

Approved for tabling.

REPUBLIC OF KENYA



*Speakers WA
Kunde's office
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Jhm: 5/03/14*

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ELEVENTH PARLIAMENT - THIRD SESSION (2015)

MAR 2015

THE DEPARTMENTAL COMMITTEE

ON

JUSTICE AND LEGAL AFFAIRS

*Paper laid by Hon. S. Chapko
Chairperson, Special Committee
on Justice and Legal Affairs
on 25/03/2015.
Mmw*

REPORT ON THE APPROVAL FOR APPOINTMENT OF DR. SAMUEL NJUGUNA
KABUE BY HIS EXCELLENCY THE PRESIDENT AS A COMMISSIONER TO THE
KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Clerk Chambers,
Parliament Buildings,
Nairobi.

March 2015

TABLE OF CONTENTS

<u>No.</u>	<u>Page</u>
1. Preface.....	1
2. Background.....	5
3. Approval by the Committee of the appointment of Dr. Samuel Kobia as a member of the Kenya National Commission on Human Rights.....	7
4. Observations.....	8
5. Recommendations.....	9

LIST OF APPENDICES

- Appendix 1. *Memoranda submitted on the suitability of the nominee for appointment*
- Appendix 2. *Nominee's curriculum vitae and testimonials*
- (i) *The Association for the Physically Disabled of Kenya (APDK);*
 - (ii) *The National Gender and Equality Commission;*
 - (iii) *Cbm;*
 - (iv) *Autism Society of Kenya;*
 - (v) *National Council for Persons with Disabilities;*
 - (vi) *United Disabled Persons of Kenya (UPDK)*
 - (vii) *The Kenya Disability Parliamentary Association (KEDIPA);*
 - (viii) *Brian Resource, Training, Production and Dissemination Centre*
 - (ix) *Ethics and Anti-Corruption Commission (EACC)*
 - (x) *Vincent Lempaa Suiyanka, Advocate*
- Appendix 3. *The report of the selection panel and letter forwarding the list of shortlisted candidates for nomination for appointment after approval by the House*
- Appendix 4. *Minutes of sittings of the Committee*

PREFACE

Honourable Speaker,

On behalf of the Departmental Committee on Justice and Legal Affairs, and pursuant to provisions of Standing Order 199(6), it is my pleasant privilege and honour to present to this August House this report of the Committee on the approval for appointment of Dr. Samuel Njuguna Kabue by His Excellency the President as a member to the Kenya National Commission on Human Rights.

1.1. Mandate of the Committee

The Committee derives its mandate from Standing Order No. 216(5) which provides as follows:-

- a) *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
- b) *To study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;*
- c) *To study and review all legislation referred to it;*
- d) *To study, assess and analyze the relative success of the ministries and departments measured by the results obtained as compared with their stated objectives;*
- e) *To investigate and enquire into all matters relating to the assigned ministries and departments as may be deemed necessary, and as may be referred to it by the House or a minister; and*
- f) *To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.*

The Second Schedule of the Standing Orders on Departmental Committees further states the subjects which the Committee is supposed to deal with while discharging its mandate. The subjects are as follows:-

- (a) Constitutional affairs;
- (b) The administration of law and Justice, including the Judiciary, public prosecutions, elections, ethics, integrity and anti-corruption; and
- (c) Human rights.

1.2. Committee Membership

The Committee was constituted on Thursday 16th May, 2013 and comprises the following:-

1. Hon. Samuel Chepkong'a, M.P. - Chairperson

2. Hon. Priscilla Nyokabi, M.P. - Vice Chairperson
3. Hon. Njoroge Baiya, M.P.
4. Hon. Muriithi Waiganjo, M.P.
5. Hon. Ndirangu Waihenya, M.P.
6. Hon. Florence Kajuju, M.P.
7. Hon. Kang'ata Irungu, M.P.
8. Hon. Benson Mutura, M.P.
9. Hon. John Njoroge Chege, M .P.
10. Hon. William Cheptumo, M.P.
11. Hon. Mohamed Abdi Haji, M.P.
12. Hon. Kangongo Bowen, M.P.
13. Hon. Sammy Koech, M.P.
14. Hon. Moses Cheboi, M.P.
15. Hon. Paul Bii, M.P.
16. Hon. Charles Gimose, M.P.
17. Hon. Johanna Ng'eno, MP.
18. Hon. Boniface Otsiula, M.P.
19. Hon. David Ouma, M.P.
20. Hon. Neto Agostinho, M.P.
21. Hon. Kaluma Peter, M.P.
22. Hon. Fatuma Ibrahim Ali, M.P.
23. Hon. Ben Momanyi Orari, M.P.
24. Hon. T. J. Kajwang', M.P.
25. Hon. (Bishop) Mutua Mutemi, M.P
26. Hon. Olago Aluoch, M.P.
27. Hon. (Dr.) Christine Oduor Ombaka, M.P.
28. Hon. Munuve G. Mati, M.P.
29. Hon. Mwamkale William Kamoti, M.P.

1.3. Nomination of Dr. Samuel Njuguna Kabue for appointment as a member of the Kenya National Commission on Human Rights

In line with Section 11 of the Kenya National Commission on Human Rights Act, His Excellency the President forwarded to the National Assembly the name of **Dr. Samuel Njuguna Kabue** for vetting for appointment as a member of the Kenya National Commission on Human Rights. The name was forwarded to the Speaker by a letter referenced OP/CAB.17/99A dated 10th December, 2014 and signed by His Excellency the President himself.

On Wednesday, 18th February, 2015, the Honourable Speaker through a Communication from the Chair informed the House that he had received Dr. Samuel Njuguna's nomination and committed it to the Departmental Committee on Justice and Legal Affairs for vetting and report back to the House not later than 5th March, 2015 pursuant to Standing Order 45.

1.4. Public participation in the vetting process

Article 118(1) of the constitution of Kenya provides as follows:-

“Parliament shall:-

- (a) Conduct its business in an open manner, and its sittings and those of its Committees shall be in public*
- (b) Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees”*

In line with Article 118 (1) of the constitution, the Committee through notices in the local daily newspapers invited the public to submit memorandum on the suitability of the nominee for appointment to the position.

The following submitted memoranda to the Committee recommending the nominee for appointment:-

- (i) National Gender and Equality Commission;
- (ii) CBM;
- (iii) Autism Society of Kenya;
- (iv) National Gender for Persons with Disabilities;
- (v) United Disabled Persons of Kenya (UPDK);
- (vi) Kenya Disability Parliamentary Association (KEDIPA);
- (vii) Brian Resource Training, Production and Dissemination Centre; and
- (viii) The Association for the Physically Disabled of Kenya (APDK)

The following had reservations on the nominee’s appointment:-

- (i) Ethics and Anti-Corruption Commission (EACC)
- (ii) Mr. Lempaa Suyianka, Advocate

The Committee considered all the submitted memoranda before arriving at a decision on the nominee’s suitability for appointment. All memoranda submitted is annexed hereto as appendix 1. The nominee’s curriculum vitae and testimonials are also attached as appendix 2

1.5 Sittings of the Committee

The Committee held two sittings in the course of the vetting process. The first sitting was held on 3rd March, 2015 where the Committee examined the nominee and immediately thereafter determined his suitability for appointment. The second sitting was held on 4th March, 2015 where the Committee adopted its report. All minutes of sittings of the Committee are annexed hereto as appendix 4.

While conducting the hearing, the Committee was guided by the Constitution of the Republic of Kenya, the National Assembly Standing Orders, the Public Appointments (Parliamentary Approval) Act, Chapter 136, the Kenya National Commission on Human Rights Act No. 14 of 2011 and common conventions, practices and usages.


1.5. Acknowledgement

The Chairperson wishes to thank and commend Committee Members for their devotion and commitment to duty which made this vetting exercise a success. The Committee on the other hand wishes to thank the Office of the Speaker and Clerk of the National Assembly which provided technical support without which the production of this report would have been in vain.

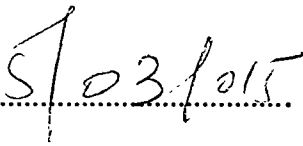
Finally, the Committee wishes to record its appreciation to the staff. Indeed the role played by the staff was critical to the production of this report.

Mr. Speaker Sir,

On behalf of the Committee, I now wish to table this report and urge the House to adopt it.

SIGNED .....
Hon. Samuel Chepkong'a, MP
(Chairperson)

Departmental Committee on Justice and Legal Affairs

DATE..... .....

2.0 BACKGROUND

2.1. Establishment of the Kenya National Commission on Human Rights

The Kenya National Commission on Human Rights is established by the Kenya National Commission on Human Rights Act No. 14 of 2011. The purpose of the Act is to restructure the Kenya National Human Rights and Equality Commission and to establish the Kenya National Commission on Human Rights pursuant to Article 59 (4) of the constitution of Kenya; to provide for membership, powers and functions of the Kenya National Commission on Human Rights and for connected purposes.

2.2. Membership of the Commission

Section 9 of the Kenya National Commission on Human Rights Act No 14 of 2011 provides as follows:-

“the commission shall consist of a chairperson and four other members appointed in accordance with the constitution and the provisions of this Act”

2.3. Qualifications for appointment of chairperson and members

Section 10 (2) and (3) of the Kenya National Commission on Human Rights Act No. 14 of 2011 provides as follows:-

Section 10 (2)

“A person shall be qualified for appointment as a member of the Commission if the person-

- (a) Holds a degree from a university recognized in Kenya;*
- (b) Has knowledge and at least ten years experience in matters relating to any of the following fields:-*
 - (i) Law;*
 - (ii) Public administration;*
 - (iii) Economics or finance;*
 - (iv) Gender and social development;*
 - (v) Human rights;*
 - (vi) Management; or*
 - (vii) Social sciences*
- (c) Has had a distinguished career in their respective fields;*
and
- (d) Meets the requirements of chapter six of the constitution”*

Section 10 (3)

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

- (a) Is a member of Parliament or a County Assembly;*
- (b) Is a member of a local authority;*
- (c) Is undischarged bankrupt; or*
- (d) Has been removed from office for contravening the provisions of the constitution or any other law”*

2.4. Procedure for appointment of chairperson and members

Section 11 (1) (4) (5) (6) (7) (8) (10) and (11) of the Kenya National Commission on Human Rights Act No. 14 of 2011 states as follows:-

Section 11 (1)

“whenever there is a vacancy in the Commission, the President shall within fourteen days of the occurrence of the vacancy convene a selection panel for the purpose of selecting suitable candidates for appointment as the chairperson or member of the Commission”

Section 11 (4)

“the selection panel shall within seven days of its convening, invite applications from qualified persons and publish the names and qualifications of all applicants in the Gazette and two daily newspapers of national circulation”

Section 11 (5)

“the selection panel shall within seven days of receipt of applications under sub section (4) consider the applications, interview and shortlist at least three persons qualified for appointment as chairperson and eight persons qualified for appointment as members of the Commission and shall forward the names of the selected candidates for nomination”

Section 11 (6)

“until after the first general election after the commencement of this Act, the President in consultation with the Prime Minister shall within seven days of receipt of the names forwarded under sub section (5) nominate one person for appointment as chairperson and

four persons for appointment as members of the Commission and shall forward the names of the persons nominated to the National Assembly''

Section 11 (7)

''the National Assembly shall within twenty one days of the day it next sits after receipt of the names of nominees under sub section (6) consider all the nominations received and may approve or reject any nomination''

Section 11 (8)

''Where the National Assembly approves the nominees, the Speaker shall forward the names of the approved persons to the President for appointment''

Section 11 (10)

''where the National Assembly rejects any nomination, the Speaker shall within three days, communicate the decision of the National Assembly to the President to submit fresh names''

Section 11 (11)

''where a nominee is rejected by Parliament under subsection (1), the President in consultation with the Prime Minister shall within seven days submit to the National Assembly a fresh nomination from amongst the persons shortlisted and forwarded by the Selection Panel under subsection (5)''

3.0. APPROVAL BY THE COMMITTEE OF THE APPOINTMENT OF DR. SAMUEL NJUGUNA KABUE AS A MEMBER OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

The nominee was to fill a vacant position after Mr. Vincent Suyianka Lempaa's nomination by His Excellency the President for approval by the House for appointment as member of the Commission was rejected by the House on 4th of March, 2014. The nominee was examined by the Committee and responded to questions as follows: -

(i) Academic qualifications

He holds a Masters Degree in Theology from St Paul's University, Limuru Kenya, a Master of Education Degree from University of Birmingham, England and a Master of Education Degree from University of Nairobi.

