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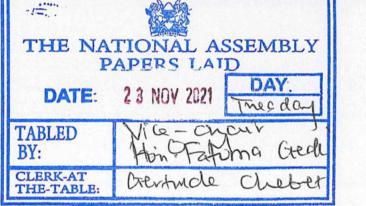
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REPUBLIC OF KENYA THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – FIFTH SESSION

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

REPORT ON THE
PUBLIC PETITION NO. 023 OF 2021 REGARDING ACCESSING
NATIONAL IDENTITY CARDS BY THE NUBIAN COMMUNITY



CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

NOVEMBER 2021

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CHAIRPERSON'S FOREWORD

The Public Petition regarding the discrimination in accessing National Identity Cards by the Nubian Community, dated 9th June 2021 was presented in the National Assembly on 10th June 2021 by Hon. Bernard Imran Okoth, MP on behalf of residents of Kibra Constituency. The Petition was subsequently committed to the Departmental Committee on Administration and National Security for consideration and reporting to the House pursuant to the provision of Standing Order 227(1).

The Petitioners averred that despite being bonafide citizens of this Republic, they have continuously faced discrimination regarding the legitimacy of their citizenry; which commenced when the British Colonial Government failed to legitimize their existence as a community, despite granting this recognition to railway construction labourers who hailed from India

The Petitioner prayed the National Assembly through the Departmental Committee on Administration and National Security inquires into the matter with a view to-

- Securing the recognition of the Nubian Community as marginalized and minority community in Kenya.
- b) Secure the granting of citizenship status to members of the Nubian Community in a transparent and non-discriminatory processes.
- c) Securing inclusion of Nubians in all government portals; and
- d) Make any other recommendations that it deems fit in the circumstances of the Petition.

The Committee was required to respond to the Petitioner by way of a report addressed to the Petitioner and laid on the Table of the National Assembly not more than sixty (60) calendar days from the time of presentation of the Petition to the House.

While considering the Petition, the Committee heard submissions from the Ministry of Interior and Co-ordination of National Government, the Petitioners and Hon. Bernard Imran Okoth, MP. Their submissions were key

in determination of various issues raised in the Petition and ultimately making recommendations.

The Committee recommends that the Cabinet Secretary for Interior and Coordination of National Government should initiate the process of listing the Nubian people as a tribe residing in the Republic of Kenya. The Cabinet Secretary should further submit to the House a status report on the matter within three (3) months of tabling of this report.

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during the consideration of the Petition. Finally, I wish to express my appreciation to the Honourable Members of the Committee, the secretariat staff and all those who made useful contributions towards the preparation and production of this report.

On behalf of the Departmental Committee on Administration and National Security and pursuant to the provisions of Standing Order 227(2), it is my pleasant privilege and honor to present to this House the report of the Committee on its consideration of the Public Petition regarding discrimination in accessing National Identity Cards by the Nubian Community.

HON. PETER MWATHI, M.P.
CHAIRPERSON,
DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND
NATIONAL SECURITY

PART 1

1.0 ESTABLISHMENT AND MANDATE OF THE COMMITTEE

1.1 Mandate of the Committee

- 1. The Departmental Committee on Administration and National Security is established in accordance with the provisions of Standing Order 216 of the National Assembly. Its mandate as provided for in S.O. 216(5) is
 - (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;
 - (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) to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);
 - (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 matters within its mandate.
- 2. The subjects under the Committee's jurisdiction are; National security, Police Services, Home Affairs, Public Administration, Public Service, Prisons, Management of Natural Disasters and Community Service Orders.

1.2 Composition of the Committee

3. The Committee was constituted on 14th December 2017 and as at the time of considering the Petition and compiling, this report comprised the following Members-

Chairperson
Hon. Peter Mwathi, MP
Limuru Constituency
Jubilee Party

Vice-Chairperson
Hon. Fatuma Gedi, MP
Wajir County
Jubilee Party

Hon. Jeremiah Lomurukai, MP Loima Constituency ODM Party

Hon. (Dr.) Tecla Tum, MP Nandi County Jubilee Party

Hon. Kaluma, George Peter, MP Homa Bay Town Constituency ODM Party

Hon. Wmbugu Munene, MP Kirinyaga Central Constituency Jubilee Party

Hon. (Dr.) Makali Mulu, MP Kitui East Constituency Jubilee Party Hon. Nimrod Mbai, MP Kitui East Constituency Jubilee Party

Hon. Ngunjiri Wambugu, MP MP Nyeri Town Constituency Jubilee Party

Hon. Peter Masara, MP Suna West Constituency <u>Independent Party</u>

Hon. Abdi Shurie, MP Balambala Constituency Jubilee Party

Hon. Aduma Owour, MP Nyakach Constituency ODM Party Hon. Halima Mucheke, MP Nominated Member Jubilee Party

Hon. Col. (Rtd) Geoffrey King'ang'i, MP Mbeere South Constituency Jubilee Party

Hon. Oku Kaunya, MP Teso North Constituency ANC Party

Hon. Dr. Mishra Swarup, MP Kesses Constituency Jubilee Party Hon. Marselimo Arbelle, MP
Laisamis Constituency
Jubilee Party

Hon. Rozaah Buyu, MP Kisumu County ODM Party

Hon. William Chepkut, M.P.
Ainabkoi Constituency
Independent Party

1.3 Committee Secretariat

4. The Committee Secretariat comprises the following staff-

Mr. Adan Gindicha Senior Clerk Assistant Head of Secretariat

Mr. Joshua Ondari Clerk Assistant

Ms. Brigitta Mati Legal Counsel

Mr. Edison Odhiambo Fiscal Analyst

Mr. Joel Okong'o **Media Office**

Delvin Onyancha
Researcher/ Policy Analyst

Mr. Josphat Bundotich Serjeant-at-Arms

Ms. Eva Kaare Serjeant-at-Arms

Rodgers Kilungya **Audio Recording Officer**

PART 2

2.0 INTRODUCTION

2.1 Right to Petition Parliament

5. The right to Petition Parliament is provided for under Article 119 of the Constitution, which provides as follows: -

"Every person has a right to Petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation. Parliament shall make provision for the procedure for the exercise of this right."

- 6. The Petition therefore, falls under the Committee's mandate under National Assembly Standing Order 227(1). In addition, Standing Order 227(2) outlines the procedure for committal of a Petition to a Committee and transmission of its decision to the Petitioner. Further, the Petitions to Parliament (Procedure) Act, 2012 provides for the procedure to be followed in the submission, processing and consideration of a Petition.
- 7. Article 12 of the constitution envisages that every citizen is entitled to the rights, privileges and benefits of citizenship, subject to the limits provided or permitted by the Constitution; and a Kenyan passport and any document of registration or identification issued by the State to citizens.
- 8. Article 14 of the Constitution envisages that a person is a citizen by birth if on the day of the person's birth, whether or not the person is born in Kenya, either the mother or father of the person is a citizen.
- 9. Articles 15 of the Constitution envisages that a person who has been married to a citizen for a period of at least seven years is entitled on application to be registered as a citizen. A person who has been lawfully resident in Kenya for a continuous period of at least seven years, and who satisfies the conditions prescribed by an Act of Parliament, may apply to be registered as a citizen. A child who is not

a citizen but is adopted by a citizen is entitled on application to be registered as a citizen.

- 10. Article 26 of the Constitution of Kenya guarantees every Kenyan the inalienable right to life, by providing that a person shall not be deprived of life intentionally while Article 29 of the constitution safeguards every person's right to freedom and security, which includes the right not to be subjected to any form of violence from either public or private sources.
- 11. Article 94 as read together with Article 95 of the Constitution further provides for the mandate of Parliament and the National Assembly respectively. Generally, the Houses of Parliament exercise the legislative mandate of the people, deliberate on matters of national interest and oversight the exercise of power by other arms of government.
- 12. Public participation is now a guaranteed process in Kenya. The Constitution in various Articles requires that public participation be undertaken at all levels of government before government officials make decision affecting the public.
- 13. Public participation is having an open, accountable and structured process where citizens or people, or a segment of a community can interact, exchange views and influence decision making. Public participation is part of a democratic process.

2.2 Public Petition No. 023 of 2021

14. Standing Order 227(2) provides for the committal of public petitions to the House whereby every Petition presented or reported to the House shall be committed to the relevant Departmental Committee for consideration and report to the House and Petitioner within sixty (60) days. Further, the Petition to Parliament (Procedure) Act, 2012 provides for the procedure to be followed in the submission, processing and consideration of Petitions.

- 15. The Public Petition No. 023 of 2021 regarding accessing National identity cards by the Nubian Community is dated 9th June 2021 and was presented to the National Assembly on Thursday 10thJune 2021 by Hon. Bernard Okoth on behalf of the Nubian community in Kenya. The Petition was subsequently committed to the Departmental Committee on Administration and National Security for consideration and reporting to the House and Petitioners pursuant to the provision of Standing Order 227(1).
- 16. The Petitioners testified before the Committee that failure by the Government of Kenya to recognize the Nubian Community as citizens continue to cause great anguish and inconvenience to the them since they were unable to register their children at birth, they miss out on education, health and other social services, were excluded from employment, were unable to register businesses or to open bank accounts or even register a phone sim cards, had unrecognized marriages, were compelled to register assets for failing to carry out identity cards and for allegedly being in Kenya illegally.
- 17. Specifically, the Petitioner prayed that the National Assembly through the Departmental Committee on Administration and National Security, intervenes with a view to
 - a) Securing the recognition of the Nubian Community as marginalized and minority community in Kenya.
 - b) Secure the granting of citizenship status to members of the Nubian Community in a transparent and non-discriminatory processes.
 - c) Securing the inclusion of Nubians in all government portals; and
 - d) Make any other recommendations that it deems fit in the circumstances of the Petition.

PART 3

3.0 PUBLIC PARTICIPATION

- 18. The Committee undertook public participation in compliance with the provisions of Art. 118 of the Constitution and Standing Order 127(3).
- 19. In this regard, the Committee carried out the following activities
 - a) Invited the Cabinet Secretary Dr. Fred Matiang'i 16thAugust,2021 and later met with Hon. Bernard Okoth, MP on 25th August 2021; and
 - b) The Committee undertook a fact finding to Kibra Constituency on 16thSeptember, 2021. During the visit, the Committee met with affected residents, area Member of Parliament and National Government administrative leaders

3.1 SUBMISSION BY HON BERNARDOKOTH, MP

- 20.Hon. Bernard Okoth, Member of Parliament, Kibra Constituency appeared before the Committee on 25th August 2021 and 16thSeptember, 2021 during public hearing in Kibra Constituency and submitted as follows: -
 - (i) That despite being bona-fide citizens of this Republic, members of the Nubian Community have continuously faced discrimination regarding the legitimacy of their citizenry that commenced when the British Colonial Government failed to legitimize their existence as a community despite granting this recognition to railway labourers' shipped from India;
 - (ii) The successive government since independence have adopted the same policy of denying the Nubians citizenship status and treating them as aliens thereby hampering access by most Nubians to National Identity Cards and passports that subsequently restrict their access to public services, employment, education, business and involvement in political processes.

- (iii) The 2019 National Population Census revealed a total Nubian population of twenty-one thousand, three hundred and nineteen (21,319) persons countrywide, which further complicates their ability to elect representatives even at the county government level in a bid to secure their welfare at the grassroots.
- (iv) The Nubian students are unable to join institutions of higher learning and to access Government funding through the of Higher Education Loans Board (HELB) and other platforms due to restrictions and delays in accessing and issuance of National Identity Cards on account of the cumbersome and discriminatory vetting process, which has had the multiplier effect of hindering the community's economic progress.
- (v) That despite the Nubian Community being marginalized and minority community, the Government has failed to implement any affirmative action or policy to ensure active participation of Nubians in employment under the Public Service Commission, access to water, health, education and infrastructure, as well as their public participation in social, economic and political matters.
- (vi) No member of the Nubian Community has ever been listed in any Government portal with regard to application, shortlisting or recruitment into Civil Service.
- (vii) The Nubians are discriminated against along ethnic and religious lines with regard to accessing identification documentation as exemplified by the fact that they are required to provide additional documents in support of their claims to Kenyan nationality such as religious certificates and grandparents identity cards, are required to face a Vetting Committee and have to swear an Affidavit unlike other Kenyans.
- (viii) Nubians right to Kenyan nationality has been acknowledged by the African Committee of Experts on the Rights of the Child as well as the African Commission on Human and People's Rights, and hence the Kenyan Government needs to likewise acknowledge the right particularly in view of the fact that Kenya has already

- ratified several international and regional instruments addressing rights to nationality.
- (ix) The efforts by the Nubian Community to have the matter addressed by the relevant government authorities have been futile.
- (x) That the matters raised in this Petition are not pending in any court of Law in Kenya.
- 21. The Petitioner asked the National Assembly through the Departmental Committee on Administration and National Security, to intervene with a view to
 - a) Securing the recognition of the Nubian Community as marginalized and minority community in Kenya.
 - b) Secure the granting of citizenship status to members of the Nubian Community in a transparent and non-discriminatory processes.
 - c) Securing inclusion of Nubians in all government portals; and
 - d) Make any other recommendations that it deems fit in the circumstances of the Petition.

3.2 SUBMISSION BY THE CABINET SECRETARY FOR INTERIOR AND CO-ORDINATION OF NATIONAL GOVERNMENT

- 22. The Cabinet Secretary for Interior and Co-ordination of National Government, Dr. Fred Matiang'i appeared before the Committee on 16th August 2021 and submitted as follows:-
 - (i) That the Government of Kenya recognizes Nubians as citizens of the Republic of Kenya and has continuously issued national identity cards to those who apply and are eligible. A total of five thousand six hundred and forty-two (5642) members of the Nubian Community had been issued with national identity cards.

- (ii) The Registration of Persons Act, Cap 107 Laws of Kenya requires that one must be identified as a Kenyan Citizen before being issued with a national identity card. The vetting process is anchored in the Registration Act as one of the ways of identifying applicants' eligibility for those in the border Counties and cosmopolitan areas. In the case of Nubians, there is vetting committee. The vetting committee comprises the Deputy County Commissioner (Chairperson), Civil Registration Officer, Registration Officer, three elders nominated by the Nubian Community and Chiefs/Assistant Chiefs.
- (iii) Members of the Nubian Community are not discriminated against along ethnic and religious lines.
- (iv) The Registration of Persons Act, Cap 107, and Laws of Kenya stipulates that the onus of proving one's citizenship lies with the applicant. It is not only the Nubians who are vetted for positive identification. Where one is an orphan, his or her grandparent's national identity card is to be produced in the course of vetting.
- (v) No affidavits are required as stated in the petition.

3.3 PUBLIC HEARING IN KIBRA CONSTITUENCY

During the Public hearings held at Moi Nairobi Girls High School on 16thSeptember 2021, the Committee received submissions from the affected residents as follows:-

21. Mr. Ibrahim Yunis Ali

Mr. Ali appeared before the Committee on 16th September 2021 during public hearing in Kibra Constituency and testified as follows-

- (i) He was a member of the Kenyan Nubian Council
- (ii) Despite Nubians settling and living in Kenya for over hundred years (100), they did not qualify to be citizens of Kenya under the law.

- (iii) Nubians have had to go through a long and complex process of vetting in order to obtain Identity cards. Many have faced substantial delays in obtaining the proof of citizenship while some have never succeeded in getting hence left with no proof of citizenship.
- (iv) That the Statelessness has had a devastating social, political, and economic impact on the Nubian Community, and that some of the consequences include, poor employment prospects, refusal to issue passports, failure to recognize property rights, lack of income from property ownership, poor educational prospects, poor sanitation and health care.

That after decades of activism against citizenship deprivation locally without any tangible success, the Nubian Council of Elders, on behalf of the Nubian Community filed cases with the African Human and people's rights court and African Committee of experts on the rights and welfare of the child, in 2003 and 2010, respectively.

