

Approved for tabling. ~~Bat~~ SNA

18/6/19

REPUBLIC OF KENYA



TWELFTH PARLIAMENT –THIRD SESSION

THE NATIONAL ASSEMBLY

DEPARTMENTAL COMMITTEE ON DEFENCE AND FOREIGN
RELATIONS

REPORT ON THE VETTING OF SIX (6) NOMINEES FOR
APPOINTMENT TO THE POSITION OF AMBASSADOR AND /HIGH
COMMISSIONER.

Clerks Chambers
Directorate of Committee Services,
Parliament Buildings,
NAIROBI

THE NATIONAL ASSEMBLY PAPERS LAID	
June, 2019	
DATE:	18 JUN 2019
DAY:	TUESDAY
TABLED BY:	Hon. PETER MWATHI MEMBER, DEFENCE Committee
CLERK-AT THE-TABLE:	

Table of Contents

LIST OF APPENDICES	viii
ABBREVIATIONS.....	x
CHAIRPERSON’S FOREWORD.....	xi
1.0 PREFACE	1
1.1 Establishment of the Committee	1
1.2 Mandate of the Committee.....	1
1.3 Committee Membership.....	2
1.4 Committee Secretariat.....	3
2.0 BACKGROUND.....	4
2.1 Establishment of the Office of High Commissioners/Ambassadors	4
2.2 Nomination of High Commissioners and Ambassadors	4
2.3 Notification of nomination.....	4
2.4 Committal to the Departmental Committee of the nominations.....	5
2.5 Notification to the public and request for memoranda.....	5
2.6 Notification to the nominees	6
2.7 Clearance requirements.....	6
2.7.1 Higher Education Loans Board.....	7
2.7.2 Kenya Revenue Authority.....	7
2.7.3 Ethics and Anti-Corruption Commission	7
2.7.4 The Directorate of Criminal Investigations.....	7
2.7.5 Registrar of Political Parties	8

2.8.1 Issues for consideration in conducting the Approval hearing	8
2.8.2 Memoranda from members of the public	10
2.9 Withdrawal from the approval process.....	12
3.0 APPROVAL HEARINGS/ VETTING OF NOMINEES FOR APPOINTMENT TO THE POSITION OF AMBASSADOR/ HIGH COMMISSIONER.....	13
3.1 AMB. PURITY WAKIURU MUHINDI – NOMINEE FOR POSITION OF AMBASSADOR, DAKAR, SENEGAL	13
Citizenship, Date and Place of Birth.....	14
Academic and Professional Qualifications.....	14
Employment records and Work Experience.....	14
Professional Association.....	15
Honors and Awards	15
Public Office, Political Activities and Affiliations.....	15
Statement of Net Worth.....	15
Leadership and suitability.....	15
Bilateral relations	16
Challenges in Multilateral Stations	16
Potential Conflict of Interest.....	17
Pro-Bono/Charity Work/ Donations to Charity.....	17
Committee observations on the suitability of Amb. Purity Wakiuru Muhindi to serve as Ambassador	18

3.2 AMB. JACKLINE LUMUMBA YONGA – NOMINEE FOR POSITION OF AMBASSADOR, ROME, ITALY.....	19
Citizenship, Date and Place of Birth.....	19
Academic and Professional Qualifications.....	19
Employment records and Work Experience.....	20
Memberships.....	20
Public Office, Political Activities and Affiliations.....	20
Leadership and suitability.....	20
Bilateral relations	21
Peace Building and fight against corruption	21
Statement of Net Worth.....	22
Potential Conflict of Interest.....	22
Pro-Bono/Charity Work/ Donations to Charity.....	22
Committee observations on the suitability of Amb. Jackline Lumumba Yonga to serve as Ambassador	22
3.3 VETTING OF HON. HALIMA ADBILLE MOHAMUD- NOMINEE FOR POSITION OF AMBASSADOR – KUWAIT CITY, KUWAIT	23
Citizenship, Date and Place of Birth.....	23
Academic and Professional Qualifications.....	24
Employment records and Work Experience.....	24
Public Office, Political Activities and Affiliations.....	24
Statement of Net worth.....	24

Leadership and Suitability of the Nominee	25
Trade	25
Mistreatment of Kenyans in Kuwait	25
Gulf Geopolitics	26
Radicalization and Religious Misrepresentation	26
Areas of collaboration between Kenya and Kuwait	26
Employment	26
Potential Conflict of Interest.....	26
Pro-Bono/Charity Work/ Donations to Charity.....	27
Committee observations on the suitability of Hon. Halima Abdille Mohamud to serve as Ambassador	27
3.4 AMB. LEMARRON KAANTO – NOMINEE FOR POSITION OF AMBASSADOR, BERLIN, GERMANY.....	28
Citizenship, Date and Place of Birth.....	28
Academic and Professional Qualifications.....	28
Employment records and Work Experience.....	29
Honours and Awards	29
Professional Association.....	29
Published Writings	30
Public Office, Political Activities and Affiliations.....	30
Leadership and Suitability of the Nominee	30
Benefits of the mission in Berlin	31

Multiple Accreditation.....	31
Investor Confidence.....	31
Security of Kenyans in South Africa	31
EU-Kenya Relations.....	32
Balance of Trade	32
Double Taxation.....	32
Big Four Agenda	32
Tourism	33
Statement of Net Worth.....	33
Potential Conflict of Interest.....	33
Pro-Bono/Charity Work/ Donations to Charity.....	33
Committee observations on the suitability of Amb. Lemarron Kaanto to serve as Ambassador.....	34
3.5 AMB. ANDREW MAINA KIHURANI – NOMINEE FOR POSITION OF AMBASSADOR, BERN, SWITZERLAND.....	35
Citizenship, Date and Place of Birth.....	35
Academic and Professional Qualifications.....	35
Employment records and Work Experience.....	36
Statement of Net worth.....	36
Kenya as an Investment Hub	36
Benefits of a Mission in Bern	37
Fight against Corruption in the Mission.....	37

Balance of Trade	38
His role in the attainment of the Big Four Agenda.....	38
Potential Conflict of interest	38
Pro-Bono/Charity Work/ Donations to Charity	39
Committee observations on the suitability of Amb. Andrew Maina Kihurani to serve as Ambassador	39
3.6 AMB. ELIPHAS MUGENDI BARINE– NOMINEE FOR POSITION OF HIGH COMMISSIONER - ACCRA, GHANA	40
Citizenship, Date and Place of Birth	40
Academic and Professional Qualifications.....	40
Employment records and Work Experience.....	40
Non-Professional membership.....	41
Bilateral Relations	41
His role in the attainment of the Big Four Agenda.....	42
Corruption	42
Benefits of the Mission in Accra, Ghana.	42
Statement of Net worth.....	42
Potential Conflict of Interest.....	42
Pro-Bono/Charity Work/ Donations to Charity	42
Committee observations on the suitability of Amb. Eliphas Mugendi Barine to serve as High Commissioner	43
4.0 GENERAL COMMITTEE OBSERVATIONS	45

5.0 COMMITTEE RECOMMENDATIONS.....46

LIST OF APPENDICES

1. Message from the H.E President Appendix 1
2. Communication from the Speaker Appendix 2
3. Letters by the Clerk of National Assembly to nominees Appendix 3
4. Letter by the Clerk of the National Assembly to Agencies i.e <i>Kenya Revenue Authority (KRA), Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Criminal Investigation Department (CID), and Credit Reference Bureau (CRB).</i> Appendix 4
5. Reply from the Commissioner ,General, KRA to the Clerk of the National Assembly Appendix 5
6. Reply from the Chief Executive, HELB to the Clerk of the National Assembly Appendix 6
7. Reply from the Secretary/Chief Executive, (EACC) to the Clerk of the National Assembly Appendix 7
8. Reply from the Director, CID to the Clerk of the National Assembly Appendix 8
9. Advert in print media inviting public submission of memoranda

Appendix 9
10. Advert to the public of the intention to vet the nominees to position of Ambassadors/High Commissioners by the DC on Defence & Foreign Relations. Appendix 10
11. Public Appointments (Parliamentary Approval) Act, No. 33 of 2011 Appendix 14
12. Adoption List Appendix 15

ABBREVIATIONS

EACC	Ethics and Anti-Corruption Commission
UN	United Nations
HELB	Higher Education Loans Board
KRA	Kenya Revenue Authority
DCI	Directorate of Criminal Investigations
CV	Curriculum Vitae
SDG's	Sustainable Development Goals
RPP	Registrar of Political Parties
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
DOB	Date of Birth
TOT	Trainer of Trainers
USA	United State of America
MBS	Moran of the Burning Spear
CBS	Chief of the Burning Spear

CHAIRPERSON'S FOREWORD

Pursuant to Article 132 (2) (e) of the Constitution and section 5 of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, H.E. the President, forwarded to the National Assembly, a notification of appointment containing the names and Curriculum Vitae of six (6) Ambassador/High Commissioner nominees on 20th May, 2019. This was for consideration and approval by the National Assembly for subsequent appointment as Ambassador/High Commissioner.

On Wednesday, 29th May, 2019, the Speaker Conveyed the names of nominees of persons for appointment as Ambassadors and High commissioners in line with the resolution of the House passed on Thursday May 9th 2019, that required the Speaker to refer any names of nominees for appointment to a state office, that they may be received by the Speaker during the recess period, to the relevant Committee(s) without having to cause a recall of the House to convey the names. Indeed the Departmental Committee on Defence and Foreign Relations, received the names of the nominees on Wednesday, 29th May, 2019, for vetting and reporting to the House within fourteen (14) days.

Pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, 2011 relating to extension of period for consideration of nominees for appointment to a public office, the House resolved to extend the period for consideration of the nominees submitted by H.E. the President for appointment to the Accra, Berlin, Bern, Dakar, Rome, and Kuwait City Missions by a period of fourteen (14) days from 12th June, 2019.

The Committee held three (3) sittings for vetting and thereafter held four (4) sittings for preparation and adoption of the report. Six nominees appeared before the Committee on 10th June, 2019 and were 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 their suitability or otherwise for appointment as Ambassadors/High Commissioners.

The Committee deliberated on the nominees duly filled questionnaires in accordance with Section 6 (8) of the Public Appointments (Parliamentary Approval) Act, curricula vitae, reports from relevant authorities, submissions made by the nominees including their oral submissions during the vetting at the sittings held on Monday, 10th June, 2019.

The Committee, in compliance with the Constitutional and other legal requirements established procedures for vetting, ensured that 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 it during the exercise. As a Committee, we also 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 132 (2) (e) 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 for adoption, the Committee's report on the vetting of **Amb. Purity Wakiuru Muhindi, Amb. Jackline Lumumba Yonga, Hon. Halima Abdille Mohamud, Amb. Lemarron Kaanto, Amb. Andrew Maina Kihurani and Amb. Eliphas Mugendi Barine** nominees for appointment as Ambassadors/High Commissioners.

Signed.......... Date: 18/6/2019.....

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

(CHAIRPERSON)

1.0 PREFACE

1.1 Establishment of the Committee

1. The Departmental Committee on Defence and Foreign Relations is established pursuant to Standing Order 216 (1).

1.2 Mandate of the Committee

2. The Committee is mandated under Standing Order 216 (4) and (5) to inter alia-
 - a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
 - b) study the programme and policy objectives of ministries and departments and the effectiveness of the implementation and effectiveness of the implementation;
 - c) study and review all legislation referred to it;
 - d) study, assess and analyze the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
 - e) 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;
 - f) 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);**
 - g) examine treaties, agreements and conventions;
 - h) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;

- i) consider reports of Commissions and independent offices submitted to the house pursuant to the provisions of Article 254 of the Constitution; and
 - j) Examine any questions raised by Members on a matter within its mandate.
3. In executing its mandate, the Committee oversees the following Ministries and Departments:
- i. Ministry of Defence;
 - ii. Ministry of Foreign Affairs;
 - iii. Ministry of East African Community and Regional Development; and
 - iv. National Intelligence Service.
4. According to Schedule II of the 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 including territorial waters and international Relations; and
 - vi. Agreements, Treaties and Conventions.

1.3 Committee Membership

5. The Committee comprises the following Members -
1. Hon. Katoo Ole Metito, EGH, MGH, M.P **Chairperson**
 2. Hon. Richard Tong’i, M.P **Vice Chairperson**
 3. Hon. Yusuf Hassan Abdi, M.P
 4. Hon. Charles Mutavi Kilonzo, M.P
 5. Hon. Patrick Makau, M.P
 6. Hon. Col (Rtd.) Dido Ali Raso, M.P

7. Hon. Peter Mungai Mwathi, M.P
8. Hon. Beatrice Nkatha Nyagah, HSC, M.P
9. Hon. Martha Wangari Wanjira, M.P
10. Hon. Memusi Ole Kanchory, M.P
11. Hon. John Lodepe Nakara, HSC, M.P
12. Hon. Nelson Koech, M.P
13. Hon. Major (Rtd.) Bashir Sheikh Abdullahi, M.P
14. Hon (Dr.) Lilian Gogo, M.P
15. Hon. Vincent Kipkurui Tuwei, M.P
16. Hon. Moses Nguchine Kirima, M.P
17. Hon. Ernest Ogesi Kivai, M.P
18. Hon. Caleb Amisi, MP
19. Hon. Asha Hussein Mohamed, MP

1.4 Committee Secretariat

6. The following officers support the Committee in the execution of its mandate -
 1. Mr. Samuel Kalama Senior Clerk Assistant
 2. Mr. Abdiaziz Shobay Clerk Assistant III
 3. Mr. Ronald Walala Legal Officer I
 4. Ms. Grace Wahu Research Officer III
 5. Mr. Edison Odhiambo Fiscal Analyst II
 6. Mr. Rodgers Kilungya Audio Officer
 7. Mr. Said Wako Sergeant At-Arms
 8. Mr. Ahmed Yaqub Media Relations Officer III

2.0 BACKGROUND

2.1 Establishment of the Office of High Commissioners/Ambassadors

7. The Office of Ambassador/High Commissioner is an Office under the Ministry of Foreign Affairs. The duties of Ambassadors and High Commissioners include-
- a) advancement and protection of Kenya's interests in host Countries and Countries of accreditation 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; and
 - f) promotion of public Diplomacy, among other duties.

2.2 Nomination of High Commissioners and Ambassadors

8. Article 132(2) (e) of the Constitution confers upon the President the power to nominate, and subject to approval by the National Assembly, appoint Ambassadors and High Commissioners. It provides that -

“The President shall nominate and, with the approval of the National Assembly, appoint and may dismiss- ...(e) High Commissioners, Ambassadors and Diplomatic and Consular Representatives”

2.3 Notification of nomination

9. In accordance with the provisions of Article 132(2) (e) of the Constitution and section 5 of the Public Appointments (Parliamentary Approvals) Act, His Excellency the President vide a letter dated 20th May, 2019 under reference number OP.CAB.14.1A (*Annexure 1*) forwarded to the National Assembly, for consideration and approval, the notification of nomination of the following six (6) persons for appointment as Ambassadors and High Commissioners to

respective Missions -

	Name of Nominee	Mission	Country
1.	Amb. Purity Wakiuru Muhindi	Dakar	Senegal
2.	Amb. Jackline Lumumba Yonga	Rome	Italy
3.	Hon. Halima Abdille Mohamud	Kuwait	Kuwait
4.	Amb. Lemarron Ole Kaanto	Berlin	Germany
5.	Amb. Andrew Maina Kihurani	Bern	Switzerland
6.	Amb. Eliphaz Mugendi Barine	Accra	Ghana

2.4 Committal to the Departmental Committee of the nominations

10. Pursuant to the resolution of the House passed on Thursday, 9th May, 2019, that mandated the Speaker to refer any names of nominees for appointment to a state office, that may be received by the Speaker during the recess period, to the relevant Committee(s) without having to cause a recall of the House to convey the names. The Speaker referred the names of Amb. Purity Wakiuru Muhindi, Amb. Jackline Lumumba Yonga, Amb. Lemarron Kaanto, Hon. Halima Abdille Mohamud, Amb. Andrew Maina Kihurani, and Amb. Eliphaz Mugendi Barine that His Excellency the President, by way of letter dated 20th May, 2019 had nominated for appointment as Ambassadors/High Commissioners subject to approval by the House pursuant to Article 132 (2) (e) of the Constitution.

11. The Speaker of the National Assembly pursuant to a the aforementioned House resolution referred the names of the nominees and their curricula vitae to the Departmental Committee on Defence and Foreign Relations to conduct approval hearings on 29th May 2019.

2.5 Notification to the public and request for memoranda

12. The Clerk of the National Assembly placed an advertisement in the print media

on Thursday, 30th May, 2019 (*Annexure 2*) 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, 2011 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 the office to which the candidate has been nominated*”. The advertisement indicated that the submissions were to be received by Wednesday, 5th June, 2019 at 5.00 pm.

