

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 1st March 2018

The House met at 2.30 p.m.

[The Speaker (Hon. Muturi) in the Chair]

PRAYERS

NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.33

AFFIRMATIVE ACTION IN RECRUITMENT OF TEACHERS IN NORTH EASTERN KENYA

Hon. Sossion: Hon. Speaker, pursuant to Standing Order No.33 (1), I seek leave for the adjournment of the House for purposes of discussing the urgent need for affirmative recruitment of teachers. There is need for the Teachers Service Commission (TSC) to immediately commence the process of recruitment of untrained teachers for deployment in the regions affected by mass exodus. These teachers should also be subjected to continuous in-service training to ensure that at all times, the right of access to education by all children is guaranteed and also solve the incessant teacher-initiated transfers due to preferences or fear of certain areas.

It is for this reason that I seek leave for the adjournment of the House in order to deliberate on the urgent need for affirmative recruitment of teachers.

Hon. Speaker: Do you have the numbers?

(Several Hon. Members stood up in their places)

I confirm that you have the numbers. It is only that it appeared that you wanted to sit.

(Laughter)

Members, resume your seats. I direct that the House be moved to adjourn at or before 5.30 p.m. this evening. The reason is that should the House complete consideration of all the businesses appearing on the Order Paper, Hon. Sossion should be ready to move his Motion even before 5.30 p.m. But should the House still be considering other businesses, at 5.30 p.m., the House will then be moved by Hon. Sossion in the same manner.

Let us proceed to the next Order.

STATEMENT

BUSINESS FOR THE WEEK COMMENCING
13TH TO 15TH MARCH 2018

Hon. A.B. Duale: Hon. Speaker, pursuant to the provisions of Standing Order No.44(2)(a), I rise to give the following Statement on behalf of the House Business Committee (HBC).

The Committee met this week at the rise of the House to give priority to business for consideration. Without anticipating debate, I wish to note that the House is scheduled to proceed on a short recess commencing tomorrow, subject to the approval of the Motion. As a result of this, the HBC has not scheduled any business for next week save for one, which is to remind Members that the agenda for next week is the Post-Election Seminar for Members of the National Assembly of the 12th Parliament.

Upon resumption from recess, we will consider the Report of the Departmental Committee on Justice and Legal Affairs on the vetting of the nominee for appointment to the position of Solicitor-General, Mr. Kennedy Nyabuti Ogeto. We will also consider various Bills for the Second Reading and Committee of the whole House. I encourage all chairs of Departmental Committees to expedite consideration of the Bills and table the reports when we resume. The Bills include the Energy Bill, the Petroleum (Exploration, Development and Production) Bill and the Cybercrime Bill, 2017.

The HBC will reconvene on Tuesday, 13th March 2018 to consider business for the coming week.

I now wish to lay this Statement on the Table of the House.

(Hon. A B. Duale laid the document on the Table)

Hon. Speaker: Hon. Members, before we move to the next Member, allow me to recognise the presence in the Speaker's Gallery of pupils from Kibera School for Girls from Kibra Constituency in Nairobi County, and in the Public Gallery, Sukari Presbyterian School from Juja Constituency in Kiambu County, Kid Star Academy from Lang'ata Constituency in Nairobi County and Jacridge School from Ruiru Constituency in Kiambu County. They are all welcome to observe the proceedings in the National Assembly.

Let us have Hon. Shakeel Shabbir.

PERSONAL STATEMENT

INVESTIGATION INTO FRAUDULENT ACTIVITIES AT KENYA POWER

Hon. S.S. Ahmed: Hon. Speaker, I have a statement on the Kenya Power and Lighting Company.

I wish to inform the House that there has been an attempt to defraud me and probably other colleagues by persons claiming to be officers of the Kenya Power and Lighting Company (KPLC) working under the initiative titled "The Last Mile Connectivity Project." These fraudsters have been asking us for a payment of Kshs13,800 per village, which translates to

Kshs138,000 for 10 villages, payable by cheque to certain bank accounts for supply of transformers. Allegedly, the transformers are to be installed in ten (10) villages per constituency, as selected by Members of Parliament. They have also come up with an agreement which will pay Kshs744,000 as way leave per village and that will be payable to the Member of Parliament. I have the document here.

I have made efforts to contact the company to confirm the authenticity of the claimants - I have their names - because as far as we know, the Last Mile Connectivity Project, which is a Government initiative, is free of charge. The KPLC has denied having any persons in their employment who are undertaking such activities. Allow me, through you, Hon. Speaker, to caution my colleagues that this is a scam. I also call upon the Inspector-General of Police to investigate this matter. I can provide further information to the police, in confidence, to enable this matter to be brought to a satisfactory conclusion.

MOTIONS

ADOPTION OF REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUDGET POLICY STATEMENT

(Hon. Ichung'wah on 28.2.2018)

(Debate concluded on 28.2.2018 – Afternoon Sitting)

Hon. Speaker: Hon. Members, debate on this Motion was concluded yesterday. What remained was for the Question to be put, which I hereby do.

(Question put and agreed to)

ALTERATION OF HOUSE CALENDAR

Hon. A.B. Duale: Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order 28(4), this House resolves to alter its Calendar for the Second Session (2018) as adopted on 14th February 2018 by proceeding to a recess from Friday, 2nd March 2018 and resuming its regular sittings on Tuesday, 13th March 2018.

In keeping with the practice as earlier communicated by you at the start of the new Parliament, the three-day Post-Election Seminar for Members of the National Assembly will be held to follow the induction workshop that we had earlier. It is in this regard that this seminar has been organised to take place in Mombasa County from Sunday, 4th March 2018 to Thursday, 8th March 2018. It is for this reason that the HBC resolved to alter the Calendar of the House.

This is part of the new Constitution. Initially, the calendar used to be dictated to us by the Office of the President, but now it is the prerogative right of this House. I am sure the Member for Budalangi will remember that during his days. It is, therefore, important that the House adjourns to offer Members an opportunity to interact and share experiences with resource persons from other legislative jurisdictions within and outside the Commonwealth. We have resource persons from Australia, Canada, the United Kingdom, the United States of America, Zambia, including our own experts in various disciplines on parliamentary matters. This means

that we shall proceed on recess from tomorrow Friday, 2nd March and resume on Tuesday, 13th March, 2018, if this House approves this Motion this afternoon.

I hope the Members will make use of the seminar. It is in Mombasa, which is very popular with Members of Parliament. This time we will be there for four days. You have enough time to be in Mombasa. There are some of us who are very tired. We want to go and rest and wake up at 10.00 a.m., but not the staff. They have to wake up at 6.30 a.m.

The essence of this workshop is:

- (1) To understand the bicameral legislatures in presidential systems. All of the resource persons are people who are coming from the background of a presidential system of governance except the UK.
- (2) To comprehend institutional relationships between the three arms of Government.
- (3) The workshop will analyse the role of Members of Parliament within political parties and their cooperation to create a functional parliamentary environment.
- (4) There will be a deliberation on ethics and accountability, both for the legislature and the other arms of Government.
- (5) Lastly, there will be an emphasis on the role of the legislature in the budget-making process among other topics.

May I, through you, inform the Members that the Clerk of the National Assembly...

(Loud consultations)

Hon. Speaker, they need to hear this. I am introducing the Gender Bill and I can see that the people who are disrupting the House are people of the other gender. How do we increase the number when the beneficiaries are the ones disrupting proceedings? We are being magnanimous by introducing that Bill, but they cannot disrupt the proper functioning of Parliament.

I wish to inform the Members that the Clerk of the National Assembly has concluded all the logistical arrangements with regard to the seminar and we look forward to it. Members are advised to pick their air tickets today at the main reception as they will depart to Mombasa on Sunday, 4th March, 2018, *Inshallah*.

This is just to make sure that we comply with our own Standing Orders. If we will have a break next week, it requires an alteration of the Calendar. This is just a Procedural Motion to alter the Calendar of the House.

I beg to move and ask Hon. Mbadi, the Leader of the Minority Party, who is a Member of the HBC, to second.

Hon. Ng'ongo: Thank you, Hon. Speaker. We have adopted it as a routine that in every new Parliament, we have a post-election seminar to interact with professional experts from other jurisdictions who will meet, have sessions and discuss with us how Parliament functions in other areas.

I want to emphasise to the Members that it is important to understand - even if you think you understand - especially those who are coming in for the first time, that we have a new system of Government. This is a presidential system and, therefore, it is important that we attend this important seminar to appreciate the views of those who have had this system longer like the USA and how it functions. It will also help us to see the relationship between the Executive and Parliament in a pure presidential system.

Hon. Speaker, I think this has been a challenge to us since we started on this new system of Government. Unlike the Leader of the Majority Party, I do not really think that the Members

need to go to Mombasa to rest. If at all, if it was a matter of resting, I would be very reluctant to support it. I want to ask the Hon. Members that when we get to Mombasa, let us get down to serious business. Let us use the three days well because it is being funded through the taxpayers' money. Let us exploit those three days and learn something so that when we come back, whatever we shall have learnt and the interactions we will have with the experts from Australia, Canada, USA and other jurisdictions would be of benefit to the way we conduct business in this House even in terms of legislation. As a matter of fact, we are elected to legislate, represent our people and oversee and we will have an opportunity. I have no doubt.

I have looked at the list of the resource persons and I have no doubt that this seminar would be of value and most Members will come out of it resourceful. Those of us who have not even participated in legislation will be very ready to propose legislation. I am happy that some Members of Parliament who have even come in for the first time, like the Member for Tiaty, have started thinking very big to a point of even bringing in a Constitutional (Amendment) Bill. It is not very easy to prepare a Constitutional (Amendment) Bill. These Members need to be encouraged and praised. As to whether that Bill will go through or not, that is a different story. The most important thing is as a legislator, you are required to come to this House and generate legislation. It is not just a question of talking. What will you be remembered with when you leave here? In the period that you spent in this august House, did you come up with any piece of legislation?

Finally, there are certain developments in the country that I hope going forward, we will see a change. We have spoken about this before. I see the Kenya Police Service as a representative of our people. It is high time both sides of the House talked about it. It does not make sense whether you are in Jubilee or NASA when a young man who is pursuing his education at the university is shot dead. The parents have spent a lot of money bringing up this young man; he has been educated; is about to complete his studies; has just been elected as the Secretary-General and for no reason, the police shoot him dead. It is something that must worry us as a country. That is why we have spoken about this, that we need serious reforms in the police.

The reforms we are calling this country to accept to carry out is not idle talk. This young man was a student at Meru University. For those who thought police probably become rogue in certain areas, I am sure when you watched what happened in Meru, you will now have a second thought. There is need to reform the police in this country. I hope when we come from Mombasa, it is going to be one of our priorities to look again at where these reforms stalled. Police reforms is something that we were very keen about under the Agenda Four items immediately after the 2007 elections. I had the privilege because I was in this Parliament with a few of us in the 10th Parliament. This is a matter that we took so seriously. In fact, we always talked about Agenda Four. However, we have lost the steam and we must get back to the rail.

Hon. Speaker, with those very many remarks, I support this Motion. I ask Hon. Members that this is the time that we are not going to rest in Mombasa. Many of us were very busy. We wanted to be elsewhere on those days especially on Sunday and Monday, but because it is an important event, we are deciding to join all of us in Mombasa and more will be discussed there.

Thank you, very much Hon. Speaker, I second.

(Question proposed)

(Question put and agreed to)

EXTENSION OF PERIOD FOR CONSIDERATION OF
NOMINEE TO OFFICE OF SOLICITOR-GENERAL

Hon. A.B. Duale: Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, 2011, relating to extension of period for consideration of nominees for appointment to a public office, this House resolves to extend the period for consideration of the nominee submitted by H.E. the President for appointment to the Office of Solicitor-General by a further period of ten (10) days from 7th March, 2018.

Hon. Speaker, following the alteration of the calendar of this House, which was just adopted a few minutes ago, it is important to note that the timeline for the consideration of the Report will be expiring on 7th March 2018, which will be next week. This will coincide with the short recess. It is for this simple reason that I am moving this Motion to extend the period for a further 10 days. In addition, the extension will allow the relevant Committee to do the following: Have adequate time to vet the nominee and carry out public participation and thereafter table the report in the House for consideration and approval.

Hon. Speaker, this is basic. The Departmental Committee on Justice and Legal Affairs will do the public vetting of Mr. Ogeto, a nominee to the Office of the Solicitor-General. This Committee was to table this report on Tuesday next week and of course then the HBC would slate it for debate maybe the following day on Wednesday. However, because we will be in Mombasa and the House will not be in session, and in conformity with Section 13 of the Public Appointments (Parliamentary Approval) Act, I am seeking for an extension of 10 days just to make sure that the Committee does the vetting and report writing tomorrow, and on Tuesday 13th March when we are back, tables it and allows the HBC to give time for the report to be debated and considered. So, it is a very simple matter.

I beg to move and ask the Chair of the Departmental Committee on Justice and Legal Affairs, who is the owner of this “baby”, to second.

Hon. Speaker: Hon. Cheptumo, the Floor is yours.

Hon. Cheptumo: Thank you, Hon. Speaker. I wish to confirm that, indeed, tomorrow, Friday, we will be vetting the nominee. We, therefore, want to table our report next Tuesday. Because of the change of our Calendar as a House, it will not be possible, therefore, to conclude this process within the required 14 days from the day you conveyed the Message of the President. So, it is, indeed, justified. Tomorrow we will continue with the vetting and we will be able to do our report. When we come back, we will table the report before the House. The HBC will allocate us a day for Members to debate. Therefore, this Motion is justified and I second.

(Question proposed)

Hon. Members: Put the Question!

Hon. Speaker: The Member for Suna East desires to speak on this.

