



## Mr. Muthomi Thiankolu

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**Mr. Muthomi Thiankolu | Lecturer in Law**

#### [University of Nairobi Profile](#) [8]

Mr. Muthomi Thiankolu is a Lecturer in Law at the [School of Law](#) [9], [University of Nairobi](#) [10] [and a Partner at Muthomi & Karanja Advocates](#) [11]. His research and practice interests are in public procurement regulation; civil and commercial litigation; constitutional and administrative law; electoral dispute resolution; and international economic law. Muthomi has handled many landmark cases. He has appeared before the East African Court of Justice; the Supreme Court of the Republic of Kenya; all other superior courts of the Republic of Kenya; and many specialised courts and tribunals. Muthomi has also handled many consultancy assignments, especially on East African economic integration; public procurement regulation; electoral dispute resolution; human rights and criminal justice responses to terrorism; and constitutional and administrative law.

Muthomi holds an LLM in International Economic Law (with distinction) from the University of Warwick, where he wrote a thesis on [Reconciling Incongruous Policy Objectives and Benchmarking Kenya's Public Procurement Law: A Review of the Selex Case](#) [12]. He also holds an LLB (Hons.) from the University of Nairobi; and a Postgraduate Diploma from the Kenya School of Law. He is currently undertaking Doctoral Research at the School of Law, University of Nairobi focusing on the interplay of the economic and social objectives embodied in Kenyan public procurement laws.

#### **Select Publications and Workshop Presentations**

1. Muthomi Thiankolu & Justice (Rtd.) Violet Mavisi: [Judiciary Bench Book on Electoral Disputes Resolution](#) [13] (The Judiciary 2017).
2. Muthomi Thiankolu, '[Standards of Review and Resolution of Electoral Disputes in Kenya: A Review of the Jurisdiction of the High Court; The Court of Appeal; and the Supreme Court](#) [14]' in Collins Odote and Linda Musumba (eds), *Balancing the Scales of Electoral Justice: Resolving Disputes from the 2013 Elections in Kenya and the Emerging Jurisprudence* (IDLO 2016).
3. Muthomi Thiankolu, '[Resolution of Electoral Disputes in Kenya: An Audit of Past Court Decisions](#) [15]' in Godfrey Musila (Ed), *Handbook on Election Disputes in Kenya: Context, Legal Framework, Institutions and Jurisprudence* (Law Society of Kenya 2013).



4. Attiya Waris and Muthomi Thiankolu, 'International Commercial Arbitration in Kenya' in Githu Muigai (Ed), Arbitration Law and Practice in Kenya (Law Africa 2011).
5. Muthomi Thiankolu, '[Reconciling Incongruous Policy Objectives and Benchmarking Kenya's Public Procurement Law: A Review of the Selex Case](#) [16]' [2011]11 (4) Journal of Public Procurement 451.
6. Muthomi Thiankolu, '[Landmarks from El Mann to the Saitoti Ruling: Searching a Philosophy of Constitutional Interpretation in Kenya](#) [17]' [2007] 1Kenya Law Review 188.
7. Muthomi Thiankolu, '[The Constitutional Review Cases: Emerging Issues in Kenyan Jurisprudence](#) [18]' [2005] 2 East African Law Journal 122.
8. Muthomi Thiankolu, '[Reconciling Incongruous Policy Objectives and Benchmarking Kenya's Public Procurement Law: A Review of the Selex Case](#) [12]' (LLM Dissertation, University of Warwick 2009).
9. Muthomi Thiankolu, 'The Njoya Case: Emerging Issues in Kenyan Jurisprudence (Undergraduate Dissertation, University of Nairobi 2005).
10. Muthomi Thiankolu, '[The Standard of Appellate Review in Kenya: A Review of the Jurisdiction of Court of Appeal and the Emerging Jurisprudence](#) [19]' (Court of Appeal of Judges' Conference, Mombasa, June 2015).
11. Muthomi Thiankolu, 'The Public Procurement and Assets Disposal Bill, 2014: Analysis of Selected Provisions and their Implications' (Budget and Appropriations Committee of the National Assembly Workshop, Mombasa, August 2015).
12. Muthomi Thiankolu, 'Landmark Moments in Kenya's Electoral Jurisprudence' (Law Society of Kenya Continuing Professional Development Seminar, March 2014).
13. Muthomi Thiankolu, 'Lessons from Kenyan Case Law on Public Procurement-A Critical Discussion of Selected PPARB, High Court & Court of Appeal Decisions' (Public Procurement Administrative Review Board Workshop, Mombasa, August 2014).
14. Muthomi Thiankolu, 'Rationale for Regulating Public Procurement and the Policy Objectives underlying Kenya's Public Procurement Law' (Law Society of Kenya Continuing Professional Development Seminar, Nairobi, September 2013).
15. Muthomi Thiankolu, 'Judicial Review of the Public Procurement Administrative Review Board's Decisions' (Public Procurement Administrative Review Board Workshop, Mombasa, November 2013).
16. Muthomi Thiankolu, 'Developments in Kenyan Electoral Jurisprudence' (National Council for Law Reporting Continuing Professional Development Seminar, Nairobi, January 2011).

### **Selected Research Supervision Projects:**

1. Gladys Warigia Mwangi, 'The Role of the Courts in Promoting Electoral Democracy in Kenya: A Review of the Threshold for Nullification of Elections' (LLM Dissertation, University of Nairobi 2016).
2. Muriuki Titus Muriungi, 'Towards a Legal Framework on Sovereign Debt Restructuring: A Developing Countries' Perspective' (LLM Dissertation, University of Nairobi 2016).
3. Kellen Gicuku Njue 'examining the responsibility of the Kenyan State for non-State Violation of Human Rights' (LLM Dissertation, University of Nairobi 2015).
4. Anthony Mbunya Kiarahu, 'Participation of Minorities and Marginalised Groups in the Kenyan Economy: Reforming Public Procurement' (LLM Dissertation, University of Nairobi 2013).
5. Protas Gathege Saende, 'Dispute Settlement within the East African Community: The East African Court of Justice and its Jurisdiction' (LLM Dissertation, University of Nairobi 2012).
6. Muriuki Titus Muriungi, 'Legal Technicalities and the Determination of Electoral Disputes in Kenya: A Review of the Legal Framework and the Emerging Jurisprudence' (LLB Dissertation, University of Nairobi 2015).
7. Kimani James Ngugi 'Supreme Court Petition No. 5 of 2013 and the Legal Threshold for the Nullification of Elections in Kenya' (LLB Dissertation, University of Nairobi 2015).
8. Susie Mutahi, 'The Mute Witness: The Case for the Establishment of a National Criminal DNA Database in Kenya' (LLB Dissertation, University of Nairobi 2014)
9. Veronica Wamucii Kihu, 'Criminalizing Marital Rape in Kenya: The Laws, the Myths & the Reality' (LLB Dissertation, University of Nairobi 2013).



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