He also submitted that he has a certificate in International Development Studies from the University of Oslo, Norway, a certificate in Adult and Distance Education from the University of Nairobi, a Certificate in Management of Braille Production Units from the German Institute for the Blind and a Certificate in Management Development from the Kenya Institute of Education.

(ii) Work experience

He submitted that between 1979 to the time of vetting, he had been a graduate teacher at Kijabe High School, Tutor at Highridge Teachers College, Correspondent Tutor at Hadley School for the Blind, Deputy Director of Kenya Institute for the Blind, Manager of the Braille Printing House, Programme Director for Persons with Disabilities, National Council of Churches of Kenya (NCCCK), Director of the Advocacy Unit, NCCCK. As at the time of vetting, he was the Programme Executive, World Council of Churches (WCC) - Ecumenical Disability a position he had held since the year 2003.

(iii) Knowledge of human rights issues

He informed the Committee that he had for the last twenty three (23) years been involved in advocacy on human rights at the United Nations (UN) level. He had also participated in the constitutional making process of the 2010 constitution of Kenya and also took part several electoral processes in Kenya through which he had learnt a lot on human rights.

(iv) Integrity

He admitted being under investigation by the Ethics and Anti-Corruption Commission (EACC). His investigation arose out of his refusal to act on instructions from the Board of Management of the National Council of Persons with disabilities where he worked. Forty nine (49) other officers were also being investigated by EACC. He had recorded a statement with the Commission over one year ago and expressed his displeasure with the time taken by the Commission to determine his fate.

According to the nominee, the referral of his case and the forty nine (49) others to EACC for investigations was actuated by malice and he was confident that he will have no case to answer.

4.0. OBSERVATIONS

Whereas the Committee was satisfied that the nominee had the necessary qualifications and work experience to warrant his appointment for the position, it observed that the nominee was not shortlisted for nomination by the selection panel as required by Section 11 (5) of the Kenya National Commission on Human Rights Act No. 14 of 2011 which states as follows:-

Section 11. (5)

“the selection panel shall within seven days of receipt of applications under sub section (4) consider the applications, interview and shortlist at least three persons qualified for appointment as chairperson and eight persons qualified for appointment as members of the Commission and shall forward the names of the selected candidates for nomination”

After vetting nominees in February, 2014, the House declined to recommend the appointment of one Mr. Vincent Lempaa Suyianka as a member to the Kenya National Commission on Human Rights despite having what it takes because he was not shortlisted as required by Section 11 (5) of the Act. The report of the selection panel and letter forwarding the list of shortlisted candidates for nomination for appointment are annexed hereto as appendix 3.

The Committee also noted with concern the Ethics and Anti-Corruption Commission (EACC) had taken too long to determine the nominee’s fate and this was likely to jeopardize his appointment to public office which was not fair to him in the event the Commission did not ultimately find him with a case to answer. For the purposes of the vetting, the Committee however held the view that as long as the matter remained in the hands of EACC, the accusations made against the nominee would be treated as mere allegations which could not hinder the recommendation for his appointment as a Commissioner.

The Committee further observed breach of Section 11 (11) of the Kenya National Commission on Human Rights Act in filling of the vacant position:-

Section 11. (11)

“where a nominee is rejected by Parliament under subsection (1), the President in consultation with the Prime Minister shall within seven days submit to the National Assembly a fresh nomination from amongst the persons shortlisted and forwarded by the Selection Panel under subsection (5)”

Whilst the House rejected Mr. Vincent Lempaa Suiyanka’s nomination for appointment in February, 2014, a fresh nomination was submitted to Parliament for approval in February, 2015 one year down the line instead of seven days.

5.0. RECOMMENDATIONS

The Committee recommends as follows:-

- (i) This House declines to approve the nomination of Dr. Samuel Njuguna Kabue as a member of the Kenya National Commission on Human Rights because the process leading to his nomination does not comply with section 11 (5) of the Kenya National Commission on Human Rights Act No. 14 of 2011;
- (ii) A new selection panel be constituted to receive applications, interview applicants and shortlist them for nomination in line with Section 11 (1) (4) and (5) of the Kenya National Commission on Human Rights Act No. 14 of 2011.

APPENDIX 1

345



The Association for the Physically Disabled of Kenya (APDK)
Empowering persons with different abilities

24th February 2015

Ref: apdknat/gf/005/2015

The Clerk
National Assembly
P O Box 41842 – 00100
NAIROBI

① Abonyo
pce deal
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4/3/15

② GAZEMBA
pls deal
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02/3

Attn: Justin N. Bundi, CBS

Re: Dr. Samuel Njuguna Kabue Nominee - Kenya National Commission on Human Rights

We refer to the Article in the local dailies of 20th February 2015, on the above nominee to the Kenya National Commission on Human Rights.

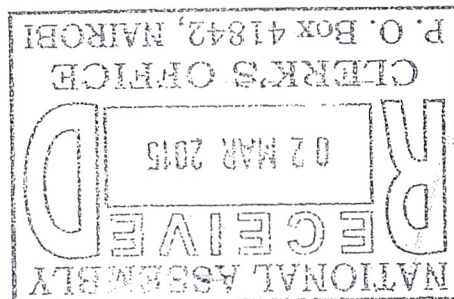
On behalf of the members of the Association for the Physically Disabled of Kenya (APDK), we do highly recommend Dr. Samuel Njuguna Kabue for the position as a member of the Commission. Dr. Kabue has been working with APDK fronting for the Rights of Persons with Disability for the last 30 years. He has shown good leadership all along and understands the Human Rights issues. His credentials speak for themselves and we may not put them in writing.

It is our hope that the Committee on Justice and Legal Affairs will consider him.

Thank you.

Gideon Muga
National Director/CEO

Cc: National Chairman





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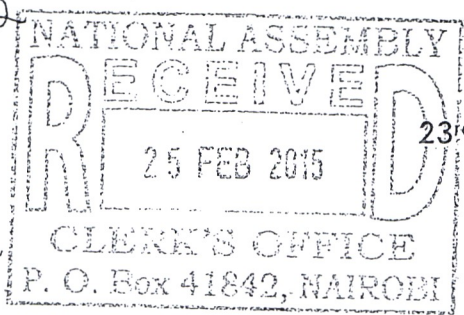
The National Gender and Equality Commission
Solutions Tech Place, Longonot Road, Upperhill, 1st Flr.
P.O. Box 27512 - 00506 Nairobi, Kenya
Landline: 020 2727778 Mobile: 0718 999721, 0732 228 869

When replying please quote

Ref No.

NGEC/OC/NAS/VOL.I/(29)

Justin N. Bundi, CBS,
Clerk of the National Assembly,
P.O. Box 41842 — 00100,
NAIROBI.



23rd February, 2015

Dear Sir,

REF: NOMINATION OF DR. SAMUEL KABUE AS A COMMISSIONER AT THE KNCHR

We write in response to the President's nomination of Dr. Samuel Kabue who is a person with disability to serve as a Commissioner at KNCHR as advertised by your office in the Daily Nation of 20th February 2015.

The National Gender and Equality Commission whose mandate is to monitor inclusion celebrates any efforts made by the Government to increase the number of Special Interest Groups in Decision making Positions. NGEK acknowledges the contribution of Dr. Kafue's involvement in the disability rights movement in Kenya and close association with the Government's work in the area of human rights with particular interest to persons with disabilities and other marginalized groups.


Dr. Kabue has done a lot in making the non-governmental disability organizations work closely with Government agents like the Disability programme in the Ministry of Labour, Security and Social Services and the National Council for Persons with Disabilities. He has participated in the preparation of the Government Report on the Convention on the Rights of Persons with Disabilities and in the Universal Periodic Review Process. He is credited in maintaining the Disability Caucus on the Implementation of the Constitution (DCIC) which is a loose organization of stakeholders in disability work which has done a lot to track bills on the implementation of the constitution and to make recommendations on making them inclusive of the disability concerns. For all purposes and intent he is suitable to serve as a commissioner with KNCHR as nominated.

NATIONAL GENDER AND EQUALITY COMMISSION

We would like to affirm Dr. Kabue suitability for this position and to recommend his subsequent appointment which is in line with section 54 (2) of the constitution which provides for the progressive realization of 5 percent representation in all appointive and elective position.

Yours *Sincerely,*


Comm. Winfred Lichuma, **EBS**
Chairperson

 **Copy to:** Dr. Samuel Kabue
Ecumenical Disability Advocates Network
Bishop Kibira House, 1st Floor Rm 20,
Waiyaki Way, Westlands
P.O. Box 22 -00300,
NAIROBI.

Building an Inclusive Society

① D/Committee



LTD 174

The Clerk of the National Assembly,
Main Parliament Building,
Nairobi, Kenya.

Attn: Justin N. Bundi, CBS.

② CAZEMBA

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Tuesday, February 24, 2015

Dear Sir,

RE: RECOMMENDATION FOR APPOINTMENT OF DR. SAMUEL NJUGUNA KABUE TO THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

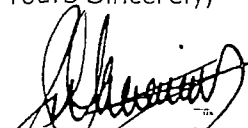
Greetings from CBM Kenya.

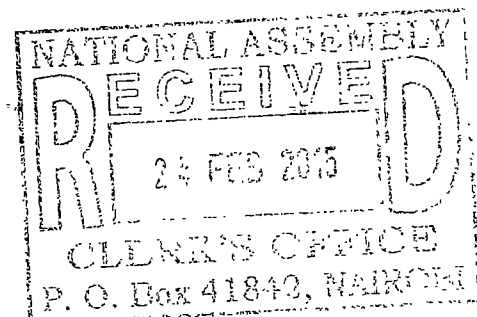
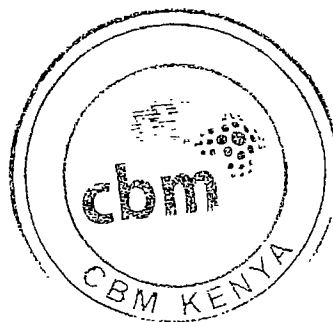
CBM is an International, Christian, Disability and Development organisation that aims to improve the lives of persons with disabilities and those at risk of acquiring a disability. Globally, CBM builds upon more than 100 years of professional expertise and experience working with disabilities to design and implement programmes irrespective of race, gender or religion. CBM has been working in Kenya for over 40 years and supports the work of over 30 implementing partners who positively impact on the lives of hundreds of thousands of Kenyans with disabilities each year.