- i. That in 2006 (vide communication No.317/2006) the African Commission on Human and People's rights found that the Kenyan Government had violated several articles of the African Charter on Human and People's right touching on Citizenship rights, land right and inhumane evictions of Kenyan Nubians and requested the Kenyan government to implement.
- ii. The African Committee of Experts (Case No. 02/2020) on the rights and welfare of the child found the Kenya Government to have violated various articles of the African Charter on the rights and welfare of the
- iii. Nubian child and requested the government to take urgent and remedial measures.
- iv. He pleaded with the committee to facilitate implementation of the decisions of the African Commission on Human and People's rights on Nubian citizenship and other rights, review vetting as a requirement for identity issuing process, and also recognize Nubia as a tribe in Kenya.

v. A letter dated 24th April 2009 from the then Minister of Planning to the Nubian Council of elders confirms that the Minister had promised that the Nubian Community shall be encoded as the 43rd tribe which never materialised.

22. Presentation Shafi Ali Hussein

- i. He is the Director of the Nubian Human Rights Forum.
- ii. He said that they have nothing tangible to show that they are citizens.
- iii. That they would like to enjoy the benefits of being citizens as stipulated in Chapter three of the Constitution of Kenya.
- iv. He gave incidences where he has had to swear an affidavit for other Nubians to get Identity Cards. (See Attached ANNEX)

23. Aisha Kagai

- i. An activist who was representing the Nubian Rights Forum.
- ii. She insisted that access to documentation was an access to Human right.
- iii. She said that the vetting process in issuing the Nubians with identity cards was causing delays in the whole process and some have waited for the identity cards for up to six months, and this has led to some having to get their identity cards at twenty-three years (23). She said that the two days only slotted for a week for the Nubians to book for vetting was not sufficient.
- iv. In instances where the father had been vetted, she said that there was no need to vet the child.
- v. The Nubian Right Forum has had a case in court and was being represented by Maruja and Amunga Advocates to

- undertake a legal suit against the Principal Registrar at the National Registration Bureau for not issuing identity cards to three individuals.
- vi. She said that since Kenya is moving towards the digital system, it is feared that the Nubian will be left out.
- vii. She pleaded that the Nubian be considered citizens by birth and not registration.

24. Jamal din Yahya

- i. He confirmed that his father, and grandfather too were in the Kenyan Army, and that his father was a teacher at Starehe Boys Centre.
- ii. That according to the 2019 census, there is an average of twenty-one (21,000) Nubians in Kenya, and most of them live in towns, though they are still marginalized and are a minority community.
- iii. He noted that they have suffered discrimination and social injustice. He went ahead and gave an example of how Nubian land has been taken away and now left with two hundred and eighty-eight (288) acres only.
- iv. He prayed that the Nubians be registered as a community in Kenya.

25. Ali Noor Ibrahim

- i. He said that the Nubian community has had many challenges due to marginalization.
- ii. He insinuated that during recruitment for disciplined forces, the Nubians are locked out completely.
- iii. He said that there is need for affirmative action to enable them to vie for the political seats, that some political seats be also reserved for the Nubian only; and

iv. He noted that Nubians were not represented in decision making offices, assemblies, as ambassadors, and head of parastatals.

26. Malesen Hamida

- i. As a politician, she said that it has been very hard to engage in politics as most Nubians have no identity cards.
- ii. She also added that the Nubians had no representation in school Boards, and this has made them miss important opportunities.
- iii. That the Nubians are not allocated resources even in NGOs.
- iv. She said that the Nubians are facing stiff competition in Government jobs, and since they are not registered in the service portals, employability is almost impossible.
- v. She pleaded with the government to register Nubians under the Land Act.
- vi. She also noted that there is active interference of the local administration; and
- vii. She requested that the Nubians be considered and be included in the Huduma exercise.

27. Hussein Mohamed

He noted that most students like him from the Nubian Community had been denied documentation and this made them miss out on Scholarships outside Kenya, and government jobs too.

28. Zahra Khalid

- i) She insisted that they had gotten citizenship through acquiring identity cards, and that they be given citizenship by birth so as to end the vetting process that they have to undergo.
- ii) She noted that the Makonde people had a population of three thousand people and had been recognized as a tribe in Kenya yet the Nubians in Kenya are over twenty thousand people yet they are not recognized as a tribe in Kenya.

29. Deputy County Commissioner, Gideon Ombongi

- i. He said that there is a committee that is tasked with the vetting process in registration of Identity Cards.
- ii. He said that they follow the laid down procedure.
- iii. According to him no pending cases have been brought to his attention.
- iv. He noted that in some instances the people who have registered to be vetted leave numbers that could not be reached and has come across underage cases that had applied for an identity card.
- v. He also said that some Nubians register as Aliens and hence get Alien identity cards, which makes it difficult to get the other identity card.

30. Ann Odeny-Sub-County Registrar of Persons

- i. The Registrar at Kibra illustrated the registration process, she said that the Vetting Committee comprises of the following.
 - a) Chairman-DCC
 - b) Secretary-Registrar of Persons
 - c) NIS Officer
 - d) Civil Registrar (Birth)
 - e) Registrars from Nairobi
 - f) Nubian elders
 - g) Chiefs

- ii. She pointed out the vetting requirements as:
 - a) Parents' ID cards
 - b) Birth certificate or clinic immunizations card
 - c) School documents-KCPE/KCSE or any other school national examinations documents
 - d) Chief's introduction letter
- e) Elder's introduction letter for Nubians
- iii. She noted that those children whose parents are public servants do not undergo vetting.
- iv. That applicants who have attained the age of eighteen years (18) and are Nubian appear before the Nubian elders on Tuesdays or Thursdays, to be identified and are issued with an introduction letter also known as elders' affidavit. And that these two days were chosen by the elders as it was convenient for them. This takes place at the DCC's compound in Kibra. Some visit the elders in their homes, and they can visit the chief's office for a letter on the same day.
- v. Applicants thereafter present their documents to the registrar and then a date is given to the applicant to appear before the vetting committee. Kibra vetting committee caters for Nubians who reside in Nairobi. Those residing outside Nairobi get registered where they have settled. On the vetting day, an applicant comes before the committee with one of his parents carrying all the original documents required.
- vi. That vetting in Nairobi is scheduled once a month, sometimes even more than one depending on the number of applicants.
- vii. She stated that they had a request for mass registration in March 2017, where they had a five-day mobile registration, and eighty-four (84) Nubian were vetted during that exercise.
- viii. Covid-19 had affected the process since meeting were prohibited in line with the Ministry of Health Guidelines.

ix.	She said that applicants who seek identity cards and follow the procedures receive services without any problems.
x.	She also said that vetting is a legal process and not discrimination.

5.0 ISSUES FOR DETERMINATION AS PER PRAYERS SOUGHT IN THE PETITION

5.1 Recognition of the Nubian Community as a marginalized and minority community in Kenya

- 31. Article 12 of the constitution envisages that every citizen is entitled to the rights, privileges and benefits of citizenship, subject to the limits provided or permitted by the Constitution; and a Kenyan passport and any document of registration or identification issued by the State to citizens.
 - 31. Article 15 of the Constitution envisages that a person who has been married to a citizen for a period of at least seven years is entitled on application to be registered as a citizen; a person who has been lawfully resident in Kenya for a continuous period of at least seven years, and who satisfies the conditions prescribed by an Act of Parliament, may apply to be registered as a citizen; and child who is not a citizen, but is adopted by a citizen, is entitled on application to be registered as a citizen.
 - 32. Evidence on record indicates that in accordance with the aforementioned provisions, the government recognizes the Nubians as citizens of Kenya and has continuously issued national identity cards to those who apply and are eligible. Further evidence adduced show that a total of five thousand six hundred and forty-two (5642) members of the Nubian Community have been issued with National Identity cards. However, in terms of classification, they are categorized as 'other' Kenyans as opposed to a substantive ethnic group.
 - 33. Evidence on record by way of a letter dated April 24th, 2009, by the then Minister for Planning to the Nubian Council of Elders confirmed that the Minister made a promise that the Nubians were to be listed as a tribe but this never materialized.
 - 34. Further evidence on record show that the 2019 National Population Census reported that the total Nubian population countrywide was 21,319 persons which further complicates their ability to elect representatives even at the county government level in a bid to secure their welfare at the grassroots. This lack of representation is a testimony to their marginalization.

35.In view of the foregoing, the Committee was persuaded that the Nubian Community should be granted full citizenship status and recognition as a tribe in Kenya.

5.2 The granting of citizenship status to members of the Nubian Community in a transparent and non-discriminatory processes

- 36. Citizenship status in Kenya is determined pursuant to the Provisions of the registration of persons Act, cap 107 laws of Kenya requires that one must be identified as a Kenyan Citizen before being issued with national identity cards. The vetting process is anchored in the registration Act as one of the ways of identifying applicants' eligibility for those in the border Counties and cosmopolitan areas. Therefore, it is not exclusive to the members of the Nubian community.
 - a) In this regards evidence on record show that the vetting committee members at Kibra County, in relation to Nubians, comprise of the Deputy County Commissioner (Chair), Civil Registration Officer, Registration Officer, three elders from the Nubian Community and Chiefs/assistant chiefs. The Nubian Community is represented by three elders nominated by the community in the vetting committee.
 - b) An analysis of the vetting register revealed that the process takes inordinately long period, with a number of applicants from the Nubian Community who applied as early as 2017 still waiting for an opportunity to appear before the vetting panel.
 - c) Based on this evidence, while acknowledging that the vetting process is anchored in law and not exclusive to the Nubians, the Committee is of the view that the State Department for Interior and Citizen Services need to streamline the process with a view
 - d) to making it transparent and non-discriminatory.

5.3 Inclusion of Nubians in all Government portals

- a) Evidence on record shows that despite the Nubian Community being marginalized and minority community, the Government has failed to implement any affirmative action or policy to ensure active participation of Nubians in employment under the Public Service Commission, access to water, health, education and infrastructure, as well as their public participation in social, economic and political matters.
- b) Further evidence adduced before the Committee show that in 2006 (vide communication No.317/2006) the African Commission on Human and People's rights found that the Kenyan Government had violated several articles of the African Charter on Human and People's right touching on Citizenship rights, land right and inhumane evictions of Kenyan Nubians and requested the Kenyan government to implement.
- c) Additional evidence tabled before the Committee reveal that the African Committee of Experts (Case No. 02/2020) on the rights and welfare of the child found the Kenya Government to have violated various articles of the African Charter on the rights and welfare of the Nubian child and requested the government to take urgent and remedial measures.
- d) Based on this evidence, the Committee is of the view that the Government should make deliberate efforts to initiate affirmative action aimed at ensuring that the Nubians are fully involved in national economic and social life.

6.0 RECOMMENDATIONS

- 36. Based on the above observations, evidence adduced on record and conclusions made on each of the prayers, the Committee makes the following recommendations
 - i) The Cabinet Secretary for Interior and Co-ordination of National Government should initiate the process of recognizing the Nubian people as a tribe in the Republic of Kenya. In this regard, the Cabinet Secretary should submit to the House a progress report within three (3) months after the Tabling of this report.
 - ii) The Cabinet Secretary for Interior and Co-ordination of National Government should issue guidelines to ensure that the vetting process for the purposes of acquisition of National Identification documents is transparent and non-discriminatory. Towards this end, the Cabinet Secretary should submit to the House a progress report within three (3) months of Tabling this report.

Signed.

.Date.

HON. PETER MWATHI, M.P. CHAIRPERSON,

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

MINUTES OF THE 30TH SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY HELD ON FRIDAY, 24TH SEPTEMBER, 2021 AT 9.00 A.M. AT SERENA BEACH HOTEL, MOMBASA

PRESENT-

1. Hon. Peter Mwathi, MP Chairperson

- 2. Hon. Dr. Makali Mulu, MP
- 3. Hon. Aduma Owuor, MP
- 4. Hon. Peter George Kaluma, MP
- 5. Hon. Dr. Tecla Chebet Tum, MP
- 6. Hon. Peter Masara, MP
- 7. Hon. Oku Kaunya, MP
- 8. Hon. Marselino Arbelle, MP
- 9. Hon. Col (Rtd) Geoffrey King'ang'i, MP
- 10. Hon. Jeremiah Ekamais Lomurukai, MP

ABSENT WITH APOLOGIES

1. Hon. Fatuma Gedi, CBS, MP Vice chairperson

- 2. Hon. Halima Mucheke, MP
- 3. Hon. Nimrod Mbithuka Mbai, MP
- 4. Hon. Ngunjiri Wambugu, MP
- 5. Hon. Abdi Omar Shurie, MP
- 6. Hon. William Kamuren Chirchir Chepkut, MP
- 7. Hon. Swarup Mishra, MP
- 8. Hon. Rozaah Buyu, MP

IN ATTENDANCE-

COMMITTEE SECRETARIAT-

1. Mr. John Mutega - Deputy Director

2. Mr. Adan Gindicha - Senior Clerk Assistant

3. Mr. Joshua Ondari - Clerk Assistant

4. Ms. Delvin Onyancha - Research Assistant Officer

5. Ms. Brigitta Mati - Legal Counsel

6. Mr. Josphat Bundotich

Serjeant-At-Arms

MIN No. 121 /2021:-

PRELIMINARIES AND COMMUNICATION FROM THE CHAIRPERSON

The Chairperson officially welcomed Members to the meeting at 9.30 am with a word of prayer.

The agenda was adopted after being proposed by Hon. Dr. Tecla Chebet Tum, MP and seconded by Hon. Peter Francis Masara, MP.

MIN No. 122 /2021:-

ADOPTION OF THE REPORT OF THE PUBLIC PETITION NO. 27 OF 2021 REGARDING GAZETTEMENT OF KITUL AS A HARDSHIP AREA

The Committee considered the report and came up with the following observations and recommendations:-

Observations

- That Kitui County is not among the designated hardship areas in Kenya for Civil Servants as communicated vide a circular dated 7th December 2015(OP/CAB/1/31A).
- That Kitui County meets the criteria set out by the Government Task Force constituted in 2007 for the determination of areas to be declared as Hardship Areas. This is supported by the high levels of poverty, poor infrastructure with only 2.4 per cent of roads paved, low access to clean water with 42.3 per cent of the population relying on water from streams and rivers, low connectivity to power with only 18 per cent of households connected against the national average of 41 per cent. In addition the county has only 256 health facilities serving over one million residents. Only 6 of these facilities are accredited by insurance companies
- iii) That the County experiences persistent harsh climatic conditions such as drought and famine resulting in food insecurity. The situation is further aggravated by cases of insecurity along the Kitui -Tana River, Kitui -

- Garissa and Kitui- Isiolo borders, coupled with human wildlife conflict in areas that border the Tsavo West Park.
- iv) That, due to these challenges, public servants encounters numerous setbacks in the discharge of their duties thus occasioning a high turnover of officers and poor delivery of essential government services.
- v) Prior to 1997, the Civil Service and Teaching Services had similar eleven (11) areas designated Hardship which included whole Districts of Wajir, Mandera, Garissa, Samburu, Isiolo, Lamu, Marsabit, Tana River, West Pokot, Turkana and Northern area of Baringo.
- vi) In 1997, the Minister for Education through a legal Notice No. 534 of 11th November, 1997 gazetted an additional twenty five(25) Hardship areas for the Teaching Service following the negotiations and signing of a Collective Bargaining Agreement with the Kenya National Union of Teachers (KNUT). These created disparities in the Civil Service designated hardship areas were those under TSC.
- vii) That currently several counties that border Kitui including Makueni, Tana River, Isiolo and Garissa have been gazetted as designated Hardship Areas.
- viii) On 21st March, 2019 an Inter-agency Technical Committee comprises of senior officers drawn from the Ministries of Public Service and Gender, Interior an Co-ordination of National Government, Education, the National Treasury, and Planning, Public Service Commission, Teachers Service Commission, Commission on Revenue Allocation (CRA) the Judiciary, Kenya National Bureau of Statistics (KNBS) and the Council of Governors (COG) was constituted and tasked to collect data, review and harmonize the hardship allowance paid across the Public Service so as to accommodate the cost implication within the budgetary allocation for 2020/2021 FY.
- ix) The State Department of Public Service does not have adequate budgetary allocation for carrying out the harmonization exercise as envisage through the Inter- Agency Technical Committee.