13. 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 Clerk of the National Assembly on Thursday, 30th May, 2019 (*Annexure 3*), *through the print media*, notified the general public of the intention of the Departmental Committee on Defence and Foreign Relations to conduct the vetting of the nominees on Monday, 10th June, 2019.

2.6 Notification to the nominees

14. On 31st May, 2019, the Clerk of the National Assembly, pursuant to Section 6(3) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, notified the nominees of the date, time, and place for holding the Approval hearings (*Annexure 3*).

2.7 Clearance requirements

15. On 30th May, 2019 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 (*Annexure 4*) with respect to the nominees 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

16. The Higher Education Loans Board vide a letter under ref. HELB/RR/112009/KNA dated 6th June, 2019 (*Annexure 5*) confirmed that there were no outstanding loans balances by the nominees.

2.7.2 Kenya Revenue Authority

17. The Kenya Revenue Authority did not submit a response to confirm whether the six (6) nominees were all tax compliant. However, all the nominees have tax compliant certificates confirming that they are all tax compliant.

2.7.3 Ethics and Anti-Corruption Commission

18. The Ethics and Anti-Corruption Commission vide a letter under ref. EACC.7/10/5 VOL.IX (124) dated 7th June, 2019 (*Annexure 6*) confirmed that there were no outstanding issues or ongoing investigations against the six (6) nominees.

2.7.4 The Directorate of Criminal Investigations

19. The Directorate of Criminal Investigations vide a letter under ref. DCI/CRO/SEC/6/7/2/A/VOL.VI/101 dated 4th June, 2019 (*Annexure 7*) confirmed that the six (6) Ambassador/High Commissioner nominees applied for police clearance certificates on diverse dates and were genuinely issued with clearance certificates.

2.7.5 Registrar of Political Parties

20. The Office of the Registrar of Political Parties vide a letter under Ref No. RPP/ORG/34 Vol III (50) dated 3rd June, 2019 (*Annexure 8*) confirmed that according to the records held by the office as at 3rd June, 2019, the six (6) nominees were not officials of a registered political party.

2.8.1 Issues for consideration in conducting the Approval hearing

21. 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

22. The Committee observed that Article 132(2) (e) of the Constitution vests the power to nominate persons for appointment as Ambassadors and High Commissioners in the President.

(b) Constitutional and Statutory requirements

23. The Constitution, in addition, sets out requirements on Leadership and Integrity Act, 2012 regarding the appointment of persons to public office.

24. 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, favoritism, 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.

a) 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

- i. 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.
- ii. The Committee's observations and resolutions as per the specific nominees are contained in the respective parts relating to those nominees in this report.

2.8.2 Memoranda from members of the public

25. Section 6(9) of the Public Appointments (Parliamentary Approvals) Act, 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.*

26. The Clerk of the National Assembly placed an advertisement in the print media on Thursday 30th May, 2019 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.

27. By close of business on Wednesday 5th June, 2019 at 5.00 p.m., the Committee had received eight (8) written statements of which six (6) met the requirements as stipulated in section 6(9) of the Public Appointment Parliamentary Approval Act and the other two (2) did not meet the requirements of the said section.

28. Pursuant to Section 6(9) of the Public Appointment Parliamentary Approval Act,

the Committee received memoranda from the following—

- a) Dr. Adan Yunis Sheik a Resident of Wajir who is the Regional Coordinator and member of National Executive Council (NEC) of the Supreme Council of Kenya Muslims (SUKPEM), for Hon. Halima Abdille Mohamud, he vouched to her character, her patriotism and her ability to lead;
- b) Mr. Isaac Were, a Resident of Nairobi who is a lecturer at the University of Nairobi consents to the nomination of Hon. Halima as Ambassador;
- c) Deaf Girls Foundation recommends Hon. Halima to be appointed as the High Commissioner/Ambassador and consent to her nomination;
- d) Edisonwoods Consulting Group (ECG) Ltd, signed for by Mr. Edwins L. Saka, the Managing Director who strongly recommends Hon. Halima as Ambassador;
- e) Timira Bishar a Resident of Garissa who is the Chief Officer County Affairs-County Government of Garissa gives strong consent for Hon. Halima's nomination, appointment or confirmation to any Government office; and
- f) Jimale Mohamud a Resident of Wajir states that Hon. Halima has helped in various youth programmes, participated in peace initiatives, has made efforts to reduce radicalization and drug abuse. He therefore recommends her for appointment.

29. The Committee noted that the following memoranda did not meet the threshold pursuant section 6(9) of the Public Appointment Parliamentary Approval Act—

- a) Memoranda for Hon. Halima Abdille by Dubay Abdi a resident of Wajir and the Vice Chairperson of Maendeleo ya Wanawake Organization and Advisor to the Governor Wajir County. The officer did not sign the written statement; and
- b) Recommendation of Hon. Halima Abdille for the Appointment as High

Commissioner/Ambassador from George Gilbert Advocates. The memorandum was disqualified because it was not a statement on oath but a recommendation of her appointment.

2.9 Withdrawal from the approval process

30. Section 6(10) of the Public Appointments (Parliamentary Approvals) Act, provides that *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*.

31. Pursuant to Section 6(10) of the Public Appointments (Parliamentary Approvals) Act, no nominee notified the Clerk of his/her withdrawal from the approval process.

3.0 APPROVAL HEARINGS/ VETTING OF NOMINEES FOR APPOINTMENT TO THE POSITION OF AMBASSADOR/ HIGH COMMISSIONER

32. The Departmental Committee on Defence and Foreign Relations held a pre-vetting meeting on Monday, 10th June, 2019 at 8:00 a.m. to deliberate on the approval hearings, review documents, testimonials and nominees duly filled questionnaires.

33. In conducting the approval hearings, the Committee examined the nominees 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 AMB. PURITY WAKIURU MUHINDI – NOMINEE FOR POSITION OF AMBASSADOR, DAKAR, SENEGAL

34. Amb. Purity Wakiuru Muhindi appeared before the Committee on Monday, 10th June, 2019 at 9:30 am 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 questions during the vetting as follows-

Citizenship, Date and Place of Birth

35. The nominee is a Kenyan Citizen; She was born in Molo in 1960. Her National Identity Card number is 0904926.

Academic and Professional Qualifications

36. She holds a Bachelor of Arts degree in Political Science and Sociology from University of Nairobi (1983), a Post Graduate Diploma in Mass Communication from University of Nairobi (1998), Post Graduate Diploma in International Relations from University of Nairobi (1986) and Master of Arts degree in New Media Governance and Democracy from University of Leicester (2013). In the course of her career, she has attended the following trainings, courses and programmes:

- a) Seminar on US Foreign Policy and decision Making, Washington, DC.
- b) Advanced French Language Certificate Course, Kenya Institute of Administration.
- c) Strategic Leadership Development Programme
- d) Professional Mediators Certification (MTI)

Employment records and Work Experience

37. On employment and work experience, the nominee informed the Committee that; she has a work experience of thirty-two (32) years in the Ministry of Foreign Affairs. She started her career as an Assistant Secretary III under the European Division, (1984). She rose through the ranks in the Ministry of Foreign Affairs to the position of Director of Africa and African Union. She has served in the following Missions abroad:

- a) Ambassador of Kenya to the Kingdom of Sweden.
- b) Deputy Head /Head of Chancery in the Kenya Embassy in Paris.
- c) First Secretary in Kenya Embassy Stockholm, Sweden.
- d) Second Secretary in Kenya Embassy Stockholm, Sweden

Professional Association.

38. The nominee is a member of the Certified Professional Mediators, Mediation Training Institute of East Africa (MTI)

Honors and Awards

39. She is a recipient of the Moran of the Burning Spear (MBS), (2011). She is also a recipient of the President Award Scheme- Bronze, Silver and Gold Awards, (1976-1978). She was also awarded the Special Mention in the Outward Bound Mountain School, (1976).

Public Office, Political Activities and Affiliations

40. She does not hold any position and is not a member of any political party.

Statement of Net Worth

41. Her financial net worth is Twenty Million Shillings (**Kshs. 20,000,000**). Her source of income is her Salary.

Leadership and suitability

42. The nominee joined Ministry of Foreign Affairs in 1983 and has since worked in various departments in the Ministry including European, Americas, Protocol Directorate, Middle East and International Organisations desks. She was also posted to missions in Stockholm and Paris during her tenure at the Ministry. She further mentioned to the Committee that she was responsible for the African Directorate at a time when the country's policy was geared towards deepening bilateral and multilateral relations with Africa and the African Union.

43. She informed the Committee that Dakar, Senegal, is a new mission and she has the requisite experience having served as a head of mission, Director of Africa directorate and AU. Further, knowledge of the French language makes her the perfect candidate for the position.

44. She mentioned that she has never had any audit queries in the missions she served. She is confident that she will not misuse public resources given to any mission she will serve in.

Bilateral relations

45. Senegal's historical significance as the capital of French West Africa has maintained its important position as a hub of economic and cultural affairs in the present French West Africa. Senegal is also a member of ECOWAS, a regional hub composed of a population of over three hundred million people; a niche market that Kenya is keen on tapping. She informed the Committee that Dakar will be the first mission in a West African francophone country and it will act as a gateway to opportunities for Kenya in that region.

46. She affirmed that there is potential in Senegal in terms of trade, education, exchange in culture and language especially Kiswahili. The country is also party to the AfCFTA agreement and a signatory to the Pan African Agenda 2063. Therefore, both countries espouse ideas of promoting intra-trade in Africa and will ultimately enhance, trade relations and opportunities for Kenyans. She added that Kenya will benefit from the experience in the fields of oil, gas and blue economy.

Challenges in Multilateral Stations

47. She informed the Committee that she has never worked in a multilateral station but a multilateral desk within the Ministry. She however mentioned that the main

challenges facing any multilateral station is networking and advocating a country's agenda. She pointed out successes such as Kenya's participation in the development and adoption of SDGs.

48. She also observed that the Ministry has advocated for smart embassies that work within the budgetary allocations provided as opposed to shutting down embassies abroad. She mentioned that it is advantageous for a country to scale down its operations in a mission rather than shutting it down because re-opening a mission is quite expensive.

Potential Conflict of Interest

49. She has no interests that are likely to present potential conflicts of interest.

Pro-Bono/Charity Work/ Donations to Charity

50. She has participated in charitable activities such as:-

- i. Prisons Outreach Ministry, youth mentoring and support for the clergy, as a member of the Loresho PCEA Community Church and the Woman's Guild.
- ii. Donation of food and other stuff, to the Kikuyu Home for the aged
- iii. Contribution to worthy causes like Red Cross or Media appeals.
- iv. Fees payment for three students, two of them through high school to university and for the third from high school to Diploma College (about 1.7M). She is also paying fees for a needy boy student, totaling to about Kshs. 100,000 so far.
- v. Connected water to Murinduko Primary School in Embu valued at Kshs. 180,000 in addition to mentoring young officers at the Ministry.

Committee observations on the suitability of Amb. Purity Wakiuru Muhindi to serve as Ambassador

51. The Committee having considered the nominee's filled questionnaire, her curriculum vitae and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as Ambassador; THAT the nominee –

- a) is a Kenyan citizen and does not hold dual citizenship.
- b) holds Bachelor of Arts degree in Political Science and Sociology from University of Nairobi (1983), a Post Graduate Diploma in Mass Communication from University of Nairobi (1998), Post Graduate Diploma in International Relations from University of Nairobi (1986) and Master of Arts degree in New Media Governance and Democracy from University of Leicester (2013). In the course of her career, she has attended a seminar on US Foreign Policy and Decision Making, Advanced French Language Certificate Course, Strategic Leadership Development Programme, and Professional Mediators Certification;
- c) satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI and the EACC;
- d) 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) satisfies the requirements of Article 77(1) of the Constitution in that she does not intend to participate in any other gainful employment;
- g) does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;

- h) 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);

3.2 AMB. JACKLINE LUMUMBA YONGA – NOMINEE FOR POSITION OF AMBASSADOR, ROME, ITALY

52.Amb. Jackline Lumumba Yonga appeared before the Committee on Monday, 10th June, 2019 at 10:30 am 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 questions during the vetting as follows -

Citizenship, Date and Place of Birth

53.The nominee is a Kenyan Citizen. She was born in Kisumu in 1961. Her National Identity Card number is 3543003.

Academic and Professional Qualifications

54.She holds a Masters degree in Human Resource management from Poona University (1985) and holds a Bachelor of Arts Degree in Economics and History from the University of Jabalpur, both from India (1983). In the course of her career, she attended the following training courses and programmes-

- a) International Labour Organization Conference (ILO) Geneva Switzerland.
- b) Pensions Reforms Annual conferences- World Bank Institute, U.S.A.
- c) Change Management and Human Resource, United Kingdom.
- d) Certificate course in Environmental Information System, Germany.
- e) Computer Application Data Management course, KIA, Nairobi.
- f) Interpersonal Management Skills for Middle Women managers, KIA, Nairobi.

g) Certificate course in Financial Management, India.

Employment records and Work Experience

55. Amb. Jackline Lumumba Yonga is a career public servant with over thirty-three years (33) of work experience. She started her career at the Ministry of Health as a Personnel Officer II in 1985 up to 1989. She has held various positions in the public sector and currently holds the position of Director, Middle East Directorate, at the Ministry of Foreign Affairs. She has served in the following missions abroad;

- a) Deputy High Commissioner, Kenya High Commission London, United Kingdom.
- b) Deputy Head of Mission, Kenya High Commission in Malaysia.
- c) Ambassador/ Deputy Head of Mission Kenya High Commission, London.

Memberships

56. She is a member of the following organizations;

- i. Catholic Women's Association (CWA)
- ii. National Council for Persons with Disabilities;
- iii. Holy Trinity Church - Kileleshwa, Nairobi.

Public Office, Political Activities and Affiliations

57. She does not hold any position and is not a member of any political party.

Leadership and suitability

58. The nominee informed the Committee that she is a career civil servant who has served in various capacities in the civil service. She has a vast wealth of experience in government service, which is suited for an ambassador. She stated that she will be accredited to Greece, Poland, Cyprus and Malta. She is currently in charge of the Middle East Directorate at the Ministry of Foreign Affairs.

59. She is in the process of publishing her memoir but has participated in formulating several policy documents relating to public service.

Bilateral relations

60. The bilateral relationship between Italy and Kenya existed for decades. Kenya can benefit from Italy in coffee and leather commodities through the provision of a platform where producers of the commodities are linked with marketers and consumers. She however noted that Kenya needs to bridge the gap on value addition of the same commodities.

61. Kenya has a work force that is committed, with a high work ethic and highly educated, attributes that are endearing to a nation that values craftsmanship. She mentioned that given the opportunity to work in Italy, she would link up with TVETs, fashion and design schools and seek opportunities for skilled and semi-skilled youth currently unemployed.

62. Malta is known for blue economy, therefore there is need to borrow best practices as Kenya is planning to expand its blue economy. She affirmed that there is room for improvement on matters trade between Greece and Poland.

Peace Building and fight against corruption

63. The nominee appreciated the Committee for noting her membership with CWA (Catholic Women Association). She confirmed that she prescribes to the notions of peace building and tolerance around the world as espoused by Pope Francis and noted that Kenya ascribes to the same aspirations in matters pertaining to peace as provided in the Kenya Foreign Policy.

64. On matters concerning the fight against corruption, the nominee informed the Committee that she would adhere to the objectives of the Anti-Corruption and Economic Crimes Act and further sensitise personnel in the mission on the Leadership and Integrity Act. This, in her view, would act as a deterrence to

commit such acts and also pin point loopholes in her mission if appointed that she intends to address.

Statement of Net Worth

65. Her financial net worth is thirty million Kenya shillings (**Kshs. 30,000,000**). Her source of income is her salary and house rents totalling to three million and four hundred thousand Kenya shillings, (**Kshs. 3,400,000**) per annum.

Potential Conflict of Interest

66. She has no interests that are likely to present potential conflicts of interest.

Pro-Bono/Charity Work/ Donations to Charity

67. She has participated in charitable activities such as, charity work through Catholic Women Association, visiting the sick and giving food donations to orphanages.

Committee observations on the suitability of Amb. Jackline Lumumba Yonga to serve as Ambassador

68. The Committee having considered the nominee's filled questionnaire, her curriculum vitae and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as Ambassador; THAT the nominee—

- a) is a Kenyan citizen and does not hold dual citizenship;
- b) holds a Master's degree in Human Resource management from Poona University (1985) and also holds a Bachelor of Arts Degree in Economics and History from the University of Jabalpur (1983), both from India. She has also pursued several conferences and professional courses key among them; International Labour Organization conference (ILO), Pensions Reforms Annual conferences, Change Management and Human resource Certificate course in Environmental

Information System, Interpersonal Management Skills for middle Women managers and Certificate course in Financial Management.