Dr. Sam Kabue has been a Member of the Board of Directors of CBM Kenya since 2011. He is a leading advocate for the rights of Persons with Disability in Kenya, and has been involved with the critical work of CBM in Kenya for many years.

As an organisation, we are privileged to have a senior, respected individual of the caliber of Dr. Kabue on our board. He is an upstanding member of society, with a stellar record of promoting Disability inclusion and advocating for the rights of persons with Disabilities in Kenya. CBM Kenya highly recommends him for appointment to the Kenya National Commission on Human Rights.

Yours Sincerely,


Amos M. Mutiga
Executive Director



CBM Kenya

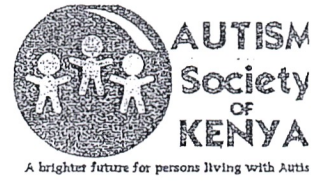
P. O. Box 58004 - 00200, Ring Road Parklands, Nairobi, Kenya

Tel: +254 20 3751654 / 3751798 • Fax: +254 20 3740305 • Email: info@cbmkenya.org • www.cbmkenya.org

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23rd February 2015.

Clerk of the National Assembly,
P.O box 41842-00100
Nairobi.

Dear Sir/Madam:

REF: SAMUEL NJUGUNA KIBUE/VISUALLY IMPAIRED

I Felicity Nyambura Ngungu, Founder and Chief Executive Officer of Autism Society of Kenya – a registered Non-Governmental Organization in the republic of Kenya hereby wish to declare the following in respect of Dr.Samuel Njuguna Kabue who has been nominated for the appointment as a member of the Kenya National Commission on Human Rights.

1. That I have known Dr.Samuel Njuguna Kabue for the last twelve (12) years.
2. That I have interacted with Dr.Samuel Njuguna Kabue those twelve years during the course of duty in disability work.
3. That he acted as chair during the preparation of the disability Bill (enacted in year 2003) in which I participated fully.
4. That he acted as chair during the preparation of the National Schools Health policy of year 2009 of the Ministry of Health and Education on disability in which I participated fully
5. That I have interacted with Dr.Samuel Njuguna Kabue at the Disability Caucus for the Implementation of the Constitution extensively where he chairs the caucus.

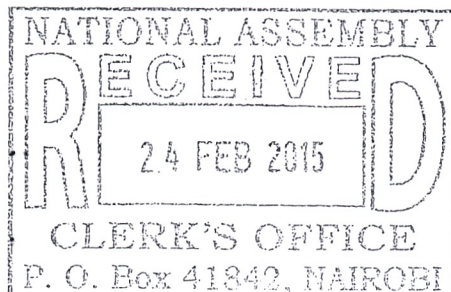
In my judgment Dr.Samuel Njuguna Kabue is most appropriate for this position.

Written and signed by:

Felicity Nyambura Ngungu this day of 23rd February Year 2015.

Name: FELICITY NYAMBURA NGUNGU

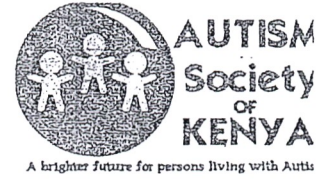
Signature: Felicity



① D/Committees

2831798

② GAZEMBA
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25/2



23rd February 2015.

Clerk of the National Assembly,
P.O box 41842-00100
Nairobi.
Dear Sir/Madam

REF: SAMUEL NJUGUNA KIBUE/VISUALLY IMPAIRED

I Felicity Nyambura Ngungu, Founder and Chief Executive Officer of Autism Society of Kenya – a registered Non-Governmental Organization in the republic of Kenya hereby wish to declare the following in respect of Dr.Samuel Njuguna Kabue who has been nominated for the appointment as a member of the Kenya National Commission on Human Rights.

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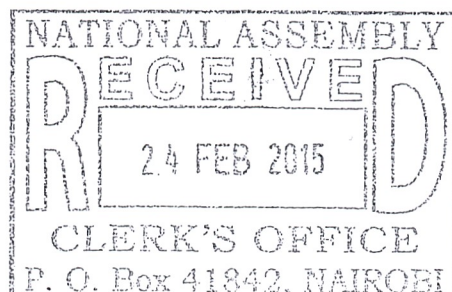
In my judgment Dr.Samuel Njuguna Kabue is most appropriate for this position.

Written and signed by:

Felicity Nyambura Ngungu this day of 23rd February Year 2015.

Name FELICITY NYAMBURA NGUNGU

Signature Felicity





National Council for Persons With Disabilities

WAIYAKIWAY, P.O. BOX 66577 - 00800, TEL: 020 237 5994/231 4621, NAIROBI
Email: ncpwds@africaonline.co.ke

NCPWD/ADMN/6 Vol. VI (48)

19th February 2015

① D/Committee

Justin N. Bundi, CBS,
Clerk of the National Assembly,
P.O. Box 41842 - 00100
NAIROBI

② GAZEMBA
ple doop
FA 25/2

Dear Sir,

RE: PERSON NOMINATED FOR APPOINTMENT AS A MEMBER OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

The above subject and your advertisement appearing on the Daily Nation Newspaper of Friday the 20th February, 2015 refer.

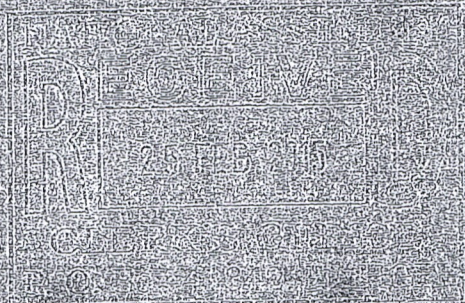
The National Council for Persons with Disabilities writes to confirm that Dr. Samuel Njauua Kabue is a person with disability as defined by Article 260 of the Constitution 2010 and Section 3 of the Persons with Disabilities Act, No. 14 of 2003. He is duly registered as a person with disabilities in line with Section 7(1)(c) of the Act. His registration number is NCPWD/P/6369.

The purpose of this letter is to support the nomination of Dr. Kabue as a proposed member of the Kenya National Commission on Human Rights.

Thank you in anticipation.

Yours faithfully,

JAMES KARIUKI NDWIGA
For EXECUTIVE DIRECTOR



① D/committee

287 1804

UDPK

United Disabled Persons of Kenya
The Voice of Disability

Orthopaedics Complex, Waiyaki way

Opposite ABC Place

P.O. Box 13488, 00800

Nairobi

② CAZEMBA 23rd February 2015

Justin N. Bundi, CBS, Clerk of the National Assembly,
P.O. Box 41842 — 00100, NAIROBI

Dear Sir,

REF: Nomination of Dr. Samuel Kabue for appointment as a Commission at the KNCHR

pls deaf
FA ask

We write to you Sir as the United Disabled Persons of Kenya (UDPK) in respect to the above subject as advertised by you in the Daily Nation of 20th February 2015.

UDPK is a non-profit making, non-political and non-partisan organization. It is a national umbrella organization uniting disabled people's organizations (DPOs) and associations and groups of persons with disabilities. UDPK's mission is to promote non-discrimination, full and effective participation of persons with disabilities in mainstream development. UDPK works closely with the Government of Kenya and other organisations that are in the field of disability in the country and outside.

We would like to highly commend the President for this nomination and to confirm Dr. Kabue suitability for this appointment. Dr. Samuel has over many years championed the course of persons with disability and was a long serving chairman of UDPK in its founding years. He was instrumental in the campaign and advocacy for the enactment of Persons with Disabilities ACT of 2003. He was also among other Kenyans a member of the UN Ad Hoc Committee which negotiated the UN Convention on the rights of persons with disabilities. He took part in the drafting of the National disability policy as well as the Special needs policy of 2008. His involvement in human rights work goes beyond disability as exemplified by his term of office as the director of Advocacy Unit at the NCKK during the clamour for the New Constitution. He was for a long time responsible for the mainstream Civic Education in the country in which he ensured persons with disabilities were fully involved. He is associated with many other initiatives on human rights in general and disability rights in particular.

We therefore highly recommend him to both the vetting Parliamentary Committee and To His Excellency the President for this appointment

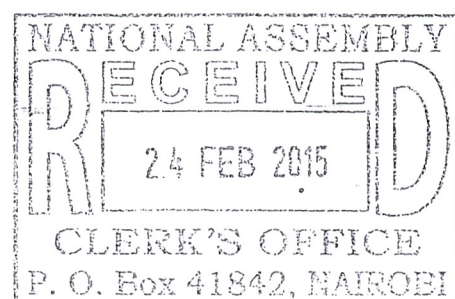
We hope that you will give a favorable consideration to our request.

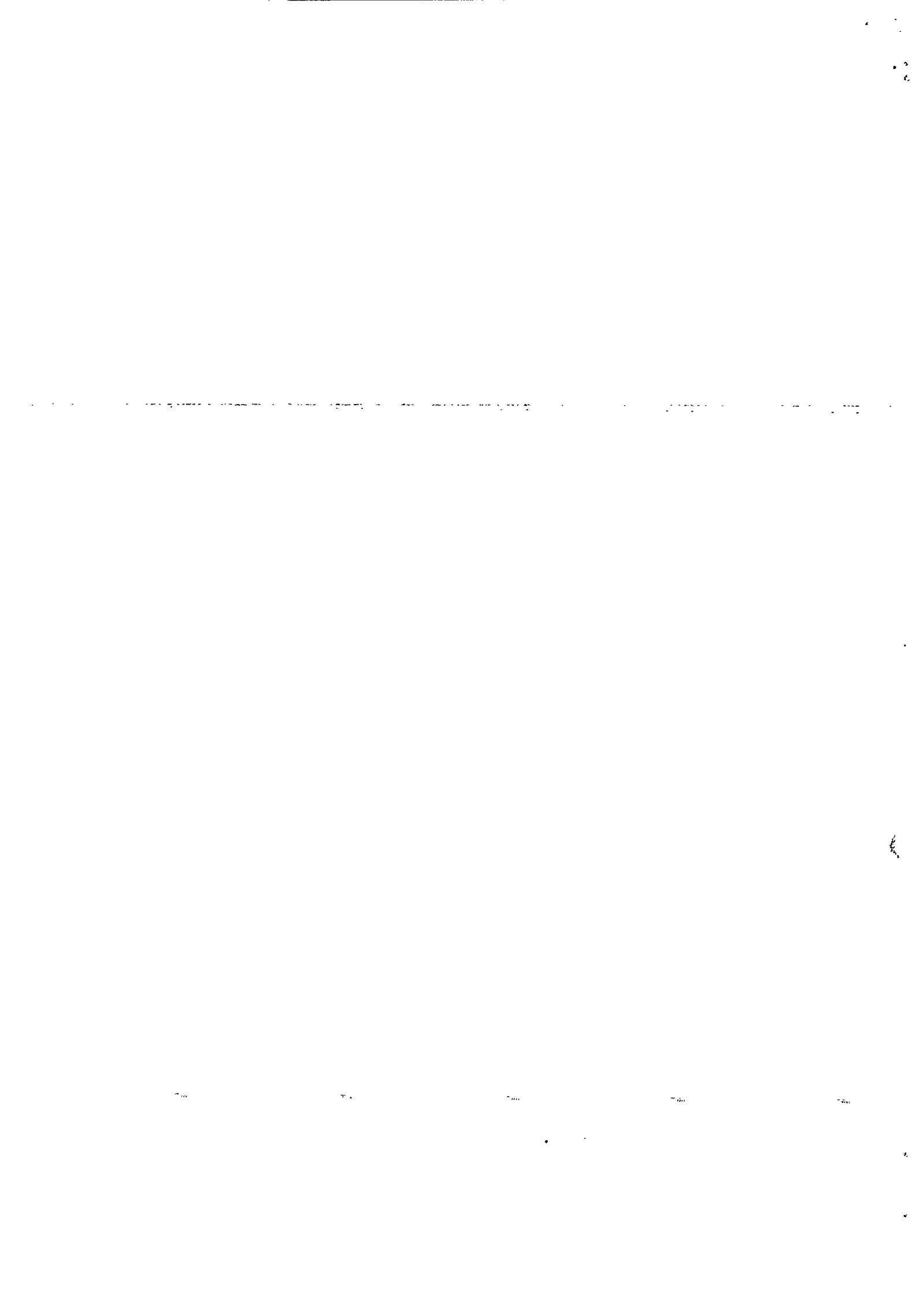
Thanks in advance.