Recommendations

a) On the review of the existing hardship areas to reflect the true position of the reality faced by public servants in Kitui County, the Committee recommends that:

The Inter-agency Technical Committee constituted on 21st March, 2019 comprising of senior officers drawn from the Ministries of Public Service and Gender, Interior and Co-ordination of National Government, Education, the National Treasury, and Planning, Public Service Commission, Teachers Service Commission, Commission on Revenue Allocation (CRA) the Judiciary, Kenya National Bureau of Statistics (KNBS) and the Council of Governors (COG) tasked to collect data, review and harmonize the hardship allowance paid across the Public Service should expedite the exercise and report to Parliament within six months of tabling this report.

b)On the inclusion of Kitui County as a hardship area so as to give civil servants incentives to serve in the said areas despite challenges, the Committee recommends that:

The State Department for Public Service, in consultation with other relevant Government agencies, should prioritize the gazettement of parts of Kitui County and other areas in the Country that meet the criteria for categorization as a hardship area and report to Parliament within six months of tabling this report.

c) Any other order or direction that it deems fit in the circumstances of the petition, the Committee recommends that:

The Ministry of Public Service and Gender should prioritize resource allocation to the Inter-Agency Task Force on the harmonization of payment of Hardship allowance across the Public Service so as to ensure the exercise is completed within the current Financial Year. A report on the status of this exercise should be submitted to the National Assembly within three (3) months of the tabling of this report.

The report was adopted after being proposed by Hon. Dr. Tecla Chebet Tum, MP and seconded by Hon. Peter Francis Masara, MP.

MIN No. 123 /2021:-

ADOPTION OF THE REPORT ON THE

PUBLIC PETITION NO. 023 OF 2021
REGARDING ACCESSING NATIONAL
IDENTITY CARDS BY THE NUBIAN
COMMUNITY

The Committee considered the report and came up with the following observations and recommendations:-

Observations-

- a) That the government recognizes the Nubians as citizens of Kenya and has continuously issued national identity cards to those who apply and are eligible. A total of five thousand six hundred and forty two (5642) members of the Nubian Community have been issued with National Identity cards. However, in terms of classification, they are categorized as 'other' Kenyans as opposed to a substantive ethnic group.
- b) That the vetting process takes inordinately long period, with a number of applicants from the Nubian Community who applied as early as 2017 still waiting for an opportunity to appear before the vetting panel.
- c) A letter dated April 24th 2009 from the then Minister of Planning to the Nubian Council of elders confirmed that the Minister made a promise the Nubia shall be listed as a tribe but this never materialised.
- d) The 2019 National Population Census revealed a total Nubian population is 21,319 persons countrywide, which further complicates their ability to elect representatives even at the county government level in a bid to secure their welfare at the grassroots.
- e) The vetting process is anchored in the registration Act as one of the ways of identifying applicants' eligibility for those in the border Counties and cosmopolitan areas. The vetting committee members comprise of the Deputy Commissioner (Chair), Civil Registration Officer, Registration Officer (p) three elders from the Nubian Community and Chiefs/assistant chiefs. The Nubian Community is represented by three elders nominated by the community in the vetting committee.

Recommendations-

- a) THAT, the Cabinet Secretary, Ministry of Interior and Co-ordination of National Government should initiate the process of listing the Nubian people as a tribe in the Republic of Kenya. In this regard, the Cabinet Secretary should submit to the House a progress report within three (3) months after tabling of this report.
- b) **THAT**, the Cabinet Secretary, Ministry of Interior and co-ordination of National Government to make rules or guidelines that ensure the vetting process for the purposes of acquisition of National Identification documents is transparent and non-discriminatory. In this regard, the Cabinet Secretary should submit to the House a progress report within three (3) months after tabling of this report.

The report was adopted after being proposed by Hon. Peter George Kaluma, MP and seconded by Hon. Oku Kaunya, MP.

MIN No. 124 /2021:-

ADJOURNMENT

The Chairperson adjourned the sitting at one O'clock. The meeting was to reconvene at 2.00 pm the same day.

Signed.

Chairperson

FNY 2021

Date

REPUBLIC OF KENYA



DEPARTMENTAL COMMITTEE ON ADMINISTRATION & NATIONAL SECURITY

ATTENDANCE SCHEDULE

DATE: 24/09/2021

TIME: 9:00 am

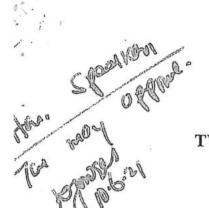
VENUE: Serena Beach Hotel Mombasa

AGENDA: Adoption of the Report on Public Petition No. 023 of 2021 on the issue of discrimination in accessing National Identity cards by the Nubian Community

NO.	NAME	SIGNATURE
1.	Hon. Peter Mwathi, MP - Chairperson	
2.	Hon. Fatuma Gedi, CBS, MP - Vice Chairperson	
3.	Hon. George Peter Kaluma, MP	
4.	Hon. Dr. Makali Mulu, MP	Fmus.
5.	Hon. Aduma Owuor, MP	
6.	Hon. Dr. Tecla Chebet Tum, MP	Flades
7.	Hon. Halima Mucheke, MP	
8.	Hon. Marselino Malimo Arbelle, MP	MARIA
9.	Hon. Nimrod Mbithuka Mbai, MP	

10.	Hon. Ngunjiri Wambugu, MP	
		. 6
11.	Hon. Abdi Omar Shurie, MP	
12.	Hon Col (Ptd) Cooffee V' : MO	///
12.	Hon. Col (Rtd) Geoffrey Kingangi, MP	Mindy.
13.	,	Aletha
14.	Hon. Oku Kaunya, MP	About
15.	Hon. Rozaah Buyu, MP	
16.	Hon. Jeremiah Lomurukai, MP	9 m. E
17.	Hon. William Chepkut, MP	
18.	Hon. Swarup Mishra, MP	
Adan G	DateDate	

Senior Clerk Assistant,
Departmental Committee on Administration and National Security.
SignedDate
Peter Chemweno,
Director, Directorate of Departmental Committee Services





REPUBLIC OF KENYA TWELFTH PARLIAMENT (FIFTH SESSION)

THE NATIONAL ASSEMBLY

10/6/2021

PUBLIC PETITION

(No. 023 of 2021)

REGARDING DISCRIMINATION IN ACCESSING NATIONAL IDENTITY CARDS BY THE NUBIAN COMMUNITY

I, the UNDERSIGNED, on behalf of the Nubian Community in Kenya;

DRAW the attention of the House to the following: -

- 1) THAT, despite being bonafide citizens of this Republic, members of the Nubian Community have continuously faced discrimination regarding the legitimacy of their citizenry that commenced when the British Colonial Government failed to legitimize their existence as a community despite granting this recognition to railway labourers shipped from Indian;
- 2) THAT, successive governments since Independence have adopted the same policy of denying the Nubians citizenship status and treating them as aliens thereby hampering access by most Nubians to National Identity Cards and passports that subsequently restrict their access to public services, employment, education, business and involvement in political processes;
- 3) THAT, the 2019 National Population Census revealed a total Nubian population of 21,319 persons countrywide, which further complicates their ability to elect representatives even at the county government level in a bid to secure their welfare at the grassroots;
- 4) THAT, Nubian students are unable to join institutions of higher learning and to access Government funding through the Higher Education Loans Board (HELB) and other platforms due to restrictions and delays in accessing and issuance of National Identity Cards on account of the cumbersome and discriminatory vetting process, which has had the multiplier effect of hindering the community's economic progress;
- 5) THAT, despite the Nubian Community being a marginalized and minority community, the Government has failed to implement any affirmative action or policy to ensure active participation of Nubians in employment under the Public Service Commission, access to water, health, education and infrastructure, as well as their public participation in social, economic and political matters;

PUBLIC PETITION

REGARDING DISCRIMINATION IN ACCESSING NATIONAL IDENTITY CARDS BY THE NUBIAN COMMUNITY

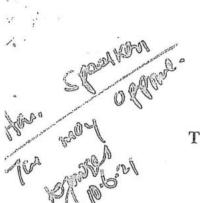
- 6) **THAT,** no member of the Nubian Community has ever been listed in any Government portal with regard to application, shortlisting or recruitment into the Civil Service;
- 7) THAT, Nubians are discriminated against along ethnicity and religious lines with regard to accessing identification documentation as exemplified by the fact that they are required to provide additional documents in support of their claims to Kenyan nationality such as religious certificates and grandparents' identity cards, are required to face a Vetting Committee and have to swear an Affidavit unlike other Kenyans;
- 8) THAT, Nubians' right to Kenyan nationality has been acknowledged by the African Committee of Experts on the Rights of the Child as well as the African Commission on Human and People's Rights, and hence the Kenyan Government needs to likewise acknowledge this right particularly in view of the fact that Kenya has already ratified several international and regional instruments addressing rights to nationality;
- 9) THAT, efforts by the Nubian Community to have this matter addressed by relevant government authorities have been futile;
- 10) AND THAT, the matters raised in this Petition are not pending in any court of law in Kenya

NOW THEREFORE, your humble petitioners pray that the National Assembly through the Departmental Committee on Administration and National Security:

- (i) intervenes with a view to securing the recognition of the Nubian Community as a marginalized and minority community in Kenya;
- (ii) secure the granting of citizenship status to members of the Nubian Community via transparent and non-discriminatory processes;
- (iii) secures the inclusion of Nubians in all government portals, and
- (iv) makes any other recommendation that it deems fit in the circumstances of the Petition.

And your PETITIONERS will ever pray.

PRESENTED BY





REPUBLIC OF KENYA TWELFTH PARLIAMENT (FIFTH SESSION)

THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 023 of 2021)

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- 2) THAT, successive governments since Independence have adopted the same policy of denying the Nubians citizenship status and treating them as aliens thereby hampering access by most Nubians to National Identity Cards and passports that subsequently restrict their access to public services, employment, education, business and involvement in political processes;
- 3) THAT, the 2019 National Population Census revealed a total Nubian population of 21,319 persons countrywide, which further complicates their ability to elect representatives even at the county government level in a bid to secure their welfare at the grassroots;
- 4) THAT, Nubian students are unable to join institutions of higher learning and to access Government funding through the Higher Education Loans Board (HELB) and other platforms due to restrictions and delays in accessing and issuance of National Identity Cards on account of the cumbersome and discriminatory vetting process, which has had the multiplier effect of hindering the community's economic progress;
- 5) THAT, despite the Nubian Community being a marginalized and minority community, the Government has failed to implement any affirmative action or policy to ensure active participation of Nubians in employment under the Public Service Commission, access to water, health, education and infrastructure, as well as their public participation in social, economic and political matters;

PUBLIC PETITION

REGARDING DISCRIMINATION IN ACCESSING NATIONAL IDENTITY CARDS BY THE NUBIAN COMMUNITY

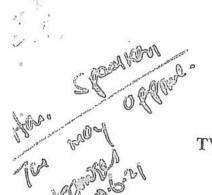
- THAT, no member of the Nubian Community has ever been listed in any Government portal with regard to application, shortlisting or recruitment into the Civil Service;
- 7) THAT, Nubians are discriminated against along ethnicity and religious lines with regard to accessing identification documentation as exemplified by the fact that they are required to provide additional documents in support of their claims to Kenyan nationality such as religious certificates and grandparents' identity cards, are required to face a Vetting Committee and have to swear an Affidavit unlike other Kenyans;
- 8) THAT, Nubians' right to Kenyan nationality has been acknowledged by the African Committee of Experts on the Rights of the Child as well as the African Commission on Human and People's Rights, and hence the Kenyan Government needs to likewise acknowledge this right particularly in view of the fact that Kenya has already ratified several international and regional instruments addressing rights to nationality;
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And your PETITIONERS will ever pray.

PRESENTED BY





REPUBLIC OF KENYA TWELFTH PARLIAMENT (FIFTH SESSION)

THE NATIONAL ASSEMBLY

10/6/2021

PUBLIC PETITION

(No. 023 of 2021)

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PUBLIC PETITION

REGARDING DISCRIMINATION IN ACCESSING NATIONAL IDENTITY CARDS BY THE NUBIAN COMMUNITY

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- (iv) makes any other recommendation that it deems fit in the circumstances of the Petition.

And your PETITIONERS will ever pray.

PRESENTED BY

Adan Gindi cha pls factitate 25/8/21

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STATEMENT ON PUBLIC PETITION REGARDING DISCRIMINATION IN ACCESSING OF IDENTITY CARDS TO MEMBERS OF NUBIAN COMMUNITY

Hon. Speaker, the Member of Parliament for Kibra Constituency, Hon. Bernard Okoth, MP sought for response from the Cabinet Secretary, Ministry of Interior and Coordination of National Government regarding the public petition on issuance of identity cards to the members of the Nubian Community. In particular, the petition raised the following issues:

- i. That, successive governments since independence have adopted the same policy of denying the Nubians citizenship status and treated them as aliens thereby hampering access by most Nubians to National Identity Cards and passports that subsequently restrict their access to public services, employment, education, business and involvement in political processes;
- ii. That Nubian students are unable to join institutions of higher learning and the access Government funding through the Higher Education Loans Board (HELB) and other platforms due to restrictions and delays in accessing and issuance of National Identity Cards on account of the cumbersome and discriminatory vetting process, which has had the multiplier effect of hindering the community's economic progress;





iii. That Nubians are discriminated against along ethnicity and religious lines with regard to accessing identification documentation as exemplified by the fact the they are required to provide additional documents in support of their claims to Kenyan nationality such as religious certificates and grandparents, identity cards, are required to face a Vetting Committee and have to swear an affidavit unlike other Kenyans.

I wish to state as follows:

Hon. Speaker, the government recognizes the Nubians as citizens of Kenya and has continuously issued national identity cards to those who apply and are eligible. A total of five thousand six hundred and forty two (5642) members of the Nubian Community have been issued with National Identity cards.

That the registration of persons Act, cap 107 laws of Kenya requires that one must be identified as a Kenyan Citizen before being issued with a national identity card. The vetting process is anchored in the registration Act as one of the ways of identifying applicants' eligibility for those in the border Counties and cosmopolitan areas. Therefore, it is not exclusive to the members of the Nubian community. In this regards, the vetting committee members comprise of the Deputy County Commissioner (Chair), Civil Registration Officer, Registration Officer (p) three elders from the Nubian Community and

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Chiefs/assistant chiefs. The Nubian Community is represented by three elders nominated by the community in the vetting committee

Members of the Nubian community are not discriminated against along ethnic and religious lines. Registration of Persons Act, Cap 107 laws of Kenya stipulates that the onus of proving ones citizenship lies with the applicant. It is therefore, not only Nubians who are vetted but also other border ethnic groups living in Kibra for positive identification. It is worth noting that grandparent's ID are asked for only when the applicant is an orphan. Secondly, no affidavits are required as stated in the petition.

Thank you, Honourable Speaker.

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FRED MATIANG'I, PhD, EGH

CABINET SECRETARY

MINISTRY OF INTERIOR AND

COORDINATION OF NATIONAL GOVERNMENT

16th August, 2021



Adan Gradicha Pls Facilitate Pls Facilitate 00 Caller.

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FRED MATIANG'I, PhD, EGH

CABINET SECRETARY

MINISTRY OF INTERIOR AND

COORDINATION OF NATIONAL GOVERNMENT

16th August, 2021

*

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Thank you, Honourable Speaker.

maltre

FRED MATIANG'I, PhD, EGH

CABINET SECRETARY

MINISTRY OF INTERIOR AND

COORDINATION OF NATIONAL GOVERNMENT

16th August, 2021



OFFICE OF THE VICE PRESIDENT MINISTRY OF STATE FOR IMMIGRATION AND REGISTRATION OF PERSONS

Telegrams: "IDENTITY", . Nairobi

Telephone: 2722526, 2720142, 2722446,

2722558

FAX: 2716205

Website: identity.go.ke

Email: principal.registrar@identity.go.ke

When replying please quote

Ref. No. NRB/SEC/OPS/2/4/VOL.III/85

National Registration Bureau Headquarters NSSF Complex, Block B Bishops Road P. O. Box 57007 NAIROBI

Date: Friday September 4, 2009

The District Registrar
Langata District Registration Office
KIBERA

RE: INAUGURATION OF THE LANGATA DISTRICT IDENTIFICATION/VETTING COMMITTEE

This is with reference to letter No.S/KIB/ADM/1/35A/46 dated 5th May, 2009 from the District Officer Kibera addressed to the Provincial Registrar, Nairobi Area through you submitting the names of the nominated members to the above committee.

