

KITHURE KINDIKI, PhD.,

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PERSONAL INFORMATION	Nationality: Kenyan Marital Status: Married to Dr Joyce G Njagi-Kithure Date of Birth: 16 th July, 1972 County: Tharaka Nithi
SUMMARY	
<p>A public servant and Professor of Law with a stellar track record and extensive experience in public administration, governance, public policy, law making, legal advisory and constitutional affairs at municipal and international levels.</p> <p>I am presently serving as the Cabinet Secretary charged with the Ministry of Interior and National Administration in the Republic of Kenya, having previously reserved in other roles including: Deputy Speaker of the Senate, Majority Party Leader in the Senate, elected Senator of Tharaka Nithi County, Legal Consultant, Legal Practitioner and Professor of Law in Kenyan Universities and a visiting lecturer within Africa.</p>	
EDUCATIONAL QUALIFICATIONS	
2002	Doctor of Laws (LL.D) University of Pretoria, South Africa
2001	Diploma in Legal Practice - Admission to the Roll of Advocates Kenya School of Law
2000	Master of Laws University of Pretoria, South Africa
1998	Bachelor of Laws (LL. B) (Second Class Honours, Upper Division) Moi University, Kenya
Membership to Professional Organizations	

Member, Academic Council on the United Nations System (ACUNS)

Member, International Association for the Study on Forced Migration (IASFM)

Member, Law Society of Kenya (LSK)

Member, East African Law Society (EALS)

Member, International Commission of Jurists (ICJ)

PROFESSIONAL/WORK EXPERIENCE

8th August 2024 to date

27th October 2022-11th July, 2024

Cabinet Secretary, Interior & National Administration

Key Responsibilities:

In this role I am in charge of the Ministry of Interior and National Administration responsible for providing leadership to the Ministry's three State Departments as follows: State Department for Internal Security & National Administration; State Department for Correctional Services; State Department for Immigration & Citizen Services.

As part of the mandate vested in me by dint of this State appointment I superintend over the 9,000 National Government Administration Officers (NGACO) leading various administrative units as Assistant Chief, Chief, Assistant County Commissioner (ACC), Deputy County Commissioner (DCC), County Commissioner and Regional Commissioner.

In the discharge of the mandate vested in me, I also oversee various institutions and government agencies such as National Crime Research Centre, National Government Administration Officers, Government Chemist, Public Benefits Authority, National Authority for the Campaign Against Alcohol and Drug Abuse, Independent Policing Oversight Authority, Private Security Regulatory Authority,

National Cohesion and Integration Commission, Kenya Coast Guard Service, Firearms Licensing Board, Kenya Correctional Services, National Registration Bureau, Civil Registration of Persons, Directorate of Immigration, Refugee Affairs Secretariat, The Refugee Affairs Committee, Directorate of e-Citizen Services, Border Management Secretariat, Borstal Institutions and the Prisons Enterprise Fund.

More particularly, I support the Government within the Ministry in achieving the following functions and responsibilities:

- I.* Co-ordination of National Government Functions in Counties;
- II.* Developing Policy on Internal and Homeland Security;
- III.* Ensuring Civilian Oversight of the National Police Service;
- IV.* Developing Policy on National Cohesion and Integration;
- V.* Co-ordinating National Security Organs in matters relating to Computer and Cybercrimes and Management of Cyber Threats;
- VI.* Developing Policy on Training of Security Personnel;
- VII.* Border Management (Marine and Terrestrial);
- VIII.* Disaster and Emergency Response Co-ordination;
- IX.* Co-ordination and Distribution of Relief Food;
- X.* Developing Policy on National Crime Research and Management;
- XI.* Regulation of Public Benefits Organizations;

- XII.* Proclamation of Public Holidays;
- XIII.* Control of Drug and Narcotic Substances.
- XIV.* Policy for Reform of Penal Justice System;
- XV.* Development of Administrative Policies for Borstal Institutions and Facilities for Incarcerated Minors;
- XVI.* Probation Services.
- XVII.*Registration of Births and Deaths;
- XVIII.* Registrations of Persons;
- XIX.* Developing Policy on the National Integration Identity Management System;
- XX.* Development of the National Integrated Identity Management System (Digital ID - Maisha Namba);
- XXI.* Oversight over and Co-ordination of the Management of the National Primary Data Registers for Citizens and Foreign Nationals;
- XXII.*Collaboration with other Ministries, Departments and Agencies Regarding the collection of relevant primary data;
- XXIII.* Co-ordination of eCitizen Services;
- XXIV.* Oversight of the Integrated Population Registration Systems (IPRS);
- XXV.* Implementation of Citizenship;
- XXVI.* Developing Immigration Policy; and
- XXVII.* Implementation of Refugees' and Asylum-seekers' Policies.