Yours Faithfully

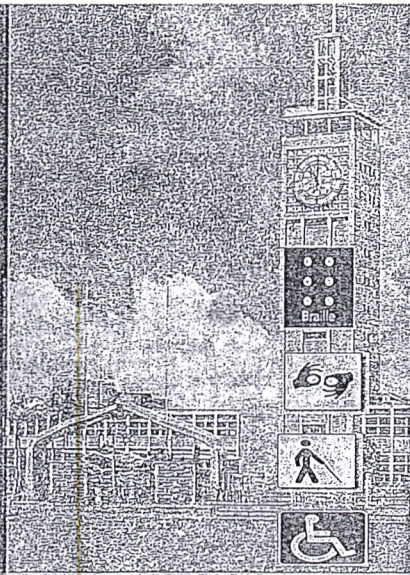


Anderson Gitonga
Chief Executive Officer
United Disabled Persons of Kenya





KENYA DISABILITY PARLIAMENTARY ASSOCIATION (KEDIPA)



Parliament Buildings
Tel: +254-20 2221291 Ext. 32643
P. O. Box 41842-00100
Nairobi, Kenya

Continental Hse. Ground Flr. Rm 004
Mobile: +254 721 864 949
+254 720 773 367
E-mail: info.kedipa@gmail.com

24/2/2014

To
HON Samuel Chepkonga MP
The Chairperson,
Departmental Committee, Justice and Legal Affairs.
Kenya National Assembly.
Parliament buildings.

Dear Sir,

**RE: KEDIPA'S SUPPORT OF SUITABILITY OF DR SAMUEL NJUGUNA KABUE AS A
NOMINEE, MEMBER OF KENYA NATIONAL COMMISSION ON HUMAN RIGHTS:**

The Kenya disability parliamentary caucus is a network of legislators with disabilities, the first in Kenyan history, formed to strengthen their parliamentary and legislative role and to carry disability agenda forward. In particular regards towards facilitating inclusiveness and uphold the implementation of the Article 27 of the constitution.

Dr. Samuel Kabue is currently a Consultant/Executive Secretary for Ecumenical Disability Advocates Network (EDAN) which is an International Network coordinating World Council of Churches work on disability. Dr. Kabue who is visually impaired, was in 2011 awarded a Doctor of Divinity degree by the Senate of Sarampore, India.

His education training has been from University of Birmingham where he graduated with a Masters of Education Degree (Special Education), he also has a Masters of Education Degree (Administration and Language teaching), a Masters in Theology from St. Paul's University, Kenya and Bachelors of Education Degree (English and History) from the University of Nairobi respectively.

He is involved in various international and national disability advocacy movements such as World Committee on Disability; Eastern Africa Federation of the Disabled (EAFOD); New Partnership for Africa Development (NEPAD), and Africa Peer Review Mechanism (APRM) among others.

Kindly be aware of a group of persons with disabilities who have formed a habit of discrediting others with wits and unfolded allegations of corruption. They seem to target persons with whom they have a personal vendetta on as a means of blocking their progress.

The committee should be informed that this is not the first time they have done these to fellow persons with disabilities.

We once again highly recommend Dr Samuel Kabue for this position to represent persons with disabilities to ensure equity in the commission as per the article 54(2) of the constitution.

Yours faithfully,



HON. NWAURA M. ISAAC MP
CHAIRPERSON.



HON. BISHOP MUTEMI B. MUTUA MP
SECRETARY.

U D/Com Hery

BRIAN RESOURCE, TRAINING, PRODUCTION AND DISSEMINATION CENTRE

② CAZEMBA 1842

pls doc
FA
26/2

Brian Resource Centre, Low land Road
Off 2nd Thome Avenue, Kasarani District
P.O. Box 35482-00200 Nairobi -Kenya
Phone: +254-722 721 321 or +254 722 848 782



Email: brian.recentre@gmail.com
catherineshiroko@gmail.com
jmshiroko@gmail.com
Website: www.brc.or.ke

Ref No: Dr. Samuel Njuguna Kabue

Date: 24th February 2015

We are a parent driven Community Based Organization as well as Non-Governmental Organization existing to address the socio economic challenges of *Deafblind persons and their families in the community*. *Deafblindness is a unique disability* whereby a person has a combined sense of hearing and vision loss to such a degree that communication is very challenging. The severity of the combined visual and auditory impairments means that Deafblind people cannot automatically utilize routine services for either people with visual impairments or those with hearing impairments. It therefore entails extreme difficulties with regard to education, training, working life, social life, cultural activities and information access.

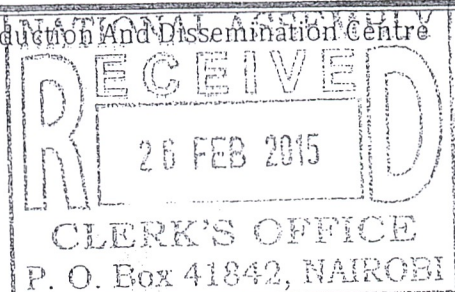
We hereby submit in our representations on his suitability pursuant to Section 6(9) of the Public Appointments (Parliamentary Approval) Act 2011 on his suitability for appointment as a Member of the National Commission on Human Rights.

We have known and continuously interacted with Dr. Kabue since his days while serving as a Programme Manager of the Disability Docket of the National Council of Churches of Kenya (NCKK) in the early 1990s where he came out as an astute defender of the rights of persons with Disabilities and their families. The great work he did and the foundation he laid then has seen many gains realized towards improving the community position of Persons with Disabilities, their families and programmes that undertake the same.

We have seen Dr. Kabue's stint at the Ecumenical Disability Action Network (EDAN) where he has made a great mark and huge contributions locally, regionally, continentally and internationally in championing the disability related rights at all fronts.

On the local seen, he has served as a leader at the United Disabled Persons of Kenya and as Trustee at the Board of Trustees for the National Development Fund for Persons with Disabilities where again he has made huge contributions. He is credited with participating as a member of the Country's delegation to the United Nations that took part in the drafting of the CRPD (United Nations Commission on the Rights of Persons with Disabilities). The input of the Kenyan team then was admired by many nations. He also actively participated in the

Brian Resource Training, Production And Dissemination Centre




drafting and subsequent discussions on the Disability Act 2003 and the subsequent draft amendments.

Moreover, Dr. Kabue has traversed huge regions relentlessly working with mainstream churches and other religious bodies in increasing space for the rights of Persons with Disabilities and their families. He continues to do this to date. He is a PhD graduate of the St Paul's University where he is an alumni and not about to relinquish his fight.

Finally Dr. Kabue has been a member of the DCIC (Disability Caucus for the Implementation of the Constitution where he has made huge contributions in inputting disability friendly clauses in all draft legislation amendments by the Constitutional Implementation commission of Kenya.

The zeal with which Dr. Kabue has applied himself in all the foregoing assignments has no doubt earned him admiration by many. On this same note, you cannot rule out those few who may never have been happy with this. *We strongly and unequivocally recommend Dr. Kabue for this appointment stating that it will be another bold step in recognizing and rewarding efforts made by a self-made person with disability and will open the gate for many like him.*



JOSEPH M. SHIROKO

PROGRAMME COORDINATOR

24th February 2015.



ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd. /Milimani Rd. Junction) P.O. Box 61130 -00200, NAIROBI, Kenya
TEL.: 254 (020) 2717318/ 310722, MOBILE: 0729 888881/2/3
Fax: 254 (020) 2719757 Email: eacc@integrity.go.ke Website: www.eacc.go.ke

When replying please quote:

Our ref. EACC. 6/42 Vol. XX (92) ^① D/Comtee 24th February, 2015

Mr. Justin N. Bundi, CBS,
Clerk of the National Assembly,
P. O. Box 41842-00100,
NAIROBI

② GAZEMBA
pls deal FA 26/2

Dear Sir,

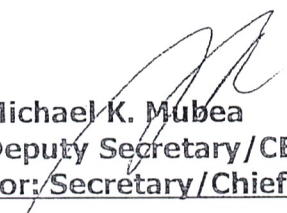
VETTING OF THE NOMINEE FOR APPOINTMENT OF A MEMBER OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

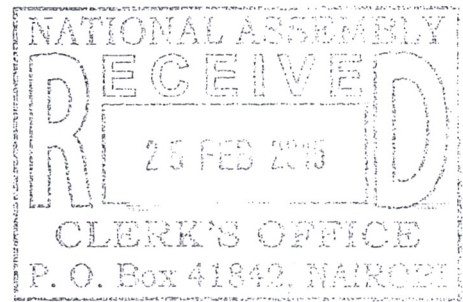
Your letter, **NA/JLA/020/2015** dated **19th February, 2015** on the above matter is acknowledged.

We confirm that we have matters in which **Dr. Samuel Njuguna Kabue** is adversely mentioned. The Commission is in the process of verifying the allegation against him.

Please note that absence of records in our database is not a guarantee of absolute integrity of the candidates.

Yours faithfully,


Michael K. Mubea
Deputy Secretary/CEO – Technical Services
For: Secretary/Chief Executive Officer



GAZEMBA
pls deaf
FA
26/2

1833

① D/counter

REPUBLIC OF KENYA
IN THE MATTER OF OATHS AND STATUTORY DECLARATIONS ACT CAP 16

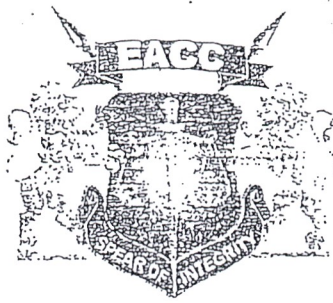
LAWS OF KENYA
AND
IN THE MATTER OF NOMINATION OF DR SAMUEL NJUGUNA KABUE AS A MEMBER,
KENYA NATIONAL COMMISSION ON HUMAN RIGHTS
AND
IN THE MATTER OF VETTING OF DR. SAMUEL NJUGUNA KABUE BY NATIONAL
ASSEMBLY.

AFFIDAVIT

I LEMPAA SUYIANKA of P.O. Box 5436-00100 Nairobi in the Republic of Kenya at present residing at Nairobi do solemnly and sincerely declare as follows.