Hon. Nuh: Thank you, Hon. Speaker for giving me an opportunity. I support the Motion for extension of period for consideration of nominee to the Office of the Solicitor-General. The State Law Office is a very important department of governance. As the people’s watchdog, I want to bring to your attention that as part of the enhancement of the State Law Office, the President nominated a new Attorney-General about two or three weeks ago, but his name has not arrived here. This is a matter that we need to canvass in the House because it is the only privilege

we have. I feel there is a conflict of interest where, psychologically speaking, someone will have a leg in the Executive and another one in the Judiciary. This is not a small matter. He is the President of the Court of Appeal. That man should be released fast enough. Hon. Speaker, you should convey the message on our behalf, that that name should have arrived here like yesterday. It is too late.

Hon. Speaker: Hon. Junet, I am sure you have looked at the constitutional provisions. Nothing becomes a subject of discussion until it lands here. So, this could very well be taken as notice of intention and nothing prevents it. We cannot discuss that which is not before us.

Hon. Agwenyi: (*Off record*)

Hon. Speaker: The Member for Kitutu Chache North. The problem with you is that you always assume you are in Kitutu Chache. I hear that of late you call yourself Kitutu Chache North One. Here, you are not in Kitutu Chache. Therefore, you are not One.

Hon. Junet, on that issue, there is nothing for us to debate, but should you desire to have that matter debated, of course, the normal way is for you to bring a Motion. Otherwise, it will now appear like you are shooting from nowhere. If you desire to discuss that matter, and it is your right so do so, bring in a proper Motion and the House will be seized of it and express itself in one way or another.

Hon. Members: Put the Question.

(Question put and agreed to)

Next Order!

REPORTS OF MEETINGS OF THE INTER-PARLIAMENTARY UNION

Hon. Speaker: Who is the Leader of Delegation? Hon. Pkosing.

Hon. Losiakou: Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Article 7 of the Statutes of the Inter-Parliamentary Union, this House adopts the reports of the 129th, 130th, 131st, 133rd and 134th Assemblies of the Inter-Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland on 7th to 9th October 2013; 16th to 20th March 2014; 12th to 16th October 2014; 15th to 21st October 2015, and in Lusaka, Zambia from 17th to 23rd March 2016 respectively, laid on the Table of the House on Tuesday, 20th February 2018.

For the benefit of the House, it will be good for Members to understand what IPU is. The “IPU” means Inter-Parliamentary Union and it was established in 1889. It is a very old institution which brings together Members of Parliament from all over the world and various parliaments both national and regional to discuss very critical issues. It sits in Geneva, but debates of the union normally rotate in different countries and continents for Members of parliaments to appreciate what happens in various continents.

The total number of all Members who meet under the IPU is about 880 from all over the world. That is a really huge number of Members. Coming back home, Members should understand that Kenya is represented by both Houses, namely, the Senate and the National Assembly. In the last Parliament, it used to be led by the Speaker of the Senate. I am told also in this Parliament, it will be the same thing. All Members go together as one delegation and deliberate on issues. It is very crucial for our House and the country to participate. This is one of the unions or forums in which the people of Kenya can express their views and aspirations.

It is also good for me to state to the Members that, like Parliament of Kenya, IPU also works in committees. They have about five committees, which I will mention shortly. In the last Parliament, I was privileged to represent our Parliament in the IPU. For those of us who were participants at that time, we all did very well. The IPU has several committees. It is good for me to mention them because there might be new Members who would be required to serve in the IPU. Nomination to this Assembly is done by the Speaker, and some of you might be Members of the IPU this time. It is good for them to understand the available committees, so that they can compete for the slots as they are similar to the ones we have in this Parliament. The IPU works through the following committees:

- (1) Standing Committee on Peace and International Security. It deals with security issues which affect the world, including terrorism, thuggery and others.
- (2) Standing Committee on Sustainable Development, Finance and Trade.
- (3) Standing Committee on Democracy and Human Rights. This is where I served and I was elected as a serious official and did my best, which I will state briefly.
- (4) Standing Committee on United Nations. It is good for Members to understand these committees because if you get an opportunity to participate, please fight for a seat. That is how our country will be recognised internationally on how it participates.
- (5) Standing Committee on Human Rights of Parliamentarians.

It also works through another committee we call the Committee to Promote Impact of International Humanitarian Law.

- (6) The Bureau on Women Parliamentarians and Gender Principle are other committees.
- (7) We have the Forum for Young Parliamentarians.

Members get opportunity to be nominated from parliaments, and I am particularly addressing ours. I urge Hon. Members who will participate that for our ideas to make it to the Floor of the House, Members must participate in these committees. This is because the House in IPU only sits to deliberate what comes from committees. Having no members in committees might mean that the Kenyan agenda may not find itself on the Floor of the House. It is good to note that in the last Parliament, Kenya was very visible. Of course, the world is divided into regions – Africa, Asia and so on. When it comes to Africa, we used to participate and play a very key role to be able to send our agenda. In fact, for the first time, Kenya was able to get its member to the Executive Committee of IPU, which is the apex of IPU. We were represented by the former Speaker of the Senate, Hon. Ekwere Ethuro. In the Committee on Democracy and Human Rights, I used to represent this Parliament. As I said, I was further elected to the leadership of that Committee.

In the Committee on United Nations Affairs, we were being represented by nominated Senator Catherine Mukite. We were two, one from the Senate and one from the National Assembly. I encourage Members who will get an opportunity this time round that when they go there, it will be very good for them to fight for these positions. It is a political institution like what we are. The only problem there is even when it comes to Africa, people coalesce around whether you are Anglophone or francophone. So, the moment you go, please make sure that you align yourself within those geopolitical groups because that creates an opportunity for us to deliberate on those issues.

What is their mandate? What are some of the issues that this IPU deliberates? Among other issues of importance in the world that this IPU deliberates is to foster coordination and exchange of experience among parliaments and parliamentarians all over the world. It is very critical for people to share what happens in this Parliament and other parliaments. We had a good

experience when we were in Geneva deliberating on these issues. We were asked: “How democratic is your own parliament in terms of how it facilitates a Member of Parliament to be able to operate and represent his/her people properly or do oversight?” We realised that in other parliaments, the Speaker decides who goes to international trips and even decides the per diem of Hon. Members depending on how loyal they are, maybe, to the Speaker or to the government. We were quoted as an example because here in Kenya, it does not matter whether you are in NASA or the Jubilee Party. The per diem is equal to everybody. I realised that we are more democratic than those parliaments. This is good experience even for Members who think that Kenya is not good. It will be good for them to share experiences when they go to these countries because they will be surprised that we are more democratic than most parliaments in the world. In fact, they come to our country to learn some of these things. Even in women representation we do very well in the world. When you go to these countries you will be shocked. We blame ourselves in Kenya but when you go to those countries, you will come back and say: “Ooh, *kumbe* we are doing very well.”

Other issues they look at that affect the world is to consider questions of international interest, concern and experience with a view of developing legislation that is more or less related to the world. One example that we were given when we were in Geneva in one of the Committees, which is in this Report, is to deliberate on the balance between freedoms and security, particularly in telephone and electronic world. People were asking: “To what extent would government, for example, introduce laws that will monitor what we say in our mobile phones and to what extent will that then not jeopardise security?” Most people in the world want nobody to record them because that affects freedoms and privacy. However, one of the questions under the mandate of IPU was: To what extent should we legislate so that when parliaments all over the world go to their countries – like Kenya or other people go to their countries – they legislate on issues that govern the whole world? If we do that we can have this debate so that people do not think that Kenyans are doing it very differently from the world. They will actually know that we are actually doing things better than what those people are doing in the world.

Another issue of consideration which we deliberated when we were in those countries and which is in this Report that I presented to this House is the issue to deal with promotion of human rights, particularly human rights of parliamentarians. If there is a problem that happens to a parliamentarian then the question is where do they report? Yes, they can report to security institutions but sometimes that can also be limiting. So, what happens is that members then report to the IPU and then the IPU picks it. There were some deaths in this country. I remember in one of the conferences of this IPU in Vietnam, I was called to represent our parliament in terms of what happened to those parliamentarians. So, if something happens to a parliamentarian all over the world, it finds itself to IPU then IPU takes it as a stronger institution to represent that honourable member even if from Kenya. As I said, I was asked about the issues that happened to some of the parliamentarians in Kenya some time back, which I reported on behalf of our Parliament. That happens in the whole world. If there are problems in other countries or continents, they find themselves in IPU and IPU picks it at a higher level.

They also deliberate on issues on better working experience of parliamentarians. How can a parliamentarian be facilitated to do very well in terms of his/her work as provided for in many constitutions? We also realised that even in that one, Kenya is doing very well in terms of facilitation of its Members, including provision of staff. This IPU is very good. People will learn that our 2010 Constitution is one of the best in the world. We have staff. Some other

parliamentarians might not even have staff. We have offices. Some may not have offices. You will realise when you go there if you find yourself one of the people who go there.

Those are various issues that this IPU is mandated to represent. They sit twice a year mainly in March/April and then October/November and they rotate all over the world. That is why when they sit they deliberate on those issues in committees. They then present their reports to the House. That is what informed these reports which are presented to this House. Those are the deliberations. Once they deliberate and have these reports, which are presented to this House, then what happens is that parliaments – and that is something we might need to think – look at the recommendations from IPU, pick some of them and then further them to become legislation. Maybe in future I might recommend in our country that we have a committee dealing with human rights of parliamentarians. We might want as a country and as Parliament to make the members of IPU that you nominate, Hon. Speaker, to become an ad hoc committee. When they come back, they can sit down, propose some of these recommendations that we think might lead to legislation in our country so that our country moves very well. As I said, their deliberations result into a report like what has been presented in the House. Next week people will be going to Geneva for that. In the last one, they were dealing with climate change conferences that happen in the world.

Hon. Speaker, this is what happens in the IPU. Members have seen it in the report. I urge the Members who will have opportunity from your good office to represent our country to fight for these positions. It is very important for them to do it. It is one thing to go there, but if you are not a Member of a committee, how will issues of Kenya be represented? As I move towards my conclusion, I urge those who will have an opportunity to represent our country to do it in the best interest. You will pick many issues from the countries from around the world, which you will share with us when you come back, including your own experiences. This is the best opportunity. There might be Members here who have not attended IPU meetings. As I said, we will seek a ruling or your advice next time, so that the issues that we resolve do not stay for too long like this one. There should be a committee to address these issues because they are very critical. Members have looked at them. If there is a committee when this report comes to the House, it will pick the issues and maybe even isolate and develop some of them into legislation to inform laws in this country.

Hon. Speaker, I want to thank you for giving me an opportunity to attend the IPU meetings. I was a new Member then and I had not travelled a lot, but you saw it fit that somebody from Pokot should get an opportunity to attend IPU meetings. I moved an amendment to the International Criminal Court (ICC) in 2015 and 2016 which won the whole world, and they approved it. If it was not because of you, I would not have had the opportunity to play international politics. I am a Chairman of a Committee now. I do not know whether you will give me the opportunity to represent our country. I will leave that to your wisdom, but you know that I did very well. I want to encourage those who will go there to do the same.

With those many remarks, I want to give an opportunity to the leader from the great people of Narok, Hon. Soipan, to second the Motion. We also went with her in one of the IPU meetings. She whispered to me to pass the message to you that she can also represent us this year.

With those many remarks, I ask Hon. Soipan to second the Motion.

Hon. Speaker: Hon. Soipan

Hon. (Ms.) Tuya seconded

(Question proposed)

Hon. Speaker: Member for Saku.

Hon. Dido: Thank you very much, Hon. Speaker, for giving me this opportunity to contribute. I stand to support the Report by Hon. Pkosing. He was canvassing indirectly to be given opportunity to represent this Parliament in future sittings of IPU. That is in order. It is true that he did extremely well in representing us in the 11th Parliament.

I have looked at the Report, and I have seen the functions of IPU. It provides global platform forums for parliamentarians on the issues of democracy, security, matters of the United Nations (UN), and the role of Parliament in providing a platform for dialogue and interaction of people across the world. If you look at the current dispensation in the world, for example in Africa, Asia, Middle East, Europe and the USA, you clearly understand why such a forum is important for the world. A group of people must come together to see whether what is happening today augurs well. We see failed nations which do not have parliaments, others have been taken over by terrorists and criminals and others have ceased to bring forward their leadership changes through democracy.

[The Speaker (Hon. Muturi) left the Chair]

*[The Temporary Deputy Speaker
(Hon. (Ms.) Tuya) took the Chair]*

Hon. Temporary Deputy Speaker, I quite agree with Hon. Pkosing that sometimes we think we are not doing well because of our elections. However, as you interact with other parliamentarians around the world and other global citizens, you conclude that we, as Kenyans, are not doing badly after all.

On this global platform of the IPU, an area that I see of great interest is banning of chemical weapons. If you watched the media over the last few weeks, there is misuse of chemical weapons in Syria on innocent civilians. We have seen the use of chemical weapons also on non-combatants in some countries in the Middle East. Over the years, the ban of chemical weapons has been advanced by progressive individuals who believe that there must be weapons in the world, so long as humans inhabit this world. We need to try to reduce the number of harmful weapons where civilians do not have the capacity to defend themselves. The people who can protect them are the combatants who need special gears to safeguard and to stay safe from chemical or biological weapons.

The other area of concern which has been discussed in this Report is the UN system. It is the global platform where all voices of different countries across the world, whether big or small in land size and population, are heard. The UN provides us a unique platform where the voices of Kenya and the USA are put on the same pedestal and not a single one is more important than the other. The forum of the Kenya National Assembly must stand up against any threat that arises to undermine the UN because it stands for global good in terms of humanitarian affairs, weapons and safeguarding democracy across the world. We heard the United Nations' voice come out clearly when Rohingya refugees were expelled from Burma to Bangladesh. They were expelled because they are Muslims and were unwanted in their country of origin. That is how important the UN is.