You are now authorized to proceed and inaugurate the nominees submitted into office to commence the work of assisting the District Identification/Vetting Committee to furnish and vouch for all information they avail to the committee in respect of all applications. The nominees are as follows:-

- 1. Swaleh Abdalkadir
- 2. Mohamed Ramadhan
- 3. Mrs. Khadija Ramadhan Jabir
- 4. Wilkister Agolla

Affidavits previously sworn by Not previously Registered (NPR) applicants who are not late registration cases will no longer be applicable and a requirement. Late NPR registration applicants will furnish affidavits to account for reasons of late registration like the way applicants from all other committees do.

I attach hereto a copy of a proforma of IDENTIFICATION VETTING COMMITTEE:-

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A.P.M. KISABULI

FOR: DIRECTOR OF NATIONAL REGISTRATION

C.C: The Permanent Secretary
Ministry of State for Immigration and
Registration of Persons
NAIROBI

The Provincial Registrar NAIROBI PROVINCE

The District Commissioner LANGATA DISTRICT

Secretary – General KENYA NUBIAN COUNCIL OF ELDERS P.O.BOX 2215 - 00202 NAIROBI Principal Registrar Bureau
National Registration 57007
National P. O. Box 57007



OFFICE OF THE VICE PRESIDENT MINISTRY OF STATE FOR IMMIGRATION AND REGISTRATION OF PERSONS

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Telephone: 2722526, 2720142, 2722446,

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Website: identity.go.ke"

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When replying please quote

Ref. No. NRB/SEC/OPS/2/4/VOL.III/85

National Registration Bureau Headquarters NSSF Complex, Block B

Bishops Road

P. O. Box 57007 NAIROBI

Date: Friday September 4, 2009

The District Registrar
Langata District Registration Office
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RE: INAUGURATION OF THE LANGATA DISTRICT IDENTIFICATION/VETTING COMMITTEE

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REPUBLIC OF KENYA



MINISTRY OF INTERIOR AND

COORDINATION OF NATIONAL GOVERNMENT

Telegrams: "IDENTITY" Nairobi

Telephone: 0202667709

When replying please quot

Deputy County Registrar (P Kibera Sub County NAIROBI

14th September 2021

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

Kibra Sub County Vetting Committee was constituted in September 2013. Members of this committee are as follows:-

Chairman- DCC
Secretary - Registrar of Persons
NIS officer
Civil Registrar (Births)
Registrars from Nairobi regions
Nubian elders
Chiefs

The Kibra Sub County vetting is quite unique compared to other Nairobi sub county vetting committees, in that the vetting committee has the presence of Nubian elders representing the community. This vetting committee not only vets Nubians but also other Kenyan communities found at the borders but residing in Kibra Sub County.

The community is vetted because they are also found in Uganda, Sudan and Tanzania.

sec sec

VETTING REQUIREMENTS

Requirements are similar across the board with other communities that are vetted. Documents required for vetting are as follows:-

- 1. Parents' ID cards
- 2. Birth certificate or clinic immunizations card
- School documents- KCPE/KCSE or any other school national examinations documents.
- 4. Chief's introduction letter
- 5. Elder's introduction letter for Nubians and Nyumba Kumi form for other communities.

Please take note those whose parents are civil servants or public servants do not undergo vetting.

VETTING PROCEDURES

Applicants who have attained the age of 18 years and are Nubian appear before the Nubian elders on Tuesdays or

Thursdays to be identified and issued with an introduction letter also known as elders' affidavit. Please take note that these days were chosen by the elders as it was convenient for them. This takes place at the DCC's compound in Kibra. Some visit the elders in their homes and they can visit the chief's office for a letter on the same day.

Applicants thereafter present their documents to the registrar and then a date is given to the applicant to appear before the vetting committee. Kibra vetting committee caters for Nubians who reside in Nairobi. Those residing outside Nairobi get registered where they have settled. On the vetting day an applicant comes before the committee with one of his parents carrying all the original documents required.

Vetting as per Nairobi sub county schedule is held once a month. Kibra vetting committee sits more than once in a month if possible. Due to the large number of applicants and Covid-19 upsurge together with Ministry of Health guidelines, the committee has more than one vetting meeting whenever possible.

COMPLAINTS

This committee received a request in March 2017 through Mr.Gekonde (Regional Coordinator for Nairobi Region) from a Nubian rights forum to have Nubians registered in large numbers. It was an outcry that there is a large number of Nubians that are not registered. The committee organized 5days for mobile registration to cater for the large number of Nubians that had been mobilized. The exercise was a success as we vetted 84 Nubians (see attached letters). The committee received an appreciation letter from the Nubian community. The registration office has not received any other complaint or request from the Nubian forum or community apart from a complaint letter to the Cabinet Secretary's office of an applicant called Mariam whom we tracked down through the elders and now has an ID card.

In the same letter they complained of being discriminated in that no vetting meetings were going on. This was when Covid-19 had set in, and no meetings were allowed to take place as per Ministry of Health guidelines. The office at this time had scaled down its services and which resumed 3months later. In the same letter they complained about there being no DSIC vetting meetings. The meeting takes place and is on schedule. Applicants presenting themselves before the vetting committee get a detailed report from NIS. Usually these are over-age cases lacking key documents. Kindly note that no other complaints have been received from the Nubian community. Applicants seeking ID cards follow procedures and receive services without any problem.

A total of 1,450 Nubians have been registered since vetting was devolved to sub county level from the national level (Nyayo House) where applicants from border areas appeared before a provincial vetting committee. Please find attached:-

(i) Lists of all vetting meetings in Kibra with dates and number of Nubians vetted and approved.

(ii) Letter from the Nubian forum requesting for a mobile registration for the community.

(iii) Letter of reply from Mr. Gekonde and me on complaints made against the registration office by the Nubian forum.

Sincerely,

ANNE ODENY
SUB COUNTY REGISTRAR (P)

IN THE COURT OF APPEAL AT NYERI

(CORAM: VISRAM, KOOME & ODEK, JJ.A)

CIVIL APPEAL NO. 253 OF 2011

BETWEEN

JUDGMENT OF THE COURT

By a plaint filed in the High Court, the respondents herein, suing on their own behalf, as well as on behalf of other 484 persons, sought Kshs.
 100,000,000/= plus interest thereon as compensation for their eviction from Mbondoni Sub-Location, Makina Location in Mbeere District (suit land) by the Government which eviction was aimed to pave way for the construction of the Masinga dam.

- 2. Sometime in 1976, the Government compulsorily acquired the suit land which was a trust land for the ongoing hydro dam construction project by the appellant. Some of the 484 inhabitants represented by the respondents were resettled on other parcels of land. The appellant resolved to compensate all the inhabitants for the developments that had been carried on the suit land prior to the construction of the dam. To this end the District Agricultural Officers from the Ministry of Agriculture conducted assessments to establish the value of developments undertaken by each inhabitant. After the said assessment they compiled a report and forwarded the same to the appellant to be used as the basis for compensation. However, according to the appellant, the said assessment was not accurate because firstly, some developments on the suit land were undervalued or overvalued and secondly, it included assessment of developments on portions of the suit land that were not affected by the construction of the dam. Consequently, the appellant commissioned John Kuti, an independent surveyor who prepared another assessment report which formed the basis of compensation made by the appellant.
 - 3. On 17th November, 1980 the appellant in liaison with the Provincial Administration paid out an estimated amount of Kshs. 2,000,000/= to some of the inhabitants. Disputes arose as some of the inhabitants claimed they were not compensated or that the developments that they had carried out on their respective plots had been undervalued. Subsequently, the appellant

- formed a committee to handle the above mentioned complaints which according to the appellant led to the successful complainants being paid.
- 4. The respondents claimed that they were not fully compensated and that the estimated cost of developments undertaken on the suit land was Kshs. 200,000/= per person making a total of Kshs. 100,000,000/= being the compensation payable to the 484 inhabitants. Subsequently, after being granted leave to file suit out of time the respondents filed the above mentioned suit in the High Court in December, 2001.
- 5. The appellant in its defence averred that it had compensated all the inhabitants of the suit land that had been affected by the construction of the dam. It was the appellant's case that compensation was only for the developments that had been undertaken on the suit land. That the figure claimed by the respondents as compensation was unrealistic because the inhabitants had not carried out similar developments on the suit land. The appellant argued that the respondents had not proved that they were entitled to the amount they claimed as compensation. The appellant further averred that the respondents' suit was time barred, the cause of action having arisen in 1976; and that the trial court had the obligation to consider whether the *ex-parte* leave to file the suit out of time granted to the respondents was valid.
 - After hearing the matter, the High Court (Khaminwa, J.) on 1st October,
 2009 entered judgment in favour of the respondents in the sum of Kshs.

96,800,000/= plus interest at the rate of 14% from the date of filing the suit until payment in full. It is against the said judgment that the appellant has filed this appeal based on the following grounds:-

- i. The learned Judge erred in fact and in law in her judgment in awarding the plaintiffs' (respondent's herein) the amount of Kshs. 96,800,000/= when it was clear that the said amount was not supported by evidence.
- ii. The learned Judge misapprehended the law and erred in failing to consider the defendant's (appellant herein) arguments that the plaintiffs' special damages were not specifically pleaded nor were they strictly proved by evidence.
- iii. The learned Judge misdirected herself in holding that the plaintiffs' ex-parte application to file suit out of time was allowed and could not therefore be challenged at the trial despite the defendant having pleaded the defence of limitation of action and amply submitted on the same.
- iv. The learned Judge erred in law in failing to consider the defendant's submissions and authorities cited therein on the issue of whether the plaintiffs' suit was time barred as pleaded in the defence and other proceedings on the court record and as such came to a wrong conclusion in the judgment.
- v. The learned Judge erred in fact and in law, by totally disregarding and shutting out the defendant's evidence and as such occasioned injustice to the defendant.
- vi. The learned Judge erred in fact and misapprehended the law in holding that the defendant had a duty of producing documents in support of the plaintiffs' case and hence shifting the burden of proof.

- 7. Mr. Okeyo, learned counsel for the appellant, submitted that the appellant pleaded in its defence that the respondents' suit which was filed in 2001 was time barred because the cause of action arose in 1976. In relying on this Court's decision in *Divecon Limited –vs- Shirinkhanu Sadrudin Samnani Civil Appeal No. 142 of* 1997, he argued that notwithstanding the fact that the respondents were granted *ex parte* leave to file the suit out of time, the trial court had an obligation to consider if such leave was valid taking into account the provisions of the Limitation of Actions Act, Chapter 22, Laws of Kenya. He submitted that the reason given by the respondents for the delay in filing the suit as the ongoing negotiations with successive governments which did not fall under the ambit of granting leave to file suit out of time.
- 8. Mr. Okeyo argued that the figure pleaded in the Plaint of Kshs. 200,000/= being the alleged amount of loss suffered by each of the 484 inhabitants was not supported by any evidence. He submitted that respondents' evidence in respect of the value of the assessed developments in respect of PW1, Eliud Nthiwa, PW2, Musau Kambo, and PW3, David Munyao, was Kshs. 57,000/=, Kshs. 90,000/= and Kshs. 77,000/= respectively. He further argued that the total amount being claimed was in the nature of special damages which had not been strictly proved by the respondents. He also argued that the value of developments carried out by the inhabitants of the suit property could not have been uniform to justify the claim of Kshs.

- 200,000/= for each of them. He submitted the assessment report that the respondents' wished to rely on was rejected by the trial court because the same was not signed.
- 9. Mr. Okeyo submitted that not all the inhabitants of the suit land authorized the respondents to file the representative suit, arguing that nearly 70 people had not signed the authority filed in the High Court.
- 10.Mr. Mukunya, who appeared with Mr. Mutunga and Mr. Mutisc for the respondents, submitted that the appellant ignored all the procedures of compensation. He conceded that the figures tabled before the High Court as the assessed value of developments were estimates. In respect of the issue of the suit being time barred, Mr. Mukunya argued that the appellant's witness, Shenum Haran Njoroge, testified that the appellant made further compensation to the inhabitants and sent the report thereof to the District Commissioner in 1989. He argued negotiations in respect of compensation continued until 2000 and therefore the cause of action arose in the year 2000. He urged us to dismiss the appeal.
- assessing it and making its own conclusions without overlooking the conclusions of the trial court and also bearing in mind that unlike the trial court we neither saw nor heard the witnesses. See <u>Selle -vs- Associated</u>

 Motor Boat Company Ltd. [1968] EA 123. We have considered the record, the grounds of appeal, submissions by counsel and the law.

12.On the issue of whether the *ex parte* leave granted to the respondents to file the suit out of time, the learned Judge (Khaminwa, J.) held that since the said order was not challenged on appeal that the suit should proceed for hearing. By virtue of **Section 4(1)** of the **Limitation of Actions Act** the period within which the respondents' claim for compensation of the developments they had done on the suit land could be filed/commenced in court was limited to six years from the date that the cause of action arose. Therefore, based on the above set of circumstances when did the respondents' cause of action arise? We are of the considered view that the cause of action arose in 1976 when the inhabitants of the suit land were evicted to pave way for the construction of the dam. Therefore, we disagree with Mr. Mukunya's submissions that the cause of action arose when the negotiations failed in 2000.

13. The respondents' were granted leave to file the suit out of time under Section 28(2) of the Limitation of Actions Act which provides as follows:-

'28(2) where such an application is made before the commencement of a relevant action, the court shall grant leave in respect of any cause of action to which the application relates if, but only if, on evidence adduced by or on behalf of the plaintiff, it appears to the court that, if such an action were brought forthwith and the like evidence were adduced in that action, that evidence would be in the absence of any evidence to the contrary, be sufficient-

(a) To establish that cause of action, apart from any defence under section 4(2); and

(b) To fulfill the requirements of section 27(2) in relation to that cause of action.'

Section 27(2) of the Limitation of Actions Act provides,

'27(2) The requirements of this subsection are fulfilled in relation to a cause of action if it is proved that material facts relating to that cause of action were or included facts of a decisive character which were at all times outside the knowledge (actual or constructive) of the plaintiff...' (Emphasis added).'

From the foregoing provisions it is clear that before the court granted the *ex parte* leave to the respondents to file the suit out of time it had to be satisfied that the material facts relating to the cause of action were not within their knowledge until after time limited for filing the suit had expired. In the instant case, the respondents' argued that the reason for the delay was due to the ongoing negotiations' between the parties. We agree with Mr. Okeyo that the aforesaid reason does not constitute material facts which were not within the knowledge of the respondents as envisaged under **Section 27(2)** of the **Limitation of Actions Act**.

- 14. Having expressed ourselves as above the next issue that falls for our consideration is whether the trial Judge had an obligation to consider whether the leave granted was valid and if so what was the extent of her jurisdiction over the same. In <u>Divecon Limited –vs- Shirinkhanu Sadrudin</u> <u>Samnani (supra)</u>, this Court held,
 - "..it would be convenient to now deal with the issue which had seemed settled, that a Judge can in a trial consider and accept or reject the exparte order granted by any other Judge for extension of time under the Act. This Court in the case of <u>Yunes Oruta & another -vs-</u>

Samuel Nyamato- Civil Appeal No. 96 of 1984 unanimously followed the English Court of Appeal decision in Cozens -vs- North Devon Hospital Management Committee & another (1966) 2 ALL E.R 799 where it was held by the majority, Lord Denning, M.R. and Dankwerts, L.J (Salmon, L.J

dissenting) that: "Although it was a general principle in regard to exparte orders that the party affected by the order could apply for it to be discharged, yet it would be contrary to the intention of the Limitation Act of 1963 to allow a defendant to apply, before the trial of the action, to set aside an exparte order obtained under section 2(1) giving leave for the purpose of section 1(1)(a)..."

In Oruta, it was held that the issue of challenge to the granting of leave to file suit out of time, can only arise at the trial. Gachuhi, J.A in the leading judgment of

this Court in Oruta, stated as follows:

"It will be up to the Judge presiding at the trial to decide the issue of limitation as one of the issues but not as a preliminary point. The raising of the preliminary issue that would cause the suit for the plaintiff to be struck out is not encouraged by the Limitation of Actions Act particularly where leave to file an action against the defendant has been granted exparte"

We find that the learned Judge should have considered at the trial whether the exparte order granting extension of time was valid or not.