1. THAT I am a Kenyan adult of sound mind and competent to swear this affidavit.
2. THAT on the 21st day of February 2014, I appeared before Departmental Committee on Justice and Legal Affairs for vetting having been nominated by the President for a member of the Kenya National Commission on Human Rights.
3. THAT, after I appeared for the said vetting, the Committee found me not suitable for appointments as a Member of the Kenya National Commission on Human Rights because my name had not been forwarded by the selection panel to his Excellency the President for appointment
4. THAT even after having been graded at 68.1 % the committee concluded that I lacked competence on matters of human rights,
5. THAT section 10 of the Kenyan National Commission on Human Rights Act provides that for one to qualify for appointment, he must have knowledge in one of the following disciplines , law; (public administration; economics or finance; gender and social development; human right management; or social sciences
6. That on the 4th of March 2014, the Committee of the whole House discussed the report as was tabled by the Departmental Committee on Justice and Legal Affairs.
7. That the Chairperson of the said committee told the National Assembly that the reason why they rejected my name is because my name was had not one of the eight of those who had been forwarded to the president for nomination.
8. That on the 20th day of February 2015, His Excellency President appointed Dr Samuel Kabue whose name had not been forwarded to the president for possible nomination.

RECEIVED
ON BEHALF OF THE SPEAKER / CLERK OF THE SENATE PARLIAMENTARY SERVICE COMMISSION
DATE RECEIVED. 26/02/2015
TIME RECEIVED. 11:30 a.m
NAME. NGARI
SIGNATURE. J.J. [Signature]



ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130-00200, NAIROBI, Kenya
Tel.: +254-20-2717318/310722, Cellphone: +254-729-888881/2/3
Fax: +254-20-2719757, Email: eacc@integrity.go.ke, Website: www.eacc.go.ke

In reply, please quote:

Our ref. EACC 6/42 Vol. VI (368)

27th August, 2012

Mr. K. Mutua,

Chairperson

Selection Panel for the Appointment of Chairperson and Member, Kenya National
Commission on Human Rights

Harambee House 12th Floor Room 1214

P.O. Box 30050 - 00100

NAIROBI

Dear Sir,

**RE: CLEARANCE OF CANDIDATES FOR THE POSITION OF CHAIRPERSON AND
MEMBER, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS**

Reference is made to your letter Ref **MSPS.10/28A (60)** dated **24th August, 2012**.
A data search conducted in our reports database revealed the following:

Chairperson			
	Name	Report	Status
1	Jotham Okome Arwa	No adverse report	-
2	Florence Simbiri-Jaoko	No adverse report	-
3	Jane Frances A. Nyangoma	No adverse report	-
Member			

	Name	Report	Status
1	Vincent Suyianka Lempaa	No adverse report	-
2	Nelly awori Matheka	No adverse report	-
3	Suzanne Shatikha Chivusia	No adverse report	-
4	Dr. Samuel Njuguna Kabue	43439 - Allegations of mismanagement of the disability funds by the National Council of People with disabilities and United Disabled Empowerment of Kenya (UDEK) officials.	The matter is under investigation.
5	Naomj Nyambura Wagereka	No adverse report	-
6	Robert Francis Shaw	No adverse report	-
7	Eric O. Ogwang	No adverse report	-
8	George Morara Monyoncho	No adverse report	-
9	Jemimah Wanza Keli	No adverse report	-
10	John Kamanda Mucheke	No adverse report	-
11	Henry Omusundi Maina	No adverse report	-
12	Jedidah Wakonyo Waruhiu	No adverse report	-
13	Jane Frances A. Nyangoma	No adverse report	-

Note that, the Commission is in the process of developing an objective criterion for vetting of persons aspiring leadership positions in line with chapter 6 of the constitution. Absence of records in our current database is not a guarantee of absolute integrity of the applicants.

Yours faithfully,



J. K. MUE
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

REPORT ON THE SELECTION OF PERSONS QUALIFIED FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

The Panel for the appointment of Chairperson and Members of the Kenya National Commission on Human Rights was convened pursuant to Section 11(1) of the National Commission on Human Rights Act, 2011. The Membership of the Panel comprised representatives from:-

- Office of the President
- Office of the Prime Minister
- Ministry of Justice, National Cohesion and Constitutional Affairs
- Ministry of Gender, Children and Social Development
- Public Service Commission
- Law Society of Kenya
- The Association of Professional Societies in East Africa (2 members)
- The National Council for Persons with Disabilities

The Ministry of State for Public Service provided facilitation and support to the Panel. The Panel also benefited from the provision of an interview venue at Harambee House, the Secretariat of the Commission, and the printing of advertising advertisements.

Number of Vacant Positions

In addition to the position of Chairperson, there are three vacant positions of Member.

Advertisement of Positions

Advertisements for the position of Chairperson and three Members of the Commission were published in the Daily Nation and Standard Newspaper editions of 6th and 7th February 2012 respectively.

Shortlisting of Applicants for Interviews

The Panel adopted shortlisting criteria that took into account the following:

- Minimum requirements as provided in law and the advertisement;
- Quality/relevance and level of experience;
- Observe the principal of regional and ethnic balance; and
- Principal of fair representation for Persons with Disabilities.

CONFIDENTIAL

MEMBERS, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS
27th AND 28th AUGUST, 2012

SCORE SHEET

CONFIDENTIAL

NAME OF CANDIDATE	OOP	OPM	MJNC & CA	PSCK	APSEA (W)	APSEA (O)	NCP WD	MGC ESD	LSIK	TOTAL SCORE	AVERAGE SCORE (%)	RANK	CO
1. Henry Omusundi Maina	62	78	70	74	74.5	84	85	84	81	692.5	76.9	1	Kal
2. Nelly Awori Matheka	67	75	82	89	69	68	84	79	72	685	76.1	2	Mai
3. Jedidah Wakonyo Waruhlu	70	76	75	87	72.5	66	86	76	73	681.5	75.7	3	Kiai
4. Naomi Nyambura Wageraka	66	75	79	77	70	82	77	80	76	682	75.7	3	Kiai
5. Eric O. Ogwang	66	76	69	80	67	77	72	79	78	664	73.7	4	Hon
6. Suzanne Shaticha Chivusia	63	76	67	88	65	83	74	74	67	657	73.0	5	Kake
7. John Kamanda Mucheke	56	73	61	87	74	85	76	73	72	657	73.0	5	Naki
8. George Morara Mionyoncho	66	74	67	74	72	79	79	74	62	647	71.8	6	Kisil.
9. Jemimah Wanja Keil	71	64	62	86	65	72	79	74	81	646	71.7	7	Maki
10. Dr. Samuel Njuguna Kabue	68	73	63	74	65	67	64	80	69	623	69.2	8	Kiam
11. Vincent Suyianka Lempaa	72	72	70	60	65	62	71	72	69	613	68.1	9	Naroi
12. Robert Francis Shaw	54	74	65	72	66.5	51	64	73	66	585.5	65.0	10	Nairobi
13. Jane Frances A. Nyangoma	54	69	55	60	55	43	52	58	50	496	55.1	11	Siaya

PANEL MEMBERS

1. Mr. Eric K. Mutua
2. Mr. Kennedy W. Kihara, EBS
3. Mr. Caroll Omondi, CBS
4. Mrs. Ailee O'wale, CBS

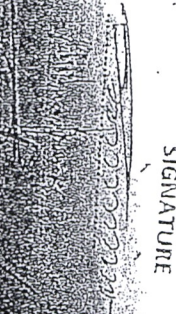
SIGNATURE



PANEL MEMBERS

5. Mr. Vincent O. Oluoch
6. Mr. Franklin Esipila
7. Mr. Vincent O. Oluoch
8. Ms. Irene Wanjau

SIGNATURE



APPENDIX 2

CURRICULUM VITAE

NAME : Dr. Samuel Njuguna Kabue
DATE OF BIRTH : 27th October, 1951
MARITAL STATUS : Married with four Children
SPECIAL DISPOSITION: Blind Since the age of 16
CITIZENSHIP : Kenyan
ADDRESS : P.O. Box 22- 00300, Nairobi
PHONE: Office: +254-20-4445837 House: +254-20-604661 Mobile: +254-733-618511
EMAIL: skabue@edan.or.ke

EDUCATIONAL STATUS

2010 – 2012 : St. Paul's University, Limuru Kenya , Master of Theology Degree (Systematics).
1989 – 1990 : University of Birmingham England, Master of Education Degree (Special Education).
1982 – 1984 : University of Nairobi, Master of Education Degree (Administration and Language teaching).
1975 – 1978 : University of Nairobi, Bachelor of Education Degree (English and History).
1973 – 1974 : Thika High School. 3 Principles and 1 Subsidiary.
1969 – 1972 : Salvation Army Secondary School for the Blind. 2nd Division.

OTHER COURSES

1994 June – Aug. : University of Oslo Norway: International Development Studies, Summer School Course.
1988 March – Aug. : University of Nairobi, College of Adult and Distant Education: Certificate Course on Distance Education.
1986 Aug. – Oct. : German Institute for the Blind, West Germany: Management of Braille Production Units.
1986 Jan. – Feb : Kenya Institute of Administration: Management Development Course.

HONOR AWARDS

1. Degree of Doctor of Divinity (Honoris Causa): This honour award was conferred on 5th February 2011 by the Senate of Serampore University, India on the recognition of my contribution to ecumenism, disability work

with theological institutions World over and general work on the inclusion of persons with disabilities in Church and Society.

2. National Ecumenical Award: Leadership and Ecumenical Service award 2007—This is an award given by the National Council of Churches of Kenya to church leaders and other people who have given exemplary leadership in Ecumenical work. It consists of a memorial plaque and a letter of acknowledgement. In my case, the award was presented to me by the President of the Republic of Kenya in an NCKK organized occasion.
3. Presidential honor award: Head of State Commendation HSC 2006-- This is an award consisting of a medal and a certificate awarded by the President of the Republic of Kenya to citizens as an acknowledgement of distinguished service to the Nation. The award was based on my contribution in disability and development work with emphasis on policy influence. The award gives me the initials HSC as part of my Title after my name on written documents.

WORKING EXPERIENCE

2003 to date : World Council of Churches (WCC) – Ecumenical Disability Advocates Network (EDAN) Programme Executive. This is an International decentralized programme in form of a network coordinating WCC work on disability. The office is based in Nairobi at the All Africa Conference of Churches. The mandate of the Programme is to advocate for the inclusion, participation and active involvement of persons with disabilities in spiritual, social, economic and political life in their societies. The focus of the current phase of this work include:

- Introducing disability discourse in churches, National and Regional Ecumenical organizations;
- Introducing disability studies in theological institutions;
- Engagement with human rights actors on international treaties, national legislations and policy advocacy;
- Campaign on inclusive development;
- Development of ecumenical disability networks at national and regional levels;
- Networking, capacity building and maintaining fellowship among persons with disabilities and their organizations.

As part of this work, I participated at the UN Ad Hoc Committee which worked on the UN Convention on the Rights of Persons with Disabilities between 2003 and 2006. Since the office is based in Kenya, I have served in the Kenya Government steering committee working on the National Disability Policy to which I was a consultant. I am also in the National Development Fund for persons with Disabilities Trustee Board.

2002 – 2003 : National Council of Churches of Kenya (NCKK) Director Programmes. In charge of the management of all NCKK programmes.

1995 – 2002 : National Council of Churches of Kenya, Director Advocacy Unit. Programmes included in the Advocacy Unit were: 1. Public Affairs consisting of Civic Education, Human Rights and Economic Justice Projects; 2. Family Life consisting of Youth, Women and Children under especially difficult circumstances, HIV/AIDS,

Family Life Education Projects; 3. Gender; 4. Peace and Reconciliation and; 5. Persons with Disabilities.