Finally, I would like to comment on humanitarian affairs. Humanitarian affairs are key to us. We are disturbed by movement of people from the south to the north. Africans or people from Central Asia and Middle East drown in the Mediterranean Sea as they attempt to cross to Europe. The situation looks helpless because the voices of Africans are silent. The European Union (EU) expresses itself on the de-humanising journey undertaken by men, women and children in that turbulent sea. For that reason, as Members of Parliament, we have a duty to our people to safeguard our democracy and make sure our country remains stable so that we are able to say that we are an island of a stable democracy in a region of turbulence. We have realised that democracy is good. All of us in this House have come here through the ballot. We have seen the goodness of people electing those they believe are the best to represent them. That is why it is not a small calling sitting in this House. It is the highest calling to safeguard our nation.

Thank you, Hon. Temporary Deputy Speaker.

Hon. Members: Put the Question.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Members, we have Members who are desirous of contributing. So, we cannot curtail their right to contribute. Let us have Hon. Gichimo Githinji, Member for Gichugu. He is not here. Hon. Gogo Achieng', you have the Floor.

Hon. (Dr.) Gogo: Thank you very much, Hon. Temporary Deputy Speaker. I would like to make a brief contribution on the IPU Report, but substantively I wanted to contribute on the ACP-EU Report.

I laud this kind of arrangement. This country should join as many international associations as is possible. They make Kenya visible. Apart from that, I applaud the Member who moved the Report. He encouraged Members that once they are given an opportunity to go to such meetings, they should yearn to take responsible positions by sitting in committees and playing international roles. A platform like the IPU is good for Members to expose themselves and see what people are doing out there. When you are around, you would think that your mother cooks the best food, but when you go out there, you realise that there is quite a bit to learn and that there is much to benchmark from.

It is a golden opportunity for the Office of the Speaker to be giving opportunities to Members to travel abroad and even invite other nations to come to Kenya on inter-parliamentary exchange.

With those few remarks, I wait to make my contribution on the Report on ACP-EU. I support the participation of this Parliament in IPU.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Kaunya Oku, Member for Teso North.

Hon. Kaunya: Thank you, Hon. Temporary Deputy Speaker. I would like first to support this Report and congratulate the Mover, Hon. Pkosing.

My contribution is on one main object of IPU, namely, safeguarding international peace. Reading from reports, though it has been presented like the one of 2013, I am aware that one of the aspects the IPU supported and has been supporting as an international body is the promotion of peace through reconciliation. I am aware in the 2013 Report arising from the IPU project of 2011 and 2012, they supported five Parliaments in Africa. One of them was the Kenyan Parliament and others were Ghana, Sierra Leone, Liberia and Uganda. Noting the importance of this, particularly on the question of conflicts in certain nations especially in Africa, it is an important engagement for our Parliament and, indeed, we applaud the team that participated.

It is critical that these reports be made available and discussed as soon as the delegations come back. Issues from the 2013/2014 and 2015/2016 reports should have been picked and discussed for Parliament to give its input. That will help us keep pace with IPU's and other organisations' projects which we are engaged in. Delays in getting the reports discussed in Parliament means that some of the projects, for instance, reconciliation, may have been overtaken by events by the time we have the report tabled in the House. My recommendation is that for the Members who will be engaged and involved in IPU and other international bodies, it will be critical to make sure that the reports are presented in good time and we are able to pick the issues they raise.

I beg to support the Report. It is a good one and it would be a learning opportunity if we picked up critical issues as the Mover, Hon. Pkosing, has indicated. Some of the issues we can fish out can help us in the next engagement for those who will be representing this Parliament.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Those are very good ideas. The currency of this Report is very important to be able to pick up on the critical issues. Let us hear from Hon. Oduol Adhiambo.

The Nominated Member (Hon. (Prof.) Jacqueline Adhiambo Oduol): Thank you, Hon. Temporary Deputy Speaker. I would like to take this opportunity to give special thanks because it is, in fact, the first speech that I am making this year. I had looked forward to making a contribution at the discussion of the Report of the IPU delegation. I felt proud when I got a chance in the 12th Parliament to be nominated as a Member through my party, the Orange Democratic Movement (ODM). Immediately after our swearing in, I felt extremely encouraged when the Speaker during the induction, brought it to our attention collectively, that we must always remember that there are high expectations from the public in terms of how we use the responsibility of oversight, legislation and representation to ensure that we are undertaking activities and contributing in ways that would bring a lot of prosperity, peace and welfare in the context of unity in diversity.

It is for this reason that I would like to take the opportunity to thank the Chair of the delegation. Looking at the kinds of recommendations and the opportunities presented when we get different Members of Parliament coming together, we find opportunity not only to build, but also to learn as we come together in the legislative assembly to meet the responsibility that the country and specifically all the other members have of us. I am aware that as we look at how we undertake our responsibilities, we must also bear in mind the environment, the kinds of concerns and tribulations that we face. As I look at the manner in which we can draw recommendations from this Report, I am reminded even of today's newspaper, which indicated that there are those of us who have great challenges. Some of them use the cemetery and the tombstones as an area where they can take solace and rest overnight.

We also have, as we scan our country and look at the concerns that the public have, clear cases of increased violence, particularly the violence that is taking place in the family, a space that is supposed to be a safe haven. It is usually meted out by those who are supposed to take care of each other – the husband, wife and children. It is for that reason that as I support and congratulate Members of the IPU delegation. I am proud of the forthcoming 62nd Commission on the Status of Women meeting, which will take place in New York. It is going to be a special session that has been organised by the IPU Bureau and women representatives for Members of Parliament. It specifically seeks to look at how we can make it safe for women in politics and how we can seek institutional solutions.

As I congratulate and thank the Members of the IPU delegation, I urge that as we seek to undertake our various responsibilities of oversight, representation and legislation, and as we look at Vision 2030 or the big four agenda, we seek to address other issues like the Sustainable Development Goals (SDGs) and any other matter that concerns us in this country. In particular, we need to pay specific attention to the reason why when we seek to get into this august House, it is through the road of politics. We need to seek to look, as we share with the IPU, the lessons that are learnt broadly. I would seek that in the interest of seeking to deal with some of the most urgent concerns, we look at the manner in which women in politics experience challenges from political parties, cultural institutions and from other areas that seek to deny those who have opportunity to come here as elected members.

I say this because in 2007, I ran for the parliamentary seat of Alego Usonga. I thank the people of Alego Usonga because I believe my running in 2007 in some way propelled me to join the 12th Parliament. I still feel that as we have a conversation, and as we seek to reflect and to make our Parliament more vibrant and useful, we recall that we still have challenges that emanate a lot from culture.

As I conclude, I am extremely honoured because in 2012, we tried to realise the two-thirds gender principle. I had the honour of being the Permanent Secretary (PS) in the Ministry of Gender, Children and Social Development. I was looking with a lot of expectation when we had the advisory that sought to meet the two-thirds gender principle when we came to 2015. I thank the august House, particularly the 11th Parliament, because I note a lot of progress was made towards complying with the rule. I continue to look forward because there is a way in terms of the way we do our politics, the manner in which we allow contribution to come, the way in which we get inclusivity, to not only look at persons with disabilities, age and other forms of marginalisation, but in particular, to look at women. With that, we are going to find that a lot of issues that touch on basic matters like health and water will be taken care of.

I conclude by saying that I am pleased by the manner in which the IPU delegation captured information on this Report. As we recognise the fact that we still do not have parity, and as we recommend that we want to deal with this matter, I recommend that we include an element that seeks to strengthen wearing of a gender lens that seeks to make politics and Parliament a place that would draw the potential that all Members of Parliament, especially women Members of Parliament, have.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Member for Sirisia.

Hon. Koyi: Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to contribute on this IPU meeting Report. This is a very important forum for Parliament. If all of us go with the good heart and spirit of Kenyan parliamentarians, we can make a change in a meeting like this one. Kenya used to be a country of peace during those past years. I am speaking as a former member of the national security forces in this country. We were known for peace until 2007 when the clashes occurred. That is when our country was divided. As Members of Parliament, when we go to represent this country in foreign countries, what we should do first is to bury our differences. I am happy today because I have heard Hon. Mbadi talk well when contributing on our seminar in Mombasa. He said that we should bury our differences and not go to Mombasa as NASA or the Jubilee Party, but as Members of Parliament.

We need unity even as we plan to go out to wherever because our country is still divided. This has taken long. It is now almost six or seven months after elections. When we go to a meeting like the IPU in any country, we need to speak a language that can promote this country.

We need to correct our mistakes and bring sanity to our country, mend our relationships as Members of Parliament, unite the people of Kenya and reclaim the name of our country.

Many Members have contributed to this Report. I support it because it is good. I thank Hon. Pkosing for bringing it although he took long to present it. This is a good Motion. This is a good Report and as he presented here, he had good intentions for this nation.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Let us have Hon. Njomo.

Hon. Njomo: Thank you, Hon. Temporary Deputy Speaker.

First, I would like to thank Hon. Pkosing for presenting this Report. I know it is a bit late, but better late than never.

The IPU is a union of 136-member states who come together and think together of how to make this world a better place. It is a union that enables the respective member states to compare and prepare themselves in such a way that they are able to work together and come up with legislations that will drive their economies for the better and ensure human rights are exercised in a better way in their respective countries. It also helps Members, especially of the newer democracies, from reinventing the wheel. They learn from older parliamentarians on how to do things effectively.

I am talking having come from an IPU meeting in New York last week. Member states were thinking of how to have a compact policy on immigration. This will help different nations learn how to deal with immigrants. This Motion was very vibrant. It exposed how different countries treat immigrants. That will help in coming up with some kind of universal and standard way of treating immigrants in such a way that they are going to feel like human beings. They should not be mistreated and should be as comfortable in the countries they have migrated to as when they were in the countries they come from.

The IPU works very closely with the UN. This essentially helps the UN as it comes up with resolutions and recommendations. It is helped by organisations and unions such as the IPU in getting more views. Just like when we are making legislations here in Parliament, our Constitution asks us or demands from us that we must ask for public participation. The UN, as an international organisation that deals with many nations, does public participation by going to different parliaments and getting opinions from those parliaments when it is making resolutions and deliberating on their matters. So, this IPU works very closely with the UN.

By cooperating with the UN, the IPU also helps in averting wars and quarrels between nations. When Members of Parliament from countries that are adversaries meet, they are able to talk from personal levels in such a way that when crucial matters come up between nations, they can be approached first from personal and friendly levels before they get to a very serious level. That way, many wars are averted. I remember an address that was made by the former President of Zimbabwe to the UN where he was talking about the way Americans have gone to other countries for their personal interests. It was a very tough statement coming from a President. Had this been dealt with from a lower level with more understanding, I believe it could have been solved in a better way.

Kenya is a member of the IPU. It is actively involved in activities and all the resolutions that come up in its meetings. Kenya stands to benefit from being a member of the IPU. I, therefore, thank Hon. Pkosing for his good Report that he has brought to the House. I support it.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Nyasuna.

Hon. (Ms.) Nyasuna: Thank you, Hon. Temporary Deputy Speaker.

I support this Report. I think it is a good thing that reports such as those from the IPU can now make their way to the Floor of this House. What happened in the past was that we went out to some of these meetings had very good reports, but we did not know where to take them. So, it is a very good thing and initiative that reports such as from the IPU make their way to the Floor of this House. We have to take it to the next level. Even the deliberations and the positions our Members take at parliaments such as the IPU should actually be deliberations that have been made as this Parliament and our Members only go to represent positions that we have already agreed on. We discover a lot of things that have been discussed out there that, perhaps, we did not know about. It is a very good step.

I wanted to say this earlier when the Leader of the Majority Party spoke on the Floor of this House and said that they were doing us a favour. I think it was to mean that the men were magnanimous to the women. I see that achieving gender equality is a global discussion. It is part of this IPU Report. So, when the Leader of the Majority Party said that they were being magnanimous to the women, I want to state it on record that the gender parity debate is not about women. It is about the Constitution of this country. It is about all of us working together to achieve what is within our Constitution. The next time the Leader of the Majority Party speaks about the Gender Bill like it is a favour he is doing to the women of this Parliament, or perhaps of this country, it should be really clearly stated that the gender debate is a debate regarding our Constitution.

I know that we pay subscriptions to the Inter-Parliamentary Union as a Parliament and, therefore, we are fully paid-up Members. It is an important benchmarking opportunity. There was debate earlier on about what we are going to discuss in Mombasa, with regard to the presidential system of Government and the role of Parliament within a presidential system such as ours. I think we need to have this debate candidly. Even when we go to forums such as the IPU, we need to ask ourselves whether our system fits with us. In our current Parliament, a Member of Parliament is elected as an agent of development not so much as a legislator *per se*. When your people elect you, they expect that you will be taking roads, water and all aspects of development to them. Does this presidential system really work where Cabinet Secretaries and everybody else is out there? Your people expect you to take development to them and yet you have no direct say. One has to go and knock offices around town. With regard to some of these discussions, even as we benchmark on the global stage, we need to look at what suits and works for us.

I am very attracted to part of the discussions at the IPU regarding parliamentary outreach. It is said that parliamentary outreach is actually coming to the fore. It is important to note that however much we speak in this Parliament, if the things we speak do not connect to the people we represent out there, then it becomes stories that we are telling. This part of the Report speaks about parliamentary outreach. While I was at the Parliamentary Service Commission (PSC) in the last Parliament, we introduced parliamentary outreach for this Parliament, which included setting aside days when members of the public can walk into this Chamber and know what it does and days when Members of Parliament can go out there to tell the public what we actually do. The Report says, "Parliaments functioning optimally are highly accessible national centers where the issues of national and often individual significance for citizens, irrespective of sex, ethnic background, social status or political belief may be debated and resolved. This is unlikely to be possible in the absence of substantial vigorous parliament-driven outreach programmes." It is a challenge to us as a Parliament to take our work out there, to make the public understand what our role is *vis-a-vis* what they think it is.