15.We cannot help but note that the respondents' claim was in the nature of special damages which are required under the law to be specifically pleaded and strictly proved. In Siree Limited -vs - Lake Turkana El Molo Lodges (2002) 2E.A. 521 this Court stated that:-

"As regards the special damages awarded, this Court has said time and again that when damages can be calculated to a cent, then they cease to be general damages and must be claimed as special damages".

See also the cases of Hahn-vs- Signh (1985) KLR 716 & James Mwangi -vs-Alex Njunguna & 2 Others- Civil Appeal No. 41 of 2007. In this case the respondents pleaded in the Plaint that all the 484 inhabitants were entitled to Kshs 200,000/= being compensation for the developments they did on the suit land. The respondents also particularized the losses suffered. However, there is no documentary evidence to support the respondents' claim that each inhabitant was entitled to Kshs. 200,000/=. The assessment reports that the respondents mentioned were also not produced in court. Furthermore, the four respondents only gave viva voce evidence as to what each was entitled to in terms of compensation and no documents in support of their claim were tendered. They also did not tender any evidence or documents as to what the rest of the inhabitants were entitled to. Therefore, we find that there was no evidence upon which the learned Judge could have arrived at Kshs. 96,800,000/= as being the amount of compensation the respondents were entitled to. We also find that the learned Judge misdirected herself in faulting the appellant for not producing the assessment reports which would have shed light to the actual entitlement of each inhabitant. In doing so the learned Judge shifted the burden of proof from the respondents who were the plaintiffs in the trial court to the appellant who was the defendant. In Central Bank of Kenya -vs-Martin King'ori-Civil Appeal No. 334 of 2002, this Court held,

'Surprisingly, the learned Judge then shifted the burden of proof on that claim to the bank which offered no evidence at the trial. With respect the bank had no onus of proof of the respondent's claim and the finding was therefore misdirection.'

16. The upshot of the foregoing is that we find that the respondents failed to prove their claim of Kshs. 100,000,000/= as being the compensation they were entitled to; and that the leave granted to the respondents' to file the suit out of time was not in accordance with Section 27(2) of the Limitation of Actions Act. Accordingly, we find that the appeal herein has merit and it is hereby allowed with costs to the appellant. The judgment of the High Court is hereby set aside.

Dated and delivered at Nyeri this 3rd day of October 2013.

ALNASHIR VISRAM
JUDGE OF APPEAL
MARTHA KOOME
JUDGE OF APPEAL
J. OTIENO-ODEK

JUDGE OF APPEAL

I certify that this is a true copy of the original.

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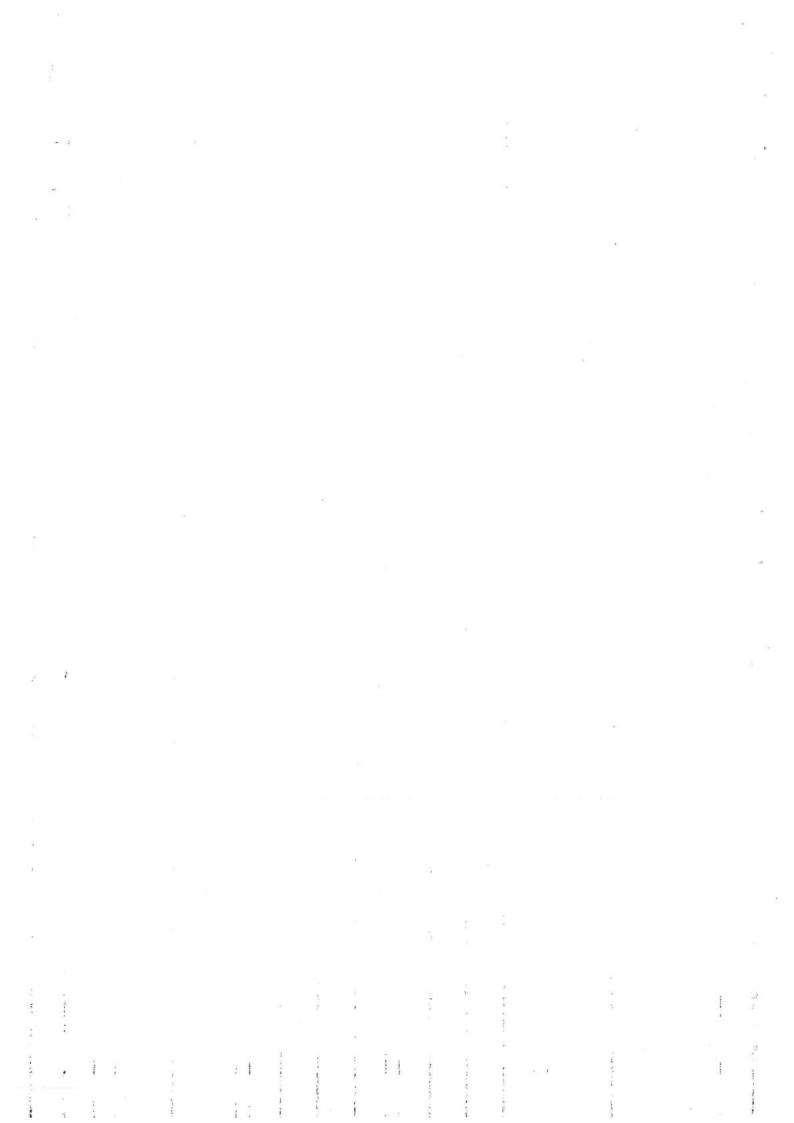
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JERA SUB-COUNT

P.O. Box 41494 Nairobi Tel: 0728-293670 / 0722-314782

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We, Abdallah Sebit of P.O. Box 8633 Nairobi, holder of identity card number 16124848, Mohammed Ahmed Tubi of P.O. Box 8633 Nairobi, holder of identity card number 6805020 and Jemila Ramadhan of P.O. Box 8633 Nairobi holder of identity card number 0158453 do hereby swear this affidavit to state that:-

 That we are Nubian, adult Kenyans of sound mind capable of swearing this affidavit.
2. That
No
and that he/she is the biological child of
Identity Card No
at Who confirm were born
at
3. That
4. That we swear this affidavit in support of his/her application to be issued with a Kenya identity card as we know him/her as a citizen of Kenya to the best of our knowledge/information and belief according to the oaths and statutory declaration act.
SWORN AT NAIROBI this Day 2021 Abdallah Sebit Sign: Mohamed Ahmed Tubi: Sign: Jemila Ramadhan: Sign:
On this

MINUTES OF KIBERA SUB COUNTY VETTING COMMITTEE HELD ON 15th JULY 2021 AT KIBRA SUB-COUNTY OFFICE

PRESENT

1.	BENSON .M. KIMATU	A.C.C.	CHAIRPERSON
2.	ANNE ODENY	R.O KIBRA	SECRETARY
3.	JOAN WAFULA	R.O LANGATA	MEMBER
4.	MOHAMED A. TUBI	ELDER	MEMBER
5.	BERNARD KANZIKA	ASST CHIEF	MEMBER
6.	MILTON OBURA	NIS	MEMBER
7.	NEHMIAH AMWOCHA	ASST CHIEF	MEMBER
8.	MOHAMED DOKA	ELDER	MEMBER

AGENDA

- 1. OPENING REMARKS
- 2. VETTING OF APPLICANTS
- 3. A.O.B

MIN: 1. CHAIRPERSON OPENING REMARKS

The meeting was called to order at 10.00AM.it started with prayer from MOHAMED TUBI

MIN:2. VETTING OF APPLICANTS

A total of Thirty (30) applicants were scheduled to appear before this committee, the following

Twenty eight (28) Applicants were approved

Two (2) were deferred

MIN: 3 A.O.B

There being no other business. The meeting ended at 2	00 PM with a word prayer from MOHAMED TUBI
Avalal DATE 22/7/2021	DATE 22/07/2021
(M. 6)	
CHAIRPERSON	SECRETARY

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KIBERA DISTRICT VETTING COMMITTEE HELD ON 26th AUGUST 2021

	NAME	D.O.B	GENDER	DOCUMENTS	COMMENTS
1.	MARIAM ABDULLAHI ALI	27/01/2002	F	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163760169 LEAVING CERT:608/2014 B/ C NO:260706248 ID NO:21790960 ID NO:20462138 	APPROVED REG ISSUED 136A;0392716
2.	ASHA KHADIJA YUNUS	02/08/2002	F	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163906941 LEAVING CERT:OPS/7133/09 KCPE RESULT SLIP ID NO:13663701 	APPROVED REG ISSUED 136A;0392710
3.	MWANAIDI RAHMA MOHAMMED	17/122001	F	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:152976660 LEAVING CERT:3784 B/C NO:260150472 ID NO:22541357 	APPROVED REG ISSUED 136A;0392718
	KHADIJA ABDUL SONOSI	0392724	F	 CHIEF'S LETTER ELDERS'A FFIDAVIT LEAVING CERT:6259 B/C NO:260234054 ID NO:9347836 DEATH CERT:0264665993 KCPE CERT: 	APPROVED REG ISSUED 136A;0392724
i.	SAIDA JAMILLA ABDUL	09/04/2002		 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163912889 LEAVING CERT:116/16 B/C NO:260213879 ID NO:23031809 	APPROVED REG ISSUED 136A;0392719
	SAIDA RAMADHAN	20/04/2002	F	 CHIEF'S LETTER ELDERS'AFFIDAVIT KCPE CERT:163907226 B/C NO:26021625 ID NO:23043885 	APPROVED REG ISSUED 136A;0392738
	BENAZIR MUHAMAR YASSIN	30/11/2002		 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163905844 ID NO:31802976 LEAVING CERT:244/10 KCPE CERT:2613107252 	APPROVED REG ISSUED 136A;0392739
	MARIAM HASSAN ABDULLAHI	22/06/2001		 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163908502 LEAVING CERT:1084 B/CNO:260126493 KCPE RESULT SLIP ID NO:21108564 ID NO:1296714 	APPROVED REG ISSUED 136A;0392722

9.	BOTUL ALI HUSSEIN	28/04/2002	F	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163758834 B/C NO:260500028 ID NO:13541013 ID NO:2021904 	APPROVED REG ISSUED 136A;0392711
10.	HANNAH SHEKINAH	28/07/2002	F	 CHIEF'S LETTER KCPE CERT:16432864 LEAVING CERT:9069 ID NO:21100938 B/C NO:261602569 	APPROVED REG ISSUED 136A;0392728
11.	FLORENCE AKINYI	02/09/1999	F	 CHIEF'S LEETER B/C NO:0601409057 KCPE CERT:164418489 ID NO:6900352 	APPROVED REG ISSUED 136A;0392725
12.	JANETRIX NANJALA OWINO	20/05/2000	F	 B/C NO:260027258 CHIEF'S LETTER LEAVING CERT:1950 KCPE CRT:15297501 ID NO:11597459 ID NO:25421605 	APPROVED REG ISSUED 136A;0392733
3.	ROSE MUENI MWOLYO	18/10/1989	F	ID NO:24756871AGE ASSESSMENT	APPROVED REG ISSUED 136A;039730
14.	JUDITH NYAMBURA MWACHOFI	30/11/2002	F	 KCPE CERT:163907123 B/C NO:260518387 LEAVING CERT:OPS/9331/09 ID NO:13709200 	APPROVED REG ISSUED 136A;0392720
15.	JOYCE AWUOR MAKOBA	11/09/2002	F	 B/C NO:0261610377 CHIEF'S LETTER DEATH CERT:0661802680 ID NO:25918745 LEAVING CERT:185/09 KCPE CERT:163905754 	APPROVED REG ISSUED 136A;0392734
16.	LATIFA NGINA JAMAL	22/07/2002	F	 CHIEF'S LETTER KCPE CERT:163584095 LEAVING CERT:11180 B/C NO:260229634 ID NO:13074140 ID NO:21956489 	APPROVED REG ISSUED 136A;0392715
17.	SHANTEL ATIENO SOLO	02/06/2002	F	 CHIEF'S LETTER B/C NO:43020265 KCPE CERT:163899531 DEATH CERT:0211803015 ID NO:27392720 	APPROVED REG ISSUED 136A;0392736
18.	MARY ANGELA OWORI	17/08/2002	F	 CHIEF'S LETTER KCPE CERT:163909097 ID NO:9229356 ID NO:20961949 LEAVING CERT:139 	APPROVED REG ISSUED 136A;0392729
19.	KEVIN MWANGALE SINJA	2/01/2000	М	 CHIEF'S LETTER KCPE CERT: 152998850 DEATH CERT:390701666 DEATH CERT:370500969 ID NO:30093648 	APPROVED REG ISSUED 136A;0392714
20.	ZACHARIASS MATEBE YIMER	27/01/2002	М	 KCPE CERT:152985717 B/C NO:0370201482 	APPROVED REG ISSUED



				 PASSPORT NO:B191694 ALIEN CARD NO:329852 ID NO:22147687 CLINIC CARD CHIEF'S LETTER 	136A;0392709
21.	MARJAN AHMED ABDULKADIR	11/11/2001	M	 CHIEF'S LETTER ELDERS' AFFIDAVIT LEAVING CERT: B/C NO:260145738 ID NO:0519355 ID NO:10225174 ID N O:11706225 DEATH CERT:2608942/1997 	APPROVED REG ISSUED 136A;0392726
22.	ISAMIL YASSIN ABDULRAHMAN	25/11/2000	М	 CHIEF'S LETTER ELDERS'A FFIDAVIT MADRASSA LEAVING CERT B/C NO:260025110 ID NO:0969205 DEATH CERT:261501900 ID NO:12462955 ID NO:13428992 	APPROVED REG ISSUED 136A;0392735
23.	IBRAHIM HUSSEIN JUMA	22/04/203	M	 CHIEF'S LETTER ELDERS'A FFIDAVIT KCPE CERT:174902827 LEAVING CERT:223/16 B/C NO:0261635195 ID NO:5463799 ID NO:6141797 	APPROVED REG ISSUED 136A;0392721
24.	TOWIL ABDULFARAJ ADAM	17/05/2002	M	 CHIEF'S LETTER ELDERS' AFFIDAVIT LEAVING CET:GP1642 ID NO:11585899 ID NO:14422422 B/C NO:0261710766 	APPROVED REG ISSUED 136A;0392731
25.	AHMED HUSSEIN	30/03/2003	М	 CHIEF'S LETTER ELDERS' AFFIDAVIT B/C NO:260312847 LEAVING CERT:024/2016 KCPE CERT:163915324 ID NO:22715983 ID NO:22750536 ID NO:8965621 SWORN AFFIDAVIT 	APPROVED REG ISSUED 136A;0392717
	ALI MUSA	27/07/2002	M	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPECERT:163908755 B/C NO:260230772 ID NO:25843880 ID NO:21583110 LEAVING CERT:1401 	APPROVED REG ISSUED 136A;0392716
27.	ALI MWAGUNI MWAGASI	01/01/2001	M	 CHIEF'SLETTER ELDERS' AFFIDAVIT KCPE CERT:163909501 LEAVING CERT:016/2016 B/C NO:261616736 ID NO:10331830 	APPROVED REG ISSUED 136A;0392723
28.	HUTHAIFA MUSA KATONDOLE	10/01/2000	М	 NIS REPORT CHIEF'S LETTER ELDERS' AFFIDAVIT LEAVING CERT: 	APPROVED REG ISSUED 136A;039271

and the second particular the second		ID NO:23978821ID NO:23663358	
9. BAHITI ALI	28/12/2002 M	CHILI DEBILE	APPROVED REG ISSUED 136A;0392732

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KIBERA DISTRICT VETTING COMMITTEE HELD ON 15th JULY 2021