Major achievements in this phase of my work included:

- i) Managing the education for participatory democracy work at the onset of the multiparty democracy.
- ii) Provide civic education on governance democratization, constitutional review, nation and nationhood, citizenry and such other responsibilities as participating in elections.
- iii) Organizing and coordinating the observation of the 1997 Presidential, Parliamentary and Civic elections. I was one of the three National coordinators in the consortium that was working on this, the other two coming from the Catholic Church and the Institute for Education in Democracy (IED). Working with a Strategic Management Board, we were able to put together a team of 62 Regional Coordinators, 630 Constituency Organizers and 28,000 Poll Watchers.
- iv) Coordination of the Ecumenical Civic Education Programme (ECEP). I was one of the two National Coordinators, the other one being from the Catholic Church and coordinated the facilitation of civic education programme throughout the country for a period of 18 months preceding the constitutional review process and the 2002 General Elections.
- v) Coordination of the 2002 Presidential, Parliamentary and Civic elections observation Programme. Working with the NCKK, the Muslims (SUPKEM), the Catholic Church and the Hindu Council who were the programme implementers and, Institute for Education and Democracy, Transparency International and the Media Institute who were the analysis agents, I was the Chairman of the National Technical Board for the Domestic Observation Programme of the 2002 general elections. My responsibilities included coordination with the donors, the electoral commission, the implementing and analysis agencies for the elections. The Kenya Domestic Observation Programme (K-DOP) put together 64 Regional Coordinators, 210 Constituency Organizers, 420 long-term Constituency Observers and 19,000 Poll Watchers. The Technical Board was responsible for all logistics and technical work relating to this observation.

1990 – 1995

National Council of Churches of Kenya: Director of the Programme for Persons with Disabilities. The main focus in the programme was advocacy, awareness drive, and empowerment of persons with disabilities. The programme offers organizations of persons with disabilities an opportunity to meet together and to forge a strong disability movement through advocacy and leadership training.

Some of the most notable successes in this work were:

- i) Advocating for a disability legislation and the Attorney General's acceptance to establish a task force under the Kenya Law Reform Commission to review laws relating to persons with disabilities. I served in this task force which

1993 September: Led a team of five persons with disabilities to India to to projects in income generating activities and employment of persons with disabilities. Worth Trust of India who run several factories which employ persons with disabilities were our host.

1987 – 1989 : Doubled up as the Deputy Director of the Kenya Institute for the Blind and the Manager of the Braille Printing House.

1985 – 1987 : Manager of the Braille Printing House at the Kenya Institute for the Blind. The major objective of this press was to provide the much needed text books for the schools for the blind in Kenya. My main responsibility included coordinating with other departments at the Institute, other schools which we served, the Ministry of Education and other organizations involved with our work.

1982 Sept – 1983 July : Tutor at Highridge Teachers College.

1979 – 1982 : Correspondence Tutor at Hadley School for the Blind.

1978 – 1979 : Graduate teacher at Kijabe High School

OTHER (voluntary) INVOLVEMENT

1. Member of the World Committee on Disability: 1996 to date. This is an international committee based in Washington DC, USA whose mandate is the promotion of good practice in disability services. In this capacity, I am a judge for the Franklin Delano Roosevelt International Disability Annual Award to states with best programmes and services to persons with disabilities.
2. Eastern Africa Federation of the Disabled (EAFOD): 2000 to date, Chairman of the Board. This is the Sub-regional Affiliate of the Pan African Federation of the Disabled and it is made up of National umbrella organizations in the 14 countries of the Sub-region.
3. Disabled People International (DPI): 2011 to date, General Secretary. This is an International Disability rights movement with its headquarters in Ottawa, Canada. This position is elective at a General Assembly.
4. African Peer Review Mechanism (APRM): 2009 to date, National Governing Council member. Membership to the Council is through appointment by the Minister for National Planning and Development. The Tenure of office is three years. The responsibility of the Council include providing guidance on all matters relating to Africa Peer Review Mechanism, gathering information on the views of the citizens on Governance and development issues and preparation of the Country review reports.
5. Refugee Consortium of Kenya: 2003 to date, member and Chairman of the Board. This is a national organization that deals with the problems of and advocacy for the refugees.
6. Kenya Institute of Special Education: 1997 to 2010, a member of the Governing Council.
7. Kenya Institute of Education: 1980 to-2008, Member of the Visually Impaired Subject Curriculum Panel and the Special Education Course Panel.
8. University of Nairobi College of Adult and Distant Education: 1986 – 1989, Member of the Board of the School of Distant Education.
9. Kenya Society for the Blind: 1983 to 2006. A member of the Governing Council.

10. Kenya Union of the Blind: 1983 to 2004
 - a) General Secretary 1983 – 1985
 - b) National Vice Chairman – 1990 – 1993
 - c) A Board member Until 2004
11. Kenya National Council of Social Services: 1981 – 1987. A member of the Executive Council.
12. Machakos Trade Training Centre for the Blind: 1987 to 2005. Member of the Board of Governors.
13. Kenya National Committee on the Deaf-blind Services: 1992 – 2000. A Committee member.
14. United Disabled Persons of Kenya (UDPK): 1993 to January 2006
 - a) Founder Chairman for the first eight years.
 - b) Committee member for the subsequent 4 years. This is the National disability umbrella organization and it is a member of the Disabled People International (DPI).
15. Association for the Physically Disabled of Kenya (APDK). Member of the Executive Committee 1993-2000.
16. Development Initiative and Service (DIS): 1993 to 2008. Member of the Trustees Board. This is a voluntary consultancy which assist organizations of persons with disabilities in East and Southern Africa in areas of evaluation and builds their capacity for advocacy, fundraising and monitoring.
17. Task Force to review laws relating to the Disabled: 1992 – 1997. A member of the Task Force.
18. Educational Assessment and Resource Services: 1992 – 1997. Served as a member of the National Board.
19. Presbyterian Church of East Africa (My local church). A serving Elder with various positions at the Parish level.

ENCLOSURES:

A. ACADEMIC CERTIFICATES:

1. Master of Education - University of Nairobi
2. Master of Education - University of Birmingham
3. Bachelor of Education - University of Nairobi

B. ACHIEVEMENT CERTIFICATES:

1. Certificate in International Development Studies - University of Oslo
2. Certificate in designing and writing distance education materials for basic education and development training programmes - University of Nairobi
3. Management Course No. 50/86 - Kenya Institute of Management
4. Total Quality Management Seminar for Senior Management - ~~Kenya Institute of Management~~

C. HONOUR AWARDS:

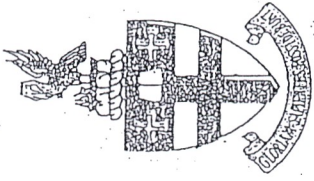
1. Head of State's Commendation (Civilian Division) - Government of Kenya
2. Doctor of Divinity (Honaris Causa) - Serampore College

D. COMPLIANCE CERTIFICATES:

1. Credit Reference Bureau Africa Limited
2. Higher Education Loans Board (HELB)
3. Kenya Revenue Authority
4. The Ethics and Anti-Corruption Commission

Serampore College

Founded by Carey, Marshman and Ward, 1818
Incorporated by Royal Charter, 1827 and
Bengal Act IV of 1918, as modified
upto 1997 by Govt. of
West Bengal



This is to Certify

that on the recommendation of the Senate and the
authority of the Council of Serampore College the degree of

Doctor of Divinity

(Honoris Causa)

has been conferred upon

Mr. Samuel Njuguna Kabue

at the Convocation held on Saturday, 5th February, 2011



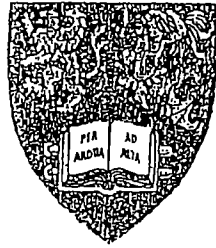
Registrar of the Senate



President of the Senate



Master of the College



THE UNIVERSITY OF BIRMINGHAM

It is hereby certified that

SAMUEL NJUGUNA KABUE

was admitted to the degree of

Master of Education
(Special Education: Learning Difficulties)

of this University at a Congregation held in the
University on the fourteenth day of December

one thousand nine hundred and ninety

Michael Tompkin
Vice-Chancellor and Principal

David R. Holmes
Registrar and Secretary

UNIVERSITY OF NAIROBI



This is to certify that

Samuel Nyuguna Kabue

having satisfied the requirements
for the award of the degree of the

**MASTER OF EDUCATION
(IN PRIMARY TEACHER EDUCATION)**

was admitted to the degree
at a Congregation held at
this University on the

SEVENTEENTH DAY OF DECEMBER
1984

Joseph M. W. Lung'ga

VICE CHANCELLOR

JAM Mutesa

DEPUTY VICE - CHANCELLOR (ACADEMIC AFFAIRS)

UNIVERSITY OF NAIROBI



This is to certify that

Samuel Njuguna Kabue

having satisfied the requirements

for the award of the degree of the

**BACHELOR OF EDUCATION
(ARTS)**

Second Class Honours (Lower Division)

was admitted to the degree

at a Congregation held at

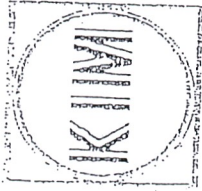
this University on the

TWENTY FOURTH DAY OF NOVEMBER IN THE YEAR

1978

J. N. Karanja
VICE CHANCELLOR

[Signature]
REGISTRAR



KENYA INSTITUTE OF MANAGEMENT

This is to certify that

Samuel B. Kabur

attended the

TOP Inhouse Seminar for Top Exec Management

organized by the Institute

From 24th

To 27 ~ 7 ~ 1995

J. J. J. J.

Executive Director

J. J. J. J.

Chairman of Council

UNIVERSITY OF OSLO
INTERNATIONAL SUMMER SCHOOL

CERTIFICATE OF ACHIEVEMENT

This is to certify that

Samuel Njuguna KABUE

has fulfilled all requirements for completion of course(s) in

C-156 International Development Studies

held at the International Summer School of the University of Oslo, June 25 to August 5, 1994.

Lucy Smith

Rector of the University

Unac Jannits

Director of the ISS

Oslo, October 1994





UNIVERSITY OF NAIROBI
COLLEGE OF ADULT AND DISTANCE EDUCATION

This is to certify that

Samuel Njuguna Kabue

has been awarded this

Certificate

after successful completion of a six Month Programme
from 6th March to 6th August, 1988 in the area of

DESIGNING AND WRITING DISTANCE EDUCATION MATERIALS FOR
BASIC EDUCATION AND DEVELOPMENT TRAINING PROGRAMMES

specializing in:

Essential elements of distance education
Course development for distance education
Course production
Tutoring at a distance
Testing and evaluating course materials.

The programme was in partnership with



THE GERMAN FOUNDATION FOR INTERNATIONAL DEVELOPMENT
CENTRE FOR EDUCATION, SCIENCE AND DOCUMENTATION.