We moved from a parliamentary system to a presidential system. Our constituents, as I said earlier, still believe that we must do all those development programmes that we have spoken about, yet even with the NG-CDF in place, somebody would still go to court citing the Constitution and claiming that something is unconstitutional because a Member of Parliament is supposed to legislate, represent and play oversight role and have nothing to do with the execution of programmes. These outreach programmes will bridge the gap between what our constituents understand us to do and what we, constitutionally, are supposed to do.

Having said those many things, I would like to thank those who represented us in the last IPU engagements and urge that we continue to bring the Reports to the Floor of the House. However, it should not be just reports, but also our agenda to the IPU should make its way to the Floor of this House, perhaps, by way of Motions. That way, we will have an opportunity to debate them and agree on what our representatives should take to the IPU and other global engagements. When they come back with feedback, we will be in a position to be engaged better because we will be aware of what was being done out there.

With those many remarks, I thank you for giving me this opportunity. I support.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Members, I do not see any other interest or requests for contribution on this one. Therefore, I will call upon the Mover to reply. Hon. Wamunyinyi.

Hon. Wamunyinyi: Thank you very much, Hon. Temporary Deputy Speaker for the opportunity to reply on behalf of the Mover. First, I have had the benefit to be one of the representatives of our Parliament to the IPU in the past. I thank the leadership of Parliament for having accorded me that chance to be part of the representation of the country in the past. I would like to thank Members for the contributions towards this Report. This is one of the many important Reports that need to be considered and adopted by Parliament. It gives Members an opportunity to look at what colleagues have had to experience when they participate in international forums such as the IPU.

I want to stress the point that the House leadership supports these forums. Our country, and particularly our Parliament, has been represented adequately at the IPU. It is being represented adequately even at the Commonwealth Parliamentary Association and at the African Caribbean Pacific - European Union (ACP-EU) grouping. If it were not for the support of the House leadership, we would not have successfully participated in this international forum. I want to encourage the Speaker and the leadership in Parliament to continue to support this participation. It also gives us a chance to be part of the world community. The IPU is such an important session that brings together Members of about 135 states. The main agenda is usually peace and co-operation. Members are expected to come together to ensure that the people of the world live in peace and co-operate with each other to strengthen democracy and to help the underprivileged people.

When the Union is in session, it works through committees like our Parliament here. Our Parliament works through committees. The IPU also works through standing committees that deal with different aspects that include political, social, human rights and other issues. Most important, in the course of the business of the Union, it looks specifically at matters that affect the people. If you look at issues such as human trafficking, labour exploitation, sexual exploitation and brutality... We are expected to deal with these issues to urge legislatures across the world to work towards strengthening the law of human rights to protect the people and to ensure we work on behalf of all. As parliamentarians we must work for all. We are expected to represent all. This is the point that must be stressed. I liked it when my sister,

Mheshimiwa Gladys stressed the point of women. We all expect participation in such a forum to help bring equality and ensure that we implement the law on the same. I want to encourage colleagues that it is important to ensure that we also comply with the international conventions on protection of rights as expected and pass appropriate legislation to give effect to the same international conventions.

The UN Convention against Transnational Organised Crime and its protocols on trafficking in persons and smuggling of immigrants... We recently had cases of Libya and Yemen. In Libya, it was slave trade and abuse of rights of the people. In Yemen, it is like it was forgotten. People have been killed in Yemen. Women have been raped. Children have been killed. They are not able to live life as expected. So as parliamentarians, when we have these meetings we look at all these aspects of human rights and ensuring that we make contribution towards this.

As part of the world community, as part of the international community, of course we have our interest as a country, our strategic interests must be protected by Members representing our country in those forums, particularly when it comes to strategic interest of our country. When we are there, we are not just there to represent Parliament but to look at the interest of our country, and to participate adequately in all the issues that arise.

The other issue I want to talk about is our obligation, as I mentioned earlier: women's participation in politics is very essential. Unfortunately, women largely remain underrepresented in politics in many countries, not just Kenya. We need to work towards reversing this. Other than the comment by the Leader of the Majority Party, which Hon. Gladys commented on, I think it is a good thing for us to move towards that direction to ensure that we not only comply with the law but also to get more women participate in politics. As parliamentarians, we commit to work towards fairer, smarter and more humane approach towards this, including all the actions that would be required to help our communities.

I wanted to make quite a number of comments on this, but in a nutshell I wanted to say to Members that the IPU after its establishment and with its member states, in summary, is a union whose agenda mainly is peace and cooperation among the peoples of the world and for the establishment and respect of democracy.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Please wind up, Hon. Wamunyinyi.

Hon. Wamunyinyi: So I would like to appeal to colleagues to pass this report, as I appreciate their contributions. This should be taken seriously in future by all Members. With those few remarks, I beg to move.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Members, for obvious reasons, we shall defer the putting of the Question on this Motion.

(Putting of the Question deferred)

I just want to point out that we have an all-important Motion for Adjournment by Hon. Sossion. It had been slotted for 5.30 p.m. but we have some business to transact before that. We shall pick up the Motion for Adjournment as soon as we finish with the next business. So I urge Members to be patient.

REPORTS OF ACP-EU JOINT PARLIAMENTARY ASSEMBLY MEETINGS

Hon. (Ms.) Wangari Mwaniki: Hon. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, this House notes the reports of the Kenya delegation to the Sessions of the African, Caribbean and Pacific (ACP) Parliamentary Assembly and the African, Caribbean and Pacific-European Union (ACP-EU) Joint Parliamentary Assembly, laid on the Table of the House on Wednesday, February 21, 2018, as follows:

- (i) Report of the 47th Session of the ACP Parliamentary Assembly and Inter-sessional meetings of the ACP-EU Joint Parliamentary Assembly held in Brussels, Belgium, from October 09-12, 2017; and,
- (ii) Report of the 48th Session of the ACP Parliamentary Assembly and the 34th Session of the ACP-EU Joint Parliamentary Assembly held in Port-au-Prince, Haiti from December 13-20, 2017.

The 34th Session of the ACP-EU Joint Parliamentary Assembly took place in Port-au-Prince, Haiti, from 13-20 December 2017. The session was preceded by meetings of the three standing committees and the plenary of the 48th Session of the ACP Parliamentary Assembly between 13th and 16th December 2017. The sessions and meetings were a follow-up to the 47th Session of the ACP Parliamentary Assembly and the inter-sessional meetings of the ACP-EU Joint Parliamentary Assembly that were held on 9-12 October 2018 in Brussels, Belgium. Various resolutions on matters affecting the member states were adopted.

As an introduction and for the information of Members, I wish to explain the genesis of this organisation. The ACP-EU Joint Parliamentary Assembly is an Assembly comprising members of the European Parliament representing 27 EU states and the elected representatives of 78 African, Caribbean, Pacific States, or ACP countries, that have signed the Cotonou Partnership Agreement. The Agreement was signed between developing countries and the EU in 2000 and is supposed to run for a period of 20 years, ending in 2020. It is the only institution of its kind in the world and is governed by common democratic rules. A substantial part of the work of the Joint Parliamentary Assembly is directed towards promoting human rights, democracy and the common values of humanity. This has produced joint commitments undertaken within the framework of the UN conferences.

The representatives of the 78 ACP states meet their EU parliamentary counterparts drawn from the 27 member states of the EU in a plenary session for one week twice in a year, bringing together more than 320 members of Parliament. The Joint Parliamentary Assembly meets alternately in an ACP country and an EU country. Two co-presidents are elected by the Assembly to direct their work, 24 vice-presidents—12 European and 12 ACP—are also elected by the Assembly, who constitute the Bureau of the Joint Parliamentary Assembly together with the two co-presidents. The Bureau meets several times in a year in order to ensure continuity of the work of Joint Parliamentary Assembly and to prepare new initiatives aimed notably at reinforcing and improving co-operations. It also considers topical political questions and adopts positions on all human rights cases.

Hon. Temporary Deputy Speaker, the Assembly operates through three Standing Committees which have been established to draw up substantive proposals and are then voted on by the Joint Parliamentary Assembly. These Committees which began their work in March 2003 are: The Committee on Political Affairs, Committee on Economic Development, Finance and

Trade; and Committee on Social Affairs and Environment. Kenya has currently transitioned from chairing the Committee on Economic Development, Finance and Trade to membership of the Committee on Political Affairs.

Hon. Temporary Deputy Speaker, during the ACP-EU Joint Parliamentary Assembly held in October and December 2017, the Kenya delegation was represented by the following Members:

- i. Hon. Wangari Mwaniki
- ii. Hon. Patrick Mariru
- iii. Sen. Prof. Margaret Kamar
- iv. Hon. Dr. Lilian Gogo
- v. Hon. Cornelly Serem; and
- vi. Hon. Athanas Wafula Wamunyinyi

It is worth noting that the Kenya delegation was also joined by Amb. Johnson Weru from the Kenya Mission to Belgium, Luxembourg and the European Union (EU) in Brussels whose advice and guidance were of great benefit to the delegation.

The Kenya delegation participated actively in all the deliberations and issued statements with regard to topics that were under discussion among others providing and giving a statement on the political situation in the country. Considering that these meetings happened soon after the general elections, we assured the delegates that there was peace despite the ongoing political differences.

Hon. Temporary Deputy Speaker, some of the reports and subjects covered in the meetings of the three standing committees were on the following topical issues: The challenges in the field of security development, nexus in ACP and EU policies, the blue economy, opportunities and challenges for ACP states and improving access to basic health systems, notably to medicine in the fight against infectious diseases.

The reports were thereafter discussed in the Joint Parliamentary Assembly where they were adopted and resolutions made. There was also a women's forum, two external workshops and a youth conference with Asian students conducted before the main plenary sessions.

Hon. Temporary Deputy Speaker, the Joint Parliamentary Assembly deliberated on various matters of concern to the Member states and also exercised scrutiny over the European Commission (EC), ACP and the EU Councils respectively through a question and answer debate. Further deliberations were conducted on a variety of topics namely the role of the natural resources in promoting sustainable development, demographic growth, sustainable tourism, enhancing resilience to climate change and natural disasters among others in addition to discussions with Commissioner Neven Mimica, a Member of the EC with responsibility of International Cooperation and Development.

The Commissioner focused his statement on the future of the Cotonou Agreement which will be coming to an end in the year 2020 citing the need to adapt to the changing environment and to emergence of global challenges such as climate change and migration. Other debates also included urgent Motions on ongoing situations in Mauritania, Libya and Zimbabwe.

Hon. Temporary Deputy Speaker, before I conclude, there are two things I wish to highlight from the Report that demonstrate the importance of this organisation in strengthening democracy and supporting equitable and sustainable development. The first is the Economic Partnership Agreements (EPAs) which had their inception in the year 2002 between the EU and group of countries that together make up the ACP group of states where they have been negotiating free trade EPAs. The overall objectives of the EPAs are to ensure sustainable

development of the ACP countries, their smooth and gradual integration into the global economy and eradication of poverty. Specifically, EPAs aim at promoting sustainable growth, increasing production and supply capacity, fostering the structural transformation and diversification of ACP economies and providing support for regional integration by being tailor-made to suit specific regional circumstances.

Hon. Temporary Deputy Speaker, the EPA was to be signed and ratified by each of the East African Community (EAC) members in the EU partner states. In general, Kenya and EAC are keen to conclude the EPAs that address the concerns of the region, bring industrial and general development and lead to poverty eradication. The Agreement should also not lead to displacement of Kenyan products in the EAC market by the EU products. At present, only Kenya and Rwanda have concluded the ratification process awaiting the other EAC states to finalise on the EAC EPA. In fact, the ratification process was conducted by the 11th Parliament in September 2016. For the time being, Kenya continues to enjoy the duty free-quota free access to the EU market following interventions by previous Kenyan delegations, ministry officials, civil society and the business community.

Hon. Temporary Deputy Speaker, the second thing is the European Development Fund (EDF). The EDF is the main instrument for European Union aid for development cooperation to ACP member states. This is divided into grants for national and regional educative programmes: Intra-ACP and inter-regional cooperation. This investment facility is managed by the European Investment Bank. Their loans should be used to promote the public sector in ACP states. The current 11th EDF is scheduled to run from the year 2014 to 2020 with a budget of 31.5 billion Euros set aside for this particular period. Members should therefore apprise themselves on projects or programmes in their areas which may qualify for funding and consult the National Treasury on how it can be accessed.

Hon. Temporary Deputy Speaker, the delegation is grateful to the Speakers of the two Houses for allowing them to attend the sessions, for facilitating travel and accommodation and providing logistical and technical support in liaison with the offices of the Clerks of the two Houses. It is now my pleasant duty on behalf of the delegation to present and commend this Report to the House for noting.

I beg to move and request the Hon. Wafula Wamunyinyi to second.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): The seconder, Hon. Wamunyinyi, the Floor is yours.

Hon. Wamunyinyi: Hon. Temporary Deputy Speaker, thank you for the opportunity to second this Report that is before the House. The Mover has been very elaborate. She has explained what the ACP-EU is all about. I do not think I will take time repeating what she said. However, I want to emphasise one point which she mentioned about the Cotonou Agreement. This is what created the enlarged grouping of European Members of Parliament and those from the ACP. That was in the Cotonou Agreement. The agreement will be coming to an end and there is need to negotiate for a fresh one. I want to stress, like I had said earlier, when it comes to negotiating the new agreement, it is important that we give it our best. Let us have Members who have participated in the past and who have the know-how when it comes to agreements. That way, they will be able to protect the interests of our country.