	NAME	D.O.B	GENDER	DOCUMENTS	COMMENTS
1.	DAUD HASSAN ABDI	01/02/2002	М	 B/C NO:L.05305203/015 KCPE CERT:163849618 KCSE RESULTS SLIP LEAVING CERT:230 ID NO:1126697 ID NO:1126441 	APPROVED REG ISSUED 136A:0180539
2.	DANIEL ODHIAMBO OLOO	22/06/2001	М	 KCPE CERT:152980415 B/C NO:0031114856 ID NO:13670116 	APPROVED REG ISSUED 136A:0180547
•	DANIEL MADEGWA	20/05/1995	M	 CHIEF'S LETTER B/C CERT:L1271300656 KCPE CERT:131596205 ID NO:12737280 ID NO:8077233 	APPROVED REG ISSUED 136A:0180565
)	MOHAMED ABDULLAHI MAALIM	28/05/2000	М	 B/C NO:L5300189/2003 KCPE CERT:175426771 ID NO:11504238 ID NO:9560298 LEAVING CERT:2217 POLICE ABSRACT CHIEF'S LETTER SISTER'S AFFIDAVIT LETTER FROM ALLIANCE MEDICAL CENTRE 	APPROVED REG ISSUED 136A:0180552
•	KEVIN OBIERO OMURA	15/11/2001	М	 LEAVING CERT:3485 ID NO:21737642 KCPE CERT:163914785 ID NO:9797944 B/C NO:078150130 	APPROVED REG ISSUED 136A:0180569
	RIDGE KIBENDI ANG'AWA	20/12/2000	М	 CHIEF'S LETTER KCPE CERT:152976745 LEAVING CERT:095 B/C NO:260104102 ID NO:14647723 	APPROVED REG ISSUED 136A:0180567
0	ALI FADHILI	15/06/1998		 ID NO:26839367 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:131095383 B/C NO:0262237426 ID NO:8291004 ID NO:35584919 	APPROVED REG ISSUED 136A:0180556
	OSAMA ASHIRAF MOHAMED	03/05/2002	М	- EL DEDGI	APPROVED REG ISSUED 136A:0180553

				SLIP BIRTH CERT:020208511 ID NO:7423479 ID NO:9238539 CLINIC CARD	
9.	ABDI MOHAMED MITEMA	20/02/2000	M	 CHIEF'S LETTER ELDER'S AFFIDAVIT B/C NO:0264978960 KCPE CERT:131269606 LEAVING CERT:9582 ID NO:26890040 SWORN AFIDAVIT 	APPROVED REG ISSUED 136A:0180558
10.	SULEIMAN HAMIDA IBRAHIM	04/07/2000	M	 AFFIDAVIT ID NO:7011447 B/C NO:260027984 KCPE	APPROVED REG ISSUED 136A:0180564
11.	ABDUL MOHAMMED SAID	01/07/1958	M	 AGE ASSASSMENT NIS REPORT CHIEF LETTER ELDERS' AFFIDAVIT SWORN AFFIDAVIT ID NO:4820254 	APPROVED REG ISSUED 136A:0180544
12.	YAKUB RAJAB MOHAMED	03/04/2003	M	 CHIIEF'S LETTER ELDERS AFFIDAVIT KCPE RESULTS SLIP LEAVING CERT:GP1606 B/C NO:260327319 ID NOI:11706149 ID NO:20909567 	APPROVED REG ISSUED 136A:0180543
13.	YASIN ISMAIL	15/01/2003	М	 CHIEF'S LETTER ELDERS' AFFIDAVIT LEAVING CERT:BMEC/17 KCPE RESULTS SLIP B/C NO:260306635 ID NO:10176172 ID NO:052897 	APPROVED REG ISSUED 136A:0180541
14.	OMAR MOHAMED RAMADHAN	01/02/2000	M	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:152972968 KCPE RESULTS SLIP B/C NO:030000239 ID NO:5477299 ID NO:10627657 ID NO:0519799 	APPROVED REG ISSUED 136A:0180542

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15.	AMNA ZENDY IBRAHIM	08/01/2002	F	 CHIEF'S LETTER ELDER'S AFFIDAVIT KCPE CERT:163917024 LEAVING CERT:17532 B/C NO:260205932 ID NO:20857357 ID NO:12926770 	APPROVED REG ISSUED 136A:0180540
16.	KHADIJA YUSUF IBRAHIM	09/07/2002	F	 CHIEF'S LETTER ELDERS AFFIDAVIT MADRASSA LEAVING CERT: DEATH CERT:0261119336 ID NO:0523694 DEATH CERT:261609851 ID NO:4841739 SWORN AFFIDAVIT B/C NO:0380033/20 APPOINTMENT LETTER JOB CARD 	APPROVED REG ISSUED 136A:018546
17.	WARDA ZAHRA BADRU	22/02/2001	F	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163907785 KCPE RESULTS SLIP B/C NO:0260115014 ID NOI12926191 ID NO:23599607 	APPROVED REG ISSUED 136A:0180560
8.	ZURA ABDULRAHMAN MOHAMED	03/08/2001	F	 CHIEF'S L;ETTER ELDERS' AFFIDAVIT KCPE CERT:163909536 B/C NO:260133056 ID NO:12926541 LEAVING CERT:GPS1621 	APPROVED REG ISSUED 136A:0180545
9.	FAULAT AHMED MOHAMMED	15/07/2002	F	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163908674 B/C NO:0260233821 ID NO;28888397 LEAVING CERT:143 	APPROVED REG ISSUED 136A:0180559
v.)	FAUZIA OMALA MOHAMMED	06/10/2000	F	 CHIEF'S LETTER ELDERS' AFFIDAVIT B/C NO:2640419802 ID NO:8291103I ID NO:0477272 DEATH CERT:5241/1988 DEATH CERT:2500732 KCPE CERT:142088633 LEAVING CERT:0446 SWORN AFFIDAVIT 	APPROVED REG ISSUED 136A:0180557
1.	MARIAM KASSIM JUMA	20/02/2001	F	 CHIEF'S LETTER ELDERS' AFFIDAVIT KCPE CERT:163905956 LEAVING 	APPROVED REG ISSUED 136A:0180555

				CERT:343/12 • B/C NO:260127602 • ID NO:14545964	
22.	MUMINA GOLO HASSAN	15/09/2002	F	 KCPE CERT:163909596 B/C NO:260238014 ID NO:3468043 ID NO:12874609 	APPROVED REG ISSUED 136A:0180566
23.	SHARON AMONDI SIMWON	06/12/1999	F	 B/C NO:0781525206 ID NO:20977910 KCPE CERT:163908591 CHIEF'S LETTER 	APPROVED REG ISSUED 136A:0180563
24.	DABO GALMA GOLICHA	14/02/1999	F	 B/C NO:0263095803 KCPE CERT:163910734 ID NO:20841360 ID NO:0634391 CHIEF'S LETTER LEAVING CERT:12573 	APPROVED REG ISSUED 136A:0180568
0	HALIMA HAMISI MWASAFARI	13/03/2002	F	 MADRASSA LEAVING CERT: KCPE CERT:152972989 ID NO:2220695 ID NO:28432855 LEAVING CERT:818/14 	APPROVED REG ISSUED 136A:0180562
26.	FATUMA SYEVUO ABDUL	12/08/2002	F	 LEAVING CERT:970 ID NO:10894429 ID NO:28938970 KCPE CERT:163920270 B/ C NO:0211517376 	APPROVED REG ISSUED 136A:0180548
27.	VINOLIA ZAINET OTIENO	05/02/2003	F	W CDD CDDM 1 (200 (00)	APPROVED REG ISSUED 136A:0180554
28.	ANITA NABWIRE	14/11/2000	F	ID 310 2222222	APPROVED REG ISSUED 136A:0180549

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15/01/2021 16:49:39

Delivery Place..... 4731 KIBERA

Batch Number..... 07246

Return Batch Number..... 072460069

Batch validation date......... 15/01/2021 16:45:15

Card Id	Name		
249801198 249801217 249801464 250019099 250019118 250019125 250019129	MICHELLE AKINYI ODUOR STEPHEN OUMA ONYANGO ASIM JUMA KINYOGA JOHN MUTISYA MUTISO LINET ATIENO ANYANG' KEZIAH MUTHONI MWANGI ALI SULEIMAN ALI OMAR	39546050 39545361 39554629 3362654 25558316 14422124 35402183	Grouping number 1912002 1311003 1812003 601004 601001 601002 601002

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19/01/2021 12:56:35

Delivery Place..... 4731 KIBERA

Batch Number..... 07257

Return Batch Number..... 072570026

Batch validation date........ 19/01/2021 12:56:11

Card Id	Name	Individual Number	Grouping number
249074751	EMELDA HELINA NAMUSIA KHAEMBA	28424043 -	2608001
/249074758	GETRUDE NYAKERARIO NYAMWEYAYA	37802230	2608001
249074789	DAVID TROPHIMUS ODHIAMBO ORWA	33779565	2209016
	ELISHA OLANDO OCHIENG	36379383	1201001
/249801317	SHERIL ANDEYO MUTABE	39541235	2611004
/249801466	AHAMED JUMA KISAKA KINYOGA	39554675	1812003

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. Production Center

Production Management - Return Batch Report

17/02/2021 14:45:38

Delivery Place...... 4731 KIBERA

Batch Number..... 07369

Return Batch Number..... 073690079

Batch validation date....... 17/02/2021 14:45:23

Card Id	Name	Individual Number	Grouping number
249691120	YUNUS KASSIM RAMADHAN	39590451	1812001
249776593	RANJABUABDULKASSIM AHMED	39590464	1812001
249801225	MARK FAHEEM MUHINDI AKIFUMA	39599227	1311003
249801398	ADRIAN ODHIAMSO VAN DE GRAAF	39589384	1512001
249801412	AMIR JUMA ALI	39592110	1812001
249801413	ABDUL HAMID ISMAIL	39592103	1812001
249801414	BOTUL HALIMA HAMID	39592086	1812001
249801415	ABDIGHANI AHMED ALI	39592074	1812001
249801416	ZAKIYA ABUBAKAR ABBAS	39592254	1812001
249801417	ABDUAZIZ YAKUB ALI	39592037	1812001 .
249801419	BAHATI KALSUM YUSUF	39592236	1812001
249801420	AISHA ABDULLAHI ALI	39592123	1812001
249801421	SAADA FAROUK ADAM	39592134	1812001
249801422	HAFSA MAHMUD MOHAMED	39592224	1812001
249801423	ASIA MUSA IBRAHIM	39592205	1812001
249801424	SAUMU ALI ABASS	39592194	1812001
249801425	BUSHRA ABDALLA AHMED	39592356	- 1812001
249801427	SIAMA ASMAN ATEI	39592340	1812001
249801432	ABDIAZIZ ABDALLA WARIO	39592323	1812001
249801433	ALI AZIZ KHAMIS	39592045	1812002
249801434	ABDUL NASSUR MUSA /	39592060	1812002
249801435	ALAMIN IBRAHIM FATUMA	39591896	1812002
249801436	ALI HUSSEIN SHABAN	39591902	1812002
249801437	ZAMZAM SHANKO BALACHO	39591919	1812002
249801438	IBRAHIM MOHAMMED AMBA	39591927	1812002
249801439	JUMA MUSA JUMA	39591944	1812002
249801440	AHMED HAMISI	39592148	1812002
249801441	MARIAM MOHAMED AZIZ	39592161	1812002
249801443	KHALID YAKUB HAMIS	39591980	1812002
249801444	ZULFA KHAMIS RAMADHAN	39592010	1812002
249801479	HAWA SEBI ABASS	39592021	1812002
249801522	BEATRICE AUGUSTINE MADEGHE RECHA	39586943	2212001
249801526	NASIB GULAM	39591872	2212001
250019059	IDAN ILUSA MUKANJILI	39416072	1512003
250019161	FLEVIA VALORIANCE OTIENO	39449429	1501004
250019340	ANASTASIA MBITHE OMINDE	1910108	1212002

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22/03/2021 14:15:50

Delivery Place..... 4731 KIBERA

Batch Number..... 07476

Return Batch Number..... 074760039

Batch validation date...... 22/03/2021 14:15:38

Card Id	Name	Individual Number	Grouping number
247825391	ADAM WOLLE HASSAN	39667360	1212002
247825623	ISSA YABUNGA YAHUD	39669478	1002009
249801080	JUMA SULEIMAN SIRENGO	39672720	1901001
249801082	KEVIN TEDDY KAMAU	39672710	1901001
249801085	MOHAMED IBRAHIM ALI	39672726	1901001
249801307	SWALHA BASHIR MOHAMED	39670055	1812001
249801407	SAID MUSA SAID	39669950	1812001
249801408	SEBIT ADAM SAID	39670029	1812001
249801410	SEBI SWALEH MUSA	39670072	1812001
249801528	ZAHAIB YASIN QURESHI	39670395	501001
249801596	KHALID MWINGA SAHA	39667355	1212022
250019177	EVANS KIMWOMI MARUKO	10693466	1501001
-250019441	MARY ELIZABETH AKOLO	31601675	1503001
250019442	BEVERLY WANJIRA NGUAH	32322026	1503001
250520074	CATHERINE AMINA	39675836	
250520188	FAHIM MARISA SALIM	39675851	1212002
250520447	LESTER MOGARU MOMANYI	39676650	2601002
250520546	EDIDAH MUKAMI NJAGI	39688811	103001 1503001



24/03/2021 16:26:27

Delivery Place...... 4731 KIBERA

Batch Number..... 07496

Return Batch Number...... 074960056

Batch validation date...... 24/03/2021 16:25:57

Card Id	Name	Individual Number	Grouping number
249801073/	HASSAN SULEIMAN ABDULRAHMAN	39681503	1901001
249801086/	ABDALLA TWAHA HASSAN	39675584	1901001
249801097/	ZEINAB IBRAHIM HALKANO	39675601	1901002
249801513	REHEMA KATANA PESHE	39677646	501001
250019262	GEORGE MARENDE ODHIAMBO	14661903	1212002
250019447	ROSE JEPCHUMBA	21825016	1803010
250520093	SHASHANK BHAVIN KUMAR SHUKLA	39679690	1912022
250520231,	SAKINA ISA NOHA	39693626	802001
250520581/	ALICE KABURA NJUGUNA	39700400	1803008
250520603	JIMMY PAUL SEMENYE	39700431	1803008

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Production Management - Return Batch Report

08/04/2021 14:35:52

Delivery Place...... 4731 KIBERA

Batch Number....: 07523

Return Batch Number..... 075230064

Batch validation date...... 08/04/2021 14:35:32

Card Id	Name	Individual Number 39693541	Grouping number 1912002
247298258 249074702 249691781 249801070 250520232 250520233 250520234 250520237 250520238 250520239 250520259	HAWA SAID SULEIMAN FRANCIS MUSABI MUCHESIA AHMED MOHAMED ADEN SALMA BASHIR ABDALLAH NASSIR SALIM MWARAMWENDO HASSAN ABUBAKAR OMAR ABDUL-MAJID IBRAHIM ABDALLAH YUSUF AMINA MUSTAFA NASSUR ABDUL SAKINA MUHAMMAD HASSANALI KHADIJA UMAR IBRAHIM	8018747 39693539 39672780 39693620 39693612 39693606 39693598 39693570 39693578 39693591	2209016 1912002 1901001 802001 802001 802001 802001 802002 802002 802002

December 181

Total number of cards: 11

Production Center

Production Management - Return Batch Report

14/04/2021 14:21:06

Delivery Place..... 4731 KIBERA

Batch Number..... 07529

Return Batch Number..... 075290051

Batch validation date....... 14/04/2021 14:20:49

0-414	Name	Individual Number	Grouping number -
Card Id	LAURAH MUNAGI	38585463	1912002
249801390	ABDULRAHMAN ALI OSMAN	39691915	1602006
249801429	HAWA ABDULRAHIM MOHAMED:	10318329	1712004
250019081	SALIMA MOHAMMED	21951997	1212002
250019443/	CHRISPHINE OTIENO OKETCH	23613469	1212002
250019444	PETER CHOMBA	30482117	1212002
250019446/	MARCUS NYARIKI KARANI	2772444	1212002
250019448	ELENOUR MATINDE MWITA ODDENYO	3340835	1212002
250019449	REGINA NJERI MWANGI	9090605	1212002
250019451/		36182975	1212002
250019454	PETER KARIUKI MUHURA	20607690	1212002
250019455	JOHN NYAMWEGA MARANGA	31279639	1212002
250019457	ERIC ONCHIRI KERAMA	39619676	1212002
250019458	JOAN NYATICHI NYAISISI	32672553	1212002
250019462	EUPHEMIA MAYAMA	36620053	1212002
250019463	SUSAN AYUMA AMUNGA	39698957	802001
250520209/	TRACY WAKONYO FADHILI	39698978	802001
250520211	MARIAM RAMADHAN	39699448	802001
250520213/	BASHIR ADAM ISSA	39699439	802001
250520215	MOHAMED FARAJ FARAJ	39699429	802001
250520217/	MUSA HASSAN AKIBAYA	39692249	802001
2505202/9	ABUBAKAR YUSUF SAID	39691711	802001
250520220/	FARDOSA IBRAHIM LEKUPES	39691728	802001
25052022/1	NOORAH OMAR ALI	39692162	802001
250520222/	SHANA KHAMISA HASSAN	39691737	802001
250520223	SITNA ISMAIL RASHID	39691752	802001
250520224 /	YASSIR ARAFAT ISMAIL	39691761	802001
250520238	SAMIRA SHABAN ABUBAKAR	39691771	802001
250520227/	ALI KABWANA KAMAKU		802001
250520228	SAUMU MUISIN NOAH	39691789	802001
250520229	FATUMA KULI ALI	39691800	802001
250520230	ZAITUN SAIDI HASSAN	39693635	1002007
250520362	ANIKA NANDA	39692219	1002007