- c) satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI and the EACC;
- d) 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) satisfies the requirements of Article 77(1) of the Constitution in that she does not intend to participate in any other gainful employment;
- g) does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- h) 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.

3.3 VETTING OF HON. HALIMA ADBILLE MOHAMUD- NOMINEE FOR POSITION OF AMBASSADOR – KUWAIT CITY, KUWAIT

69. Hon. Halima Abdille Mohamud appeared before the Committee on Monday, 10th June, 2019 at 11:30 a.m. 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 questions during the vetting as follows-

Citizenship, Date and Place of Birth

70. The nominee is a Kenyan Citizen. She was born in 1988 in Wajir. Her National Identity Card number is 25322209.

Academic and Professional Qualifications

71. She holds a Bachelor of Education (Science) degree from Kenyatta University (2011). She is pursuing a Master of Arts degree in Gender and Development Studies (Project Management Option) from the University of Nairobi. In the course of her career, she attended the following training courses and programmes-

- a) Certificate in Entrepreneurship Skills and Business Planning, Kenyatta University, Kenya;
- b) Certificate in Computer Studies, Skynet College, Kenya; and
- c) Certificate in Project Management and Proposal Writing, UMMAH Foundation College, Kenya.

Employment records and Work Experience

72. Hon. Halima Abdille Mohamud has over five years of experience and has held various positions in the public sector and was previously a nominated Senator from August, 2013 to August, 2017.

73. She has experience in the education sector, arid land development issues and educated in the electoral voting system of Kenya. She has also worked with Kenya Red Cross.

Public Office, Political Activities and Affiliations

74. She was a Senator in the 11th Parliament, which was a political office.

75. She was a member of the ODM party at the 11th Parliament and run on a Jubilee party ticket for the August, 2017 general elections. She however stated that she currently does not have any linkage with any political office.

Statement of Net worth

76. Her financial net worth is thirty-five million Kenya shillings (**Kshs. 35,000,000**).

Leadership and Suitability of the Nominee

77. She informed the Committee that Members of Parliament make good ambassadors due to their experience in Parliamentary diplomacy. Her experience as Chairperson in the Committee on Labour and Vice Chairperson of the Education Committee in the Senate enabled her to lead delegations to different events and foreign trips. Parliamentary diplomacy is very clear in legislation, oversight and representation.

78. She informed the Committee that she is the best candidate for the appointment to Kuwait because as a young leader she understands their cultural dynamics, the religion of the nation and matters youth radicalization. She appreciated that the appointing authority had confidence in her abilities to represent Kenya in Kuwait.

Trade

79. In regards to export of meat, she informed the Committee that Kuwait lifted the ban on meat from Kenya in 2018. She asserted that if approved, she will look into the relationship between Kenya and Kuwait and follow up on bilateral trade agreements between the two countries in order to maximize on opportunities.

Mistreatment of Kenyans in Kuwait

80. On mistreatment of Kenyans in the Middle East, she stated that there is no legal framework to guide employment of Kenyans in Kuwait and that unlicensed agents largely contribute to the problem. She further stated that she will ensure that a database of all Kenyans in Kuwait is created in order to understand their challenges and engage the Kuwait government on treatment of Kenyans within their country.

Gulf Geopolitics

81. On matters gulf geopolitics, the nominee stated that she will uphold the Kenyan position. However, where diplomatic issues arise, she will consult with the Ministry of Foreign Affairs.

Radicalization and Religious Misrepresentation

82. The nominee stated that Kenya and Kuwait have the same concerns over terrorism. The proximity to the waterways in the gulf brings concerns of radicalization. If approved, she will engage the youth through the Kuwait Official Development Assistance, to empower the Kenyan youth.

Areas of collaboration between Kenya and Kuwait

83. On matters collaboration, Kenya has benefited from the Kuwait Fund for Arab Development, which has established Umma University in Kajiado County and a school in Nyamira in Borabu. Other development projects include Bura irrigation and Nano Madogashe. The nominee believes further relations can be created in health, labour and employment.

Employment

84. The nominee informed the Committee that the population of Kuwait is approximately 3 million. If approved, she will assist skilled and semi-skilled labour penetrate into the Kuwait labour market. Kuwait is also rich in oil and petroleum, therefore, she will if appointed facilitate exchange programmes for students and promote petroleum engineering courses in Kenya.

Potential Conflict of Interest

85. She informed the Committee that she has no interests that are likely to present potential conflicts of interest.

Pro-Bono/Charity Work/ Donations to Charity

86. The nominee stated that she has participated in charitable activities such as Volunteering for the Kenya Red Cross, took part in charity to help the orphaned and the needy, taught Wajir Girls Secondary as a BOG teacher and paid fees for disadvantaged groups during her tenure as Member of Parliament.

Committee observations on the suitability of Hon. Halima Abdille Mohamud to serve as Ambassador

87. The Committee having considered the nominee's filled questionnaire, her curriculum vitae and having heard her oral submission during the approval hearing, made the following observations on her suitability for appointment as Ambassador; THAT the nominee—

- a) is a Kenyan citizen and does not hold dual citizenship;
- b) holds a Bachelor of Education (Science) degree from Kenyatta University (2011). She is pursuing a Master of Arts degree in Gender and Development Studies (Project Management Option) from the University of Nairobi. In the course of her career, she attended the following training courses and programmes Certificate in Entrepreneurship Skills and Business Planning, Certificate in Computer Studies, Certificate in Project Management and Proposal Writing
- c) satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity;
- d) 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) satisfies the requirements of Article 77(1) of the Constitution in that she does not intend to participate in any other gainful employment;
- g) does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- h) 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.

3.4 AMB. LEMARRON KAANTO – NOMINEE FOR POSITION OF AMBASSADOR, BERLIN, GERMANY

88.Amb. Lemarron Kaanto appeared before the Committee on Monday, 10th June, 2019 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 questions during the vetting as follows-

Citizenship, Date and Place of Birth

89.The nominee is a Kenyan Citizen. He was born in 1971 in Kajiado. His Identity Card (ID) number is 10882022.

Academic and Professional Qualifications

90.He holds a Bachelor of Arts (Honors) degree in Sociology from the University of Nairobi (1995), a Post Graduate Diploma in Food Security and Nutrition from Wageningen University in the Netherlands (2002) and a Post Graduate Diploma in Human Rights & Gender Equality from Uppsala University in Sweden (2009).

91.He also holds an Executive Master of Business Administration degree in Leadership & International Business Development, Coopenhagen Business

School (2012), Masters of Arts degree in Sociology from Catholic University of Eastern Africa (2017) and is currently pursuing a PhD in Social Transformation from North West University, South Africa as from March (2019). In the course of his career, he has undertaken the following trainings/ courses and programmes:

a) Certificate in Environmental Impact Assessment from African Nazarene University.

b) Certificate in Corporate Social Responsibility form Grojomij, Denmark

Employment records and Work Experience

92. He has working experience of over twenty-two (22) years. He began his career as a Project Development Manager in March, 1996. He rose through the ranks of the corporate ladder to become Corporate affairs and community development manager for TATA Chemicals Magadi Limited (2014). He was the Coordinator of Information centre for Extractor in United Nations Development Programme (UNDP) in Kenya up to 2015. He was later appointed the Ambassador/Deputy Head of Kenyan Missions for the government of Kenya from January, 2015 to August, 2015 in Algeria and September, 2015 to date in South Africa.

Honours and Awards

93. He has been awarded the following awards; ISTR/Wits African PhD Seminar, Sponsored by Africa Centre Philanthropy and Social investment Witwatersrand University, South Africa (May 2019), Early Doctoral Programme (EDP) The 9th Summer Doctoral School: African Doctoral Academy (ADA).

Professional Association

94. He is a member of the following Associations; International Society for Third-Sector Research, Global Reporting Initiative, Stakeholder Council, National

Environmental Management Authority Assessor, Centre for Extractives Industries in Developing Areas.

Published Writings

95. He has published a paper on “Implications of Soda Ash Mining on the Livelihood of Indigenous Maasai Community: A Case of Tata Chemicals Magadi, Kajiado County”, Kenya. Editing Oversight Empirical Consultant International Limited, Kaanto, L., Ndolo M., and Ndongo, B., 2018.

Public Office, Political Activities and Affiliations

96. He has served in the following offices and capacities to date;

- a) Deputy Head of Mission, South Africa.
- b) Director, Oloolaiser Water and Sewerage Company,
- c) Board Member, Olkejuado High School,
- d) Board Member, Olooseos Secondary School
- e) Board Member, Masai Technical Training Institute,
- f) Board Member, Bissil Girls Secondary School,
- g) Director, Ewaso Ngiro South Development Authority,
- h) Director, Agricultural Development Corporation,
- i) Member, Kajiado District Environmental Committee,

Leadership and Suitability of the Nominee

97. He has over twenty years (22) working experience in non-profit organizations, private sector, international organizations and the public. At the international level, he has served as a Stakeholder Council Member of the Global Reporting Initiative (GRI), an international industry standards organization based in Amsterdam, Netherlands. He has also been a member of CSR Extractives in Developing Areas (CEIDA) research group based in ESADE University, Spain.

98. In January 2015, he was posted to Kenya's Embassy in Algeria as Deputy Head of Mission before joining Kenya High Commission in Pretoria in the same capacity on 1st September, 2015 to date.

99. He stated that his experience in diplomatic missions has been able to anchor him in diplomacy in terms of administration of an Embassy, Kenya's foreign policy, art of diplomacy and issues of leadership.

Benefits of the mission in Berlin

100. The nominee informed the Committee that he will seek opportunities for students to access education in Germany. Kenya has a partnership with Germany on education therefore; he will enhance further education opportunities for Masters and PhD students.

Multiple Accreditation

101. The nominee stated that he is only accredited to Germany. He will be posted only to Berlin. Germany is not accredited to other countries

Investor Confidence

102. He informed the Committee that he will pursue the instruments that will enforce better investor confidence such as the agreement on double taxation that is being negotiated. Economic diplomacy is a key mandate of Ambassadors which fosters investor confidence in Kenya.

Security of Kenyans in South Africa

103. The nominee stated that he will ensure that xenophobia against Kenyans in Germany will not happen. He added that Kenyans in South Africa are safe despite social media reports. The Mission in South Africa has established a Committee with the leadership of the Kenyan Diaspora in South Africa to ensure the safety of Kenyans.

104. On matters pertaining to access South Africa Visa, he mentioned that since 2015 tremendous progress has been made. In 2017 an agreement was reached in order to allow civil servants with ordinary passports to travel to South Africa without visa. In April 2019, a Technical Committee was created to look into a visa free regime between Kenya and South Africa.

EU-Kenya Relations

105. In relation to the Schengen visa, he informed the Committee that Africa is driving towards the same through the Africa Continental Free Trade Area (ACFTA) to facilitate easier movement of people. Schengen visa is an advantage as it facilitates easier movement of people with one visa across many nations.

Balance of Trade

106. He informed the Committee that balance of trade is in favour of Germany with 31 billion Kenyan shillings. He noted that Germany, one of the largest economies in the world has a comparative advantage in renewable energy, automobiles, solar and manufacturing that Kenya can leverage on to become a competitive market.

Double Taxation

107. He informed the Committee that there is a double taxation agreement, which was signed by the two countries and has addressed investor confidence. This can be witnessed through an increase of German Companies operating in Kenya such as Bayer, Henkel and recently Lufthansa airlines operating to Mombasa since 2015.

Big Four Agenda

108. He asserted that the main focus of the mission is to leverage on the opportunities in Germany with regard to the Big Four Agenda in Kenya. The specific areas of focus will be in manufacturing and renewable energy. In human development, Germany is strong in its TVETs. He informed the Committee that

there is an agreement between Kenya and Germany on TVETs. In addition, Germany is keen on supporting centres of excellence in Kenya. This will in turn support Kenyan youth on employment. Strengthening of TVETs will also support the Big Four Agenda in terms of manufacturing, affordable housing among other sectors. Kenya will also borrow on the German models where Germany links their TVETs to other institutions.

Tourism

109. The nominee informed the committee that he would pursue innovative ways of encouraging tourists from Germany to Travel to Kenya. He noted that Lufthansa and Condo airlines, have begun flight operations between Germany and Kenya. Increased tourism will earn the country youth employment and investments to the country.

Statement of Net Worth

110. His financial net worth is Ninety million Kenya shillings (**Kshs. 90,000,000**). His source of income is his salary/allowances, rental income and sales from livestock.

Potential Conflict of Interest

111. He has no interests that are likely to present potential conflicts of interest.

Pro-Bono/Charity Work/ Donations to Charity

112. He has participated in charitable activities such as; contribution to church activities amounting to **Kshs.100,000**, fees and bursaries amounting to **Kshs. 200,000**, other donations amounting to **Kshs.200,000**.

Committee observations on the suitability of Amb. Lemarron Kaanto to serve as Ambassador.

113. The Committee having considered the nominee's filled questionnaire his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Ambassador; THAT the nominee –

- a) is a Kenyan citizen and does not hold dual citizenship;
- b) holds a Bachelor of Arts (Honors) degree in Sociology from the University of Nairobi (1995), a Post Graduate Diploma in Food Security and Nutrition from Wageningen University in the Netherlands (2002) and a Post Graduate Diploma in Human Rights & Gender Equality from Uppsala University in Sweden (2009). He also holds an Executive Master of Business Administration degree in Leadership & International Business Development, Coopenhagen Business School (2012), Masters of Arts degree in Sociology from Catholic University of Eastern Africa (2017) and is currently pursuing a PhD in Social Transformation from North West University, South Africa as from March (2019). In the course of his career, he has undertaken the following trainings/ courses and programmes; Certificate in Environmental Impact Assessment from African Nazarene University, Certificate in Corporate Social Responsibility.
- c) satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI and the EACC;
- d) 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) satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
- g) does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- h) 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.

3.5 AMB. ANDREW MAINA KIHURANI – NOMINEE FOR POSITION OF AMBASSADOR, BERN, SWITZERLAND

114. Amb. Andrew Maina Kihurani appeared before the Committee on Monday, 10th June, 2019 at 2:30 p.m 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 questions during the vetting as follows-

Citizenship, Date and Place of Birth

115. The nominee is a Kenyan Citizen who was born in Kajiado in 1962. His National Identity Card number is 0462213

Academic and Professional Qualifications

116. He holds a Bachelor of Arts degree (1985), and Post-Graduate Diploma in International Relations (1988) both from the University of Nairobi. In the course of his career, he has undertaken the following trainings, courses and programmes:

- a) National Defense College Course.
- b) Strategic Leadership Development Program

Employment records and Work Experience

117. On employment and work experience, the nominee informed the Committee that he has work experience of over thirty-two (32) years. He started his career as an Assistant Secretary II in the Ministry of Foreign Affairs in 1986 and rose through the ranks from Assistant Secretary III to the position of an Ambassador/Deputy Permanent Representative of Kenya Permanent Mission to the United Nations, Geneva. He has served in the following missions abroad:

- (i) Second Secretary, the Kenya High Commission in Ottawa, Canada.
- (ii) Assistant Secretary I for Asia and Australasia Division.
- (iii) Assistant Secretary I for Africa and African Union Division.
- (iv) Assistant Secretary I for Americas Division.
- (v) First Secretary , Kenya High Commission in Windhoek, Namibia.
- (vi) First Secretary , the Kenya Embassy in Tel Aviv, Israel.
- (vii) Second/First Counsellor, Deputy Chief of Protocol, Protocol Division.
- (viii) First Counsellor and subsequently the Principal Counsellor , Kenya Embassy in Berlin.
- (ix) Appointed Ambassador in the Ministry of Foreign Affairs on 19th December, 2012.

Statement of Net worth

118. His financial net worth is eighty-nine million Kenya shillings (**Kshs. 89,000,000**). His source of income is foreign service allowance of (**Chf 218,569**), Employment Salary amounting to Kshs. 4,806,310 and rental income amounting to **Kshs, 2,452,440 per annum**.

Kenya as an Investment Hub

119. He informed the Committee that a number of investors have shown interest in Kenya due to the open investment policy that makes all aspects of the economy

accessible. This is one of the factors that will allow the Swiss who are good in chemical, pharmaceutical, finance, tourism and agricultural areas to look at Kenya as a worthy partner.

120. Areas of engagement between Kenya and Switzerland include:

- a) Pharmaceutical Areas that will focus mainly on manufacturing;
- b) Finance and related activities;
- c) Tourism through the Ministry of Tourism to Market Kenya; and
- d) Agriculture.