.....
COLLEGE OF ADULT AND
DISTANCE EDUCATION
UNIVERSITY OF NAIROBI

Angela Medwell
German Foundation for
International Development

No. MDC 50/16/86

REPUBLIC OF KENYA

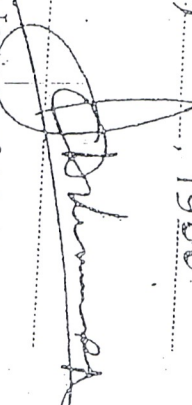


KENYA INSTITUTE OF ADMINISTRATION
IN ASSOCIATION WITH
THE FEDERATION OF KENYA EMPLOYERS

This is to certify

that Samuel Nyigina Tabue
attended Management Development Course No. 50/86
from 6th, January to 7th, February, 1986

Date 7th, February, 1986


Principal, Kenya Institute of Administration
Chairman of the Directing Committee for
Management Training



REPUBLIC OF KENYA

THE HEAD OF STATE'S COMMENDATION
(CIVILIAN DIVISION)

I, the Honourable Mwai Kibaki
President and Commander-in-Chief of the Armed Forces
of the Republic of Kenya

desire to record my high appreciation of
your distinguished service to the Republic of Kenya

I therefore award you

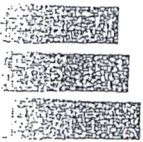
[Signature]
the Head of State's Commendation (Civilian Division)

[Signature]
President and Commander-in-Chief

Date *12-12-06*

CRN. No. 00007585039

Date of Issue: 16/08/2012



CRBAfrica
www.crbafica.com

CREDIT REFERENCE BUREAU CERTIFICATE

We hereby confirm, having searched Credit Reference Bureau Africa records, that:

MR. SAMUEL NJUGUNA KABUE OF NATIONAL ID NUMBER 5212080

Has a credit report with status as:

Not listed

Paid

Paying

Not paid

This certificate has been issued without any alteration or erasure. The validity of the information on this Certificate is as at the date of issue.

Authorized Signatories:

CREDIT REFERENCE BUREAU
AFRICA LIMITED

Westlands Road, Off Museum Hill,
CRB Centre, Prosperity House,
P. O. Box 48405 - 00100,
NAIROBI.

[Signature]
For: CRBAfrica Limited

[Signature]
For: CRBAfrica Limited

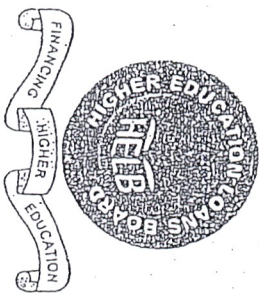
The conclusions herein are based on information obtained from public records and other third party sources. CRBAfrica makes no representation as to the accuracy of this information and shall not be liable for any loss, damage or claim whatsoever howsoever arising following the use of or reliance upon the opinions expressed herein.

No. 039328

HIGHER EDUCATION LOANS BOARD

Certificate of Clearance

UNIVERSITY STUDENT LOAN
KABUE SAMUEL NJUGUNA



This Certificate is awarded to

5212080

ID No.

University Registration No.

E35/1550/75

University attended

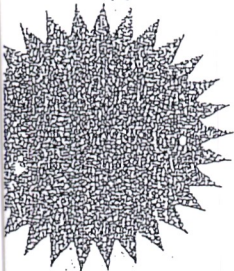
UNIVERSITY OF NAIROBI

For having repaid in full the Principal Loan and interest thereon.

Signature CEO/BOARD SECRETARY

Date

16 Aug 2012



Signature HEAD OF OPERATIONS

Date

16 Aug 2012



KENYA REVENUE AUTHORITY

TAX COMPLIANCE CERTIFICATE

Certificate Serial No:

RA 17/021786/2012

THIS CERTIFICATE CONFIRMS THAT

KABUE SAMUEL NJUGUNA

Holder of Tax Registration Personal Identification Number A000113261Y

has fulfilled the obligation to file relevant tax returns and to pay taxes due as provided by law

This certificate will be valid for *six(6) months* up to 24TH January 2013

Issued by:

Assistant

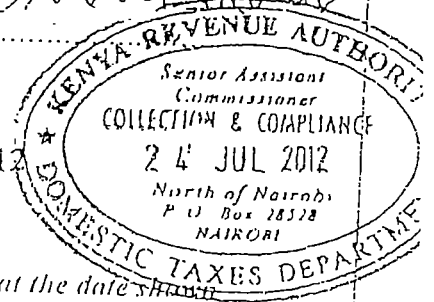
Name: GILBERT ATIKA

Designation:

Commissioner

Signature:

Date of Issue: 24TH July 2012



Caveat

- a) This certificate is issued on the basis of information available to the Authority as at the date shown above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.
- b) Confirm genuineness and validity of the certificate using the TCC checker available at: <http://www.kra.go.ke/notices/tcc-checker.html> or contact the nearest DTD office.

TCC3



ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd./Milimani Rd. Junction) P.O. Box 61130-00200, NAIROBI, Kenya
Tel.: +254-20-2717318/310722, Cellphone: +254-729-888861/2/3
Fax: +254-20-2719757, Email: eacc@integrity.co.ke, Website: www.eacc.co.ke

When replying please quote:

Our ref. EACC.6/42 VOL. VI / (104)

16th August, 2012

Samuel Njuguna Kabue
P.O Box 22, 00300
NAIROBI

Tel: 0733618511

Dear Sir,

RE: CLEARANCE CERTIFICATE: KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

The Commission is in receipt of your request for a clearance certificate dated 15th August 2012 as a requirement applying for employment with the referenced Commission.

Please note that a report will be forwarded to the Kenya National Commission on Human Rights upon request.

Yours faithfully,

ABDI A. MOHAMUD
FOR: SECRETARY/CHIEF EXECUTIVE OFFICER

AAM/jmn

**SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON
AND MEMBERS, KENYA NATIONAL COMMISSION ON HUMAN
RIGHTS**

REF: MDP.DPSM/10/28A VOL.II/74

18th September, 2013

His Excellency Hon. Uhuru Kenyatta, CGH,
President and Commander-In-Chief of the Kenya
Defence Forces
NAIROBI

**SELECTION OF PERSONS FOR APPOINTMENT AS CHAIRPERSON AND
MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS**

Pursuant to Section 11(5) of the Kenya National Commission on Human Rights Act, 2011, the third Selection Panel for the selection of persons for appointment of Chairperson and Members of the Commission held a meeting on 13th September, 2013. The Panel reviewed the terms of reference, the undertakings by the first and second Selection Panels, the Kenya National Commission on Human Rights Act, 2011 together with a judgement dated 16th August, 2013 delivered in High Court Petition Number 385 of 2012 and resolved to forward the following eight (8) names of shortlisted persons who are qualified for appointment to the three (3) vacant positions of Member and three (3) candidates for the position of Chairperson.

This is therefore to submit the names of the below shortlisted candidates in order of performance.

(a) Chairperson

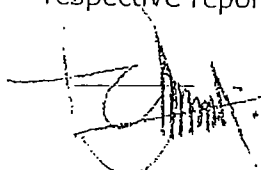
S/NO.	NAME OF CANDIDATE	AVERAGE SCORE (%)	COUNTY
1.	Mrs. Florence Sambiri-Jaoko	79.1	Kisumu
2.	Ms. Kagwiria Mbogori	75.5	Meru
3.	Ms. Consolata Wanjiku Ngondi	73.3	Embu
4.	Mr. Jotham Okome Arwa	68.7	Siaya
5.	Mrs. Jane Frances A. Nyangoma	57.8	Siaya

(b) Member

S/NO	NAME OF CANDIDATE	AVERAGE SCORE (%)	COUNTY
1	Henry Omusundi Maina	76.9	Kakamega
2	Nelly Awori Matheka	76.1	Machakos
3	Jedidah Wakonyo Waruhiu	75.7	Kiambu

4	Naomi Nyambura Wageraka	75.7	Nakuru
5	Eric O. Ogwang	73.7	Homabay
6	Suzanne Shatikha Chivusia	73.0	Kakamega
7	John Kamanda Mucheke	73.0	Nakuru
8	George Morara Monyoncho	71.8	Kisii

Attached also are score sheets for all the candidates interviewed by the first and second Selection Panels for the position of Chairperson and Member together with the respective reports on the selection process.



Eric Mutua
Chairperson

**Selection Panel for the Appointment of Chairperson and
Members of the Kenya National Commission on Human Rights**

**SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON
AND MEMBERS, KENYA NATIONAL COMMISSION ON HUMAN
RIGHTS**

REF: MDP/DPSM/10/28A VOL.II/73

18th September, 2013

Mr. Francis T. Kimemia, EGH
Secretary to the Cabinet
NAIROBI

**SELECTION OF PERSONS FOR APPOINTMENT AS CHAIRPERSON AND
MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS**

This is in reference to your letter Ref. No. OP/CAB.17/99A of 9th September, 2013 which constituted the Selection Panel to select the Chairperson and Members of the Kenya National Commission on Human Rights (KNCHR) pursuant to Section 11(5) of the KNCHR Act, 2011.

In a meeting of the Selection Panel held on 13th September, 2013, the Panel deliberated on the Terms of Reference and its mandate. In so doing the Panel was guided by the Kenya National Commission on Human Rights Act, 2011 and a judgement delivered on 16th August, 2013 in High Court Petition Number 385 of 2012. The Panel noted that there was a first Selection Panel which sat in August, 2012 and a second Selection Panel which met in December, 2012. The first Selection Panel did shortlist eight (8) candidates for the position of Member of the Commission but did not shortlist candidates for position of Chairperson of the Commission as it did not find three (3) suitable persons as by law required.

Before H.E. the President could act on the names forwarded to him by the first Selection Panel, an entity/group known as Consortium for the Empowerment and Development of Marginalized Communities filed a petition No. 385 of 2012 to challenge the recruitment exercise. They obtained a conservatory order but, following a full hearing of the Petition on 16th August, 2013, the Court dismissed the Petition and allowed the recruitment process to proceed.

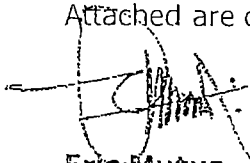
On 28th September, 2012, the Court reviewed the conservatory order by allowing the process of appointment of the Chairperson of the Commission to proceed. This paved way to the constitution of the second Selection Panel.

The said second Selection Panel met on 28th December, 2012 shortlisted and forwarded to the President three (3) candidates for nomination. No further action was taken on the nomination exercise.

In view of the above, the Panel resolved to proceed as follows:

- i) To submit to H.E. the President the eight (8) candidates shortlisted by the first Selection Panel for nomination of Members of the Commission;
- ii) To submit to the President the three (3) candidates shortlisted by the second Selection Panel for nomination of the Chairperson of the Commission; and
- iii) Advise the Hon. Attorney General to take the necessary steps under section 11(15) of the Act.

Attached are copies of relevant documents for the Selection process.



Eric Mutua
Chairperson

Selection Panel for the Appointment of Chairperson and Members of the Kenya National Commission on Human Rights

Encls.

SELECTION PANEL FOR THE APPOINTMENT OF CHAIRPERSON
AND MEMBERS, KENYA NATIONAL COMMISSION ON HUMAN
RIGHTS

REF: MSPS.10/28A/46

28th August, 2012

His Excellency Hon. Mwai Kibaki, CGH., M.P
President and Commander-In-Chief of the Kenya
Defence Forces
NAIROBI

SELECTION OF PERSONS FOR APPOINTMENT AS CHAIRPERSON AND
MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Pursuant to Section 11(5) of the Kenya National Commission on Human Rights Act, 2011, the Selection Panel for the selection of persons for appointment as Chairperson and Members of the Commission has interviewed applicants and shortlisted eight (8) persons who are qualified for appointment to the three (3) vacant positions of Member of the Commission. The Panel did not find at least three (3) applicants qualified as Chairperson of the Commission and has therefore recommended re-advertisement of the position.

This is therefore to submit the names of the shortlisted candidates listed below in order of performance as required in the above Act of Parliament.