4th March, 2013 –
8th August, 2022

Senator, Tharaka Nithi County

In this role, I was the elected representative of Tharaka Nithi County in the Senate- the Upper House of Parliament of the Republic of Kenya. As the leader of the county delegation of Tharaka Nithi County in the Senate, I participated in making of laws affecting counties and

2017-2020

conducting oversight over the affairs of counties for the benefit of the people. Notable roles included:

I. Debating and making laws affecting counties within the meaning of Article 110 of the Constitution;

II. Determining allocation of national revenue among counties as per Article 217 of the Constitution and overseeing national revenue allocated to county governments; and

III. Considered and determined resolution of county assemblies to impeach County Governors.

Deputy Speaker, Senate of the Republic of Kenya

I was elected to serve as the Deputy Speaker of the Senate of the Republic of Kenya in my second term as the elected Senator for Tharaka Nithi County. In this role, I deputized the Speaker of the Senate in undertaking the following functions and responsibilities:

- I. Presiding over all debates and sittings of the Senate and enforcing the observance of the Constitution, the Standing Orders, relevant statutes and parliamentary traditions, procedures and practices;
- II. Serving as the spokesperson of the House of Senate;
- III. Administering the Oath of Affirmation or Allegiance to Senators and issuing writs for vacant senatorial seats;
- IV. Protecting the rights of the minority while making sure that the majority have their way;
- V. Organising the business of the House as a Member of the House Business Committee;
- VI. Playing a representative role on behalf of the House of Senate to the outside world.

2013-2017	<p>Majority Party Leader, Senate of the Republic of Kenya</p> <p>In my first term as the elected Senator for Tharaka Nithi County, I was elected the Majority Party Leader of the House representing the Government. In this role, I was the leader of the largest party or coalition of parties in the Senate.</p> <p>Other functions included:</p> <ol style="list-style-type: none"> I. Served as the link between the national Executive and the Senate; II. Served as the lead speaker for the majority party during floor debates in the Senate; III. Spearheaded the legislative agenda of the Majority Party (Government) in the House of Senate.
2007-2010	<p>Associate Dean of the School of Law-University of Nairobi, Kenya</p> <p>In this role, I deputized the Dean of the School of Law who serves as the Academic and Administrative head of the School and chairs the School Board which is the highest policy making body of the School of Law.</p>
2005-2007	<p>Head of Department of Public Law and Senior Lecturer of Law-University of Nairobi, Kenya</p> <p>I was appointed the youngest Head of Department of Public Law at the University of Nairobi at the age of 33. In this role, I was in charge of</p>
2003-2005	<p>Lecturer of Law, University of Nairobi</p> <p>I taught various law units to undergraduate students at the School of Law and researched in my areas of interest.</p>

October 2000-
March 2001

Resettlement Consultant-Legal Unit/ Division of International Protection, UNHCR, Branch Office for South Africa, Pretoria.

In this role, I carried out legal protection work on behalf of refugees and asylum seekers in South Africa. I was involved in refugee status determination, advising refugees and asylum seekers on their rights under national and international law and recommending durable solutions for them on a case-by-case basis.

1999-2003

Assistant Lecturer in Law, Moi University

In this role, I taught Undergraduate Law students the following courses: Public International Law, Human Rights Law, International Humanitarian Law and International Dispute Resolution. In this position, I also conducted research especially in the areas of public international law and human rights law.

**CONSULTANCY
WORK/LEGAL
ADVISORY
ROLES**

In my career as a legal professional and academic, I have consulted for various local and international organisations and advised a variety of state and non-state actors. Some of the select advisory engagements include:

1. The United Nations High Commissioner for Refugees (UNHCR).

June– September 2004: Lead Consultant for developing Kenya’s Legal and Policy Framework for Refugees

2. The United Nations Development Programme (UNDP)

UNDP advisor/expert to the Ministry of Justice and

Constitutional Affairs of the republic of Kenya on development of a human rights policy framework – the National Action Plan for Human Rights: a two year process still ongoing (2005- 2007)

3. The Centre for Multi-Party Democracy (CMD).

October 2005: Consultancy involved recommending the appropriate constitutional framework for furthering multiparty democracy.

4. The Kenya National Commission for Human Rights (KNCHR).

Served as a consultant offering services as a human rights trainer, workshop presenter and consultant on the preparation of Kenya’s country reports under the various United Nations and African Union human rights treaties. I have also undertaken a study on the human rights approach to education.