Benefits of a Mission in Bern

121. He informed the Committee that the mission in Bern, will facilitate bilateral relations between Switzerland and Kenya and offer consular services to the Kenyan citizens and others in Switzerland.

Fight against Corruption in the Mission

122. In 2018, Kenya and Switzerland signed an agreement on the Framework for the return of assets of corruption and crime. The framework enables the government of Kenya to pursue the return of proceeds of crime and corruption that have been hidden in Switzerland. In 2017, the two countries signed a Memoranda of Understanding on Criminal Matters to facilitate the reclamation of money. He informed the Committee that there is a technical committee that comprises of representatives from;

- a) The Executive arm of the National Government
- b) The Ministry of Treasury
- c) The State law office
- d) Ethics and Anti-Corruption Commission (EACC).
- e) Assets recovery Agency

123. The Committee is mandated to ;-

- a) identify where such Assets have been located in Switzerland;
- b) identify institutions and organizations to repatriate those funds;
- c) in consultation with the Swiss government to ensure that the reclaimed resources are advanced to particular development.
- d) Monitor the funds that have been reclaimed from Switzerland and the utilization of the same.

124. He asserted that if approved and appointed he would work closely with the Committee to ensure that Kenya gains more value for the money reclaimed.

Balance of Trade

125. The balance of Trade is in favor of Switzerland where Kenya exports and imports goods worth 3 Billion and 10 billion respectively. He pointed out the following measures that could be undertaken to improve the current trade imbalance;

- a) To work closely with the manufacturers and exporters to see what value can be added on to improve the volume;
- b) encourage more investors from Switzerland to Kenya.

His role in the attainment of the Big Four Agenda

126. In order for Kenya to realize the Big Four Agenda, the nominee informed the Committee that there is need to promote trade and improve on manufacturing. He mentioned that the country needs to seek investors from Switzerland who are ready to set up industries in the country that focus on manufacture of pharmaceuticals, notably Novartis and Roche which have already established a laboratories in the country.

Potential Conflict of interest

127. The nominee stated that he has no interests that are likely to present potential conflicts of interest.

Pro-Bono/Charity Work/ Donations to Charity

128. He informed the Committee that he has participated in charitable activities such as:-

- a) Contributions to church constructions amounting to **Kshs. 90,000**.
- b) Contributions for hospital fees amounting to **Kshs. 170,000**

Committee observations on the suitability of Amb. Andrew Maina Kihurani to serve as Ambassador

129. The Committee having considered the nominee's filled questionnaire, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as Ambassador, THAT the nominee –

- a) is a Kenyan citizen and does not hold dual citizenship;
- b) holds a Bachelor of Arts degree (1985), and Post-Graduate Diploma in International Relations (1988) both from the University of Nairobi. In the course of his career, he has undertaken the following trainings/ courses and programmes: National Defense College Course, Strategic Leadership Development Program.
- c) satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI and the EACC;
- d) 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) satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
- g) does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;

h) 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.

3.6 AMB. ELIPHAS MUGENDI BARINE– NOMINEE FOR POSITION OF HIGH COMMISSIONER - ACCRA, GHANA

130. Amb. Eliphas Mugendi Barine appeared before the Committee on Monday, 10th June, 2019 at 3.30pm 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 questions during the vetting as follows-

Citizenship, Date and Place of Birth

131. The nominee is a Kenyan Citizen. He was born in Tharaka Nithi in 1965. His National Identity Card Number is 7010981.

Academic and Professional Qualifications

132. He holds a Bachelor of Arts degree in Anthropology (1989), and Post-Graduate Diploma in International relations (1993) both from the University of Nairobi. He also holds a Master's Degree in International relations from the University of Annamalai, India (2012). In the course of his career, he undertook the following trainings/ courses and programmes:

- a) Strategic Leadership Development Programme (KSG);
- b) Administrative Officers Exams;
- c) Administrative Officers Induction Course (KIA);

Employment records and Work Experience

133. He has work experience of over twenty six (26) years. He began his career as an Assistant Secretary Cadet, Africa Division, Ministry of Foreign Affairs,

(1991). He was later appointed as a Deputy head of Mission of Kenya to New Delhi, India. Subsequently he was appointed as the Director, Liaison (Parliamentary and County Affairs) a position that he holds to-date. His career progression is as summarized below;

- a) 19th December – Present Ambassador
- b) May 2007 –December 2012 First Chancellor
- c) December 2002- May 2007 Second Counsellor
- d) June 1999-December 2002 Second Secretary I
- e) November 1995- June 1999 Assistant Secretary II
- f) May 1992-November 1995 Assistant Secretary III
- g) February 1990-May 1992 Assistant Secretary Cadet

Non-Professional membership

- a) He is a member of the following groups; Makuri Development Forum-A forum for all boys/girls of Makuri Primary School on mentorship that supports needy pupils and their general academic environment.

Bilateral Relations

134. He informed the Committee that, Ghana has vast opportunities, which Kenya can benefit from. He advocated for information sharing on matters relating to trade and investment. These areas of strength include tea, animal products and technological sharing that would resolve challenges that Kenya and the larger Africa faces.
135. The nominee mentioned that on fostering relationship between Kenya and Ghana he will see to it that the existing Memoranda of Understanding are implemented to enhance bilateral relations.

His role in the attainment of the Big Four Agenda

136. The nominee informed the Committee that to realise the Big Four Agenda, Kenya needs to exploit the potential presented by the ratification of the TFTA and AfCFTA agreements in the following sectors, housing, healthcare and food security.

Corruption

137. The nominee stated that Corruption is a punishable offense in both Kenya and Ghana. He further stated that if approved and appointed he would not tolerate such occurrences at the Mission.

Benefits of the Mission in Accra, Ghana.

138. He informed the Committee that as a policy directive all upcoming embassies will operate as smart embassies, that consist of a lean establishment of staff who are to multi-task .

Statement of Net worth

139. The nominee informed the Committee that his financial net worth is thirty seven million Kenya shillings (**Kshs. 37,000,000**). His source of income is his salary and rent income amounting to two million Kenya shillings (Kshs. 2,000,000) p.a..

Potential Conflict of Interest

140. He informed the Committee that he has no interests that are likely to present potential conflicts of interest.

Pro-Bono/Charity Work/ Donations to Charity

141. He has participated in charitable activities such as:-

Donation of money amounting to **Kshs. 300,000**, Makuri Development Forum, as an alumni member of Murumuti Kenyakuni Secondary School, he has donated

Kshs. 200,000, in community church fundraising events he has made donations amounting to **Kshs. 250,000**.

Committee observations on the suitability of Amb. Eliphas Mugendi Barine to serve as High Commissioner

142. The Committee having considered the nominee's filled questionnaire, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations on his suitability for appointment as High Commissioner, THAT the nominee –

- (a) is a Kenyan citizen and does not hold dual citizenship;
- (b) holds a Bachelor of Arts degree in Anthropology (1989), and Post-Graduate Diploma in International relations (1993). He also holds a Master's Degree in International relations (2012). In the course of his career, he undertook the following trainings/ courses and programmes: Strategic Leadership Development Programme; Administrative Officers Exams; Administrative Officers Induction Course.
- (c) satisfies the requirements of Chapter 6 of the Constitution on leadership and integrity having been cleared by the DCI and the EACC;
- (d) has never been charged in a Court of Law for the last three years;
- (e) has no potential conflict of interest as stipulated in Article 75(1) of the Constitution;
- (f) satisfies the requirements of Article 77(1) of the Constitution in that he does not intend to participate in any other gainful employment;
- (g) does not hold office in any political party hence satisfies the provisions of Article 77(2) of the Constitution;
- (h) 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.

4.0 GENERAL COMMITTEE OBSERVATIONS

143. The Committee having vetted all the nominees' made the following general observations –

- a. THAT, ALL the six nominees namely; the **Amb. Purity Wakiuru Muhindi, Amb. Jackline Lumumba Yonga, Hon. Halima Abdille Mohamud, Amb. Lemarron Kaanto, Amb. Andrew Maina Kihurani, and Amb. Eliphaz Mugendi Barine**, are Kenyan citizens and do not hold dual citizenship;
- b. THAT, the nominees presented their academic credentials and professional Certificates and demonstrated their experience in accordance with the provisions of Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;
- c. 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 in the last three years;
- d. THAT, all the nominees satisfy the requirements of Article 77(1) in that they do not intend to participate in any other gainful employment;
- e. THAT, all the nominees do not hold office in any registered political party hence satisfy the provisions of Article 77(2) of the Constitution.
- f. 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;
- g. THAT, the Committee did not receive any memoranda contesting the suitability of the six (6) nominees.

- h. THAT, the Committee received six written statements on oath (affidavit) in support of the suitability of the **Hon. Halima Abdille Mohamud**.
- i. THAT, the appointing authority took into consideration the principles of gender balance, persons living with disabilities, youth and marginalized communities in nominating persons for Ambassadorial positions.
- j. THAT, none of the nominees, had 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 2011;

5.0 COMMITTEE RECOMMENDATIONS

144. Having considered the suitability, integrity of the nominees, and pursuant to Article 132(2)(e) of the Constitution and Standing Order 216 (5) (f), the Committee recommends that the National Assembly approves the nomination by His Excellency the President, of -

- 1. Amb Purity Wakiuru Muhindi for appointment as an Ambassador to Dakar, Senegal;**
- 2. Amb. Jackline Lumumba Yonga for appointment as an Ambassador to Rome, Italy;**
- 3. Hon. Halima Abdille Mohamud for appointment as an Ambassador to Kuwait City, Kuwait;**
- 4. Amb. Lemarron Kaanto for appointment as an Ambassador to Berlin, Germany;**
- 5. Amb. Andrew Maina Kihurani, for appointment as an Ambassador to Bern, Switzerland; and**
- 6. Amb. Eliphaz Mugendi Barine for appointment as an High Commissioner to Accra, Ghana.**

Signed..... Katoo Ole Metito Date: 18/6/2019

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

LIST OF APPENDICES

1. Message from the H.E President	Appendix 1
2. Communication from the Speaker	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 Agencies i.e <i>Kenya Revenue Authority (KRA), Higher Education Loans Board (HELB), Ethics and Anti-Corruption Commission (EACC), Criminal Investigation Department (CID), Higher Education Loans Board HELB and Credit Reference Bureau (CRB)</i>	Appendix 4
5. Reply from the Commissioner General , KRA to the Clerk of the National Assembly	Appendix 5
6. Reply from the Chief Executive, HELB to the Clerk of the National Assembly	Appendix 6
7. Reply from the Secretary/Chief Executive, (EACC) to the Clerk of the National Assembly	Appendix 7
8. Reply from the Director, CID to the Clerk of the National Assembly	Appendix 8
9. Advert in print media inviting public submission of memoranda	Appendix 9
10. Advert to the public of the intention to vet the the Ambassadors/High Commissioners by the DC on Defence & Foreign Relations	Appendix 10
11. Public Appointments (Parliamentary Approval) Act, No. 33 of 2011	Appendix 14
12. Adoption List	Appendix 15

80

80

REPUBLIC OF KENYA



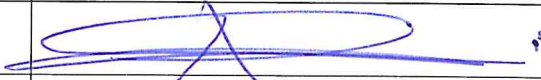
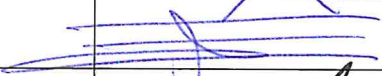
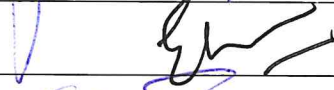



DEPARTMENTAL COMMITTEE ON DEFENCE & FOREIGN RELATIONS

REPORT OF THE DEPARTMENTAL COMMITTEE ON DEFENCE AND FOREIGN RELATIONS ON THE VETTING OF SIX NOMINEES FOR APPOINTMENT TO THE POSITION OF AMBASSADORS/HIGH COMMISSIONERS

We, the undersigned Hon. Members of the Departmental Committee on Defence & Foreign Relations, today 12th June, 2019 do hereby affix our signatures to this **REPORT ON THE VETTING OF SIX NOMINEES FOR APPOINTMENT TO THE POSITION OF AMBASSADORS/ HIGH COMMISSIONERS** to affirm our approval and confirm its accuracy, validity and authenticity:-

NO.	NAME	SIGNATURE
1.	The Hon. Katoo Ole Metito, EGH, MGH, M.P - Chairperson	
2.	The Hon. Richard Tong'i, M.P - Vice Chairperson	
3.	The Hon. Yusuf Hassan Abdi, M.P	
4.	The Hon. Charles Mutavi Kilonzo, M.P	
5.	The Hon. Patrick Makau, M.P	
6.	The Hon. Dido Ali Raso, M.P	
7.	The Hon. Peter Mungai Mwathi, M.P	
8.	The Hon. Martha Wangari Wanjira, M.P	
9.	The Hon. Major (Rtd.) Bashir Abdullahi, M.P	
10.	The Hon. Memusi Ole Kanchory, M.P <i>Eljoh Memusi Kanchory</i>	

11.	The Hon. Beatrice Nkatha Nyagah, HSC, M.P	
12.	The Hon. John Lodepe Nakara, M.P	
13.	The Hon. Nelson Koech, M.P	
14.	The Hon. (Dr.) Lilian Gogo, M.P	
15.	The Hon. Vincent Kipkurui Tuwei, M.P	
16.	The Hon. Asha Mohamed , M.P	
17.	The Hon. Moses Nguchine Kirima, M.P	
18.	The Hon. Ernest Ogesi Kivai, M.P	
19.	The Hon. Caleb Amisi, MP	



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

**MINUTES OF THE 37TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
DEFENCE & FOREIGN RELATIONS HELD ON MONDAY, 10TH JUNE, 2019 IN THE
MINI CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS AT 8.00 AM**

PRESENT

1. The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
2. The Hon. Richard Tong'i, MP (Vice Chairperson)
3. The Hon. Charles Kilonzo, MP
4. The Hon. Patrick Makau King'ola, MP
5. The Hon. Col. (Rtd) Dido Ali Raso, MP
6. The Hon. Peter Mungai Mwathi, MP
7. The Hon. Beatrice Nkatha Nyagah, HSC, MP
8. The Hon. Martha Wangari Wanjira, MP
9. The Hon. John Lodepe Nakara, HSC, MP
10. The Hon. Memusi Ole Kanchory, MP
11. The Hon. Major (Rtd.) Bashir Sheikh Abdullah, MP
12. The Hon. Nelson Koech, MP
13. The Hon. Vincent Kipkurui Tuwei, MP
14. The Hon. Ernest Ogesi Kivai, MP
15. The Hon. Caleb Amisi, MP

APOLOGY

1. The Hon. Yusuf Hassan Abdi, MP
2. The Hon.(Dr.) Lilian Gogo, MP
3. The Hon. Moses Nguchine Kirima, MP
4. The Hon. Asha Hussein Mohamed, M.P

NATIONAL ASSEMBLY SECRETARIAT

- | | | |
|-------------------------|---|-------------------------|
| 1. Mr. Samuel Kalama | - | Senior Clerk Assistant |
| 2. Ms. Susan Maritim | - | Senior Clerk Assistant |
| 3. Ms. Grace Wahu | - | Research Officer III |
| 4. Mr. Rodgers Kilungya | - | Audio Recording Officer |
| 5. Ms. Daphine Wambui | - | Parliamentary Intern |
| 6. Mr. Anthony Kiweu | - | Parliamentary Intern |

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions
 - (iii) Communication from the Chair
2. Confirmation of Minutes of the previous sittings
3. Matters Arising
4. **Pre-vetting meeting on nominees for appointment as Ambassadors/High Commissioners**
5. Any Other Business

MIN.NO.DC.DFR/2019/147: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 8.20am. Prayer was read by Hon. Richard Tong'i MP. The agenda of the meeting was adopted having been proposed and seconded by the Hon. Patrick Makau, MP and Hon. Peter Mwathi, MP respectively.

The Committee was informed of the receipt of the nominations from H.E the President. The Chairperson further informed the Committee that the names were subsequently referred to the Departmental Committee on Defence & Foreign Relations by the Speaker of the National Assembly pursuant to the resolution passed by the House on Thursday, May 9th 2019 that required him to refer any names of nominees for appointment to a state office that he may have received during the recess period, to the relevant Committee(s) without having to cause a recall of the House to convey the names. The Committee 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/2019/148: 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 Thursday 30th May, 2019
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, HELB, DCI and the Registrar of Political Parties had cleared all the nominees . KRA was yet to submit a response on the same.
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 Thursday 30th May, 2019 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 Wednesday 5th June, 2019 at 5.00p.m the Committee had received eight written statements on oath in respect of the suitability of Ho. Halima Abdille for appointment as an Ambassador. However, two of them were disqualified for not having been signed by the author and the other one was a recommendation letter and not a statement on oath.