The Mover also stressed the point of Economic Partnership Agreements. I would like to stress that during the last ACP-EU meeting held in Port-au-Prince we discussed the agreements particularly in relation to economic blocs around us. In our region we have economic blocs. In Africa we have the East African Community, the Southern African Development Community

(SADC) and others. It is important for Members to work towards ensuring that as we participate in economic blocs in our region, our interests must be number one. Also, our colleagues who have experience and knowledge of what takes place should be given a chance to participate. But, we should also bring in new Members. I am happy because the new Member, Hon. Gogo made a substantial contribution during the conference in Haiti. I can see she is here and she is going to contribute.

I will not take a lot of time going over this again, but I want to stress the fact that there is need for consistency. I am happy because in the last ACP-EU meetings the same Members of Parliament participated in one way or another. It helps with regard to continuity and also ensures that Members follow-up on issues because they know where they were left and what needs to be done. That way, our issues will be handled properly. That notwithstanding, there are important issues relating to the aspect of protecting people. This is particularly through initiatives by the joint union of the Assembly and the grouping of Members. They are to strictly promote regional, political and commercial compression. For instance, they ensure that refugees are safe and that they get help. The United Nations is very clear on this matter. We are signatories to the UN and we are a home to many refugees, as I understand. It is stressed that countries must also ensure that refugees are protected in accordance with the provisions of the UN.

It was also clear that drawing up of rural development programmes and micro-projects tailored to the needs of specific communities should be considered. We work with the European Union and there is a fund to support many countries set up by it. There is also the issue of integration of the environment policy in development projects and promotion of trade as a tool for development, particularly by way of economic partnerships as I alluded to earlier. These are important points which Members need to note. As we do our business, we must also be cognisant of the fact that the Assembly of Parliamentarians of the ACP-EU is also working towards the issues which affect us here at home.

With those few remarks, I once again want to thank my colleagues. They represented the country very well through their participation. Some of the Members chaired sessions and groups and their contributions were very strong. I want to appreciate them and also the House leadership and the Clerk of the National Assembly. The Clerks who travelled with us were very helpful. They ensured that we were well facilitated in our movement from the hotels to the conferences and elsewhere. I, therefore, second this Report.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Members, I will now propose the Question.

(Question proposed)

I see a number of requests here. I know without doubt that we have a mix-up. Some Members have put their cards in anticipation of the next business. I want to request Members who want to contribute to Hon. Sossion's Motion for Adjournment to kindly pull out their cards. Let us go by that because I can see already some people have pulled out their cards. We now have only a few Members, who want to contribute to the current Motion. That leaves us with two Members. Let us have Hon. GogoAchieng.

Hon. (Dr.) Gogo: Thank you, Hon. Temporary Deputy Speaker. It is an honour because you have given me another opportunity to make my contribution to this particular Motion. I want to thank the Speaker and the leadership of the House for giving me an opportunity to have hands-

on experience at the ACP-EU conference both in Brussels and in Port-au-Prince in Haiti. I would also want to thank the Leader of Delegation for bringing this Report to the House on time. This is a very current Report because these were the happenings in December last year. We have brought the Report now and that is very good.

The ACP-EU is a very good platform and for Kenya to be part of it, that is a noble course. What is discussed there is, indeed, very rich and enhances the international and regional participation of this country. For MPs, it is a good exposure. It is important for us to be part of the Economic Partnership Agreements.

Allow me to take cognisance of the idea that the Cotonou Agreement is coming to an end. I stand here to inform and urge all those who are involved that Kenya should position itself very well. It is so that we have a situation whereby instead of us singing about Cotonou Agreement, we strive to have in place, “Rangwe Agreement”. Rangwe Constituency, where I come from and which constituency I represent, has very good facilities for signing international agreements. This would be a good avenue for selling Kenyan towns. We could have a Murang’a Agreement. We could even have a Malindi Agreement or a Siaya Agreement. As I stand here to support this Report, I urge Kenya as a nation to position itself and have the next agreement that is going to be post-Cotonou signed somewhere in Kenya. I also want to pre-empt that Kenya has positioned itself very well to host activities of ACP-EU, which is a good thing. I think from the calendar of ACP-EU activities, we are going to host ACP-EU membership in Nairobi, which is a good thing. It is a good thing for the nation, for tourism and for promoting our activities.

I specifically want to talk about the European Development Fund. It is a good development tool that we are part of. It helps in development projects across the country. Quite a bit of money comes to Kenya and it would be important that as we bring the Report to the House, probably we could also, as a matter of addition, give the quantities of monies that have been brought to Kenya so that Members do not have to be told how much has been taken to their constituencies when they go for such trips. However, it is a good thing because the EDF has promoted quite a number of development projects. I must, especially, thank this arrangement because Homa Bay County has been a beneficiary of the EDF. Also, Rangwe Constituency has greatly benefited from funding of the rural electrification system. These are good things for the country. The more we participate and go there to articulate our ideas, the better for us as a country.

While there, I laud the ACP-EU systems for putting food insecurity as one of the priority areas, and for putting it as an emergency. Many times, we have, as a nation, had to deal with food insecurity but when it is taken as an emergency, the way it has been put in the systems of ACP-EU, it is easier to access emergency funds to attend to emergency situations. This is a good idea.

I am also particularly looking at aspects that are looked at internationally, especially economic matters. I want to look at the blue economy. We are having issues with youth employment and unemployment. A lot of emphasis and debate has been put on the blue economy. If, as a country, we look at this positively and come back and give such reports and act on them and look for funds for increasing activities in our seas, lakes and rivers and also take our environment seriously; I think it is going to be a good thing, especially for creating employment for young people and women, who work very hard. It is a good thing that the Report has been tabled so that we are made aware that it is not just taking trips abroad and coming back but when Members go out there, they do represent the country very well and come up with very substantive reports.

Allow me at this juncture to mention two senior members of this noble House. I want to mention Hon. Musikari Kombo and the current governor of Bomet, Dr. Joyce Laboso, who have co-chaired activities at ACP-EU. I bring to your attention a proposal that was made to have these people join the group of eminent persons from the ACP-EU countries and also the EU. We should have a system that recognises the contribution of Members of Parliament when they go there. Looking at the work that these Members did, that enabled them to rise to the level of co-chairs, it is a good thing and we must come back to our country and recognise the effort these members made to reach the highest echelon of leadership at the ACP-EU. I request and urge whoever takes up the Office of the Ambassador in Brussels, Luxembourg and the EU to take up this matter seriously and follow it up and substantively bring it for debate so that we have these members conjoined as Members who belong to the group of eminent persons from Africa, Caribbean and the EU. It will be good for Kenya.

On political matters, the ACP-EU is a good forum. Occasionally, we have had, as a country, to go through fire and brimstone. However, if it was not for the ACP-EU, a lot of lies would be tabled outside there about Kenya. When I am outside Kenya I am Kenyan. When I go to any system to represent Kenya, I am Kenyan. I go there, I say the truth about Kenya. When it was so hot and fiery, I had to stand up and I did not want to care what somebody would think about me on this. I said: “Kenya *hakuna matata*.” What am I saying here? This is a very good forum to put the other countries on the true state of what is happening in Kenya. It puts up a true picture because when one wants to paint Kenya as a failed state, then this is a very good programme. It is a good avenue and a good platform that can be used by people who are representing this country to go and say that we are not burning; that Kenya is not a failed state; that Kenya is a state like any other state, and that it is stable and able to manage its affairs.

With those very many remarks, I say that it is a good Report. Thank you, Hon. Ruth, for bringing it to the House. Hon. Temporary Deputy Speaker, I thank you for the time. Hon. Speaker of the National Assembly, thank you for giving me an opportunity. I would want to serve in this area. If I get another opportunity to go for ACP-EU meetings, I will be more than glad.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Member for Nyaribari Chache, Hon. Nyagaka.

Hon. Tongi: Thank you, Hon. Temporary Deputy Speaker, for the opportunity to also speak to this wonderful Motion on the Report from Hon. Wangari Mwaniki, the Member of Parliament for Kigumo Constituency.

This goes to tell us of the value of getting experts to handle issues. The topic is technical but the way it has been simplified by Hon. Wangari Mwaniki has made it so easy for all of us to understand, and more so to understand the importance of the ACP-EU programme. It is a programme which has really enhanced the economy of Kenya. It is a programme which is adding value to our economy, and which all of us of goodwill in this country need to support. That is why I appreciate the effort of the Mover of the Motion and acknowledge the benefits therein to Kenya in having this agreement in place.

It is important to mention that the programme enhances promotion of trade. Without this, we will be paying a lot of taxes today. As a country, our products will be very unattractive to foreigners. They will not be keen to buy from Kenya because they can afford to buy the same products from neighbouring countries at a cheaper cost. We all appreciate that Kenya is ranked as a poor country and, therefore, it attracts a lot of taxes when we sell our products. For example, when we go to sell our flowers out there, we pay a lot of tax and that makes our products very

unattractive. If you look at the number of people who are employed in flower farms, they are so many that the last thing we want to imagine as a country is that we are going to pay taxes. That will make those investors move away to cheaper countries where they will be able to pay less and make more money for themselves.

This programme has enhanced employment opportunities for our youths. The number of people who are employed in this programme directly and indirectly is big. When our economy grows, we will create employment opportunities. The single most challenge that we have in the country today is unemployment amongst our youths. They are hurt. Some of them have finished universities and colleges, but they cannot get gainful employment. That creates a security challenge to the economy and the country. We have many of these agreements. We should address that challenge and reduce the number of graduates who are unemployed and staying at home.

This programme also enhances stability in the country. If we get into these blocks and we all talk the same language, there will be peace. If you go to Tanzania, Rwanda and Uganda and they are all speaking the same language, even our political stability in the region is enhanced. So, we have to work hard and ensure people with expertise and understanding on this programme are given the opportunity to propagate our agenda and ensure that we get the service. That is why I am so humbled that our own, Hon. Wangari, is able to understand this. She has given a short presentation, but we need to support to ensure that we get many people who will do this at a higher level.

Hon. Temporary Deputy Speaker, enhancing the relationship amongst trading partners is a good thing for any country. If you look at Kenya today, the counties which have made progress are those which have merged. We can cascade this programme to local level and get the benefit out of it. Those counties which have emerged and now they have common interest have attracted foreign investors directly to the county level. This programme can be cascaded even to the constituency level where we will partner with the neighbours. We will partner with the constituencies where we have similar challenges, and ensure that we exploit the benefits therein.

I have just come from Nyaribari Chache Constituency, Kisii County, a little while ago. This is the constituency which I come from. We have a lot of challenges which should not be a challenge. The ACP-EU has a programme of financing some of these projects. We have a lot of rain in Kisii. The biggest challenge I have in Kisii today is the poor road network because of the heavy rains. It is raining heavily. I have just left there a little while ago. We do not have a system of harvesting this water. If we had a system of harvesting the water that is going down today, we would use in future because it rains and that water is wasted. We should tap into this money which is about US\$31 billion. It is a lot of money which can make a difference. If we get a fraction of that money and it is invested into our economy by way of creating water harvesters, that will create employment opportunity for our youths. Then they will start car wash businesses, especially in Kisii Town where I come from. We will start the car wash business for the youths because not all of us will be sitting in the office, and not all of us can create employment opportunities for people to sit in the office.

An Hon. Member has spoken of the blue economy. We all have an opportunity to enhance that. If we can have this support from the EU and we get this money which comes in in very soft terms, we will use it to start fish farming for our youths, small scale businesses for our youths and many economic opportunities for our youths. The day we stop thinking of employment as the only source of money, that will be the beginning of elimination of the challenges that we are having today.

It hurts me to see people who have gone to school and all they can think of is to get employment. They think that if you are not a teacher or in the Kenya Defence Forces (KDF), you are not employed. The truth is that people who have money in this country are self-employed. We have to create an enabling environment where people will get these resources and the capital to start their businesses, so that they can grow this economy. That way, we will collect more money for KRA which will be used to ensure that we have good services in the country. It will also be used to enhance security in the country and to increase the number of teachers in the country. As a former teacher, I will tell you that the ratio of student to teacher is alarming in Kenya. It is scary. We need to improve the quality of education. I know we all desire to have as many teachers as the good practice requires of us but this requires money from the Exchequer. All of us are looking at one source of money. If we can increase the people who are contributing to that basket, then all of us will have something to smile about. I am looking forward to a day when all of us will ask what it is that we can do to make Kenya a better place, but not to keep on asking what Kenya has done for us. All of us have a chance to contribute and make Kenya a better place, more appealing, peaceful and make it a good place to live in and do business.

There are parts of this country which hurt because we have not done things the way we should be doing them. For example, a region like Kisii, where I come from, has water in plenty but we have done things which will hurt this economy and environment which was given to us by God. We have planted trees which are using a lot of water and making some streams to dry up. If we can get this money from ACP-EU, it can be used in civic education, for lack of a better word. It can also be used to give us seedlings of different seeds and trees to replace the blue gum trees which are wasting our soil resource. That is another way we can gain from this EU programme. I am sure that once we enhance and practise it, we will use it for the good of this country. Therefore, all of us will be happy to live in this country. We will have something to be very proud of.

With those few remarks, once again, I want to take this opportunity to thank Hon. Wangari, Member for Kigumo, for such a powerful presentation. We hope that we will all support her to ensure that this goes to the next level for the good of this country.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Nyasuna

Hon. (Ms.) Nyasuna: Hon. Temporary Deputy Speaker, I intend to contribute to the next Adjournment Motion.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): I thought you had withdrawn. What about Hon. Tonui Kiprotich? You are all anticipating to contribute to the Adjournment Motion. Let us have the Mover to reply.

Hon. (Ms.) Wangari Mwaniki: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to reply. The World Bank in its 8th Country Report on Kenya said that the dream to grow the economy in double digits will continue to be illusive until we promote international trade which is exports.

