“By Hand Delivery”.

Dear Dr. Thomas Mutie,

RE: REQUEST FOR INFORMATION ON THE ONGOING BUILDING OF A PRIVATE FACILITY AT THE KENYATTA NATIONAL HOSPITAL.

We the undersigned are organizations, associations and individuals being representatives of institutions drawn from the health, human rights and governance sectors. We write pursuant to our individual rights as Kenyan citizens, consumers of health services and our organizations and individual constitutional mandate enshrined under Article 3, 10 and 35 on the responsibility to defend and protect the Constitution, the right to participate in matters concerning us and to access public information respectively.

We make reference to the above subject matter that has most recently been highlighted by numerous media reports. It has been reported that the Kenyatta National Hospital (KNH) a
A semi-autonomous government agency (SAGA) is set to construct a 300-bed private hospital block in partnership with private actors to offer healthcare services. The feasibility study for this flagship Public Private Partnership in health for Kenya is currently ongoing. The facility is set to remain a private entity under the operation of the investors for a number of years as they recover their investment from the government by offering a public service at a fee.

In light of the aforementioned and pursuant to Article 35 of the Constitution and the Access to Information Act 2016, we hereby request as individuals and on behalf of our organizations for access to the:

a) Agreement establishing the Public Private Partnership (PPP) between the Kenyatta National Hospital and the Private sector investors and the terms of engagement;
b) Minutes of meetings, reports and any other documents that are related to the establishment of the aforementioned Public Private Partnership (PPP);
c) Copies of procurement documents relevant to and detailing the hiring of Ernst and Young to conduct a feasibility study;

We would be grateful if this information can be shared with us within the next 21 days, or not later than 16 November, 2018 to enable us to meaningfully engage in the public discourse on this matter and to determine any cause of action that may be required of us as individuals and representatives of different interest groups within Kenya.

Yours sincerely;

Samuel Kimeu
Executive Director
Transparency International Kenya
On my own behalf and on behalf of TI – Kenya
Samwel Mohochi
Executive Director, ICJ Kenya
On my own behalf and on behalf of ICJ – Kenya

Waikwa Wanyoike
Executive Director
On my own behalf and on behalf of Katiba Institute

Allan Maleche
Executive Director KELIN
On my own behalf and on behalf of KELIN

Dr. Stella Bosire
On my own behalf