Consequently the Committee resolved that:-

1. The approval hearing to take one hour for each nominee
2. Members should be sensitive and avoid asking nominees questions that may infringe on their rights to privacy
3. Members were requested to observe punctuality for the meetings

MIN.NO.DC.DFR/2019/149: ADJOURNMENT AND DATE OF

NEXT MEETING

The time being nine o'clock the Chairperson adjourned the meeting to reconvene on Monday, 10th June, 2019 at 9.00am.

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

Date..... 19/6/2019



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

**MINUTES OF THE 38TH SITTING OF THE DEPARTMENTAL COMMITTEE ON DEFENCE
& FOREIGN RELATIONS HELD ON MONDAY, 10TH JUNE, 2019 IN THE MINI - CHAMBER,
COUNTY HALL, PARLIAMENT BUILDINGS AT 2.30 AM**

PRESENT

1. The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
2. The Hon. Richard Tong’i, MP (Vice Chairperson)
3. The Hon. Charles Kilonzo, MP
4. The Hon. Patrick Makau King’ola, MP
5. The Hon. Col. (Rtd) Dido Ali Raso, MP
6. The Hon. Peter Mungai Mwathi, MP
7. The Hon. Beatrice Nkatha Nyagah, HSC, MP
8. The Hon. Martha Wangari Wanjira, MP
9. The Hon. John Lodepe Nakara, HSC, MP
10. The Hon. Memusi Ole Kanchory, MP
11. The Hon. Major (Rtd.) Bashir Sheikh Abdullah, MP
12. The Hon. Nelson Koech, MP
13. The Hon. Vincent Kipkurui Tuwei, MP
14. The Hon. Ernest Ogesi Kivai, MP
15. The Hon. Caleb Amisi, MP

APOLOGY

1. The Hon. Yusuf Hassan Abdi, MP
2. The Hon.(Dr.) Lilian Gogo, MP
3. The Hon. Moses Nguchine Kirima, MP
4. The Hon. Asha Hussein Mohamed, M.P

NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Samuel Kalama	-	Senior Clerk Assistant
2. Ms. Susan Maritim	-	Senior Clerk Assistant
3. Ms. Brigitta Mati	-	Legal Counsel II
4. Ms. Grace Wahu	-	Research Officer III
5. Mr. Rodgers Kilungya	-	Audio Recording Officer
6. Ms. Daphine Wambui	-	Parliamentary Intern
7. Mr. Anthony Kiweu	-	Parliamentary Intern

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions
 - (iii) Communication from the Chair
2. Confirmation of Minutes of the previous sittings
3. Matters Arising
4. **Vetting of Amb. Purity Muhindi, for Dakar, Amb. Jackline Yonga, for Rome, Hon. Halima Abdille Mohamud, for Kuwait, Amb. Lamarron Ole Kaanto, for Berlin,**
5. Any Other Business

MIN.NO.DC.DFR/2019/150: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 9.30am. 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 for the position
- (viii) Integrity
- (ix) Vision and Leadership

MIN.NO.DC.DFR/2019/151: VETTING OF AMB. PURITY MUHINDI- NOMINEE TO DAKAR

Amb. Purity Wakiuru Muhindi appeared before the Committee on Monday, 10th June, 2019 at 9:30 am 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 questions during the vetting as follows-

- i. The nominee is a Kenyan Citizen. She was born in Molo in 1960. Her National Identity Card Number is 0904926.
- ii. She holds a Bachelor of Arts degree in Political Science and Sociology from University of Nairobi (1983), a Post Graduate Diploma in Mass Communication from University of Nairobi (1998), Post Graduate Diploma in International Relations from University of Nairobi (1986) and Master of Arts degree in New Media Governance and Democracy from University of Leicester (2013).
- iii. Ms. Purity Muhindi is a career public servant with over 32 years of experience and held various positions in the public sector. She started her career as an Assistant Secretary III under the European Division, (1984). She rose through the Ranks to the position of Director of Africa and African Union in the Ministry of Foreign Affairs. She has served in the following Missions abroad; Ambassador of Kenya to the Kingdom of Sweden, deputy Head /Head of Chancery in the Kenya Embassy in Paris, first Secretary in Kenya Embassy Stockholm, Sweden and lastly as a second Secretary in Kenya Embassy Stockholm, Sweden.
- iv. She is a member of the Certified Professional Mediators, Mediation Training Institute of East Africa(MTI)
- v. She has various awards and honors; Moran of the Burning Spear (MBS), (2011), President Award Scheme- Bronze, Silver and Gold Awards, (1976-1978) and the Special Mention in the Outward Bound Mountain School, (1976).
- vi. The nominee informed the Committee that she is not a member of any political party.
- vii. Her financial net worth is Twenty Million Shillings (**Kshs. 20,000,000**). Her source of income is her Salary.
- viii. The nominee joined Ministry of Foreign Affairs in 1983 and has since worked in various departments in the Ministry including European, Americas, Protocol Directorate, Middle East and International Organisation desks. She was also posted to missions in Stockholm and Paris during her tenure at the Ministry. She further mentioned to the Committee that she was responsible for the African Directorate at a time when the country's policy was geared towards deepening bilateral and multilateral relations with Africa and the African Union.
- ix. She informed the Committee that Dakar, Senegal, is a new mission and she has the requisite experience as a head of mission, Director of Africa directorate and AU. Further, knowledge of the French language makes her the perfect candidate for the position.
- x. Further she mentioned that she has never had any audit queries in the missions she served. She is confident that she will not misuse public resources given to any mission she will serve in.

- xii. As regards to Bilateral Relations the nominee stated that Senegal's historical significance as the capital of French West Africa has maintained its important position as a hub of economic and cultural affairs in the present French West Africa. It is also a member of ECOWAS a regional hub composed of a population of over three hundred million; a niche market Kenya is keen on tapping. She informed the Committee that Dakar will be the first mission in a West Africa francophone country and it will act as a gateway to opportunities for Kenya in that region.
- xiii. She affirmed that there is potential in Senegal in terms of trade, education, exchange in culture and language especially Kiswahili. The country is also party to the AfCFTA agreement and a signatory to the Pan African Agenda 2063. Therefore, both countries espouse ideas of promoting intra-trade in Africa and will ultimately enhance, trade relations and opportunities for Kenyans. She added that Kenya will benefit from the experience in the fields of oil, gas and blue economy.
- xiv. She further stated that she has never worked in a multilateral station but a multilateral desk within the Ministry.
- xv. The nominee mentioned that the main challenges facing any multilateral station is networking and advocating a country's agenda. She pointed out successes such as Kenya's participation towards SDGs.
- xvi. She also observed that the Ministry has advocated for smart embassies that work within the budgetary allocations provided as opposed to shutting down embassies abroad and that it is advantageous for a country to scale down its operations in a mission other than shutting it down because re-opening a mission is quite expensive.
- xvii. In regards to Pro-bono/Charity/Donations she informed the Committee that she has participated in charitable activities such as; Prisons Outreach Ministry, youth mentoring and support for the clergy, as a member of the Loresho PCEA Community Church and the Woman's Guild, donation food and other stuff, to the Kikuyu Home for the aged, contribution to worthy causes like Red Cross or Media appeals, fees payment for three students, two of them, high school to university and for the third, high school to Diploma College (about 1.7M), she is also paying fees for a needy boy student, totaling to about Kshs. 100,000 so far and also connected water to Murinduko Primary School in Embu valued at Kshs. 180,000, in addition to mentoring young officer at the Ministry.

**MIN.NO.DC.DFR/2019/152: VETTING OF AMB. JACKLINE LUMUMBA YONGA-
NOMINEE FOR POSITION OF AMBASSADOR TO
ROME, ITALY**

Amb. Jackline Lumumba Yonga appeared before the Committee on Monday, 10th June, 2019 at 10:30 am 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 questions during the vetting as follows –

- i. The nominee is a Kenyan Citizen. She was born in Kisumu in 1961. Her National Identity Card number is 3543003.
- ii. She holds a Masters degree in Human Resource management from Poona University (1985) and holds a Bachelor of Arts Degree in Economics and History from the University of Jabalpur, both from India (1983).
- iii. Ms. Jackline Lumumba Yonga is a career public servant with over thirty-three years (33) of work experience. She started her career at the Ministry of Health as a Personnel Officer II in 1985 up to 1989. She has held various positions in the public sector and currently holds the position of Director, Middle East Directorate, at the Ministry of Foreign Affairs. She has served in the following missions abroad; Deputy High Commissioner for London, United Kingdom station, Deputy Head of Mission, Kenya High Commission in Malaysia and as an Ambassador/ Deputy Head of Mission in London.
- iv. She is a member of the following organizations; Catholic Women's Association (CWA), National Council for Persons with Disabilities and lastly Holy Trinity Church- Kileleshwa, Nairobi.
- v. She informed the Committee that she does not hold any position and is not a member of any political party.
- vi. The nominee informed the Committee that she is a career civil servant who has served in various capacities in the civil service. She has a vast wealth of experience in government service, which is suited for an ambassador. She stated that she will be accredited to Greece, Poland, Cyprus and Malta and that she is currently in charge of the Middle East Directorate in MFA.
- vii. She is in the process of publishing her memoir but has participated in formulating several policy documents relating to public service.
- viii. On Bilateral Relations the nominee informed the Committee that the relationship between Italy and Kenya have existed for decades. She further stated that Kenya can benefit from Italy in coffee and leather commodities through the provision of a platform where producers of the commodities are linked with marketers and consumers of the same; however she said that Kenya needs to bridge the gap on value addition of the same commodities.

- ix. She noted that Kenya has a work force that is committed, with a high work ethic and highly educated, attributes that are endearing to a nation that values craftsmanship. She mentioned that given the opportunity to work in Italy and would therefore link up with the TVETs, fashion and design schools and seek opportunities for skilled and semi-skilled youth currently unemployed.
- x. The nominee appreciated the Committee for noting her membership with CWA (Catholic Women Association). She confirmed that she prescribes to the notions of peace building and tolerance around the world as espoused by Pope Francis and noted that Kenya ascribes to the same aspirations in matters pertaining to peace as provided in the Kenya Foreign Policy.
- xi. On matters concerning the fight against corruption, the nominee informed the committee that she would adhere to the objectives of the Anti-Corruption and Economic Crimes Act and further sensitise personnel in the mission on the Leadership and Integrity Act. This, in her view, would act as a deterrence to commit such acts and also pin point loopholes in her mission if appointed that she intends to address.
- xii. Her financial net worth is thirty million Kenya shillings (**Kshs. 30,000,000**). Her source of income is her salary and house rents per annum totalling to three million and four hundred thousand Kenya shillings, (**Kshs. 3,400,000**).
- xiii. She has no interests that are likely to present potential conflicts of interest.
- xiv. The nominee has participated in charitable activities such as, charity work through Catholic Women Association, visiting the sick and giving food donations to orphanages.

**MIN.NO.DC.DFR/2019/153: VETTING OF HON. HALIMA ABDILLE
MOHAMUD- NOMINEE FOR POSITION OF
AMBASSADOR- KUWAIT CITY, KUWAIT**

Hon.Halima Abdille Mohamud appeared before the Committee on Monday, 10th June, 2019 at 11:30 a.m 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-

- i. The nominee is a Kenyan Citizen. She was born in 1988 in Wajir. Her National Identity Card number is 25322209.
- ii. She holds a Bachelor of Education (Science) from Kenyatta University (2011). She is pursuing a Master of Arts degree in Gender and Development Studies (Project Management Option) from the University of Nairobi.

- iii. Hon. Halima Abdille Mohamud is public servant with over five years of experience and has held various positions in the public sector and was previously a nominated Senator from August 2013 to August 2017.
- iv. The nominee was a Senator in the 11th Parliament, which was a political office. She was also a member of the ODM party at the 11th Parliament and run on a Jubilee party ticket for the August 2017 general elections. She however stated that she currently does not have any linkage with any political office.
- v. Her financial net worth is thirty five million Kenya shillings (**Kshs. 35,000,000**). Her source of income is her salary and allowances.
- vi. She informed the Committee that Members of Parliament make good ambassadors due to their experience with Parliamentary diplomacy. Her experience as Chair in the Committee on Labour and Vice Chair of the Education Committee in the Senate enabled her to lead delegations to different events and foreign trips. Parliamentary diplomacy is very clear in legislation, oversight and representation.
- vii. The nominee informed the Committee that she believes that she is the best candidate for the appointment to Kuwait because as a young leader she understands their cultural dynamics, the religion of the nation and youth radicalization. She appreciated that the appointing authority had confidence in her abilities to represent Kenya in Kuwait.
- viii. In regards to export of meat, Kuwait lifted the ban on meat from Kenya in 2018. She asserted that if approved, she will look into the relationship between Kenya and Kuwait and follow up on bilateral trade agreements between the countries in order to maximize on opportunities.
- ix. On the issue of mistreatment of Kenyans in the Middle East, she stated that there is no legal framework to guide employment of Kenyans in Kuwait and unlicensed agents largely contribute to the problem. She stated that she will ensure that she creates a database of all Kenyans in Kuwait in order to understand their challenges and engage the Kuwait government on treatment of Kenyans within their country.
- x. The nominee stated that she will uphold the Kenyan position. However, where diplomatic issues arise, she mentioned she will consult with the Ministry of Foreign Affairs.
- xi. On Radicalization and Religious Misrepresentation she stated that Kenya and Kuwait have the same concerns over terrorism. The proximity to the waterways in the gulf brings concerns of radicalization. If approved, she will engage the youth through the Kuwait Official Development Assistance, to empower the youth of Kenya.
- xii. On matters collaboration, Kenya has benefited from the Kuwait Fund for Arab Development, which has established Umma University in Kajiado County and a school in Nyamira in Borabu.

Other development projects include Bura irrigation and Nano Madogashe. The nominee believes further relations can be created in health, labour and employment.

- xiii. She informed the Committee that the population of Kuwait is approximately 3 million. If approved, the nominee will assist skilled and semi-skilled labour penetrate into the Kuwait labour market. Further she indicated that Kuwait is rich in oil and petroleum, therefore she will facilitate exchange programmes for students and promote petroleum engineering course in Kenya.
- xiv. She has no interests that are likely to present potential conflicts of interest.
- xv. She has participated in charitable activities such as:-Volunteering for the Kenya Red Cross, took part in charity to help the orphaned and the needy, taught Wajir Girls Secondary as a BOG teacher and also paid fees for disadvantaged groups during her tenure as Member of Parliament.