I want to thank the Jubilee administration because in the four point jubilee agenda that the President has said we strengthen, there is the strong push to have manufacturing that is export-led. Once we manufacture and grow our agriculture, we must secure markets. It is one thing to produce something or to manufacture and it is another thing to get a market for those produce. So, the partnership between the EU and the ACP countries, and particularly Kenya seeks to secure our continued partnership, so that our goods continue to get access to the European market quota free and duty free. Without the ACP-EU partnership, they will be

subjected to taxation. As my colleague, Hon. Richard Tongi of Nyaribari Chache Constituency has said, most of those businesses will close and our youth will lack jobs.

We have talked about the European Development Fund which is €31million. We need to approach the National Treasury. Members of Parliament need to go to the external resource department of the National Treasury to know what programmes the EDF can accommodate in their respective constituencies.

We talked about the political issues relating to the EU-ACP partnership. Do you remember the presence of EU? Their presence was strongly felt during the recently concluded general election. They came here as an observer mission and gave their report, which gave a lot of credibility to what the Independent Electoral and Boundaries Commission (IEBC) did. So, we are very happy with the partnership that has continued between the ACP and the EU.

Hon. Temporary Deputy Speaker, the world has become a global village. With the internet, at a touch of a button one can know what is happening in another part of the world. I am pleased that this House has taken international relations seriously and allowed Members of Parliament to be up-to-date with what is happening in the global arena. I am very pleased that we were given the opportunity to travel and meet our colleagues in the European Parliament to exchange views.

My colleague, Dr. Gogo, Member of Parliament for Rangwe, talked about the blue economy. Kenya has come out very strongly to support protection of marine life. The ban on plastics was a very strong statement and brave move by the Government of Kenya to show that it supports the blue economy and supports the security and protection of marine life. Most of those plastic papers used to find their way to the Indian Ocean, spoil the ecosystem and kill marine life. We are very pleased because there is awareness now that we can reap much if we support the blue economy.

On the area of international trade, regional integration and our relationship with the East Africa Community, there was a delay in signing the Economic Partnership Agreement because the EAC members states were not going to be affected whether they signed it or not, because all of them except Kenya are banded as least developed counties so they can access the European market without any restriction. We call it everything but terms. They can sell anything duty free and quota free without any separate agreement. But for Kenya, without the Intergovernmental Personnel Agreements (IPA) we will be condemned to pay taxes. I am happy now because recently I saw His Excellency the President talking with his counterpart of Tanzania. I am sure discussions are ongoing between our respective ministers to resolve the perceived suspicion and differences that had made it impossible for the Economic Partnership Agreement to be signed. We foresee that the Agreement will be signed. We will then be able to comfort our tea, coffee, and horticulture producers and manufacturers that they will be able to access the EU market, quota free and duty free.

With those few remarks, I beg to reply.

The Temporary Deputy Speaker (Hon. (Ms.) Tuyu): Hon. Members, once again, we shall defer putting of the Question on this Motion.

(Putting of the Question deferred)

I call on Hon. Sossion to take his five minutes and move his long awaited Motion for Adjournment.

**MOTION FOR ADJOURNMENT UNDER
STANDING ORDER NO.33**

AFFIRMATIVE ACTION IN RECRUITMENT OF TEACHERS IN NORTH EASTERN KENYA

Hon. Sossion: Hon. Temporary Deputy Speaker, I seek leave for the adjournment of the House for purposes of discussing the urgent need for affirmative recruitment of teachers.

*[The Temporary Deputy Speaker
(Hon.(Ms.) Tuya) left the Chair.]*

*[The Temporary Deputy Speaker
(Hon.Omulele) took the Chair.]*

Kenya, at this age, has made tremendous strides in delivery of education. In spite of that, we have obvious challenges that affect certain parts of the Republic of Kenya, especially in relation to insecurity and that has led to mass exodus of teachers. Education remains a fundamental right to every child under the Constitution. Under the statute laws, the Education Act specifically, the right of a child; even a refugee child, to education is an international declaration. The situation that has obtained repeatedly in some parts of this country is so grave that it has affected delivery of education by this nation to all its children equitably and with quality in line with the Sustainable Development Agenda, 2030 Goal No.4 which is very clear about equity and access and quality.

I, therefore, move this Motion so that we can vacate from what we sometimes witness in debating without a solution. As we speak, some teachers have moved out of North Eastern region and are here in Nairobi. In Mt. Elgon, some teachers have moved out of their work stations. Obviously, it means that thousands and thousands of our children in schools in these regions are doing without teachers. This is a matter that has to be addressed. We address it by proposing a solution. There is need for the Teachers Service Commission (TSC), as a constitutional body mandated in the Constitution, to immediately commence the process of recruitment of untrained teachers in these particular regions, deploy them to classrooms, register them and prepare in-service courses for them. I am saying so because Kenya is part of the global community. In other parts of the world, where trained and qualified teachers are unavailable, the staffing norms within International Labour Organisation (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and Education International recommend that we must draw teachers from those communities. North Eastern and other parts definitely have school leavers with qualifications and with capacity to engage in teaching.

The use of untrained teachers is not a new phenomenon. This nation has done it before but I am moving this as an affirmative action that can be taken at the moment to solve this problem once and for all. All communities, including those considered to be minorities, have a right to education. They all require to have their own teachers. Therefore, my proposal here is that TSC should immediately recruit from a pool of school leavers, qualified and capable citizens from these communities and deploy them to classrooms. It should then give them registration certificates and proceed to give them in-service courses in April, August and December. In doing so, the menace that is the exodus of teachers and lack of teachers shall be solved once and for all.

We appreciate the ethnic and environmental diversity of this nation. If we have to deliver education in the most difficult and hard-to-reach areas in this nation, then we must give opportunities to those communities to have their own teachers.

I am also proposing that the TSC must continue to sustain an acceptable staffing norm in this nation so that in case of calamities and insecurity of whatever nature, communities that shall be affected will continue to have teachers at all times. There might be a challenge in these areas because of obvious challenges that we have in terms of geographical locations and other challenges. It may not be possible to have school leavers who meet the minimum cut-off point set by the Ministry of Education to train and qualify as teachers. We know too well that affirmative action for equity and for the rights of the people is in the Constitution. I recommend that in the particular regions where the Teachers Service Commission cannot mop up enough teachers to take up these positions, then it should lower the cut-off marks to an acceptable grade – either ‘C’- (Minus) or ‘D’+ (Plus) – so that we can get enough teachers to teach in those particular areas.

My Motion is straightforward. I believe it will lead to a win-win situation for both the Ministry of Education and the TSC. They can now move with speed to implement it so that all children across the Republic of Kenya can access teachers. Further, the TSC must ensure that the teacher-pupil ratio is attained at all times in all our public schools so that we can deliver quality education to all our children.

I was given five minutes. I think I have....

The Temporary Deputy Speaker (Hon. Omulele): Hon. Sossion, you have 10 minutes. You still have a balance of about four minutes. Whether you want to use them or not, it is up to you.

Hon. Session: Having outlined the actual situation in this country, I believe it is in the interest of this nation to accept this extraordinary step and allow the TSC to develop an acceptable framework. In doing so, this group of teachers, who have declared that they are unable to work in those particular places, can be released and be deployed for utilisation in other parts of the Republic of Kenya.

I also urge the TSC to adopt acceptable staffing norms so that we can ensure that the teaching service in this country is stable at all times despite obvious challenges that we face, particularly insecurity. The traditional approach to teaching is that teachers are allowed to teach close to their communities. Take, for example, the pastoral communities who are ever moving and the mobile schools that we have. It is not possible to employ a teacher, say, from Migori or Kisii and deploy them to teach children in pastoral communities that are permanently on the move. It is always advisable that mobile communities must be targeted so that we are able to train members of that community who understand the culture of that community so that at all times, those teachers can be present. Globally, we have seen human migration. We have seen migration of refugees in Syria to Europe. Populations are moving with their children and their teachers. We have seen the same in Nigeria. The whole State of Borno has been affected by similar circumstances. It is always good when a community has their own teachers. In case of mobility, they will be having their own teachers.

Therefore, beyond this, the TSC and the Ministry of Education must map out the ethnic minorities in this country and address their unique needs. It is a right that members of the Dorobo or El Molo communities, and all other groups, also have their own trained and qualified teachers working within them. There has been a policy that has caused a lot of jitters within the teaching service. There is a staffing norm we have seen in the past during post-election clashes that

involves movement of teachers. We want to urge through this Motion that the TSC ensures that teachers are permanently stable. The concept of de-localisation may not work. It may aggravate the stability of teachers further.

I urge this House to support this Motion as an affirmative action so that all our children can have access to not only quality but equitable education delivered by the presence of qualified teachers at all times, whether there is peace or not.

Thank you.

The Temporary Deputy Speaker (Hon. Omulele): Hon. Members, you know that this one does not have...

Hon. Sossion: Hon. Temporary Deputy Speaker, I have a seconder; the Member for Wajir West.

The Temporary Deputy Speaker (Hon. Omulele): According to our rules, such Motion does not have to have a seconder. The proper way to go about it is to give the first opportunity to the Chair of the relevant Committee, which is the Departmental Committee on Education and Research, so that we can have organised discussions. I will, therefore, give this opportunity to Hon. Melly, Member for Tinderet and Chair of the Departmental Committee on Education, Research and Technology.

Hon. Melly: Thank you, Hon. Temporary Deputy Speaker. I rise to oppose the Motion.

This could have been a very good Motion but hiring untrained teachers to serve when we need quality education in this country is not appropriate. One of the goals of education in this country is to promote national unity. It is to foster unity among Kenyans. This can only be attained by ensuring that we live together as communities despite the difficulties that we go through. As a people, every region has its own challenges and difficulties. The Motion targets to address a challenge that is facing a specific part of this nation. For that issue to be tackled very well with a long-term solution, I ask the Government to intervene to ensure that there is law and order in that northern part of Kenya as well as in other parts of the country with similar challenges, including Mount Elgon, Marakwet and Baringo.

The Kenya National Union of Teachers (KNUT) stands for quality education. The union seeks to ensure that we have quality teachers. Recruiting untrained teachers for those regions would be doing a disservice to children in those areas. Secondly, a few days ago, the Cabinet Secretary for Interior and Coordination of National Government was in the northern part of the country, and in the insecure parts of North Rift region. At least some semblance of law and order has returned in those areas. I urge the leaders from those areas to also come in to ensure that we talk to our people because security begins with us. We should condemn the individuals attacking teachers. We should condemn the people who are trying to ridicule our teachers in class. It is incumbent upon all of us in this House and outside to ensure that we do not make laws that are only meant to address something for a particular time.

Hon. Temporary Deputy Speaker, you will remember the founding father of this nation, Mzee Jomo Kenyatta, took the reins of power at a very difficult time. There was the Shifta War and the Northern Frontier District Liberation Movement (NFDLM). There were many wars in the Northern Frontier areas. He did not give in. He ensured that the country remained one. If we go this direction where we are going to have what I will say is piecemeal kind policies where we urge a region to have a different policy from the national system, we will not go very far. In fact, I commend the Teachers Service Commission because they have, in the meantime, refused to withdraw teachers from those regions. Instead, they have asked the teachers to go to the urban centres within their regions and the locals go to the rural areas. It is the idea across the world.

In multi-cultural societies, communities that live together and are relating always do things in harmony. If we pass this Motion, it will do a disservice to northern Kenya, areas in the North Rift like Turkana, Marakwet, Lamu and Mount Elgon. We need to employ trained teachers from those regions. If it is to employ teachers from those regions and give them chances, it is an affirmative action and it will be okay. But, the moment we are going to....

(Off record)

The Temporary Deputy Speaker (Hon. Omulele): I will allow Hon. Melly, as the Chairman of the Departmental Committee on Education and Research, an extra minute so that you can wind up. But, I would just like Members to note that they usually have only five minutes on this kind of Motion. These kinds of Motions are not seconded. So, every other contributor will have five minutes.

Hon. Melly, I will give you a minute to wind up just because you are the Chairman.

Hon. Melly: Thank you.

The Temporary Deputy Speaker (Hon. Omulele): Can you press the intervention button so that we can find you? Yes, give him the microphone.

Hon. Melly: Thank you, Hon. Temporary Deputy Speaker.

I want to conclude by saying this: If this House passes this Motion, it will segregate particular parts of this country. This Motion will address the real issue facing the nation that is insecurity. We will actually not have solved what is ailing us. It is not about untrained teachers. It is about the security of this country. So, I urge the House that we make sure the regions concerned – I remember that regions as far as Mandera up to Coast, Tana River, have insecurity issues. Whenever we address security issues in this manner, we abet crime and terrorism in our country.

We need quality teachers for students to pass exams. We need quality education so as to achieve Vision 2030. Let trained teachers be recruited. Let security be provided in those regions and not segregate other Kenyans by moving them across. Let us uphold national unity and the stability of this nation.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Omulele): Very well. The Hon. Wanyonyi Wetangula, Member of Westlands.

Hon. Wetangula: Thank you, Hon. Temporary Deputy Speaker.

I also want to add my voice to this debate. While I agree with the sentiments of the Chairman of the Departmental Committee on Education and Research, we sometimes also need extreme measures to address some of these issues. I think sometimes the Government does not take security matters seriously because we have seen teachers being flushed out from those areas. We have seen religious profiling whereby people who do not belong to a particular religious segment are flushed out and sometimes even executed. These are issues we need to address – issues of security – and that is what is happening in Mount Elgon, North Eastern and other parts of this country, putting the lives of Kenyans in danger. For our children to get quality education, there must be security. There must be security and we should not address issues casually. The TSC and the Government as a whole must look at the issues of how teachers are going to provide quality education to every corner of this country. Such cases have been seen not just in those areas, but even within Nairobi. We are having serious issues of shortage of teachers and we have so many teachers who have been trained and are waiting for employment outside there.