5. African Union of the Blind (AUB)

On various dates in 2005 and 2006: Consultant on the legal and policy frameworks regarding persons with disability in Kenya.

6. Centre for Law and Research International (CLARION).

Associate researcher for CLARION on issues of governance, democracy, constitutionalism the rule of law and human rights.

7. The International Commission of Jurists – Kenya

Section (ICJ –K).

Associate researcher for ICJ (K) on issues of governance, democracy, constitutionalism the rule of law and human rights.

8. Ministry of Justice and Constitutional Affairs, Government of Kenya.

Acted as an advisor to the Ministry in the development of a National Human Rights Action Plan.

9. The International Organization for Migration (IOM).

For 3 months (October 2005 and January 2006 – I served as the Lead IOM Consultant for legislation and Policy – helped to draft the proposed anti-trafficking in persons Bill, 2006.

10. Kituo Cha Katiba (Kampala). Research Associate

11. Director of Public Prosecutions (DPP), Republic of Kenya.

March 2006: Consultant on Training Needs Assessment for the Directorate of Public Prosecution.

12. Federation of Women Lawyers (Kenya) (FIDA Kenya).

Researcher on gender issues on various occasions.

Over the course of my professional life, I have presented papers in various academic and policy conferences. Some of

PAPERS

include:

7-10 April 2005: Presented a paper on the "Lessons to be Learned from the European Regional Human Rights System" at the Conference *Towards an Effective Human Rights Court for Africa* Safari Park Hotel, Nairobi, **Kenya**.

29 January – 1st February 2005: Participated in the 2nd All-Africa Clinical Legal Education Colloquium, Rockview Hotel, Abuja, **Nigeria**.

9-13 January 2005: presented a paper "In Search of Canaan: Refugees, Durable Solutions and a New Constitution for Kenya" at the 9th Biennial Conference of the International Association for the Study of Forced Migration (IASFM), Sao Paulo, **Brazil**.

4-10 October 2004: Attended African Workshop on Clinical Legal Education in Africa, University of Natal, Durban, **South Africa**.

21 September 2004: Delivered a Paper "International Law and the Protection of Refugees in the 21st Century: Problems and Prospects" at the 4th East African School on Refugees and Humanitarian Affairs, Wagon Hotel, Eldoret, **Kenya**.

24–30 July 2004: Served as Lead Faculty, International Law Institute (Uganda Campus), Kampala, **Uganda**, teaching the Seminar "Human Rights and the Global Economy".

28 April–7 June 2003: Moi University Representative at the National Constitutional Conference, Bomas of Kenya, Nairobi, **Kenya**.

26-29 November 2001: Presented a paper at the Conference on "International Tribunals, the International Criminal Court and the Protection of Human Rights", Netherlands Institute for Human Rights (SIM), University Of Utrecht, **The Netherlands**.

	<p>6-14 November 2001: Attended the All Africa Course on International Humanitarian Law, University of Pretoria, South Africa.</p> <p>3-14 August 2001: Presented a paper "Humanitarian Intervention in Africa: Threat or Development of International Law?" at the 12th Annual Workshop of the Academic Council on the United Nations System (ACUNS), University of Namibia, Windhoek, Namibia.</p> <p>20 -23 June 2001: Attended and Presented a Paper at the Conference on the Teaching of International Humanitarian Law in Kenyan Universities, Lake Bogoria Hotel, Baringo, Kenya.</p> <p>31 March- 10 April 2001: Visiting Researcher, The International Criminal Tribunal for Rwanda (ICTR), Arusha, Tanzania.</p> <p>19 February- 11 March 2001: Visiting Researcher, Institute for Human Rights, Abo Akademi University, Abo/Turku, Finland. Attended an Advanced Course on "The International Protection of Human Rights".</p> <p>11-15 October 2000: Workshop Chairman, Pretoria Spring Course on Human Rights, Hamanskraal, South Africa.</p> <p>7-9 August 2000: Attended and presented a paper at the 12th Annual Conference of the African Society of International and Comparative Law, Golden Tulip Hotel, Accra, Ghana.</p> <p>3-14 July 2000: Attended the Pretoria Winter School of Good Governance, University of Pretoria, South Africa.</p>
<p>PUBLICATIONS</p>	<p>I have authored over 35 publications in refereed journals and academic book chapters.</p> <p>Some of the publications include:</p> <p>Books/monographs <i>The Anatomy of Bomas: Selected Analyses of the 2004 Draft</i></p>

Constitution of Kenya Nairobi: Claripress, (2005) [with Osogo Ambani (eds)] ISBN NO.: 9996-915-80-X.

Humanitarian intervention and State Sovereignty in Africa: The Changing Paradigms in International Law Eldoret: Moi University Press (2003) ISSN: 1727-1746.