**MIN.NO.DC.DFR/2019/154: VETTING OF AMB. LEMARRON OLE KAANTO -NOMINEE
FOR POSITION OF AMBASSADOR- BERLIN**

Amb. Lemarron Kaanto appeared before the Committee on Monday, 10th June, 2019 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-

- i. The nominee is a Kenyan Citizen. He was born in 1971 in Kajiado. His Identity Card (ID) number is 10882022.
- ii. He holds a Bachelor of Arts (Honors) in Sociology from the University of Nairobi (1995), a Post Graduate Diploma in Food Security and Nutrition from Wageningen University in the Netherlands (2002) and a Post Graduate Diploma in Human Rights & Gender Equality from Uppsala University in Sweden (2009). He also holds an Executive Master of Business Administration in Leadership & International Business Development, Coopenhagen Business School (2012), Masters of Arts in Sociology from Catholic University of Eastern Africa (2017) and is currently pursuing a PhD in Social Transformation from North West University, South Africa as from March (2019).
- iii. He has work experience of over twenty-two (22) years. He began his career a Project Development Manager in March 1996. He rose through the ranks of the corporate ladder to become Corporative affairs and community development manager for TATA Chemicals Magadi Limited (2014). He was the Coordinator of Information centre for Extractor in United Nations Development Programme (UNDP) in Kenya up to 2015. He was later appointed the

- Ambassador/Deputy Head of Kenyan Missions for the government of Kenya from January 2015 to August 2015 in Algeria and September 2015 to date in South Africa.
- iv. He has been awarded the following awards; ISTR/Wits African PhD Seminar, Sponsored by Africa Centre Philanthropy and Social investment Witwatersrand University, South Africa (May 2019), Early Doctoral Programme (EDP) The 9th Summer Doctoral School: African Doctoral Academy (ADA).
 - v. He is a member of the following Associations; International Society for Third-Sector Research, Global Reporting Initiative, Stakeholder Council, National Environmental Management Authority Assessor, Centre for Extractives Industries in Developing Areas.
 - vi. In regards to published writings the nominee indicated that he has published a paper on “Implications of Soda Ash Mining on the Livelihood of Indigenous Maasai Community: A Case of Tata Chemicals Magadi, Kajiado County”, Kenya. Editing Oversight Empirical Consultant International Limited, Kaanto, L., Ndolo M., and Ndongo, B., 2018.
 - vii. He has served in the following offices and capacities to date; Deputy Head of Mission, South Africa, Director, Oloolaiser Water and Sewerage Company, Board Member, Olkejuado High School, Board Member, Olooseos Secondary School, Board Member, Masai Technical Training Institute, Board Member, Bissil Girls Secondary School, Director, Ewaso Ngiro South Development Authority, Director, Agricultural Development Corporation and a Member, Kajiado District Environmental Committee.
 - viii. In regards to Leadership and Suitability he has over twenty years (20) working experience in non-profit organizations, private sector, international organizations and the public sector. At the international level, he has served as a Stakeholder Council Member of the Global Reporting Initiative (GRI), an international industry standards organization based in Amsterdam, Netherlands. He has also been a member of CSR Extractives in Developing Areas (CEIDA) research group based in ESADE University, Spain. In January 2015, he was posted to Kenya’s Embassy in Algeria as Deputy Head of Mission before joining Kenya High Commission in Pretoria in the same capacity on 1st September, 2015 to date. He affirms that his experience in diplomatic missions has been able to anchor him in diplomacy in terms of administration of an Embassy, Kenya’s foreign policy, art of diplomacy and issues of leadership.
 - ix. The nominee mentioned he will seek opportunities for students to access education in Germany. Kenya has a partnership with Germany on education therefore; he will enhance further education opportunities for Masters and PhD students.
 - x. He stated that he is only accredited to Germany and will be posted only to Berlin. Germany is not accredited to other countries


- xi. He informed the Committee that he will pursue the instruments that will enforce better investor confidence such as the agreement on double taxation that is being negotiated. Economic diplomacy is a key mandate of Ambassadors which fosters investor confidence in Kenya.
- xii. He informed the Committee that; he will ensure that xenophobia against Kenyans in Germany will not happen. He added that Kenyans in South Africa are safe despite social media reports. The Mission in South Africa has established a Committee with the Kenyan leadership in Diaspora to ensure the safety of Kenyans.
- xiii. On matters pertaining to access South Africa Visa, he mentioned that since 2015 tremendous progress has been made. In 2017 an agreement was reached in order to allow civil servants with ordinary passports to travel to South Africa without visa. In April 2019, a Technical Committee was created to look into a visa free regime between Kenya and South Africa.
- xiv. In relation to the Schengen visa, he informed the Committee that Africa is driving towards the same through the CFTA to facilitate easier movement of people. Schengen visa is an advantage as it facilitates easier movement of people with one visa across many nations.
- xv. He informed the Committee that balance of trade is in favour of Germany with 31 billion Kenyan shillings. He noted that Germany, one of the largest economies has a comparative advantage in renewable energy, automobiles, solar and manufacturing that Kenya can leverage on to become a competitive market.
- xvi. On double taxation the nominee informed the Committee that there is a double taxation agreement, which was signed and has addressed investor confidence. This can be witnessed through an increase of German Companies operating in Kenya such as Bayer, Henkel and recently Lufthansa airlines operating to Mombasa since 2015.
- xvii. In regards to the big four agenda, he asserted that the main focus of the mission is to leverage on the opportunities in Germany regard to the Big Four Agenda in Kenya. The specific areas of focus will be in manufacturing and renewable energy. In human development, Germany is strong in its TVETS. He informed the Committee that there is an agreement between Kenya and Germany on TVETS. In addition, Germany is keen on supporting centres of excellence in Kenya. This will in turn support Kenyan youth on employment. Strengthening of TVETS will also support the Big Four Agenda in terms of manufacturing, affordable housing among other sectors. Kenya will also borrow German models where Germany links their TVETS to their institutions.
- xviii. In regards to tourism the nominee indicated that Lufthansa and Condo airlines, having begun flight operations between Germany and Kenya, he further informed the committee that he would pursue innovative ways of encouraging tourists from Germany to Travel to Kenya. It will earn the country youth employment and investments to the country.

- xix. His financial net worth is Ninety million Kenya shillings (**Kshs. 90,000,000**). His source of income is his salary/allowances, rental income and sales from livestock.
- xx. He has no interests that are likely to present potential conflicts of interest.
- xxi. The nominee indicated that he has participated in charitable activities such as; contribution to church activities amounting to **Kshs.100,000**, fees and bursaries amounting to **Kshs. 200,000**, other donations amounting to **Kshs.200,000**.

MIN.NO.DC.DFR/2019/155:

ADJOURNMENT AND DATE OF NEXT MEETING

The time being twenty five minutes past one o'clock, the Chairperson adjourned the meeting to reconvene on Monday, 10th June, 2019 at 2:30pm.

Signed.....

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

Date.....
18/6/2019



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

**MINUTES OF THE 39TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
DEFENCE & FOREIGN RELATIONS HELD ON MONDAY, 10TH JUNE, 2019 IN THE
MINI - CHAMBER, COUNTY HALL, PARLIAMENT BUILDINGS AT 2.30 PM**

PRESENT

1. The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
2. The Hon. Richard Tong'i, MP (Vice Chairperson)
3. The Hon. Charles Kilonzo, MP
4. The Hon. Patrick Makau King'ola, MP
5. The Hon. Col. (Rtd) Dido Ali Raso, MP
6. The Hon. Peter Mungai Mwathi, MP
7. The Hon. Beatrice Nkatha Nyagah, HSC, MP
8. The Hon. Martha Wangari Wanjira, MP
9. The Hon. John Lodepe Nakara, HSC, MP
10. The Hon. Memusi Ole Kanchory, MP
11. The Hon. Major (Rtd.) Bashir Sheikh Abdullah, MP
12. The Hon. Nelson Koech, MP
13. The Hon. Vincent Kipkurui Tuwei, MP
14. The Hon. Ernest Ogesi Kivai, MP
15. The Hon. Caleb Amisi, MP

APOLOGY

1. The Hon. Yusuf Hassan Abdi, MP
2. The Hon.(Dr.) Lilian Gogo, MP
3. The Hon. Moses Nguchine Kirima, MP
4. The Hon. Asha Hussein Mohamed, M.P

NATIONAL ASSEMBLY SECRETARIAT

- | | | |
|-------------------------|---|-------------------------|
| 1. Mr. Samuel Kalama | - | Senior Clerk Assistant |
| 2. Ms. Susan Maritim | - | Senior Clerk Assistant |
| 3. Ms. Brigitta Mati | - | Legal Counsel II |
| 4. Ms. Grace Wahu | - | Research Officer III |
| 5. Mr. Rodgers Kilungya | - | Audio Recording Officer |
| 6. Ms. Daphine Wambui | - | Parliamentary Intern |
| 7. Mr. Anthony Kiweu | - | Parliamentary Intern |

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions
 - (iii) Communication from the Chair
2. Confirmation of Minutes of the previous sittings
3. Matters Arising
4. **Vetting of Amb. Andrew Maina Kihurani, for Bern and High Commissioner. Eliphas Mugendi Barine, for Accra,**
5. Any Other Business

MIN.NO.DC.DFR/2019/156: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 2.30pm. 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 for the position
- (viii) Integrity
- (ix) Vision and Leadership

MIN.NO.DC.DFR/2019/157: VETTING OF AMB. ANDREW KUHURANI - NOMINEE TO BERN

Amb. Andrew Maina Kihurani appeared before the Committee on Monday, 10th June, 2019 at 2:30 p.m 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-

- i. The nominee is a Kenyan Citizen who was born in Kajiado in 1962. His National Identity Card number is 0462213
- ii. He holds a Bachelor of Arts degree (1985), and Post-Graduate Diploma in International Relations (1988) both from the University of Nairobi.
- iii. He has experience of over thirty-two (32) years. He started his career as an Assistant Secretary II in the Ministry of Foreign Affairs in 1986 and rose through the ranks from Assistant Secretary III to the position of an Ambassador/Deputy Permanent Representative of Kenya Permanent Mission to the United Nations, Geneva.
- iv. He has served in the following missions abroad:
 - (i) Second Secretary of the Kenya High Commission of Ottawa, Canada.
 - (ii) Assistant Secretary I for Asia and Australasia Division.
 - (iii) Assistant Secretary I for Africa and African Union Division.
 - (iv) Assistant Secretary I for Americas Division.
 - (v) First Secretary to the Kenya High Commission in Windhoek, Namibia.
 - (vi) First Secretary for the Kenya High Commission in Tel Aviv, Israel.
 - (vii) Second/First Counsellor, Deputy Chief of Protocol, Protocol Division.
 - (viii) First Counsellor and subsequently the Principal Counsellor in Kenya Embassy in Berlin.
 - (ix) Appointed Ambassador in the Ministry on 19th December 2012.
- v. His financial net worth eighty nine million Kenya shillings (**Kshs. 89,000,000**).His source of income is foreign service allowance of (**Chf 218,569**), Employment Salary of amounting to p.a Kshs. 4,806,310, and rental income amounting to p.a **Kshs, 2,452,440**.

- vi. He informed the Committee that a number of investors have shown interest in Kenya due to the open investment policy that makes all aspects of the economy accessible. This is one of factors that will allow the Swiss who are good in chemical, pharmaceutical, finance, tourism and agricultural areas to look at Kenya as a worthy partner. Areas of engagement include; Pharmaceutical Areas that will focus mainly on manufacturing, Finance and related activities, Tourism through the Ministry of Tourism to Market Kenya and Agriculture
- vii. The nominee informed the Committee that the mission in Bern, will facilitate bilateral relations between Switzerland and Kenya and will also offer consular services to the Kenyan citizens and others in Switzerland.
- viii. In regards to the fight against corruption the nominee informed the Committee that in 2018, Kenya and Switzerland signed an agreement on the Framework the return of assets of corruption and crime in Kenya. The framework enables the government of Kenya to pursue the return of proceeds of crime and corruption that have been hidden in Switzerland. In 2017, the two countries signed a Memoranda of Understanding on Criminal Matters to facilitate the reclamation of money. He mentioned that there is a technical committee that comprises of representatives from; The Executive arm of Government, The Ministry of Treasury, The State law office, Ethics and Anti-Corruption Commission (EACC) and the Assets recovery Agency.
- ix. Further he stated the committee mandate would be to ; identify where such Assets have been located in Switzerland; identify institutions and organizations to repatriate those funds, in consultation with the Swiss government to ensure that the reclaimed resources are advanced to particular development and to monitor the funds that have been reclaimed from Switzerland and there utilization of the same.
- x. He asserted that if approved and appointed he would work closely with the committee to ensure that Kenya gains more value for the money reclaimed.
- xi. On balance of Trade the nominee indicated that it is in favor of Switzerland where Kenya export and import goods worth 3 Billion and 10 billion respectively.

He pointed out the following measures that could be undertaken to improve the current trade imbalance;

- a. To work closely with the manufacturers and exporters to see what value can be added on to improve the volume;
 - b. encourage more investors from Switzerland to Kenya.
- xii. In order for Kenya to realize the Big Four Agenda, the nominee informed the Committee that there is need to promote trade and improve on manufacturing. He mentioned that the country needs to seek investors from Switzerland who are ready to set up industries in the country that focus on manufacture of pharmaceuticals, notably Novartis and Roche which has already established a laboratories in the country.
- xiii. He has no interests that are likely to present potential conflicts of interest.
- xiv. The nominee informed the Committee that he has participated in charitable activities such as: Contributions to church constructions amounting to **Kshs. 90,000** and Contributions for hospital fees amounting to **Kshs. 170,000**

MIN.NO.DC.DFR/2019/158: VETTING OF MR. ELIPHAS BARINE- NOMINEE FOR POSITION OF HIGH COMMISSIONER TO ACCRA

Amb. Eliphias Mugendi Barine appeared before the Committee on Monday, 10th June, 2019 at 3.30pm 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 questions during the vetting as follows-

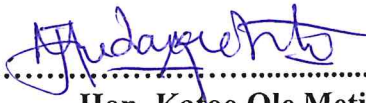
- i. The nominee is a Kenyan Citizen. He was born in Tharaka Nithi in 1965. His National Identity Card Number is 7010981.
- ii. He holds a Bachelor of Arts degree in Anthropology (1989) and Post-Graduate Diploma in International relations (1993) both from the University of Nairobi and a Master 's Degree in International relations from the University of Annamalai, India (2012).
- iii. He has experience of 26 years. He began his career as an Assistant Secretary Cadet, Africa Division, Ministry of Foreign Affairs, (1991). He was later appointed as a Deputy Head of Mission of Kenya to New Delhi, India.

Subsequently he was appointed as the Director, Liaison (Parliamentary and County Affairs) a position that he to today.

- iv. He is a member of the following groups; Makuri Development Forum-A forum for all boys/girls of Makuri Primary School on mentorship that supports needy pupils and their general academic environment.
- v. He informed the committee that, Ghana has vast opportunities, which Kenya can benefit from. He advocated for information sharing on matters relating to trade and investment. These areas of strength include tea, animal products and technological sharing that would resolve challenges that Kenya and the larger of Africa faces.
- vi. The nominee mentioned that on fostering relationship between Kenya and Ghana he will see to it that the existing Memoranda of Understanding are implemented to enhance bilateral relations.
- vii. On the issue of the big four agenda the nominee informed the Committee that Kenya needs to exploit the potential presented by the ratification of the TFTA and AfCFT agreements in the following sectors, housing, healthcare and food security.
- viii. The nominee stated that corruption is a punishable offense in both Kenya and Ghana, therefore, he further mentioned that he would not tolerate such occurrences if approved and appointed to the Mission.
- ix. He informed the committee that as a policy directive that all upcoming embassies will operate as smart embassies, that consist of a lean establishment of staff who are to multi-task
- x. His financial net worth is thirty seven million Kenya shillings (**Kshs. 37,000,000**). His source of income is his salary and rent income amounting to two million Kenya shillings p.a. (Kshs. 2,000,000).
- xi. He has no interests that are likely to present potential conflicts of interest.
- xii. The nominee has participated in charitable activities such as:-Donation of money amounting to **Kshs. 300,000**, Makuri Development Forum, as an alumni member of Murumuti Kenyakuni Secondary School, he has donated **Kshs. 200,000** and in community church fundraising events amounting to **Kshs. 250,000**.

MIN.NO.DC.DFR/2019/159: ADJOURNMENT AND DATE OF NEXT MEETING

The time being fifteen minutes past Five o'clock the Chairperson adjourned the meeting to reconvene on Tuesday, 11th June, 2019 at 11.00am.

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

Date.....18/6/2019.....



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

**MINUTES OF THE 40TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
DEFENCE & FOREIGN RELATIONS HELD ON WEDNESDAY, 12TH JUNE, 2019 IN
CHANIA HALL, CROWNE PLAZA NAIROBI COUNTY AT 10.00 AM**

PRESENT

1. The Hon. Katoo Ole Metito, EGH, MGH, MP (Chairperson)
2. The Hon. Richard Tong’i, MP (Vice Chairperson)
3. The Hon. Charles Mutavi Kilonzo, MP
4. The Hon. Patrick Makau King’ola, MP
5. The Hon. Peter Mungai Mwathi, MP
6. The Hon. Beatrice Nkatha Nyagah, HSC, MP
7. The Hon. Elijah Memusi Kanchory, MP
8. The Hon. Major (Rtd.) Bashir Sheikh Abdullahi, MP
9. The Hon. Moses Nguchine Kirima, MP
10. The Hon. Vincent Kipkurui Tuwei, MP
11. The Hon. Ernest Ogesi Kivai, MP
12. The Hon. Caleb Amisi, MP
13. The Hon. Asha Hussein Mohamed, M.P

APOLOGY

1. The Hon. Yusuf Hassan Abdi, MP
2. The Hon. Col. (Rtd.) Dido Ali Raso, MP
3. The Hon. Martha Wangari Wanjira, MP
4. The Hon. John Lodepe Nakara, HSC, MP
5. The Hon.(Dr.) Lilian Gogo, MP
6. The Hon. Nelson Koech, MP



NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Samuel Kalama	-	Senior Clerk Assistant
2. Ms. Susan Maritim	-	Senior Clerk Assistant
3. Ms. Brigitta Mati	-	Legal Counsel II
4. Ms. Grace Wahu	-	Research Officer III
5. Mr. Rodgers Kilungya	-	Audio Recording Officer
6. Ms. Daphine Wambui	-	Parliamentary Intern
7. Mr. Anthony Kiweu	-	Parliamentary Intern

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions
 - (iii) Communication from the Chair
2. Confirmation of Minutes of from the previous sittings
3. Matters Arising
4. **Consideration and adoption of the draft report on vetting of the nominees for appointment as Ambassadors/High Commissioners**
5. Any Other Business

MIN.NO.DC.DFR/2019/160: PRELIMINARIES/REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 10:00am. Prayer was read by Hon. Katoo Ole Metito MP.

