

PRINCIPAL
THE NATIONAL TREASURY
51 04 APR 2014
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P.O. Box 30007, NAIROBI



URGENT

ETHICS AND ANTI-CORRUPTION COMMISSION

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When replying please quote:

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EACC.6/2/3/1

3rd April 2014

Dr. Kamau Thugge, EBS
Principal Secretary
National Treasury
P.O. Box 30007
NAIROBI

DEBT MANAGEMENT
DEPARTMENT
07 APR 2014
RECEIVED
THE NATIONAL TREASURY

Dear *Dr. Thugge,*

IN THE MATTER OF FOREIGN JUDGEMENTS:-

- 1. FIRST MERCANTILE SECURITIES CORPORATION (FMSC) vs REPUBLIC OF KENYA**
- 2. UNIVERSAL SATSPACE (USS) vs REPUBLIC OF KENYA**

We acknowledge receipt of your letter Ref: NT/DMD/SEC/GN/A dated 3rd April 2014 on the above matter. We take note of the Judgement delivered against the Republic of Kenya and the advice of the Hon. Attorney General as captured in the minutes of the meeting held on 28th March 2014 for settlement of liability in the most favourable terms so as to avoid jeopardizing the issuance of the sovereign bond.

The Commission will nevertheless continue with the ongoing investigations in respect of all the Security Contracts and submit a report of findings and recommendations to the Office of the Director of Public Prosecutions for perusal and advice.

We thank you for the continued support and cooperation.

Yours

Sincerely,

Halakhe D. Waqa, ACI Arb

Secretary/Chief Executive Officer

On the Frontline Against Corruption

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Copy: Prof. Githu Muigai, FCI Arb, SC

Attorney General

P. O. Box 30009

NAIROBI