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Total number of cards: 32

01/07/2021 16:51:14

Delivery Place...... 4731 KIBERA

Batch Number..... 07765

Return Batch Number..... 077650031

Batch validation date......: 01/07/2021 16:50:49

Card Id /	Name ,	Individual Number	Grouping number
249801792	LEVIS ODOYO OKINYI	39873440	1205012
250019346	ERASTUS KIRAGU WANGECHI	32560899	2402002
250019348	BRIGHTON MBEKI LISIZI	33833763	2402002
250520245	ENOCK CHERUIYOT	39906381	2206011
250520560	ABDALLAH SIRAJI	39834490	1212002
250520563/	MIRAJ AHMED HUSSEIN	39833777	1212002
250520584	KASSIM GEE OMAR	39833796	1212002
250520569/	AJOBA JUMA ABDULRAHIM	39833572	1212002
250520570	YASIN ABDULLAHI	39834453	1212002
250520575	ABDUL ADAM ISMAIL	39833753	1212002
250520576	SHAMIM ADHIAMBO SIRYA	39834606	1212002
250520580/	SHADAU MACHOKA FAWAZ	39834474	1212002
250520616	NAIB HANNY ADAM	39834634	1212002
250520724	ZAHRA SHABBIR HASSANALI ABDULALI	39834118	1504001
250520748	ASHA SIDI MASHA	39834958	1504001
250520896	JARED OYOLLA BUOGA	39873360	1205005
250520962/	EUGENE EDRIAN OKELLO OBUYA	39908558	2106002
251234014	DERRICK OCHIENG OTIENO	39848168	1212002
251234070	JULIUS OMONDI OWINO	39847613	1212002
251234660	SHARON NAFULA BARASA	39908564	2106002
251234724	WENDELL OMONDI KILLION	39906405	2106002
251234739/	ABRAHAM MUSIA KINOTI	39906705	2206011
2512347,80	BRITTNEY KHALENYA SHIMANYULA	39906768	2206011
251234785	REGAN MLAMBA KISAKA	39908578	2206011
1251234998	SAMUEL OCHIENG .	39916221	2506005

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06/07/2021 17:31:52

Delivery Place..... 4731 KIBERA

Batch Number.....: 07783

Return Batch Number.....: 077830016

Batch validation date....... 06/07/2021 17:31:39

Card Id	Name	Individual Number	Grouping number
249801832/	FLORENCE AMBASA ANDANDA	39821596	1205001
250019731/	WILSON MATU ITHENYA	3726520	107002
250520212/	ABDULHAI MOHAMMED MOHAMED	39881185	2704001
250520308/	SAIFUDDIN NURUDIN SULEMANJI	39924025	1504002
250520991/	BEATRICE AKINYI OPONDO	39821467	1205001
251234090 /	ANTONY NGANGA MBURU	39890410	1212002
251234485	YUSSUF MOHAMED ADEN	39925031	2406002
251234629	JELAGAT CHIRCHIR	39871464	1606003
251234808	LAURA KWAMBOKA JUMA	39930193	2906001

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14/07/2021 12:27:50

Delivery Place..... 4731 KIBERA

Batch Number..... 07816

Return Batch Number..... 078160046

Batch validation date...... 14/07/2021 12:27:38

Card Id	Name	Individual Number	Grouping number
249801660	ZAINAB RECHEL OBOTE	39846078	504440
249801785	YUSUF MOHAMED ALI	39873300	1205002
249801797	ZAINAB MARIAM ASMAN	39874104	1205012
249801938	DERRICK HEMSTONE OKOTH	39902776	1212002
249801940	MONICAH NDUNGE MUTUNGI	39902792	1212002
249801949	HEZRON OTEGO	39902825	1212002
249801951	CELLINE ADHIAMBO OTIENO	39902861	1212002
249801953	LAURA ASHLEY OUMA	39902876	1212002
250019761	BERYL JOAN CAESAR	26072527	807003
250520725	ABBAS ZULFIKAR MOIZ HUSSEIN	39873987	1205012
250520776	ZINAT ADAM NOAH	39873831	1205012
250520777	AFITH HASSAN MOHAMED	39873936	1205012
250520778	KELIL ABDI SEBIT	39873912	1205012
250520779	GHARIB HAROUN HAMED	39873863	1205012
250520798	NAQIYAH MUDAR HASSANALI	39846086	2701004

Received

21/07/2021 14:28:56

Delivery Place..... 4731 KIBERA

Batch Number..... 07831

Return Batch Number..... 078310019

Batch validation date...... 21/07/2021 14:28:43

		Individual Number	Grouping number
Card Id	Name	39846164	1504001
247825544	NILLAH RAMADHAN IBRAHIM	39912383	1212002
249801950/	HILLARY OTIENO	39903109	1212002
249801954	VIVIAN AKINYI OPONDO	39902618	1212002
249801957	DANIEL OCHIENG ONYANGO	39902586	1212002
249801958	ANTONY KIVILU MUTUKU	39902605	1212002
249801960	SAMUEL KATIMA	39902639	1212002
249801961	MERCY VIHENDA OKILA	39902662	1212002
249801962	SARAH KAINZA NYAMBANE	39913724	1212002
249801973	VIVIAN ACHIENG OCHIENG	39903077	1212002
249801974	THOMAS NYANG'AU MWEMBI	26891554	2611001
250019012/	MARY WAMBUI THUMBI	21845896	1602004
250019322	PETER JOHNSON	39477945	2406001
250019600	EUGENE NANDWA AKAKA	38290940	2406001
250019604	ANIM MAHAD ABDULHAMID	39908558	1207002
250019772	EUGENE EDRIAN OKELLO OBUYA	39919038	1205004
250520225	LATIFA ZAFRULLA	39903255	1212002
251234010	CELINE AKINYI ODUONG	39903244	1212002
251234021	VALENTINE NYAMOITA SAGWE	39903202	1212002
251234022	SAMUEL MADENG'E OPILO HENRY MUTISO	39903215	1212002
251234023	KELVIN KITHOME MUNYAO	39903180	1212002
251234075	BRIGTON OYUGI OMARI	39902990	1212002
251234088	GODREY ASITWA KHATIKA	39903022	1212002
251234089/	CYNTHIA ALUSA MADEGWA	39903040	1212002
251234092	MAURICE OKOTH OCHIENG	39911318	206001
251234142	PALOMA NYAMOITA ONKOBA	39962235	807004
251596056	AMOS OTIENO	39964704	807004
251596169 251596174	SALLY NAFULA ONINGO	39964697	807004

Received



05/08/2021 17:18:15

Delivery Place...... 4731 KIBERA

Batch Number...... 07890

Return Batch Number..... 078900066

Batch validation date...... 05/08/2021 17:17:50

Cardia	Name	Individual Number	Grouping number
Card Id	ZENA ABDULLAHI JUMA	39672798	1901001
249801887	NOELLA AVUOR OKEYO	39989157	806001
251234385	LEYLA BILAL OCHANDA	40005196	2207006
251596270	KIMBERLY UIMANA KAMPAYANA	40005022	2707202

16/08/2021 14:09:34

Delivery Place...... 4731 KIBERA

Batch Number....: 07933

Return Batch Number.....: 079330031

Batch validation date....... 16/08/2021 14:08:45

Balcii valio			Grouping number 11.25
		inclividual Number	511001
Security 18	Name	20638944	504001
249074688-A	DEDAN MANGLA GUMBA	40045469 =	1205002
249074666	RAMATE TAKALI DARO	39820859	1606004
249776557	CHOSEN MUTISO MUTHOKA	25437489	2206008
249801721	MYRA AWINO ODONGO	39638793	1108001
250019643	FUGINE KARANJA	33594048	1212022
250019693	ELKANA KIPKURUI TUM	39933502	806001
250019828	NAOMI NYANDUKO ARAKA	39989777	806001
251234283	DRAVINI MALIKA JOE	39989796	806001
251234326	CHANTAL WANJIRU NJOROGE	39989819	806001
251234330	CLARE MORAA MAKINGO	39989727	
251234333	CLORIOUS MORAA NYABERI	39989747	806001
251234338	LILIAN KERUBO MORURI	39989760	806001
251234339	LOREEN VIJEDI	39989929	806001
251234340	BLIX ACHEGA	39989940	806001
251234341	TILLAN MICHAEL ODHIAMBO	39989963	806001
251234342	BELDINA KINYA KINYUA	39989989	806001
251234344	ANDREW PETER RUTHI	39990008	806001
251234345	GIFT PAPHINE AKINYI	39990000	806001
251234340	MARY ANDESO KAMUNDIA	39990122	806001
251234347	STEPHANY DOROTHY ASUDI		806001
251234348	SUSAN VUKUSA ABILA	39989833	806001
251234349	LUCK ONG'ONDA	39990096	806001
251234351	DAVID ODUOR OGOLLA	39990026	806001
251234353	DAVID ODOOK OGGES	39990061	806001
251234354	BRIAN ALLOIS MEKENYE	39990080	2406001
251234355	JOHNSILAS BRUCE MAKORI	40039947	1606002
251234449	ZAHRA YUSUF AJACK	39986268	2506003
251234580	NANCY ACHIENG ODHIAMBO	40036209	607003
251596009	SEAN KARANJA IKENYE	40043086	408001
251596121	SARAH AWUOR ROMBO	40042972	408001
251596397	CLIFTON SHUKRANI KHAISE	40043674	408001
251596397	IVY CHEROTICH KAPKORY	40043663	408001
251590417	MELAP NAFULA WABOMBA	40042675	408001
251596472	SIMAL HA IBRAHIM	40037995	408001
251596486	KENETH ONYANGO OGUTU	40042660	408001
251596528	PAYHANNAH AHMAD	40037786	408001
251596536	NZVIMI SAITABAO MULEKYO	40042657	408001
251596604	RIHAM FIROZ SULTAN		
251596654			

Number of cards: 37

30/08/2021 16:38:02

Delivery Place..... 4731 KIBERA

Batch Number..... 07989

Return Batch Number..... 079890031

Batch validation date....... 30/08/2021 16:37:49

Card Id	Name	Individual Number	Grouping number
251234407	VELMA AKINYI OCHIENG	40034874	1006002
251234411	DIANA BUTEME WAFULA	40034760	1006002
251234414	FAITH MUTHEU NDAMBUK!	40034907	1006002
251234415	DORCAS AKINYI ANGIR	40034860	1006002
251234416	VERA VAMULA SINONOLA	40034768	1006002
251234419	ELSIE MARIE ADHIAMBO	40034848	1006002
251234423	SHARLINE AKINYI ONYANGO	40034916	1006002
251234424	DALVIN MUSIMBI JUMBA	40034903	1006002
251234427	SYLVIA NJERI KIBIRO	40034933	1006002
251234428	JANE CHRISTINE MUNINI	40034898	1006002
251234431	ANNASTANCIA ASISA NYABUTO	40034886	1006002
251234433	VERA MORAA UJANGO	40034816	1006002
251234436	SONIA ATIENO OTIENO	40034828	1006002
251234438			
251234441	FAITH MUMO MUMINA	40034925	1006002
	VERONICAH KATHINI KASIKU	40034810	1006002
251234442	CELESTINE MARSDEN MUREITHI	40034942	1006002
251234444	MARY MUMBUA MAURICE	40034785	1006002
251234445	MAUREEN WAENI MUSILI	40034921	1006002
251234450	ZEITUN NASUR ABDULKADIR	40047359	2406001
251234452	STELLAH MUTIKI FIDDELIS	40075343	2308004
251234455	JIMIA ALI MUSA	40047346	2406001
251234457	NADHIL MWAJUMA	40047330	2406001
251234460	AHMED HASSAN RAMADHAN	40047317	2406001
251234464	SALIMA MANSUR ABDALLA	40057224	2406001
251234455	SAKINA SAID AHMED	40047295	2406001
251234468	MARIAM JAMALDIN OWUOR	40047373	2406001
251234469	MWANAIDI JUMA BUKUSA	40047520	
251234471			2406001
251234473	NASSIR ABDALLA MUHAMAD	40047270	2406001
251234474	ADAM KIPLAGAT SAID	40047530	2406001
	ANEURIN NYARANGA TUNDUKA	40034731	1006002
251234476	DIANA AWINO OPIYO	40034723	1006002
251234481	JOSEPHINE ADHIAMBO OYUGA	40034753	1006002
251234483	ABDUL RAHMAN AHMED	40057247	2406001
251234486	JAMAL ABDI TATO	40047601	2406001
251234487	HAFSA JUMA MWANDAWA	40047544	2406001
251234488	HUSNA ASHIALI	40047558	2406001
251234491	NATALLIE NJERI	40034740	1006002
251234496	SAIDI ALI ZOKA	40047585	2406001
251234501	SHERYNE AKINYI OPIYO	40034713	1006003
251234505	LEAH KAVETSA	40034952	1006002
251234513	HUSNA JAFAR ISMAIL	40057213	2406001
251234521	GLORIA AMAKAYA ICHECHI	40034951	
251234525	MUKONYI FAITH ATIAMBO		1006002
251234527		40034946	1006002
/ / /	ABDULLAHI ALI OSMAN	40047240	2406001
251234599	MUNIRA OKUTOYI OBULINJI	40013290	1606002
251234657	STAICY ANDIKA	40075802	2308004
251234686	JAMEEL ZISHAN MOHAMED CHAGPAR	40047684	2206003
251234762	HAMISH ABAYE HALAHALA	40047639	2506001
251234846	RUKIYA GATHONI NJIRAINI	40047622	2506003
251596343	DAUD HASSAN ABDI	40060256	2607001
251596761	ISHMAEL TOM AYALLO	40076147	1212002
251596860	CAROLINE AMANDA	11143487	2508021
251596875	ALICIA WANJIRU MANGA	40080330	1708008
251596881	CYNTHIA CHEPKEMOI	40076226	
251596896	MOHAMED FAZALDIN		2308004
251596946	GRACE AKINYI ARUNGA	40076212	1908001