The TSC has a very funny system of employing teachers. We find that they are looking at teachers who were trained six or seven years back; those are the people they recruit yet there are teachers coming out of colleges almost every year. We need to look at how we can improve the ratio of pupil to teacher in our schools. We must also address the issue of security to enable children go to school and enable teachers who are recruited to teach in other parts of the country be safe. You will find out that even Form Four leavers, as Hon. Sossion proposes, are rising in number in those areas and it makes the situation very difficult.

I was once a chairman of the education committee when I was working at City Hall. In some of these areas, even getting a Grade D or a Form Four leaver is very difficult. They have to look for teachers from other regions. This is why we must have our laws address the issue of security in all areas of this country so that our teachers who have moved to teach in other areas or are posted by the TSC, work in a safe environment so that our children, whether in Mandera, Mount Elgon or wherever, get the same education as those in other regions that are safe and secure.

I support the proposal by Hon. Sossion. The TSC and the Government must come up with interventions that will make sure that our children and other Kenyans live in a safe environment and there is education for everyone since it is a fundamental right.

Thank you.

The Temporary Deputy Speaker (Hon. Omulele): Hon. Tonui.

Hon. Tonui: Thank you Hon. Temporary Deputy Speaker for this opportunity to also make my comments on this Motion for Adjournment.

From the outset, I want to declare that I support the Adjournment Motion by Hon. Sossion. It is timely and we need to act on it.

I know the Chairman of the Departmental Committee on Education and Research has commented that there is insecurity all over, in Mount Elgon, Kerio Valley and elsewhere. But, I thought the recent killings of teachers which happened somewhere in the former North Eastern Province was quite unique. Normally, insecurity in the Kerio Valley and elsewhere does not target teachers, but this one was targeting teachers. The situation where teachers simply get killed, possibly because they are not locals and come from far, is a unique situation which I thought is what Hon. Sossion was addressing in a way. That is why he was proposing that, since education is critical for everyone, we need to have some other interventions so that those people can get their education and at the same time security of the teachers is guaranteed. I thought it makes lots of sense.

I know from interactions with teachers who were teaching in North Eastern, it looks like there is a lot of discrimination and stigmatization in those schools. They also feel that they are not respected. The kids they teach also belittle and talk badly about them. They say, “these are Nywele ngumu.” That is the kind of stigmatization that exposes them in those regions. Their need for security is different from the security requirement elsewhere. I commend the Chief Executive Officer of TSC. When she appeared before the Departmental Committee on Education and Research, she condemned it only that she has not moved a step further to ensure that these teachers are redeployed elsewhere. When we say we want to move them from the rural areas to urban areas, we should ask ourselves, what happened at Garissa University and Mandera when some teachers died? Are these not part of the urban areas of that region? I wonder when we talk about Al Shabaab being behind all these, are these Al Shabaab coming from Somalia or they are locals? Are the locals aware of what is going on and are not protecting these teachers, and

are not passing this information? Those are the issues that need to be tackled. The desperation on the issues of unemployment is forcing people to go to places which are risky.

As a House, we need to ensure that as we deal with the budget-making process we provide adequate finances so that we employ more teachers. Now that we have shortage of teachers of about 104,000, let us put more resources towards education. If we invest in the education sector, certainly we will not lose and it is going to be a wise investment. Once we have teachers all over being paid, that will be money circulating in the local economy and in the rural areas, and that will ensure that the economy grows at a better rate.

There are teachers who are camping at the TSC Headquarters. It was so unfortunate and heartless for the police to throw teargas at them. These are people who were running away for their dear lives. When they come to look for security and transfers, they are tear-gassed. That is painful and unreasonable. We should never expose our teachers to such situations. I know the leadership from the North Eastern has made their comments and also condemned those incidences. I believe they will go further and organize local meetings to sensitize the locals on the need to ensure that they protect teachers. I believe the locals can protect the teachers...

The Temporary Deputy Speaker (Hon. Omulele): Hon. Members, you will remember that you only have five minutes each. I will give this opportunity to Hon. Wanga. You do not need to carry your hand up, everybody is interested in this. We will give everybody an opportunity. I believe Hon. Wanga was top on the list, but my colleague had called you out on the previous one. That is why you lost your priority. Have a go at it.

Hon. (Ms.) Nyasuna: Thank you, Hon. Temporary Deputy Speaker. I would like to support this Motion by Hon. Sossion. I would like to state that as Hon. Sossion mentioned as he moved his Motion, education is the only equalizer and our children across this country from every corner are entitled as a matter of right to quality education. Therefore all our children from up north, down south and on the lake side deserve to have access to quality education. However quality is a factor of many contributors. As I speak, Seth and his wife Caroline Odada who were killed in Wajir hail from Kamuga, Kojwach in Homa Bay County, Kabondo Kasipul Constituency. On Sunday, I had an opportunity to visit that family. A mother was left with no child and no breadwinner. The girl had only married this gentleman in January. This lady happens to come from my home back in Kano. She is actually like my sister. Seth took his wife and went in search of daily bread. What has come back to us are two corpses. These are the realities. These are not just statistics, they are people. They are people who have families and must be looked at as well. Even as we look at the search for education... The reason I support this Motion is because it provides a solution to the problem that we are facing. We want our children to get quality education and the Chair of the Committee on Education and Research has said that we want teachers who are trained to provide education, but if I am a trained teacher and I am in an environment in which I feel insecure, I can tell you that I will not be able to deliver to the point that I am supposed to. The primary solution as was said by Hon. Chair of the Departmental Committee on Education and Research is to deploy as many local teachers as possible. We all want to be one big united nation. We are united but we cannot bury our heads in the sand to the fact that some of these terrorists are hell bent on dividing us along religious lines. Therefore, it is more likely for you to get targeted if you are of a different religion. We can therefore not bury our heads in the sand to that fact.

The primary solution is to deploy as many local teachers as possible to the border areas where there are insecurity problems. If we run out of local teachers, this is where the solution that Hon. Sossion is proposing comes in. Can we look at who else we can deploy? Untrained

teachers and teachers who were trained in service is not a new phenomenon. There are many of us who pass through the hands of teachers. We were not even at any security risk but we passed through the hands of untrained teachers because of shortage of teachers. The school could simply not marshal enough teachers to cover everybody else so the school hired untrained teachers through the Parents Teachers Association (PTA). I do not want to speak too much; I want to give an opportunity to the others. I just wanted to add my voice as a representative of people who were murdered, as a representative of families that are actually agonizing and suffering. I wanted to add my voice to the fact that these murders are not mere statistics, they are real human beings, and if a solution can be found, it must be found. If the security of our teachers is not guaranteed, then we cannot bury our heads in the sand and say that they have to be where...

The Temporary Deputy Speaker (Hon. Omulele): Hon. Members, I see a lot of interest on this. I am proposing that we shall run the list the way it is. We will only give priority to Hon. Chris Wamalwa because of our Standing Orders since he is in leadership. After that, I am going to follow the list the way it is here because I think we all have equal interest. Hon. Chris you have a chance, then after that, we are going to follow the list. You do not need to come here to look for your name. It is here. I will just follow the list the way it is.

Hon. Ibrahim Ahmed: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Omulele): What is your point of order Hon. Ibrahim?

Hon. Ibrahim Abdi: Hon. Temporary Deputy Speaker, there are some Members who are seated here whose constituencies are directly affected by the mass transfer of teachers hence the need to give them consideration. They have been here since this afternoon and have been pushing for this issue. Kindly consider.

The Temporary Deputy Speaker (Hon. Omulele): Hon. Abdisalan, this is interesting.

Hon. Wakhungu: Thank you, Hon. Temporary Deputy Speaker. As I contribute on this, I lost one of my constituents who was...

The Temporary Deputy Speaker (Hon. Omulele): Hon. Chris Wamalwa, just one second. I think I need to address myself to contestations by Hon. Abdisalan. When every Member walks into this Chamber, they have equal interest and equal right to speak. We cannot jump over other people and say this one has special interest. We can consider, yes; it is a consideration. Everybody who has come here has come because he has a special consideration. And I want to tell you that we have sufficient time, because I see we have about 10 Members who would like to speak to this. We have more than one hour, so everybody is going to speak. So do not worry about special interest. Everybody who is here is going to have an opportunity to speak.

Hon. Chris Wamalwa, kindly proceed.

Hon. Wakhungu: Thank you, Hon. Speaker. As I contribute on this, first I want to thank Hon. Sossion for bringing this Adjournment Motion. As I speak, one of my constituents was murdered in Wajir. I buried that teacher over the weekend. So it is an issue of interest. It is not just what happened in Wajir but the teachers who died have people feeling more pain. So I come here today with a heavy heart because I lost a constituent. I went and buried him. The Government promised to cater for transport and burial costs but, unfortunately, whatever they delivered was zero. We had to go extra miles to see to it that we sent our loved ones back home to bury. It is painful.

Under Article 29 of the Constitution, it is very clear that every person has a right to security, including that teacher who is teaching in Wajir and that learner in Wajir. It is painful. I know once you register with the TSC you are told you can work anywhere. But you go there to provide services yet you are murdered. The TSC has a delocalisation policy which I support. In such areas where teachers are not being provided with security, they should do away with the delocalisation policy so that people from that particular community are given priority to teach in that area.

It is not the first time we are losing teachers. I come from a constituency where the majority of the professionals are teachers. We have been exporting teachers to other counties. I come here to mourn as I speak on this matter. The TSC should move with speed. For a situation where we have an extraordinary case, you need some extraordinary measures to solve that situation. It might not be forever. The proposal by Hon. Sossion of saying we get untrained teachers has been benchmarked elsewhere and it has worked. Some of us are where we are today because we were taught by the untrained teachers. If such an opportunity is there, they should be able to move with speed so that those particular children, wherever they are, are not disadvantaged. The Kenya Certificate of Primary Education or Kenya Certificate of Secondary Education exams they are going to do are the same countrywide. They are not going to set specific exams for a particular area because they had shortage of teachers. That is why the Government must move with speed to put in some measures that can address the issue in the short-term as we look for the long-term solution.

We know very well that the long-term solution is security. The security systems in this country, particularly when it comes to those regions... It is the highest time the local leadership came together. The last time the local leadership came together to resolve this issue, one of the leaders said he was going to name and shame those Al Shabaab. Up to now, that leader has never named them. We want to call upon that leader to tell Kenyans who these Al Shabaab are who kill our teachers who have gone there to work.

This is the message to the TSC: for those teachers who have moved from those regions, the TSC must move with speed to deploy them. Already, if it is an issue of exposure to risk, they have been subjected to that. We do not want them to come out of that region and they go hang around at the TSC headquarters. I am sure the CS is listening to me. We have been supporting a lot of issues when it comes to education. It is a fundamental right for every Kenyan to access quality education. I want to thank the Chair of the Departmental Committee on Education and Research because I know he is up to the task. He should call the TSC quickly and see whether they are going to implement this.

The Estimates will be coming to this House very soon. When I looked at the Budget Policy Statement (BPS), I realised there is no linkage at all... The Jubilee Government has been talking of the four agenda but there is no connection in the BPS. That means we have been lying to Kenyans. When you talk of manufacturing or food security, in the BPS there was no...

The Temporary Deputy Speaker (Hon. Omulele): Hon. Chris Wamalwa, your time has lapsed. Hon. Abdisalan, you were on top of the list before you raised your point of order. I think it will just be fair to give you that opportunity. I will run through the list. You were on top of the list. Have a go at it.

Hon. Ibrahim Ahmed: Thank you, Hon. Temporary Deputy Speaker. Let me also add my voice to this Motion. First and foremost, let me take this opportunity to send my heartfelt condolences to the families of those teachers who passed away as a result of this attack. Secondly, let me take this opportunity to condemn the mass transfer of teachers from North

Eastern region. I am saying this because it is good to have a contextual understanding of the area and the incident for one to make correct contribution and the right decision on this issue.

Unlike other parts of the North Eastern region... I want to confirm that I have worked in northern region and was involved in these kinds of incidents. This isolated incident happened at a place of close proximity to the porous Somalia border. Unfortunately, collective punishment has been applied to the entire North Eastern region. My constituency is 400 kilometers from Wajir Town. It is of close proximity to Moyale, a 20 minute-drive to Moyale. It is 2 kilometers away from the border with Ethiopia and yet all teachers were moved out. One of the secondary schools in my constituency called Buna Boys Secondary School has 12 teachers and only one is a local. The other 11 teachers are non-local. All were moved out. This tells you that the management, and to be specific, the CEO and Chair of the TSC, have not involved the relevant stakeholders in this decision, including the security sector. They have done it singlehandedly, hence their action has furthered the objectives of the terror group which is out to instil fear and ensure that service delivery is seriously affected.

The recruitment of untrained teachers is interesting. If you look at Article 237 of the Constitution, the TSC has no mandate to recruit untrained teachers. Why am I saying this? Article 237(2)(a) says TSC is to register trained teachers while paragraph (b) mandates it to recruit and employ registered teachers. That means that they have no mandate to recruit untrained teachers. Probably, the Ministry of Education, Science and Technology can support and recruit untrained teachers to complement those who are there. But then, is there any effect on the ground that will warrant mass movement of teachers from that area? The answer is no. My brother asked: Were the people named and shamed? Yes, they were named and shamed. We have a regional commissioner who is a local with excellent contextual understanding of that area. He has named them. Matiang'i was on the ground.

It is very important that teachers moved from that region be returned immediately. The fact is that is a border area. What is happening at the border area is terrible. They can be taken to safe areas within the county. There are areas that have not heard of any terror attack. My constituency, for example, which is of close proximity to Moyale, has never heard of an occurrence of a terror attacks, leave alone the terror itself. So the application of collective punishment to the entire North Eastern region is unwarranted, uncalled for and a lack of leadership and proper guidance from TSC Chair and CEO.

