

REPUBLIC OF KENYA

High Court at Nairobi (Nairobi Law Courts)

Petition 302 of 2012

THE CRADLE CHILDREN FOUNDATION PETITIONER

AND

MINISTER FOR GENDER, CHILDREN AND

SOCIAL DEVELOPMENT1ST RESPONDENT

THE ATTORNEY GENERAL 2ND RESPONDENT

RULING

1. This petition concerns the implementation of the *Counter-Trafficking in Persons Act, 2010* (“the Act”).
2. Counsel for the petitioner, Mr Osoro, informs the court that, since these proceedings were filed, the relevant Ministry and stakeholders have been discussing the matter and the Permanent Secretary involved has given commitment that the substantial issues in the petition will be resolved. First, the Counter Trafficking in Persons Advisory Committee provided for under **sections 19, 20 and 21** of the Act will be established in due course. Second, the Counter Trafficking in Person Trust Fund provided for under **sections 22, 23 and 24** of the Act will be established. These two issues deal with the substantive prayers in the petition as the Act is now in force and is being implemented.
3. Mr Opondo, counsel for the respondents, agrees that the stakeholders are being engaged in the matter and the Act is being implemented.
4. In the circumstances, and taking into account the fact that the Act does not set out specific time limits for the establishment of the two bodies, I think that the appropriate order to make is to mark the matter as withdrawn with no order as to costs so to permit the parties to consult and reach an amicable settlement consistent with the provisions of the law.
5. Orders accordingly.

DATED and DELIVERED at NAIROBI this 11th March 2013.

D.S. MAJANJA

JUDGE

Mr Osoro instructed by Osoro, Chege, Kibathi and Company Advocates.

Mr Opondo, Litigation Counsel, instructed by the State Law Office for the respondents.