30/08/2021 16:38:02

Delivery Place...... 4731 KIBERA

Batch Number..... 07989

Return Batch Number..... 079890031

Batch validation date....... 30/08/2021 16:37:49

Card Id	Name		Grouping number
249801863	ELSIE ANYANGO OCHIENG	40028039	1212002 308001
250019529	HINDU NOHA	0966333	
250019664	MARIAM AKOTH OTIENO	28665141	1212022
250019732	TED MIGUNA ODOTE	39537773	1212025
250019733	FELIX ODHIAMBO OCHIENG	39820911	1212025
250019736	CHRISTOPHER OLIVER NYAORI	34374478	1212025
25001.9790	RUTH GESARE NYAMBANE	29715052	2907003
250019846	HUMPHREY MURITHI NJAGI	21925261	1808001
250019874	CHRISTINE TSIYELI AVIDI	20625793	2408009
250019880	PETER NGANGA MOCHU	1856417	2308001
251234026	VERA NABWIRE SULUMET	40076216	1908001
251234035	AISHA LAURYN ABUBAKAR	40049350	1212002
251234037	ABUBAKAR YUSUF MOHAMED	40049380	1212002
	ABUBAKAR ABDUL RAZAK	40052981	1212002
251234040	NEEMO BISHAR IBRAHIM	40049311	1212002
251234041	HALIMA ALLY OBEYD	40049323	1212002
251234042		40049340	1212002
251234045	SHADAD AUS ABDU BOTUL ISMAIL JUMA	40049261	1212002
251234046		40049271	1212002
251234048	BASSAM HAMZA KHAMIS	40049278	1212002
251234049	AMINA HAKIM	40049286	1212002
251234050	YUSUFF MOHAMOOD YUSUFF	40049297	1212002
251234056	MIRAJ AHMED RAJAB	40049305	1212002
251234057	KEMSA ISSA ISMAIL		1212002
251234069	RUQAIYAH MOHAMED	40049186	1212002
251234076	SAUMU ABDUL HUSSEIN	40049202	1212002
251234077	AMINA ABDI ABABA	40049209	1212002
251234079	ABUBAKAR RAMADHAN	40049228	1212002
251234082	MURSAL KAFE NASUR	40049243	
251234113	SHABAN MOHAMMED ABDALLAH	40049250	1212002
251234114	ZUHURA MOHAMMED	40057482	1212002
251234356	ELIZABETH AKINYI OTIENO	40034646	806001
251234358	VANISH BOSIBORI MANG'ARE	40034651	806001
251234359	BONFACE OMONDI ADHIAMBO	40034661	806001
251234360	BEAVON KAISA MEKENYE	40034669	806001
251234361	MARY ADHIAMBO OWITI	40034553	806001
251234362	ELSIE AKINYI AWUOR	40034581	806001
	DAVID WILLIAMS LIVOI	40034621	806001
251234368 251234364	GRACE MUMO DAVID	40034629	806001
	SHEILA ACHIENG ODHIAMBO	40034633	806001
251234365 251234366	ALPHONSUS ONYANGO ODHIAMBO	40034460	806001
/	NELLYSTAR MWANZA	40034479	806001
251284367		40034498	806001
251234368	BETH AKINYI JUMA	40034517	806001
251234369	CLINTON MOGAKA OCHEGE	40034302	806001
251234370	ALFRED OUMA ROTA		806001
251234372	WILBERFORCE OTIENO OYUGI	40034430	806001
251234873	ROONY OTIENO OMONDI	40034448	806001
251234374	MICHELLE ESHIRENDA AMIANDA	40034382	806001
251234378	FAITH MAKENA KARIUKI	40034419	806001
251234377	ALPHONCE MUMO MUSYOKI	40034283	
251234378	MESHACK OMONDI	40034288	806001
251234379	REBECCA GESARE OGETII	40034293	806001
251234380	ELVINE NYASOKE SERETI	40034315	806001
251234881	PETER OMONDI ATIENO	40034328	806001
251234882	STACY AUMA ODHIAMBO	40034347	806001
251234384	SYLVIA MUKHWANA ABWAVO	40034357	806001
	SHARON KWAMBOKA OMARIBA	40034260	806001
251234385	FELIZA INDEGE SHIKANGA	40034273	806001
251234388	FELIZA INDEGE SHINANGA		

REPUBLIC OF KENYA

AFFIDAVIT

We,	of P.O box
holde	er of identity card No and
of P.C) box
do he	reby swear this affidavit to state that;
	We are adult Kenyans of sound mind capable of swearing this affidavit.
2.	That was born in the year
	at Kibos Nubian village and that he/she is the biological child of Mr.
	of ID No who we confirm were born in Miwani West and
	Kibos Nubian village respectively.
3.	That
	Mr whom we confirm was born in
	Miwani West at Kibos Nubian village respectively.
4.	That we swear this affidavit in support of his/her application to be issued with a Kenyan
	Identity card, as we know him/her as a citizen of Kenya to the best of our knowledge
	and belief.
SWORM	N BY:
MAGIST	TRATE/COMMISSIONER OF OATHS
	1. SIGNATURE
2	2
ON THIS	DAY OF THE MONTH OFYEARYEAR
	TEAR
BEFORE:	

.

REPUBLIC OF KENYA

AFFIDAVIT

We,	of P.O box			
holde	er of identity card No and			
of P.(O box holder of identity card No			
do he	ereby swear this affidavit to state that;			
	the this amount to state that;			
1.	We are adult Kenyans of sound mind capable of swearing this affidavit.			
2.				
	at Kibos Nubian village and that he/she is the biological child of Mr.			
	of ID No who we confirm were born in Miwani West and			
	Kibos Nubian village respectively.			
3.	That			
	Mr			
	Miwani West at Kibos Nubian village respectively.			
4.				
	That we swear this affidavit in support of his/her application to be issued with a Kenyan			
	Identity card, as we know him/her as a citizen of Kenya to the best of our knowledge and belief.			
	and delies.			
SWOR	N BY:			
MAGIS	TRATE/COMMISSIONER OF OATHS			
	THAT COMMISSIONER OF DATES			
	1. SIGNATURE.			
	2SIGNATURE			
ON THIS	DAY OF THE MONTH OF			
-14 11114	DAY OF THE MONTH OFYEAR			
BEFORE:	:			

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REPUBLIC OF KENYA

AFFIDAVIT

We,	of	POhov		
holde	der of identity card No	and		
of P.(O box ho	Ider of identity card No.		
do he	ereby swear this affidavit to state that;	der of identity card No		
	We are adult Kenyans of sound mind capable of swearing this affidavit.			
2.	. That wa			
	at Kibos Nubian village and that he/she is the biological child of Mr.			
	of ID No who we confirm			
	Kibos Nubian village respectively.			
3.	That	(Applicant) is the grand child to		
	Mr			
	Miwani West at Kibos Nubian village respectively.			
4.	That we swear this affidavit in support of his/her application to be issued with a Kenyan			
	Identity card, as we know him/her as a citizen of Kenya to the best of our knowledge			
	and belief.	,		
SWOR	IN BY:			
MAGIS	STRATE/COMMISSIONER OF OATHS			
	_			
	1	GNATURE		
	2	GNATURE		
	3,	CHAI ONL		
ON THIS	SDAY OF THE MONTH OF	VEAD		
BEFORE	E:			

REPUBLIC OF KENYA IN THE HIGH COURT OF KENYA AT EMBU CIVIL SUIT NO. 108 OF 2001

JOSEPH MBINDYO & 4 OTHERS PLAINTIFFS

VERSUS

TANA AND ATHI RIVERS DEVELOPMENT AUTHORITYDEFENDANT

RULING

The Judgment in this matter was rendered by Lady Justice Joyce Khaminwa on 1st day of October 2009. She found in favour of the plaintiffs and awarded them KShs.96,800,000/= plus interest at the rate of 14% from the date of filing suit until payment in full. As would be expected where such amounts of money is concerned, the defendant immediately moved to the Court of Appeal on appeal vide the Notice of Appeal dated 12th October, 2009.

Counsel for the defendant also moved to this court seeking orders of stay of execution pending the hearing and determination of the Appeal. I granted deposited defendant that the condition on orders said the KShs.10,000,000/= as security for the due performance of the decree as may ultimately be binding on it within twenty one (21) days of the date of the Ruling. The money was deposited late but the court with the consent of both counsel herein regularized the position by extending the twenty one (21) days period granted earlier on. Those stay orders are still in force to-date.

The plaintiffs were nonetheless not happy with the speed at which the defendant was pursuing the Appeal and so their counsel filed the Application dated 29th October 2010 under certificate of urgency. The Application was served on the Respondents and the same was heard *inter-partes* before me on 1st November, 2010. This now is the ruling in respect of the said application. The Ruling was scheduled for delivery on 16th February, 2010 but due to unforeseen circumstances, the same could not be delivered then.

Part of the delay was occasioned by the fact that I was assigned other duties outside this court's jurisdiction and to-date I have not gone back to my station. I do therefore, tender my apologies to the parties herein for the delay in preparing this Ruling.

The applicant is asking the court to lift the stay orders mentioned earlier; that the decree holder be allowed to proceed with the execution of the decree; and that the KShs.10,000,000/= deposited in court as security be released to the Decree Holder forthwith.

According to counsel for the Applicants, the "purported Notice of Appeal" which was served on him was incurably defective and failed to comply with the format provided for in Form D of the first schedule of Rule 74 of the Court of Appeal Rules. He has highlighted the "defects" in the said Notice of Appeal in paragraph 7 of his supporting affidavit.

He has also deposed that counsel for the Respondent had not facilitated the court to process the Appeal as he had not paid the requisite deposit for the typing of the superior court's proceedings. He maintained that there was

inordinate delay in prosecuting the Appeal on the part of counsel for the Respondent and the said delay had hindered the Decree Holders from enjoying the fruits of their judgment.

On its part, the Respondent through its Corporation Secretary denies any inordinate delay in the matter saying that they were waiting for the court proceedings to be typed before they could prosecute the intended Appeal. He also deposed that the averment that the Notice of Appeal was incurably defective could only be taken up before the Court of Appeal where the Appeal lies. He therefore, urged the court to dismiss the application.

Both counsel reiterated these averments in their oral submissions in court. Indeed counsel for the Respondents informed the court that he did not know that a deposit was necessary before the typing of the proceedings could commence. I must say that I am not sure what to make of this submission given that it is a standard and long standing practice in our courts that any party who applies for proceedings must pay a deposit before the typing of the proceedings can start. This in my view is meant to dissuade or discourage parties from requesting for proceedings and thereafter abandoning their quest leaving the court stuck with copies of proceedings that nobody will use or pay for. It is meant to gauge the seriousness of the party requesting for the same and also to avoid waste .It fosters expediency and good resource management of the limited resources in our registries and typing pools. It is not law but it is a good custom and practice. I do not understand how Mr. Okeyo could be unaware of such a settled practice. Be that as it may however, upon hearing Mr. Okeyo on that issue, I am satisfied that the non-payment of the said deposit was not meant to delay the processing of the Appeal. He appears to have acted in good faith albeit in ignorance. The depositing of the 10 million shillings in court did in my view show some seriousness on their part. I have also noted and appreciated the contents of Annexure to the replying affidavit marked "J00/2" which is a reminder to the Deputy Registrar asking for proceedings and which has made reference to three (3) other reminders sent to the Deputy Registrar between 12th October, 2009 and 6th October, 2010. Maybe the Deputy Registrar should have responded to the first letter promptly and enlightened counsel on the fact that the typing of the proceedings could not commence without the requisite deposit. Had she done so, this issue of "inordinate delay" could not have arisen. The delay in processing the appeal has in my considered view been sufficiently explained and the same cannot singularly justify the lifting of the orders of stay in question.

Having said so, has this court been given any other convincing reasons as to why the said orders of stay should be vacated?

The only other reason advanced for the said prayers is that there is no competent Appeal before the Court of Appeal.

The format of the Notice of Appeal has been challenged. Do I have jurisdiction to make a determination as to whether the Notice of Appeal before the Court of Appeal is competent or not? I am convinced that I do not have such jurisdiction. Holding otherwise would mean that I have jurisdiction to strike out an Appeal that is before the Court of Appeal. The form and substance or lack of it in respect of a Notice of Appeal can only be challenged before the court that is seised of jurisdiction to hear and determine the substantive Appeal. I therefore find myself in agreement with counsel for the Respondent when he says that this court has no jurisdiction to determine issues of conformity with Rule 74 of the Court of Appeal Rules. The Applicant is definitely at liberty to challenge the said Notice of Appeal before the Court of Appeal.

As stated in my Ruling when granting the orders of stay herein, if execution is carried out and the money paid to the 484 applicants, it would be extremely difficult for the Respondent to reclaim that money in the event the Appeal succeeds. The Appeal would doubtlessly be rendered nugatory and this would amount to a travesty of justice for the Respondent. In sum, the scales of justice tilt in favour of the Defendant/Respondent herein. I decline to grant orders that seek the lifting the orders of stay granted earlier. I nonetheless entreat counsel for the Plaintiffs/Applicants to proceed with dispatch to process the Appeal in order to avoid any further unwarranted delay in this matter.

This Application is therefore dismissed with orders that costs herein do abide the outcome of the Appeal.

JUDGE

SIGNED by the above but delivered and dated by the undersigned at Embu

KENYAN NUBIAN COUNCIL OF ELDERS P.O. BOX 2215-00202 NAIROBI

EMAIL: kenuce@yahoo.com

MEMORANDUM TO THE NATIONAL ASSEMBLY
COMMITTEE ON NATIONAL SECURITY AND
ADMINISTRATION: KENYAN NUBIAN CITIZENSHIP
RIGHTS

DATE: 16TH SEPTEMBER, 2021

PREPARED BY: IBRAHIM YUNIS – Executive Committee

Member KENUCE



1. INTRODUCTION

- The Nubian Community first came to Kenya at the turn of the 19th Century as Soldiers of the British colonizing army. These Soldiers served the British in both the first and second World War.
- Kibra was established as a military reserve in 1902 and later became a settlement for the Nubian Community in Nairobi.
- There are other minor Nubian settlement all over the country; these are
 Mazeras in Kilifi county, Kibos, Kibigori in Kisumu, Eldama Ravine,
 Kisii and Mumias. Others still smaller settlement are to be found in Meru,
 Nanyuki, Bungoma and Isiolo.

2. DEPRIVATION OF CITIZENSHIP

Despite having settled in Kibera more than 100 years and qualifying as Citizens under Kenyan Law, historically, **Kenyan Nubians throughout the country** have not been recognized as citizens and treated as aliens, as a result of which the citizenship status of many remain tenous.

Nubian treatment as 'aliens' by the colonial authorities has been perpetuated since independence.

Nubians are discriminated against, in that they are required to go through a long and complex vetting procedure to obtain ID card that is necessary for recognition of their citizenship and essential everyday left. Many face substantial delays in obtaining proof of their citizenship, or will never succeed in doing so, and are left essentially stateless.

3. CONSEQUENCES OF DEPRIVATION OF CITIZENSHIP

The statelessness highlighted has had devastating social, economic and political impact on the Nubian Community in Kenya. The consequences includes but not limited to the following: Poor employment prospects, refusal to issue passports, failure to recognize, property rights, lack of income from property ownership, poor educational prospects, poor sanitation and health care amongst others.



4. MEASURES TAKEN BY THE COMMUNITY TO ADDRESS CITIZENSHIP DEPRIVATION

After decades of activism against citizenship deprivation locally without any tangible success, the Kenyan Nubian Council of Elders, on behalf of the Nubian community filed cases with the African Human and peoples rights court and African Committee of experts on the rights and welfare of the child. The cases were filed in 2003 and 2010 respectively.

5. DECISION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLE'S RIGHTS: COMMUNICATION NO. 317/2006

The Nubian Community in Kenya VS The Republic of Kenya.

- The African Commission on Human and People's rights found that the Kenya government had violated several articles of the African Charter on Human and People's rights touching on Citizenship rights, land rights and inhumane evictions of Kenyan Nubians and requested the Kenya government take appropriate remedial measures.
- The decision on citizenship is yet to be implemented by the government.

6. DECISION OF THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE NUBIAN CHILD (Case No. 02/2020)

- The African Committee of Experts on the rights and welfare of the child found the Kenya government to have violated various articles of the African Charter on the rights and welfare of the Nubian child and requested the government to take urgent and remedial measures.
- The Government is yet to implement this decision.

7. THE ROLE OF THE NATIONAL ASSEMBLY IN SECURING CITIZENSHIP RIGHTS OF THE NUBIAN COMMUNITY

The National Assembly is requested to take the following measures;

- Facilitate implementation of the decisions of the African Commission on Human and People's rights on Nubian citizenship and other rights.
- Review and amend various laws, policies and regulation impeding citizenship rights of the Nubians and in particular remove the requirement of VETTING OF COMMUNITY MEMBER.
- Champion the recognition of Nubians as one of the tribes of Kenya.



KENYAN NUBIAN COUNCIL OF ELDERS P.O. BOX 2215-00202 NAIROBI

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MEMORANDUM TO THE NATIONAL ASSEMBLY
COMMITTEE ON NATIONAL SECURITY AND
ADMINISTRATION: KENYAN NUBIAN CITIZENSHIP
RIGHTS

DATE: 16TH SEPTEMBER, 2021

PREPARED BY: IBRAHIM YUNIS – Executive Committee

Member KENUCE

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