S/NO	NAME OF CANDIDATE	AVERAGE SCORE (%)	COUNTY
1	Henry Omusundi Maina.	76.9	Kakamega
2	Nelly Awori Matheka	76.1	Machakos
3	Jedidah Wakonyo Waruhiu	75.7	Kiambu
4	Naomi Nyambura Wageraka	75.7	Nakuru
5	Eric O. Ogwang	73.7	Homabay
6	Suzanne Shatikha Chivusia	73.0	Kakamega
7	John Kamanda Mucheke	73.0	Nakuru
8	George Morara Monyoncho	71.8	Kisii

Attached also is a score sheet for all the candidates interviewed for the position of member and a report on the selection process.

Eric Mutua
Chairperson

Selection Panel for the Appointment of Chairperson and
Members of the Kenya National Commission on Human Rights

Copy to: The Right Hon. Raila Odinga, EGH., M.P.
Prime Minister of the Republic of Kenya
NAIROBI

REPORT ON THE SELECTION OF PERSONS QUALIFIED FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS

Introduction

The Selection Panel for the appointment of Chairperson and Members of the Kenya National Commission on Human Rights was convened pursuant to Section 11(1) of the Kenya National Commission on Human Rights Act, 2011. The Membership of the panel comprised representatives from:-

- (i) Office of the President
- (ii) Office of the Prime Minister
- (iii) Ministry of Justice, National Cohesion and Constitutional Affairs
- (iv) Ministry of Gender, Children and Social Development
- (v) Public Service Commission
- (vi) Law Society of Kenya
- (vii) The Association of Professional Societies in East Africa (2 members)
- (viii) The National Council for Persons with Disabilities

The Ministry of State for Public Service provided facilitation and support to the Panel. This included provision of an interview venue at Harambee House, the Secretariat and facilitating advertisements.

Number of Vacant Positions

Besides the position of Chairperson, there are three vacant positions of Member.

Advertisement of Positions

Advertisement of the position of Chairperson and three Members of the Commission was published in the Daily Nation and Standard Newspaper editions of 6th and 7th August, 2012 respectively.

Shortlisting of Applicants for Interviews

The Panel adopted shortlisting criteria that took into account the following:

- (i) Minimum requirements as provided in law and the advertisement;
- (ii) Quality/relevance and level of experience;
- (iii) Observe the principal of regional and ethnic balance; and
- (iv) Principal of fair representation for Persons with Disabilities.

Shortlisting of candidates to be invited for interview was done on 22nd August, 2012. Three applicants were shortlisted for the position of Chairperson while thirteen (13) applicants were shortlisted for the position of Member. Names of all applicants and shortlisted candidates were published in the Daily Nation and Standard Newspaper editions of 23rd August, 2012.

Interviews

Interviews of candidates for the position of Chairperson were conducted on 27th August, 2012 and those of Member were conducted on 27th and 28th August, 2012.

Results of Interviews

1. The Selection Panel did not find three (3) persons qualified for appointment to the position of Chairperson. The Panel therefore recommends re-advertisement for the post of Chairperson.
2. The Selection Panel selected eight (8) persons qualified for appointment as members of the Commission.



Eric Mutua
CHAIRPERSON

Selection Panel for the Appointment of Chairperson and
Members of the Kenya National Commission on Human Rights

28th August, 2012

SCORE SHEET

NAME OF CANDIDATE	OOP	OPM	MJNC & CA	PSCK	APSEA (W)	APSEA (O)	NCP WD	MGC &SD	LSK	TOTAL SCORE	AVERAGE SCORE (%)	RANK	COUNTY
1. Henry Omusundi Maina	62	78	70	74	74.5	84	85	84	81	692.5	76.9	1	Kakamega
2. Nelly Awori Matheka	67	75	82	89	69	68	84	79	72	685	76.1	2	Machakos
3. Jedidah Wakonyo Waruhiu	70	76	75	87	72.5	66	86	76	73	681.5	75.7	3	Kiambu
4. Naomi Nyambura Wageraka	66	75	79	77	70	82	77	80	76	682	75.7	3	Nakuru
5. Eric O. Ogwang	66	76	69	80	67	77	72	79	78	664	73.7	4	Homabay
6. Suzanne Shatikha Chivusia	63	76	67	88	65	83	74	74	67	657	73.0	5	Kakamega
7. John Kamanda Mucheke	56	73	61	87	74	85	76	73	72	657	73.0	5	Nakuru
8. George Morara Momyoncho	66	74	67	74	72	79	79	74	62	647	71.8	6	Kisii
9. Jemimah Wanza Keli	71	64	62	86	65	72	74	81	71	646	71.7	7	Makueni
10. Dr. Samuel Njuguna Kaduha	68	73	69	74	65	67	64	80	69	623	69.2	8	Kajiado
11. Vincent Suyianka Lempaa	72	72	70	60	65	62	71	72	69	613	68.1	9	Narok
12. Robert Francis Shaw	54	74	65	72	66.5	51	64	73	66	585.5	65.0	10	Nairobi
13. Jane Frances A. Nyangoma	54	69	55	60	55	43	52	58	50	496	55.1	11	Siaya

PANEL MEMBERS

1. Mr. Eric K. Mutua
2. Mr. Kennedy W. Kihara, EBS
3. Mr. Caroli Omondi, CBS
4. Mrs. Allee Otwala, MBS
5. Ms. Mary Wairagu

SIGNATURE

PANEL MEMBERS

1. Amb. Franklin Espila
2. Mr. Vincent O. Oluoch
3. Ms. Irene Wanyoike
4. Mr. Patrick O. Onyango

SIGNATURE

APPENDIX 4

MINUTES OF THE 14TH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON THURSDAY, 4TH MARCH, 2015 AT 4.00 P.M. IN COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING

PRESENT:-

Hon. Samuel Chepkong'a, M.P. - Chairperson
Hon. Kangogo Bowen, M.P.
Hon. Florence Kajuju, M.P.
Hon. Mutua Mutemi (Bishop), M.P.
Hon. Benson Mutura, M.P.
Hon. Muriithi Waiganjo, M.P.
Hon. David Ouma Ochieng, M.P.
Hon. Munuve Mati John, M.P.
Hon. William Mwamkale, M.P.
~~Hon. Dr. Christine Ombaka, M.P.~~
Hon. Mohamed Abdi Haji, M.P.
Hon. Ndirangu Waihenya, M.P.
Hon. Kaluma Peter, M.P.
Hon. Charles Gimose, M.P.
Hon. Johanna Ngeno, M.P.

ABSENT WITH APOLOGIES:-

Hon. Olago Aluoch, M.P.

ABSENT:-

Hon. Priscilla Nyokabi, M.P. - Vice Chairperson
Hon. Sammy Koech, M.P.
Hon. T.J. Kajwang', M.P.
Hon. Ben Momanyi Orori, M.P.
Hon. Paul Bii, M.P.
Hon. Neto Agostinho, M.P.
Hon. Boniface Otsiula, M.P.
Hon. William Cheptumo, M.P.
Hon. Moses Cheboi, M.P.
Hon. Kang'ata Irungu, M.P.
Hon. Njoroge Baiya, M.P.
Hon. John Njoroge Chege, M.P.
Hon. Fatuma Ibrahim, M.P.

SECRETARIAT

Mr. George Gazemba - Senior Clerk Assistant
Ms. Mary Lemerelle - Clerk Assistant III

MIN No. 27/2015:- PRELIMINARIES

The meeting was called to order at 4.20 p.m. with a word of prayer from the Chair.

MIN No. 28/2015:- CONFIRMATION OF MINUTES OF PREVIOUS SITTING

Minutes of the 13th sitting held on 3rd March, 2015 were confirmed and signed by the Chair. There were no matters arising from the minutes.

MIN No. 29/2015 CONSIDERATION AND ADOPTION OF REPORT ON VETTING OF A NOMINEE FOR APPOINTMENT AS MEMBER, KENYA NATIONAL COMMISSION ON HUMAN RIGHTS (KNHCR)

The Committee considered and adopted its report on the vetting of Dr. Samuel Njuguna Kabue, nominee for appointment as member, Kenya National Commission on Human Rights. The report made the following recommendations:-

- (i) This House declines to approve the nomination of Dr. Samuel Njuguna Kabue as a member of the Kenya National Commission on Human Rights because the process leading to his nomination does not comply with section 11 (5) of the Kenya National Commission on Human Rights Act No. 14 of 2011;
- (ii) A new selection panel be constituted to receive applications, interview applicants and shortlist them for nomination in line with Section 11 (1) (4) and (5) of the Kenya National Commission on Human Rights Act No. 14 of 2011.

MIN No. 30/2015 ADJOURNMENT

There being no other business to transact, the sitting ended at 4.45 p.m.

Signed.....
Chairperson

Date.....

MINUTES OF THE 13TH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON TUESDAY, 3RD MARCH, 2015 AT 10.00 A.M. IN COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING

PRESENT:-

Hon. Samuel Chepkong'a, M.P.	-	Chairperson
Hon. Priscilla Nyokabi, M.P.	-	Vice Chairperson
Hon. Mutua Mutemi (Bishop), M.P.		
Hon. Benson Mutura, M.P.		
Hon. Muriithi Waiganjo, M.P.		
Hon. Florence Kajuju, M.P.		
Hon. David Ouma Ochieng, M.P.		
Hon. Neto Agostinho, M.P.		
Hon. Munuve Mati John, M.P.		
Hon. Kangongo Bowen, M.P.		
Hon. Boniface Otsiula, M.P.		
Hon. William Mwamkale, M.P.		
Hon. Dr. Christine Ombaka, M.P.		
Hon. Mohamed Abdi Haji, M.P.		
Hon. Johanna Ngeno, M.P.		
Hon. Moses Cheboi, M.P.		
Hon. Ndirangu Waihenya, M.P.		
Hon. Kang'ata Irungu, M.P.		
Hon. Kaluma Peter, M.P.		
Hon. John Njoroge Chege, M.P.		
Hon. Charles Gimose, M.P.		

ABSENT:-

Hon. Sammy Koech, M.P.
Hon. Tom J. Kajwang', M.P.
Hon. Ben Momanyi Orori, M.P.
Hon. Paul Bii, M.P.
Hon. Olago Aluoch, M.P.
Hon. Njoroge Baiya, M.P.
Hon. William Cheptumo, M.P.
Hon. Fatuma Ibrahim, M.P.

SECRETARIAT

Mr. George Gazemba	-	Senior Clerk Assistant
Mr. Ahmed Salim	-	Clerk Assistant III

Ms. Mary Lemerelle
Mr. Ronald Walala

- Clerk Assistant III
- Legal Counsel

MIN No. 24/2015

PRELIMINARIES

The meeting was called to order at 10.10 a.m. with a word of prayer from the Chair.

MIN No. 25/2015

VETTING OF NOMINEE FOR APPOINTMENT AS
MEMBER, KENYA NATIONAL COMMISSION ON HUMAN
RIGHTS (KNHCR)

Dr. Samuel Njuguna Kabue, nominee for appointment as member, Kenya National Commission on Human Rights was examined by the Committee. The examination centred on his academic qualifications, work experience, knowledge of human rights issues and integrity.

After examination, the Committee unanimously declined to approve his nomination for appointment because the process leading to his nomination did not comply with section 11(5) of the Kenya National Commission on Human Rights Act No. 14 of 2011.

The Committee agreed to meet on 4th March, 201~~4~~⁵ at 4.00 p.m. to adopt its report on the vetting. In this regard, the Chair undertook to seek the Speakers permission for the Committee to sit since the House would also be sitting

MIN No. 26/2015

ADJOURNMENT

There being no other business to transact, the meeting was adjourned at 11.40 am till Wednesday, the 4th of March, 2015 at 4.00 p.m.

Signed.....

Chairperson

Date.....