



FOR IMMEDIATE RELEASE

Nairobi, 23rd July 2018: Transparency International Kenya is concerned about the commitment of the President and Parliament to the enforcement of Chapter 6 of the Constitution of Kenya. We are particularly concerned that the President nominated a candidate whose integrity was quickly put to question while Parliament, with full knowledge of criminal proceedings against the candidate went ahead and purported to vet him.

There is no doubt that Dr. Ben Chumo is innocent until the courts decide otherwise. His nomination, vetting and possible appointment to the Chair of the Salaries and Remuneration Commission however undermines the Constitution of Kenya and casts doubt on official commitment to promote, uphold and enforce ethics and integrity in our public affairs.

On 27th June 2018 President Uhuru Kenyatta nominated Dr. Chumo as Chairperson of the Salaries and Remuneration Commission. However, on 14th July 2018, Dr. Chumo alongside other Kenya Power officials were charged with conspiracy to commit an economic crime, abuse of office, aiding the commission of a felony, willful failure to comply with the law, conspiracy to defeat justice and fraudulent acquisition of public property and procurement/supply of faulty transformers.

The nomination of Dr. Chumo to Chair the Salaries and Remuneration Commission (SRC) raises serious questions on the due diligence carried out on individuals before being nominated for public office. The nominating authority, in this case, the President, failed to ensure that only persons without serious questions of integrity are nominated. Considering the means of assessment available to the President, it is surprising that omissions of this significance would still happen. Even after the nominee has been charged in court, the President should have rescinded the nomination.

Secondly, in a proper system of ethics and rule of law, Dr. Chumo should have withdrawn from the appointment process until his name is cleared through the court process. On the other hand, for Parliament to undertake an exercise whose outcome is moot is to say the least a waste of public resources. In this appointment process, the nominating authority, the candidate nominated as well as Parliament individually and collectively undermine Chapter 6 of the Constitution. A candidate with unresolved questions of integrity cannot bring the honor and dignity required of state office under our constitution.

Irrespective of the outcome of the nomination, vetting and appointment process, a failure to situate public appointments within the ethics and integrity parameters of our Constitutional framework undermines our national journey of integrity. It perpetuates, rather than seek to eradicate corruption in our public affairs and dampens current efforts at cleaning the public sector of pervasive graft. It should be noted that under the Anti-Corruption and Economic Crimes Act, a public officer charged with an economic crime is automatically suspended at half-pay until cleared.

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ABOUT TRANSPARENCY INTERNATIONAL KENYA

Founded in 1999 in Kenya, TI-Kenya is a not-for-profit organisation with the aim of developing a transparent and corruption-free society through good governance and social justice initiatives. TI-Kenya is one of the autonomous chapters of the global Transparency International movement that is bound by a common vision of a corruption-free world. The global movement provides a platform for sharing knowledge and experience, as well as developing strategies to respond to regionally distinct patterns of corruption.