



# THE KENYA GAZETTE

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GAZETTE NOTICE NO. 2700

## TASK FORCE ON PUBLIC COLLECTIONS OR "HARAMBEES"

### APPOINTMENT

IT IS notified for the general information of the public that the Minister for Justice and Constitutional Affairs has appointed a task force consisting of the following—

Koigi wa Wamwere—(*Chairperson*),  
Monica Mutuku—(*Vice-Chairperson*),

### Members:

Justin Muturi,  
The Permanent Secretary of the Ministry responsible for Provincial  
Administration or his representative,  
George Nyamweya,  
Mwalimu Mati,  
Albert M. Mbungu,  
Abdulaziz Mwendia,  
Gaciku Kangari,  
Gideon Mutiso (Prof.),  
James Orenge,  
Gervase B. K. Akhaabi,  
Jacob Haji,  
Kagwiria Mbogori,  
Ezekiel Abang—(*Secretary*).

### Terms of reference:

1. The terms of reference of the task force are—

- to investigate the origins, relevance and impact of public collections (popularly known as "harambees") in the Kenyan society;
- to investigate the nature, forms and linkages of corruption, extortion and other abuses of "harambees";
- to make policy and legislative proposals for the introduction of transparency and accountability in "harambees" in order to prevent their abuse;
- to review the Public Collections Act (Cap. 106) with a view to institutionalizing philanthropy, charities, and endowment funds in Kenya;
- to make recommendations as to the nature of "harambees" in Kenya; and
- to make any further recommendations incidental to the foregoing.

and to make a report of its findings to the Minister for Justice and Constitutional Affairs.

2. In the performance of its functions, the task force—

- shall hold such number of meetings in such places and at such times as the task force shall consider necessary for the proper discharge of its functions;
- shall receive views from members of the public and receive oral and/or written submissions from any person with relevant information;
- may use official reports of any previous investigations relevant to its mandate;
- may carry out or cause to be carried out such studies or researches as may inform the task force on its mandate.

3. The task force shall execute its mandate with all diligence and speed and shall submit its report to the Minister not later than the 31st August, 2003.

4. The secretariat of the task force shall be based at the offices of the Standing Committee on Human Rights, N.S.S.F. Building, Block "A", 9th Floor, Nairobi. Submissions from the public can be addressed to the Secretary, Task Force on Public Collections or "Harambees", Standing Committee on Human Rights, Block "A", 9th Floor, N.S.S.F. Building, P.O. Box 74359, Nairobi.

5. Subject to the foregoing paragraphs, the task force shall have all the powers necessary or expedient for the proper execution of its mandate, including the power to regulate its own procedure.

Dated the 16th April, 2003.

KIRAITU MURUNGI,  
Minister for Justice and Constitutional Affairs.

GAZETTE NOTICE NO. 2701

## TASK FORCE ON THE ESTABLISHMENT OF A TRUTH, JUSTICE AND RECONCILIATION COMMISSION

### APPOINTMENT

IT IS notified for the general information of the public that the Minister for Justice and Constitutional Affairs has appointed a task force consisting of the following—

Makau Mutua (Prof.)—(*Chairperson*),  
Timothy Njoya (Rev.) (Dr.)—(*Vice-Chairperson*),

### Members:

Mutava Musyimi (Rev.),  
Zablon Nthamburi (Bishop) (Prof.),  
Patrick M. Rukenya (Rev.),  
The Permanent Secretary responsible for Governance and Ethics or his representative,

Tirop Kitur,  
Julius Sunkuli,  
Raychelle Omamo,  
Jane Kiragu,  
Mumina Konzo,  
Kibe Mungai,  
Davinder Lamba,  
Zarina Patel,  
Roselyn Lagat-Korir—(Secretary).

*Terms of reference:*

1. The terms of reference of the task force are—

(a) to recommend to the Minister for Justice and Constitutional Affairs whether the establishment of a truth, justice and reconciliation commission is necessary for Kenya, and if so—

- (i) how and when such a commission should be established;
- (ii) the membership of such commission;
- (iii) the terms of reference of the commission;
- (iv) what powers or privileges should be conferred upon the commission in the execution of its mandate;
- (v) the historical period to be covered by the commission's investigations; and

(b) to make such further recommendations incidental to the foregoing as they may consider necessary.

2. In the performance of its functions, the task force—

(a) shall hold such number of meetings in such places and at such times as the task force shall consider necessary for the proper discharge of its functions;

(b) shall determine all questions before it, including the adoption of its final report, by a simple majority of the members present;

(c) shall receive views from members of the public and receive oral and/or written submissions from any person with relevant information;

(d) may use official reports of any previous investigations relevant to its mandate;

(e) may carry out or cause to be carried out such studies, researches and evaluations of the experiences of other countries where truth and reconciliation commissions have been established as may inform the task force and the people of Kenya on the need (or lack thereof) of such a commission in Kenya.

3. The task force shall execute its mandate with all diligence and speed and shall submit its report not later than the 31st August, 2003.

4. The secretariat of the task force shall be based at the Standing Committee on Human Rights offices, N.S.S.F. Building, Block "A", 9th Floor, Nairobi. Submissions from the public can be addressed to the Secretary, Task Force on the Establishment of a Truth, Justice and Reconciliation Commission, Standing Committee on Human Rights, Block "A", 9th Floor, N.S.S.F. Building, P.O. Box 74359, Nairobi.

5. Subject to the foregoing paragraphs, the task force shall have all the powers necessary or expedient for the proper execution of its mandate.

Dated the 16th April, 2003.

KIRAITU MURUNGI,  
Minister for Justice and Constitutional Affairs.