



REPUBLIC OF KENYA

**REMARKS BY HIS EXCELLENCY, HON. DR.
WILLIAM SAMOEI RUTO, C.G.H. PRESIDENT OF
THE REPUBLIC OF KENYA AND COMMANDER-IN-
CHIEF OF THE DEFENCE FORCES DURING THE
HANDING OVER OF END-OF-TERM REPORTS FOR
VARIOUS COMMISSION AND INDEPENDENT
OFFICES**

AUGUST 20, 2024

STATE HOUSE, NAIROBI

1. It is an honour to have this opportunity to engage with the outgoing leadership of our nation's Fourth Arm of Government': Constitutional Commissions and Independent Offices (CCIOs).
2. Constitutional Commissions and Independent Offices play a critical role in enhancing oversight, performing essential advisory functions, and anchoring service delivery in national values and principles of governance, which are the foundations of the Republic. This is why the Constitution recognises this special role and clearly defines the functions and terms of office for chairpersons and other members of these bodies under Article 250(6)(a).
3. Therefore, in keeping with the essential character of your offices, your mandates and tenures transcend those of the Government of the day, while various policy and statutory instruments further safeguard the operational independence of your offices.
4. Today, we bid farewell to distinguished chairpersons and commissioners who have had the privilege to serve in positions of incomparable reach and impact. We also have a special opportunity to reflect on the nature and scope of the authority and limitations, potential and shortcomings, as well as the triumphs and difficulties that define the course of engagement in the endeavour to actualise our constitutional dispensation. Given our operational realities and strategic terrain, there is no doubt that your tour of duty has had its share of exemplary accomplishments and teachable moments as you applied yourselves to determine the best way of achieving the constitutional ends of your office.



5. It is also why the progress that has been made in the implementation of your constitutional mandates is remarkable and meaningful. You have not only provided oversight to other arms of Government, but you have also made immense contributions to the advancement of constitutionalism, the rule of law, the administration of justice, as well as the promotion of National Values and Principles of Governance as set out in Articles 10 and 232 of the Constitution.
6. Allow me to specifically appreciate your efforts in leading Constitutional Commissions and Independent Offices to make their contribution to the national discourse on the protection of fundamental rights and freedoms, the actualisation of national values and principles of governance, the enhancement of inclusion and cohesion, reflection on the sustainability of the public sector wage bill, transformation of policing, and the fight against corruption.
7. Today, as you engage in reflection and introspection, you have a chance to consider the fate of your legacy in terms of the performance standards that must be satisfied for your respective institutions to be effective and successful.
8. With this in mind, today marks the beginning of an introspective transition during which we ask ourselves pertinent questions in relation to our legacies and how they define the future of the organisations we have been privileged to lead.
9. We launched the Zero Fault Audit Campaign, aimed at highlighting the merits of having no audit queries touching on our organisations. The campaign's goal was to strengthen accountability, openness, integrity, good governance, and the satisfaction of international best practices in our public sector through the promotion of the prudent use and management of public resources. I believe that Constitutional Commissions have a major opportunity to promote this approach in our organisations and mandated sectors.



10. Likewise, it is time to define sustainable standards for organisational transitions, beginning with the process of constituting selection panels to recruit new chairpersons and commissioners.
11. In this connection, I am happy to announce that the Government remains committed to ensuring a free, open, and transparent recruitment process based on merit as the fundamental yardstick for actualising constitutional mandates. There is no better time to demonstrate true fidelity to the rule of law, thus promoting our nationhood.
12. I am aware that in certain commissions, like the Salaries and Remuneration Commission and the Commission on Administrative Justice, the terms of office for the chairperson and all the commissioners expire at the same time, leaving these organisations in undesirable states of suspense.
13. It is essential to ensure that in these instances, service delivery is not interrupted, especially during instances of delayed recruitment. The Independent Electoral and Boundaries Commission, for example, has not been able to discharge its mandate effectively for close to two years now.

There is great merit in considering pragmatic options, like staggered recruitment of commissioners, to achieve a degree of continuity in the implementation of mandates.

14. The Office of the Deputy President, in close consultation with the Attorney General and the Constitutional Commissions and Independent Offices, will be tasked with preparing an omnibus Bill to give effect to the legal provisions for staggered recruitment of commissioners.



Additionally, there is a need to review the enabling legislative instruments in respect of various Constitutional Commissions and Independent Offices, to remove redundancies and anchor into law progressive legislation aimed at enhancing interdependence amidst the independence of these offices.

15. I am also persuaded that the framework of engagement between the National Government and Constitutional Commissions and Independent Offices offers useful opportunities for enhancing the liaison between the two entities. The Government recognises the role of the Caucus in coordinating constitutional commissions. I therefore pledge to support the Caucus in establishing a properly facilitated secretariat along similar lines as the Intergovernmental Budget and Economic Council (IBEC). I am confident that the Office of the Deputy President will work towards ensuring that this secretariat is indeed supported.
16. Once more on my own behalf and that of the entire Government I take this opportunity to thank you for your distinguished service to the Republic during the last six years. Your knowledge, expertise, and experience remain useful resources to the government that can be tapped into at any given time. I wish you all the best in your next assignments.

**Thank You
God Bless You.**

