interest:**

(a) Identify the family members or other persons, parties, categories obligation or financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to rise.

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

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

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

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

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

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

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No. 33 of 2011 [Rev. 2012]
Public Appointments (Parliamentary Approval)
[Issue 1] 10

A-Approved

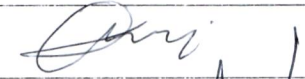
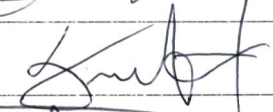
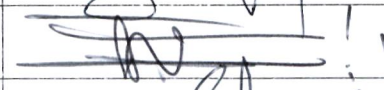
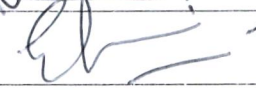
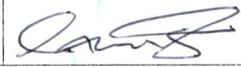
DEPARTMENTAL COMMITTEE ON DEFENCE & FOREIGN RELATIONS.

ADOPTION OF THE FIRST REPORT OF THE DEPARTMENTAL COMMITTEE ON DEFENCE & FOREIGN RELATIONS ON THE VETTING OF AMB. MACHARIA KAMAU, NOMINEE FOR APPOINTMENT TO THE POSITION OF PRINCIPAL SECRETARY MINISTRY OF FOREIGN AFFAIRS & INTERNATIONAL TRADE.

We, the undersigned Hon. Members of the Departmental Committee on Defence & Foreign Relations, today 23rd February, 2018 do hereby affix our signatures to this REPORT ON THE VETTING OF AMB. MACHARIA KAMAU NOMINEE FOR APPOINTMENT TO THE POSITION OF PRINCIPAL SECRETARY to affirm our approval and confirm its accuracy, validity and authenticity:-

NO.	NAME	SIGNATURE
1.	The Hon. Katoo Ole Meito, EGH, MGH, M.P - Chairperson	
2.	The Hon. Richard Tong'oi, M.P - Vice Chairperson	
3.	The Hon. Yusuf Hassan Abdi, M.P	
4.	The Hon. Patrick Makau, M.P	
5.	The Hon. Nelson Koech, M.P	
6.	The Hon. Charles Mutavi Kilonzo, M.P	
7.	The Hon. Major (Rtd.) Bashir Abdullahi, M.P	
8.	The Hon. Martha Wangari Wanjira, M.P	
9.	The Hon. Dido Ali Raso, M.P	
10.	The Hon. Peter Mungai Mwathi, M.P	
11.	The Hon. Beatrice Nkatha Nyagah, HSC, M.P	
12.	The Hon. Memusi Ole Kanchory, M.P	
13.	The Hon. John Lodepe Nakara, M.P	
14.	The Hon. Lilian Gogo, M.P	

AMMA

15.	The Hon. Vincent Kipkurui Tuwei, M.P	
16.	The Hon. Silvanus Osoro, M.P	
17.	The Hon. Moses Nguchine Kirima, M.P	
18.	The Hon. Ernest Ogesi Kivai, M.P	
19.	The Hon. Caleb Amisi, MP	

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