



PRESS RELEASE

FOR IMMEDIATE RELEASE:

6TH MARCH 2020, NAIROBI, KENYA**SUBJECT: CLARIFICATION ON MISREPRESENTATION BY MEDIA ON VACANCY IN THE OFFICE OF THE DEPUTY GOVERNOR, NAIROBI CITY COUNTY**

The Commission's attention has been drawn to news appearing in sections of today's Newspapers to the effect that the Commission still considers Mr. Policarp Igathe as the Deputy Governor for Nairobi City County and that it is unaware of his resignation. The Commission would like to set the record straight on this matter as follows: -

On 18th December, 2019, the Commission received a request from M/s Diro Advocates LLP for an advisory opinion on the status of Nairobi City County Government. The request was made on behalf of Nairobi City County Assembly. The Assembly was seeking the Commission's opinion on the status of Nairobi County Government as a going concern based on Court Rulings barring the Governor from accessing his office and the existence of a vacancy in the office of the Deputy Governor. In response via a letter dated 9th January 2020, the Commission stated that it is not its mandate to provide direction on whether or not the Nairobi City County Government is a going concern. In addition, the Commission also stated that it had not received formal communication on the resignation of the Deputy Governor of Nairobi City County as of that date.

On the 22nd January 2020, the Commission received another letter from the Governor of Nairobi City County nominating a Deputy Governor, thus indicating there was a vacancy, in compliance with Article 180(5) of the Constitution 2010. The Commission would also like to clarify that it has no legal obligation to gazette the resignation of an outgoing holder of elective office but rather it has an obligation to gazette a new holder of elective office.

Therefore, the insinuations in the media to the effect that IEBC stated that Mr. Igathe is still a Deputy Governor and that there are two Deputy Governors is not only mischievous and malicious but is meant to discredit the Commission. The Commission wishes to advise all stakeholders to clarify issues with the Commission instead of sensationalizing them in the media.


W. W. CHEBUKATI
CHAIRMAN