MIN.NO.DC.DFR/2019/161: CONSIDERATION OF THE DRAFT REPORT ON VETTING OF THE NOMINEES FOR APPOINTMENT AS AMBASSADORS/HIGH COMMISSIONERS

The Committee having vetted all the nominees' made the following general observations:-

- a. THAT, ALL the six nominees namely; the **Amb. Purity Wakiuru Muhindi, Amb. Jackline Lumumba Yonga, Hon. Halima Abdille Mohamud, Amb. Lemarron Kaanto, Amb. Andrew Maina Kihurani, and Amb. Eliphas Mugendi Barine**, are Kenyan citizens and do not hold dual citizenship;
- b. THAT, the nominees presented their academic credentials and professional Certificates and demonstrated their experience in accordance with the provisions

8

8

of Section 6(7) of the Public Appointments (Parliamentary Approval) Act No. 33 of 2011;

- c. 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 in the last three years;
- d. THAT, all the nominees satisfy the requirements of Article 77(1) in that they do not intend to participate in any other gainful employment;
- e. THAT, all the nominees do not hold office in any registered political party hence satisfy the provisions of Article 77(2) of the Constitution.
- f. 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;
- g. THAT, the Committee did not receive any memoranda contesting the suitability of the six (6) nominees.
- h. THAT, the Committee received six written statements on oath (affidavit) in support of the suitability of the Hon.**Halima Abdille Mohamud**.
- i. THAT, the appointing authority took into consideration the principles of gender balance, persons living with disabilities, youth and marginalized communities in nominating persons for Ambassadorial positions.
- j. THAT, none of the nominees, had 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 2011;

Committee recommendations

Having considered the suitability, capacity and integrity of the nominees, and Pursuant to Article 132(2) of the Constitution and Standing Order 216 (5) (f), the Committee recommends that the National Assembly approves the nomination and subsequent appointment by His Excellency the President, of –

1. **Amb Purity Wakiuru Muhindi for appointment as an Ambassador to Dakar, Senegal;**



2. **Amb. Jackline Lumumba Yonga for appointment as an Ambassador to Rome, Italy;**
3. **Hon. Halima Abdille Mohamud for appointment as an Ambassador to Kuwait City, Kuwait;**
4. **Amb. Lemarron Kaanto for appointment as an Ambassador to Berlin, Germany;**
5. **Amb. Andrew Maina Kihurani, for appointment as an Ambassador to Bern, Switzerland; and**
6. **Amb. Eliphas Mugendi Barine for appointment as a High Commissioner to Accra, Ghana.**

Consequently the Committee unanimously adopted the report having been proposed and seconded by the Hon. Vincent Kipkurui Tuwei MP and seconded by the Hon. Beatrice Nkatha Nyagah, MP respectively.

MIN.NO.DC.DFR/2019/162:

**ADJOURNMENT OF THE MEETING AND DATE
OF THE NEXT MEETING**

The time being 11.25 am the Chairperson adjourned the meeting and the next meeting shall be convened on notice.

Signed.....

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

Date.....



**NATIONAL ASSEMBLY
RECEIVED**
24 MAY 2019
SPEAKER'S OFFICE
P. O. Box 41842, NAIROBI.

(3) Demand

The Committee to process within 14 days

THE PRESIDENCY
EXECUTIVE OFFICE OF THE PRESIDENT
HEAD OF THE PUBLIC SERVICE

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

Address
+254 20 2227106
Please quote

*(7) CMA
Approved. Proceed as the house resolved.*

OP CAB 14 1A

20th May, 2019

Mr. Michael R. Sialai, EBS
Clerk of the National Assembly
Parliament Buildings
NAIROBI

*PA SNA
27/5/19*

Hon. Speaker

*from 20th May 2019
House of*

Dear Mr. Sialai,

RE: VETTING OF NEWLY APPOINTED AMBASSADORS

AS PER the Resolution of the House of Representatives

I refer to my earlier communication on the subject matter

Please note that the list therein was incomplete, and the full list of nominees for purposes of vetting is as herbelow:

Six names were to be left to the CMA

S/NO.	STATION	NAME
1.	Abu Dhabi	Kariuki Mugwe
2.	Algiers	Peter Katana Angore
3.	Accra	Barine Elphas Mugendi ✓
4.	Bern	Andrew Kihurani ✓
5.	Berlin	Lamarron ole Kaanto ✓
6.	Dakar	Purity Muhindi ✓
7.	Dublin	Michael Mubea
8.	Lusaka	Flora Karugu
9.	Rome	Jackline Yonga ✓
10.	Seoul	Mwende Mwinzi
11.	Stockholm	Diana Kiambuthi
12.	UN-Habitat	Njambi Kinyungu
13.	Kuwait	Halima Abdille Mohamud ✓

Yours Sincerely
Joseph K. Kinyua

**JOSEPH K. KINYUA, EGH
HEAD OF THE PUBLIC SERVICE**

RECEIVED
23 MAY 2019
CLERK'S OFFICE





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

REF: RPP/ORG/34 Vol. III (50)

Clerk of the National Assembly,
 Clerks Chambers, National Assembly,
 Parliament Buildings,
 P.O. Box 41842-00100,
 NAIROBI.

Attn: Sarah Kioko (Mrs)

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS

Reference is made to letter Ref. KNA/DCS/DC/2019/036 dated 30th May, 2019 on the above subject matter.

According to the records held by this office as at 3rd June, 2019, the list of the nominees tabulated herein below are not officials of a registered political party.

No.	Nominee	ID No.
1.	Mr. Eliphas Mugendi Barine	7010980
2.	Mr. Andrew Kihurani	0462213
3.	Mr. Lamarron Ole Kaanto	10882022
4.	Ms. Purity Muhindi	0904926
5.	Ms. Jackline Yonga	3543003
6.	Ms. Halima Mohamed	25322209

Yours faithfully,

Ann N. Nderitu, MBS
 Registrar of Political Parties



Handwritten notes:
 (2) Kithirua
 pls deaf
 FA
 07/6/19

Handwritten notes:
 pls note
 FA
 07/6/19



Republic of Kenya

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

DATE: 3rd June, 2019

Handwritten notes:
 O'Dant
 7/6/19



8

8

REPUBLIC OF KENYA



Telegraphic Address
'Bunge', Nairobi
Tel. +254-020-221291
Fax: +254-020-2243694
E-mail: clerk@parliament.go.ke
When replying please quote

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

THE NATIONAL ASSEMBLY

REF: NA/DCS/DFR/2019/ 032

30th May, 2019

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

Dear Sir,

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS

The above matter refers.

The National Assembly is in receipt of a notification of nomination of six (6) persons for appointment as Ambassadors/High Commissioners by H.E. the President.

As you are aware, the National Assembly is required to approve the nominees for appointment in accordance with the provisions of Article 132 (2) (e) of the Constitution and the Public Appointments (Parliamentary Approval) Act, 2011.

In view of the foregoing, and in accordance with Standing Order 216(5) (f) as read together with the Second Schedule to the National Assembly Standing Orders, the Departmental Committee on Defence and Foreign Relations is mandated to consider, for approval by the House, the appointments under Article 132 (2)(e) of the Constitution.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, the Committee is mandated to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

In this regard, the Committee requests you to provide a report on tax compliance by the nominees. This information will assist the Committee to effectively undertake its mandate.

Attached Please find the list of the nominees and the relevant details for your action. We will appreciate if the information is received by **Friday 7th June, 2019.**

Yours *Sincerely*

A handwritten signature in black ink, appearing to read 'Serah Kioko'.

SERAH KIOKO (MRS)
FOR: CLERK OF THE NATIONAL ASSEMBLY
Encl

3

2

REPUBLIC OF KENYA



Telegraphic Address
'Bunge', Nairobi
Tel. +254-020-221291
Fax: +254-020-2243694
E-mail: clerk@parliament.go.ke
When replying please quote

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

THE NATIONAL ASSEMBLY

REF: KNA/DCS/DC/2019/ 034

30th May, 2019

Mr. Twalib Abdallah Mbarak,
Secretary/Chief Executive Officer,
Ethics & Anti-Corruption Commission,
Integrity Centre,
Milimani/ Valley Road Junction,
P.O. Box 61130-00200,
NAIROBI.

Dear *Sir,*

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS

The above matter refers.

The National Assembly is in receipt of a notification of nomination of six (6) persons for appointment as Ambassadors/High Commissioners by H.E. the President.

As you are aware, the National Assembly is required to approve the nominees for appointment in accordance with the provisions of Article 132 (2) (e) of the Constitution and the Public Appointments (Parliamentary Approval) Act, 2011.

In view of the foregoing, and in accordance with Standing Order 216(5)(f) as read together with the Second Schedule to the National Assembly Standing Orders, the Departmental Committee on Defence and Foreign Relations is mandated to consider, for approval by the House the appointments under Article 132 (e) of the Constitution.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, the Committee is required to consider among other issues the personal integrity and background of the nominees in terms of compliance with the principals of leadership and integrity as set out in Chapter Six of the Constitution.

As the Constitutional body mandated to oversee the implementation of the provisions of Chapter Six of the Constitution, this is therefore to request you to provide any adverse information touching on the integrity of the nominees that may be in the possession of the Commission. This information will assist the Committee to effectively undertake its mandate.

Attached Please find the list of the nominees and the relevant details for your action. We will appreciate if the information is received by **Friday, 7th June, 2019.**

Yours *sincerely,*

Handwritten signature of Serah Kioko.

SERAH KIOKO (MRS)
FOR: CLERK OF THE NATIONAL ASSEMBLY
Encl



REPUBLIC OF KENYA



Telegraphic Address

'Bunge', Nairobi

Tel. +254-020-221291

Fax: +254-020-2243694

E-mail: clerk@parliament.go.ke

When replying please quote

THE NATIONAL ASSEMBLY

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

REF: KNA/DCS/DC/2019/ 035

30th May, 2019

Mr. George Kinoti,
Directorate of Criminal Investigation,
Mazingira Hse, Kiambu Road,
P.O. Box 30036-00100,
NAIROBI.

Dear Sir,

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS

The National Assembly is in receipt of a notification of nomination of six (6) persons for appointment as Ambassadors/High Commissioners by H.E. the President.

As you are aware, the National Assembly is required to approve the nominees for appointment in accordance with the provisions of Article 132 (2) (e) of the Constitution and the Public Appointments (Parliamentary Approval) Act, 2011.


In view of the foregoing, and in accordance with Standing Order 216(5)(f) as read with the Second Schedule to the National Assembly Standing Orders, the Departmental Committee on Defence and Foreign Relations is mandated to consider, for approval by the House, appointments under Articles 132 (e) of the Constitution.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, the Committee is required to consider among other issues the personal integrity and background of the nominees in terms of compliance with the principals of leadership and integrity as set out in Chapter Six of the Constitution.

This is therefore to request you to provide the Committee with information on whether any of the nominees is adversely mentioned in any investigations carried out by the Directorate of Criminal Investigations in the normal course of discharging its mandate. This information will assist the Committee to effectively undertake its mandate.

Attached Please find the list of the nominees and the relevant details for your action. We will appreciate if the information is received by Friday 7th June, 2019.

Yours sincerely,


SERAH KIOKO (MRS)
FOR: CLERK OF THE NATIONAL ASSEMBLY
encl



REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Tel. +254-020-221291
Fax: +254-020-2243694
E-mail: clerk@parliament.go.ke
When replying please quote



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

THE NATIONAL ASSEMBLY

REF: KNA/DCS/DC/2019/ 033

30th May, 2019

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

Dear *Sir,*

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS

The above matter refers.

The National Assembly is in receipt of a notification of nomination of six (6) persons for appointment as Ambassadors/High Commissioners by H.E. the President.

As you are aware, the National Assembly is required to approve the nominees for appointment in accordance with the provisions of Article 132 (2) (e) of the Constitution and the Public Appointments (Parliamentary Approval) Act, 2011.

In view of the foregoing, and in accordance with Standing Order 216(5) (f) as read together with the Second Schedule to the National Assembly Standing Orders, the Departmental Committee on Defence and Foreign Relations is mandated to consider, for approval by the House the appointments under Article 132 (2)(e) of the Constitution.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, the Committee is mandated to consider whether the nominees meet all constitutional and statutory requirements relating to the office in question.

In this regard, the Committee requests you to provide a report on repayment of any loans that may have been advanced by the Board to the nominees. This information will assist the Committee to effectively undertake its mandate.

Attached Please find the list of the nominees and the relevant details for your action. We will appreciate if the information is received by Friday 7th June, 2019.

Yours

Sincerely


SERAH KIOKO (MRS)

FOR: CLERK OF THE NATIONAL ASSEMBLY

Encl



REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Tel. +254-020-221291
Fax: +254-020-2243694
E-mail: clerk@parliament.go.ke
When replying please quote



THE NATIONAL ASSEMBLY

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

REF: KNA/DCS/DC/2019/036

30th May, 2019

Ms. Ann Nderitu,
Ag. Registrar of Political Parties,
Lions Place, 1st Floor,
Karuna Close, Waiyaki Way, Westlands,
P.O. Box 1131-00606,
NAIROBI

Dear *Sir,*

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS

The National Assembly is in receipt of a notification of nomination of six (6) persons for appointment as Ambassadors/High Commissioners by H.E. the President.

As you are aware, the National Assembly is required to approve the nominees for appointment in accordance with the provisions of Article 132 (2) (e) of the Constitution and the Public Appointments (Parliamentary Approval) Act, 2011.


In view of the foregoing, and in accordance with Standing Order 216(5)(f) as read with the Second Schedule to the National Assembly Standing Orders, the Departmental Committee on Defence and Foreign Relations mandated to consider, for approval by the House, appointments under Articles 132 (e) of the Constitution.

Pursuant to Section 7(b) of the Public Appointments (Parliamentary Approval) Act, the Committee is required to consider among other issues the personal integrity and background of the nominees in terms of compliance with the principals of leadership and integrity as set out in Chapter Six of the Constitution.

In view of Article 77(2) of the Constitution which prohibits an appointed State Officer from holding office in a political party, this is to request you to provide the Committee with information on whether any of the nominees holds an office in any political party. This information will assist the Committee to effectively undertake its mandate.

Attached Please find the list of the nominees and the relevant details for your action. We will appreciate if the information is received by Friday 7th June, 2019.

Yours *Sincerely,*


SERAH KIOKO (MRS)
FOR: CLERK OF THE NATIONAL ASSEMBLY
Encl





HIGHER EDUCATION LOANS BOARD

Tel: 0711052000
E-mail: contactcentre@helb.co.ke
Website: www.helb.co.ke
REF: KNA/DCS/DC/2019/033

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

HELB/RR/112009/KNA

6 June 2019

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

Dear Sir,

RE: VETTING OF PERSONS NOMINATED FOR APPOINTMENT AS AMBASSADORS/HIGH COMMISSIONERS

We acknowledge with thanks the receipt of your letter regarding the clearance of the persons nominated for appointment as ambassadors/high commissioners.

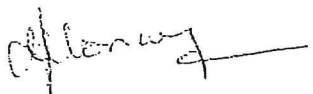
Please find a list confirming the loan status of the applicants with the Board.

NO	NAME	ID NO.	STATUS	YEAR OF COMPLETION
1	Mr. Eliphias Mugendi Barine	7010981	Cleared- Cert No. HELB14890	February 2018
2	Mr. Andrew Kihurani	0462213	Cleared- Cert No. HELB39592	March 2006
3	Mr. Lamarron Ole Kaanto	10882022	Cleared- Cert No. HELB39628	March 2007
4	Ms. Purity Muhindi	0904926	Cleared - Cert No. 45132	February 2013
5	Ms. Jackline Yonga	3543003	Not a Loanee	n/a
6	Ms. Halima Mohamed	25322209	Not a Loanee	n/a

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

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'G. Monari', with a horizontal line extending to the right.

GEOFFREY MONARI
CHIEF OPERATIONS OFFICER
FOR: CHIEF EXECUTIVE OFFICER & BOARD SECRETARY



ETHICS AND ANTI-CORRUPTION COMMISSION
INTEGRITY CENTRE (Jakaya Kikwete/Valley Road Junction) P. O. Box 61130 - 00200, NAIROBI, Kenya
TEL: 254 (020) 4997000, MOBILE: 0709 781000, 0730 997000
FAX: 254 (020) 2240954 EMAIL: eacc@integrity.go.ke WEBSITE: www.eacc.go.ke

When replying please quote:

Our Ref: EACC.7/10/5 VOL. IX (124)

7th June, 2019

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

(Attn: Serah Kioko)

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS

Your letter referenced KNA/DCS/DC/2019/034 dated 30th May, 2019 on the above subject matter refers.