Book Chapters

"Broadening the Horizons: the Draft Constitution of Kenya and the Protection of Socio-economic Rights" in *The Anatomy of Bomas: Selected Analyses of the 2004 Draft Constitution of Kenya* Nairobi: Claripress [with Osogo Ambani (eds)]

Articles in academic journals

"The African Peace and Security Council and the Charter of the United Nations" in Volume 1 Number 1 (2005), *The Law Society of Kenya Journal* p. 77.

"Europe and the Reconstruction of Somalia" in Volume 23 (2005) *Forced Migration Review* p. 37.

"Ten Years on: The International Criminal Tribunal for Rwanda's Contributions to International Criminal Law" in Volume 31-34 (2004) *Eastern Africa Law Review* pp. 76-100.

"Towards Constitutional Protection of Socio-economic Rights in Kenya: Any Lessons From the South African Experience?" in Volume 14 (2004) Lesotho *Law Journal* pp. 51-75.

"Universal Jurisdiction for International Crimes, the Public Good and the Changing Face of State Sovereignty" in Volume 2 (2004) *University of Nairobi Law Journal* pp.116 – 140.

"Kenya" in Christof Heyns (ed) in Volume 2 (2004) *Human Rights Law in Africa* Kluwer: The Hague 1178 –1202 (With Kivutha Kibwana).

"A Preliminary Comment on the Independence of the Kenya National Commission on Human Rights" in Volume 2 Number 2 (2004) *East African Journal of Human Rights and Democracy* p. 120 – 127.

"The Increasing Role of African Intergovernmental Organisations in Issues of Regional Peace, Security and the Protection of Human Rights: Legal Aspects" in Volume 35 (2003) *Zambia Law Journal* pp.74 –103.

"The Normative and Institutional Framework of the African Union Relating to the Protection of Human Rights and the Maintenance of International Peace and Security: A Critical Appraisal" in Volume 3 Number 1 (2003) *African Human Rights Law Journal* pp. 97 – 117.

"The General Principles of the Law of International Watercourses" in Volume 1(2002) *East African Journal of International and Comparative Law* pp. 115 – 127.

"International Humanitarian Law in Kenya: A Country Report" (2001) *4 Yearbook of International Humanitarian Law* The Hague: TMC Asser Press p.573-574.

"Prosecuting the Perpetrators of the 1994 Genocide in Rwanda: Its Basis in International Law and Implications for the Protection of Human Rights in Africa" in Volume 1 Number 1(2001) *African Human Rights Law Journal* pp. 63-76.

"Gross Violations of Human Rights: Whither Humanitarian Intervention?" in (2001) *Conflict Trends* pp. 26-31.

"Humanitarian Intervention: Its Legality and Applicability to Internal Armed Conflicts in Africa" in Volume 7 Number 1 (2001) *East African Journal of Peace and Human Rights* pp.16-54.

"The Contribution of the International Criminal Tribunal for Rwanda to the Development of International Humanitarian Law" in Volume 33 (2001) *Zambia Law Journal* pp. 34-50.

"An Appraisal of the Constitution of Kenya" (Forthcoming in) (2006) *Encyclopaedia of World Constitutions* Washington: American Law Institute.

"The Proposed Merger of the African Court of Justice and the African Court on Human and Peoples' Rights: Legal Difficulties and Merits" (2006) *African Journal of International and Comparative Law*.

"Water and Food Security in the Nile Basin: Perspectives of Governments and NGOs from Downstream Countries" (Book Chapter) (2006) (With Patricia Kameri-Mbote).

Legal dilemmas and policy imperatives: intervention to protect civilians in Darfur. Institute for Security Studies Monographs (2007).

	<p>"Trouble in Eden: how and why unresolved land issues landed "Peaceful Kenya" in trouble in 2008 (2008) Forum for Development Studies, Oslo pp. 167-193 (With Patricia Kameri-Mbote).</p>
HONOURS & AWARDS	<p>I was honoured with the highest civilian honour - Elder of the Order of the Golden Heart of Kenya (EGH) by President Uhuru Kenyatta, CGH in the year 2015 in recognition of my distinguished service to the Republic.</p>
REFEREES	<p>His Excellency Hon. William Samoei Ruto, Ph.D., CGH President of the Republic of Kenya Executive Office of the President KENYA</p> <p>Prof Frans Viljoen Centre for Human Rights University of Pretoria South Africa. frans.viljoen@up.ac.za</p> <p>Prof Patricia Kameri-Mbote, SC Director, Law Division United Nations Environment Programme (UNEP) UN Complex, Gigiri, Nairobi.</p>