We wish to confirm that we have not undertaken any investigations where the following nominees have been found culpable.

S/No	Name	ID Number	Station
1.	Eliphas Mugendi Barine	7010981	Accra
2.	Andrew Kihurani	0462213	Bern
3.	Lemarron Ole Kaanto	10882022	Berlin
4.	Purity Muhindi	0904926	Dakar
5.	Jackline Yonga	3543003	Rome
6.	Halima Mohamud Abdille	25322209	Kuwait

The information provided is based on records available as at 7th June, 2019.

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

TWALIB MBARAK
SECRETARY/CHIEF EXECUTIVE OFFICER

LCK/tmm

3

3

602
③ Emergency
Pls note
FA

② KAHAMA ✓
pls deal
FA
06/6/19

NATIONAL POLICE SERVICE

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

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



DIRECTORATE OF CRIMINAL INVESTIGATIONS

DCI/CRO/SEC/6/7/2/A/VOL.VI/101

4th June, 2019

The Clerk of National Assembly
Clerks Chambers
National Assembly
Parliament Buildings
P.O. Box 41842 -00100
NAIROBI

① D...
4/6/19



Attn: Serah Kioko (Mrs)

RE: VETTING OF PERSONS NOMINATED AS AMBASSADORS/HIGH COMMISSIONERS

Your correspondence Ref. No. KNA/DCS/DC/2019/035 dated 30th May, 2019 refers.

This office confirms that the below mentioned applied for Police Clearance Certificates on diverse dates and were genuinely issued with certificates by this office as follows:-

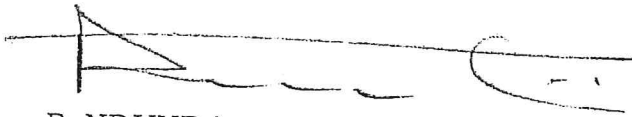
S/NO.	NAME	IDENTITY NO.
1.	Mr. Eliphas Mugendi Barine	7010981
2.	Mr. Lamarron Ole Kaanto	10882022
3.	Ms. Purity Muhindi	0904926
4.	Ms. Jackline Yonga	3543003
5.	Ms. Halima Mohamed	25322209

Please note that the following has not made Police Clearance application hence we could not furnish you with his status. We advise that he make online application and submit the application to us for processing.

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.

S/NO.	NAME	IDENTITY NO.
1.	Mr. Andrew Kihurani	0462213

Kind regards.



P. NDUNDA
FOR: DIRECTOR OF CRIMINAL INVESTIGATIONS

c.c. The Director - for information

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT - THIRD SESSION

In the matter of approval by the National Assembly of the persons nominated for appointment as High Commissioners/ Ambassadors

NOTIFICATION FOR VETTING BY THE DEPARTMENTAL COMMITTEE ON DEFENCE AND FOREIGN RELATIONS

Pursuant to the provisions of Article 132(2) (e) of the Constitution, His Excellency the President has nominated the following persons for appointment as High Commissioners/Ambassadors to the respective Missions.

Pursuant to the provisions of Section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, the National Assembly invites the following six (6) persons who have been nominated for appointment as High Commissioners/Ambassadors for vetting by the Departmental Committee on Defence and Foreign Relations.

The vetting will take place on Monday, 10th June, 2019 in the Mini Chamber, First Floor, County Hall, Parliament Buildings as indicated below—

	Nominee	Country/Mission	Time
1.	Ms. Purity Muhindi	Dakar	9.30 am
2.	Mr. Jackline Yonaa	Rome	10.30 am
3.	Ms. Halima Abdille Mohamud	Kuwait	11.30 am
4.	Mr. Lamarron Ole Kaanto	Berlin	12.30 pm
5.	Mr. Andrew Kihurani	Bern	2.30 pm
6.	Amb. Barine Eliphias Mugendi	Accra	3.30 pm

The nominees should bring their original National Identification Card, academic and professional certificates and any other relevant documents and testimonials. In addition, the nominees should bring letters/certificates of clearance/compliance from:

1. Ethics and Anti-Corruption Commission;
2. Kenya Revenue Authority;
3. Higher Education Loans Board;
4. Directorate of Criminal Investigations;
5. Registrar of Political Parties; and
6. Any of the Credit Reference Bureaus.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



TWELFTH PARLIAMENT
THE SENATE

**PUBLIC HEARINGS/
RECEIPT OF MEMORANDA**

The Control of Stray Dogs Bill (Senate Bills No. 4 of 2019) was read a First Time in the Senate on 21st May, 2019 and was thereafter committed to the Senate Standing Committee on Agriculture, Livestock and Fisheries for consideration.

Pursuant to the provisions of Article 118(1)(b) of the Constitution and standing order 140(5) of the Senate Standing Orders, the Senate Standing Committee on Agriculture, Livestock and Fisheries now invites interested members of the public to submit their views on the Bill. The views may be submitted in the following manner—

1. Public Hearings shall be held on Wednesday, 12th June, 2019 from 11:00 a.m. to 1:00 p.m. at the Ground Floor Boardroom, Red Cross Building, Nairobi; or
2. Written Memoranda may be forwarded to the Clerk of the Senate/ Secretary, Parliamentary Service Commission, P.O. Box 41842-00100, Nairobi, hand-delivered to the Office of the Clerk/ Secretary, Parliamentary Service Commission, First Floor, Main Parliament Buildings, Nairobi or emailed to cSenate@parliament.go.ke, to be received on or before Wednesday, 12th June, 2019 at 5:00 p.m.

The Bill may be found on the Parliament website at <http://www.parliament.go.ke/the-senate/senate-bills>

CLERK OF THE SENATE/ SECRETARY,
PARLIAMENTARY SERVICE COMMISSION.

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT - THIRD SESSION

In the Matter of consideration by the National Assembly -
The National Government Constituencies Development Fund
(Amendment) Bill, 2019

SUBMISSION OF MEMORANDA

Article 118(1) (b) of the Constitution provides that, "Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees". The National Assembly Standing Order 127 requires the Committee to which a Bill is committed to facilitate public participation and take into account views and recommendations of the public when the Committee makes its report to the House.

The National Government Constituencies Development Fund (Amendment) Bill, 2019 seeks to amend the National Government Constituencies Development Fund Act, 2015 so as to provide for an accountable process for allocation of funds for purposes of running the National Government Constituencies Fund Board.

The Bill has undergone First Reading as stipulated in the Standing Orders of the National Assembly and has been committed to the Select Committee on National Government Constituencies Development Fund for consideration and reporting to the House.

Pursuant to the provisions of Article 118(1) (b) of the Constitution of Kenya and Standing Order 127(3), the Committee invites the public to submit representations they may have on the said Bill. 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 not later than Wednesday, 5th June, 2019 at 5.00pm. The Bill may be accessed on the Parliamentary website - www.parliament.go.ke

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT - THIRD SESSION

In the matter of approval by the National Assembly of the persons nominated for appointment as High Commissioners/ Ambassadors

SUBMISSION OF MEMORANDA

Pursuant to Article 132(2) (e) of the Constitution, His Excellency the President is empowered to nominate and, with the approval of the National Assembly, appoint High Commissioners, Ambassadors, diplomatic and consular representatives. In exercise of the provisions of the said article of the Constitution, His Excellency the President has nominated the following persons for appointment as High Commissioners/ Ambassadors for the respective Missions indicated below—

	Nominee	Country/Mission
1.	Ms. Purity Muhindi	Dakar
2.	Ms. Jackline Yonaa	Rome
3.	Ms. Halima Abdille Mohamud	Kuwait
4.	Mr. Lamarron Ole Kaanto	Berlin
5.	Mr. Andrew Kihurani	Bern
6.	Amb. Barine Eliphias Mugendi	Accra

Following the receipt of the nominations from His Excellency the President, the Speaker of the National Assembly forwarded the names to the Departmental Committee on Defence and Foreign Relations, which is mandated to vet and consider the suitability for appointment to office and submit its report to the House for approval.

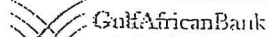
Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee hereby invites interested members of the public to submit any representations by written statement on oath (affidavit), that they may have on the suitability or otherwise of the nominees for appointment as High Commissioners/ Ambassadors.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; or hand-delivered to the Office of the Clerk of the National Assembly, Main Parliament Buildings, Nairobi; or emailed to clerk@parliament.go.ke; so as to be received on or before Wednesday, 5th June, 2019 at 5.00 p.m.

MICHAEL R. SIALAI, EBS
CLERK OF THE NATIONAL ASSEMBLY

3

3



UNAUDITED FINANCIAL STATEMENTS AND OTHER DISCLOSURES FOR THE PERIOD ENDED 31 MARCH 2019

Financial statement table with columns for 31 March 2018, 31 December 2018, and 31 March 2019. Rows include Assets (Cash, Deposits, Loans), Liabilities (Deposits, Borrowings), and Equity (Shareholders' Funds, Reserves).

These financial statements are prepared on the basis of the information... The complete set of quarterly financial statements, summary and other qualitative disclosures can be accessed in the Investors' section...

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY TWELFTH PARLIAMENT - THIRD SESSION

In the matter of approval by the National Assembly of the persons nominated for appointment as High Commissioners/ Ambassadors

NOTIFICATION FOR VETTING BY THE DEPARTMENTAL COMMITTEE ON DEFENCE AND FOREIGN RELATIONS

Pursuant to the provisions of Article 132(2) (e) of the Constitution, His Excellency the President has nominated the following persons for appointment as High Commissioners/Ambassadors for the respective Missions.

Pursuant to the provisions of Section 6(3) of the Public Appointments (Parliamentary Approval) Act, 2011, the National Assembly invites the following six (6) persons who have been nominated for appointment as High Commissioners/Ambassadors for vetting by the Departmental Committee on Defence and Foreign Relations.

The vetting will take place on Monday, 10th June, 2019 in the Mini Chamber, First Floor, County Hall, Parliament Buildings as indicated below:-

Table with columns: Nominee, Country/Mission, Time. Lists Ms. Purity Muhindi (Dakar), Mr. Jackline Yonga (Rome), Ms. Halima Abdille Mohamud (Kuwait), Mr. Lamarron Ole Kaanto (Berlin), Mr. Andrew Kihurani (Bem), and Amb. Barine Eliphas Mugendi (Accra).

The nominees should bring their original National Identification Card, academic and professional certificates and any other relevant documents and testimonies. In addition, the nominees should bring letters/certificates of clearance/compliance from:

- 1. Ethics and Anti-Corruption Commission; 2. Kenya Revenue Authority; 3. Higher Education Loans Board; 4. Directorate of Criminal Investigations; 5. Registrar of Political Parties; and 6. Any of the Credit Reference Bureaus.

MICHAEL R. SJALAI, EBS CLERK OF THE NATIONAL ASSEMBLY

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY TWELFTH PARLIAMENT - THIRD SESSION

In the matter of approval by the National Assembly of the persons nominated for appointment as High Commissioners/ Ambassadors

SUBMISSION OF MEMORANDA

Pursuant to Article 132(2) (e) of the Constitution, His Excellency the President is empowered to nominate and, with the approval of the National Assembly, appoint High Commissioners, Ambassadors, diplomatic and consular representatives. In exercise of the provisions of the said article of the Constitution, His Excellency the President has nominated the following persons for appointment as High Commissioners/ Ambassadors for the respective Missions indicated below:-

Table with columns: Nominee, Country/Mission. Lists Ms. Purity Muhindi (Dakar), Ms. Jackline Yonga (Rome), Ms. Halima Abdille Mohamud (Kuwait), Mr. Lamarron Ole Kaanto (Berlin), Mr. Andrew Kihurani (Bem), and Amb. Barine Eliphas Mugendi (Accra).

Following the receipt of the nominations from His Excellency the President, the Speaker of the National Assembly forwarded the names to the Departmental Committee on Defence and Foreign Relations, which is mandated to vet and consider the suitability of the nominees for appointment to office and submit its report to the House for approval.

Pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee hereby 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 nominees for appointment as High Commissioners/ Ambassadors.

The representations may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; or hand-delivered to the Office of the Clerk of the National Assembly, Mini Chamber, Parliament Buildings, Nairobi; or emailed to clerk@parliament.go.ke; so as to be received on or before Wednesday, 5th June, 2019 at 5.00 p.m.

MICHAEL R. SJALAI, EBS CLERK OF THE NATIONAL ASSEMBLY

3

3



LAWS OF KENYA

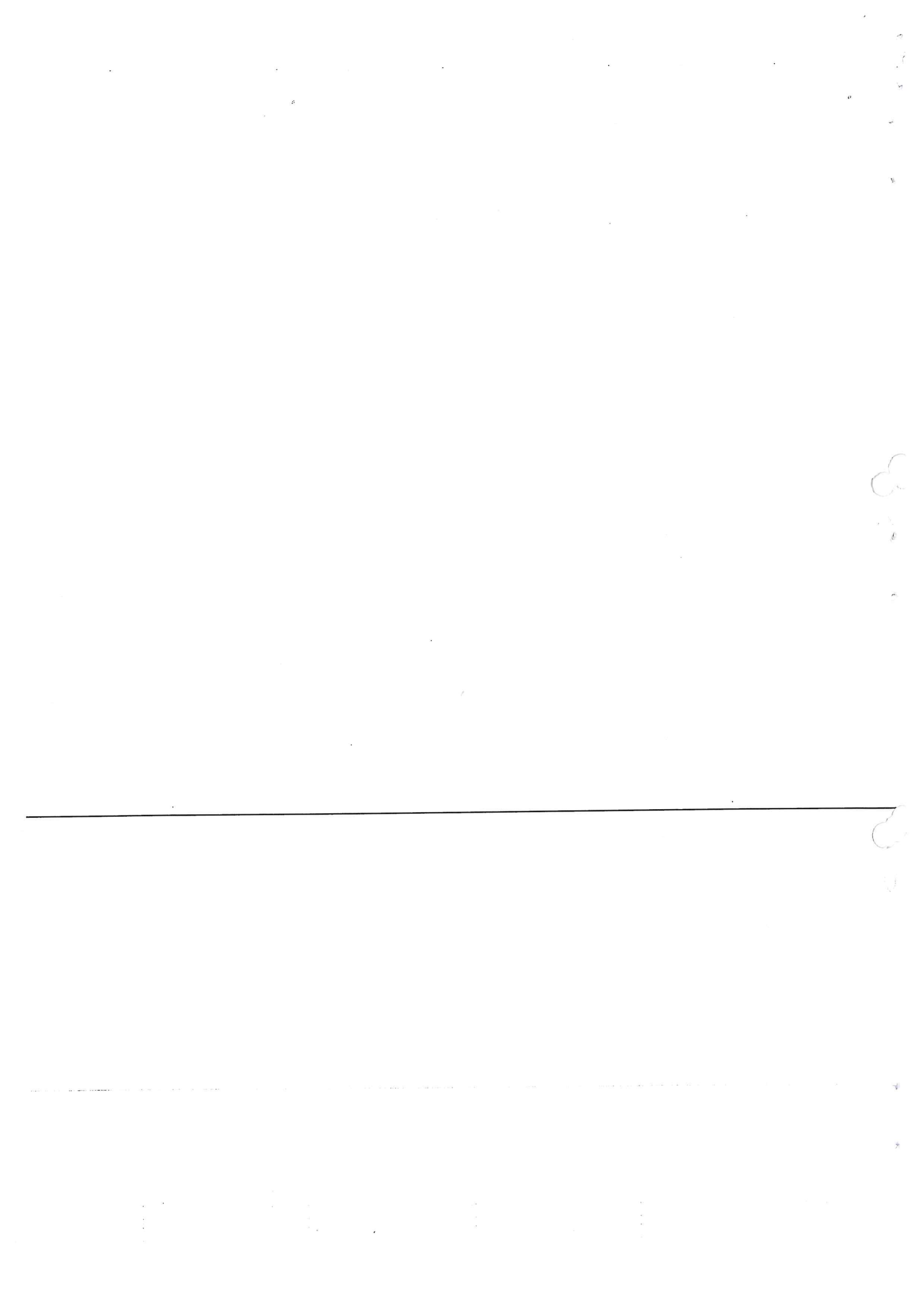
**PUBLIC APPOINTMENTS
(PARLIAMETARY APPROVAL) ACT**

No. 33 of 2011

Revised Edition 2012 [2011]

Published by the National Council for Law Reporting
with the Authority of the Attorney-General

www.kenyalaw.org



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

1. Short title

This Act may be cited as the Public Appointments (Parliamentary Approval) Act, 2011.

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.

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).

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

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).
-