Hon. Temporary Deputy Speaker this is a homegrown problem and has homegrown solutions. As much as the security sector will work hard to carry the whip, the hotspot areas are few, trust me. They are at the border of the entire North Eastern region. Wajir is the safest. You can talk of hotspot area but then...I think my time is up but then I request for the return of teachers. Homegrown solutions should be applied.

Finally, the Ministry of Education, Science and Technology should complement the effort of TSC. The Chief Executive Officer and the Chair I think can resign because they have failed to give direction and leadership. This thing does not warrant...

The Temporary Deputy Speaker (Hon. Omulele): I will give this opportunity to Hon. Oduol Adhiambo.

Hon. (Prof.) Oduol: Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion for Adjournment by Hon. Sossion. I acknowledge and recognise the concerns raised by the Departmental Committee on Education and Research.

I am a trained teacher. I believe that what we would really like to do is to respond to the uncertainty and challenges that we are facing and avoid what Hon. Sossion indicated as he moved the Motion because it is a critical and urgent issue.

When we think of the experience of teaching, there are a number of us here as has been indicated earlier by Hon. Wanga. However, I had a very distinguished experience which led me to become a teacher when I was in Form Four. Indeed, I got a chance to engage in education which truly can be distinguished from schooling. I was hoping that as we address this, in terms of how we want to look at the solution, that we would see the recommendations of affirmative action in the context in which it is normally applied.

Affirmative action is applied whenever there is a sense of exclusion or a sense of grievance that requires urgent action. Affirmative action has a time line. I was to recommend based on my own experience, having been a very successful teacher after Form Four and indeed after Form Six. I taught at Ng'iya Girls Secondary School. It is in order we immediately seek closure to the current situation in Kenya where we seem to have a tale of two cities and a situation where people even as we talk about unity, do not recognise that there are diversities. Indeed, as the Hon. Member said earlier, when we think nationally and globally, if we are ever going to make a true difference, we must act locally.

As I wind up, while I support this Motion, indeed we do not have to worry about quality when we talk about untrained teachers. I think what we need to do is to be very clear that we are not making this a permanent solution. It is an affirmative action that is intended to ensure that what is enshrined in the Bill of Rights seeks to ensure the dignity of all individuals and communities is respected and can be addressed by not only ensuring that those schools have teachers but also teachers who by way of the examples we have been given are taken care of. Therefore, it is my humble submission and request that as we deal with issues, it is useful that we get to listen and hear what teachers who have been in untrained positions have to say. We need to look at policies as ways by which we can provide leadership by solving problems and giving direction when it is timely and it can help our country.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Omulele): The Hon. Noor Sophia, Member for Ijara, the Floor is yours.

Hon. (Ms.) Noor: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Motion.

At the outset, I want to send my condolences to the families of the teachers who were killed. It is not fun but a real problem that is affecting us. I feel very sorry.

We have education and security crisis and it is not only exceptional to Kenya but it is global. We need to address the problem and its root cause. I will give you an example of one mother who fled Somalia because of the crisis and problems that it was facing 25 years ago. She went to the United Kingdom (UK) and after 25 years, her three boys were killed in London. She ran to the UK thinking that it was a safe haven where she and her three children would be protected and safe but because of what is affecting the whole world, those children were killed after 25 years. This is a crisis.

This morning I came from my constituency and half of the schools are closed. We condemn the call by non-other than the CEO of TSC and the Mover of this Motion, whom I had a lot of respect for. When he said that all teachers should be moved from North Eastern region...If we say that all teachers should be moved from London where a mother lost her three children because she thought that is a safe haven, then it becomes a problem.

I am affected in my constituency. I lost many people, a whole police station, police cars and everything. This is a security matter. If you send only seven police officers to a station, can they really protect that area? Those are the issues that we need to address. I agree that affirmative action has a timeframe. That timeframe is when you address critical issues and problems promptly. The call for affirmative action is good but we should go beyond it. Security is the responsibility of the Government and it must protect all Kenyans wherever they are serving. When they bombed my police station, there were only seven policemen manning it. When they heard that Al Shabaab were coming they ran away. I concur with them. They left instead of being slaughtered. They ran away to the bush. So, let us address its root cause which is to ensure we have adequate security personnel.

Hon. Temporary Deputy Speaker, if we are very serious we can remove those guys from Boni Forest. I am told they are not more than 50 people and we can remove them very fast with the might of this country. This country has got an intelligence system in place that knows the routes of these militia groups. We have many trained teachers who have not been in some parts of this country. We need to recruit those teachers now. Do not give them conditions by saying that they should have served for five years before you recruit them. The Teachers Service Commission should recruit those trained teachers so that they can fill the gaps we have now and address the short-term issues we are talking about.

The Temporary Deputy Speaker (Hon. Omulele): The Hon. Member for Ijara, your time is up. I will now give an opportunity to Dr. Nyikal.

Hon. (Dr.) Nyikal: Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to contribute. I rise to support this Motion. We must agree that this is a temporary measure because it cannot and should never be thought of as a long-term solution.

What we have here is a big dilemma of the right to life of our teachers versus the right to quality education of our children. We must weigh this very carefully. When it comes to life, even if we were to force these teachers to go back, some will choose not to. Already others have chosen to quit the teaching profession completely. This is because the threat is real. It is the second time this is happening. In the last Parliament we had a big demonstration of teachers who left for months and refused to go to northern Kenya. If we insist and do nothing, the children there will stay without any formal education.

What is being proposed here could bridge the gap. Let us look at it that way. The real solution is looking at the issue of security in northern Kenya. In the last Parliament, we had many Motions for Adjournment. I can see in this Parliament they are getting many too because of the issue of insecurity and people not living in harmony. Profiling of people in the areas where there is insecurity is the problem. People see you stand out and then you are killed. We cannot say that these teachers must go back whether they like it or not. Indeed, there is a role to be played by the local people.

We know there is a shortage of teachers in some areas in this country. Even the untrained teachers will not always be there. We must, therefore, put more effort in training more teachers in the areas with insecurity. I know this because I had an experience when I was the Director of Medical Services. We had a similar problem with nurses. We recruited nurses for these areas with insecurity and within one year they had come back to town. They had left those areas. This is a much bigger problem. The local people may have to contribute to this and work towards training more teachers so that there is harmony. Sometimes, one wonders how Al Shabaab can operate in these areas without the local people having the faintest idea of what is going on. I know it is possible, but I think they should do a lot more.

I am also taking this opportunity to look at the whole education sector. There is a good and commendable effort to transform the education system in this country. However, I can see programmes being initiated and implemented immediately without a proper master plan. Look at the issue of free secondary education. Look at what parents went through when they were told education was free only for them to be slapped with hidden levies, which the Ministry had stated should not be there. Parents were forced to pay those levies because we do not have a clear monitoring system to stop such a thing.

Look at the issue of 100 per cent transition. We now have classes with 90 children. Is it possible to get all kids going to secondary school, especially in Form One? Indeed, it is a commendable effort and actually the direction for us to take. However, you need to sit down for a year or two and plan with regard to the number of classrooms and teachers needed. Even the issue we have now on the single identity for students, we saw parents running all over the place looking for birth certificates. They went to the offices of registration of births which eventually ran out of paper to print the certificates. This is the same Government where one arm is making a demand and another arm cannot meet the demand. Look at the issue of 100 per cent transition: the policy now is that you cannot start more secondary schools. How do you not start more secondary schools when you want to achieve 100 per cent transition? I think we need a master plan. The efforts are good and transformations are required, but planning will get us there so that we can deliver.

The Temporary Deputy Speaker (Hon. Omulele): We shall now have Hon. Milemba Omboko, who will represent a special interest properly because he is the Chairman of the Kenya Union of Post-Primary Education Teachers (KUPPET).

Hon. Mohamed Ahmed: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Omulele): What is out of order, Hon. Kolosh?

Hon. Mohamed Ahmed: On a point of order, Hon. Temporary Deputy Speaker. A mistake was made when Hon. Ibrahim was given a chance to speak because it was my chance...

The Temporary Deputy Speaker (Hon. Omulele): Hon. Kolosh, you are out of order. Your name is appearing on the list and I will give you an opportunity later. You cannot argue with me. You are out of order. Hon. Milemba kindly proceed.

Hon. Milemba: Thank you, Hon. Temporary Deputy Speaker. I directly support this Motion. I want to remind this House that in 2015, 28 teachers died in the north eastern parts of Kenya. Out of the 28 teachers, 14 were from the former Western Province, five of them were from Vihiga County and two were from Emuhaya, which I represent. We buried them.

For us, our cash crop is our teachers. When we give you our coffee, who are the teachers and you throw it into water, that cannot be accepted. Therefore, I support this Motion that we get short-term solutions to have some teachers from those particular regions teach as we wait for security measures to be put in place. The national unity talked about in this House cannot be achieved at the expense of the teachers. We cannot use the teachers as guinea pigs to get the national unity we are yearning for. That is totally unacceptable.

This issue came up severally in 2015 and 2016. In one of the many rulings we had over this issue, at one time, the court said, and that was in a ruling by Judge Byram, that in the event the interest of the child comes into contradiction with the interest of the teacher, the interest of the child shall suffice. We respected and took it, but this time it is the interest of quality education versus the right of the teacher. The right to life of the teacher has to suffice. Therefore, it is in order for us to support this Motion fully and indicate that these areas should have their

locally trained teachers work there for the period which we shall determine. Afterwards, when security is back, we can give them teachers.

The history of teaching in this country is very interesting. All communities have had a chance to protect teachers who are non-local. The early teachers in Central Kenya at Alliance High School and other places in this country were Europeans. It was the duty of the local communities to protect those Europeans until they trained the local people to become teachers. That is how we got the teachers we have today. The communities and the leaders of north eastern Kenya must stand up and talk to their people and tell them to protect the non-local teachers. Soon, they will be having their own teachers and they do not have to worry about the non-local teachers. Therefore, we want to congratulate TSC for having taken the step of trying to relocate the teachers who are in those zones.

I want to advise this House that those teachers should not go back. Yes, you have done well to condemn this action but to some extent again you have mentioned that only two teachers have died. What are you telling us? How many teachers do you want to die before we take action? You cannot afford to equate the right to life to the numbers you will be counting before you make a decision about this. Therefore, a quick decision by this House is important to make sure that, one, we have the children in those areas learning under this system proposed by Hon. Sossion and, two, teachers are safe.

The issue of affirmative action is everywhere. We have had girls go to university at a lower grade. We have had people who are physically challenged go to university at a lower grade but immediately when we get to a level where everybody can go there, then we can move into the mainstream.

I beg to support. Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Omulele): Hon. Rono Kipkosgei, Member for Keiyo South.

Hon. Rono: Thank you, Hon. Temporary Deputy Speaker. I also wish to express my sentiments on the matter touching on the teachers in the North Eastern region. As we all know, teachers in this troubled North Eastern region have a worrying experience. They actually desperately need their jobs yet work is becoming a balance between life and death. If you look at the region, it is risking lagging behind because of the issues that they always face about the teaching fraternity. Even other professionals are also getting scared about working in that region. I support the Mover of this Motion and urge the Government to move in very fast and recruit fresh graduates and P1 teachers who are willing to work there. We can give the opportunity to those who are courageous enough to work there and if the Government actually is unable to provide security in such areas, I propose that in future teachers who are willing to be recruited in the military or the police be recruited. By doing so we will have a situation where we call them teacher-soldier so that there will be no insecurity being faced by these teachers in the future.

Here is a situation where we have insecurity year in, year out. This cannot continue forever. We are heading to a situation where we will say everybody for himself in North Eastern. As a profession, you should arm the professional so that they are able to give the service at peace. I support.

The Temporary Deputy Speaker (Hon. Omulele): Hon. Melly, Chair for Departmental Committee on Education and Research, I hope you are recording the sentiments of the Member who has just contributed. I will give this opportunity to Hon. Mwadime Andrew. Hon. Mbadi, I recognise that you are here. You will have a go at it. Let the honourable member continue.

Hon. Mwadime: Asante sana, Mhe. Naibu Spika wa Muda, kwa kunipatia fursa hii. Nimechunguza kwa wenzangu wote ambao wamechangia na nimeona suluhu kwa kweli iko tu na Wabunge hapa hapa. Kwanza, tumetambua kwamba usalama ndio tatizo. Ndio maana Mbunge ambaye amenitangulia amesema kuwa yafaa kuwa na walimu wanajeshi. Mimi naongea kama mwalimu. Nikimnukuu yule Muingereza anayeitwa Maslow alisema kwamba kwanza mahitaji yale madogo madogo lazima yawe sawa ndio mahitaji makubwa makubwa yaje baadaye. Ukimweka mwalimu katika hali ambapo hamna usalama hapo kuna tombojoto.

Ninakumbuka nilipotoka chuoni nilienda kufundisha mahali ambapo nilikuwa natofautiana napo kitabia na masuala mengi tu. Baada ya muda mfupi tumbo lilianza kuwa na vidonda. Muda kidogo nilikuta risasi ambayo kwa Kiingereza inaitwa stray bullet ikanigonga na maisha yangu hayakuwa sawa sawa. Mwalimu ambaye maisha yake hayako sawa sawa kufundisha ni uongo. Hapo tunadanganyana. Ni vizuri TSC iangalie suala hili kwa undani. Pia tunafahamu kwamba hapa Kenya ukabila upo. Hivi sasa ukienda kule utakuta kuwa wale wako huko ambao si jamii ya huko ni wale watu wadogo wadogo ndio wamesukumwa huko. Hao ambao wanapitisha sheria hizo watoto wao wako katika shule za mijini na kila mahali. Ingekuwa hao wanawapeleka watoto wao huko ingekuwa ni vyema zaidi. Saa hii ninapongea, kuna kijana anayetoka kule kwangu ambaye hana baba wala mama. Tangu mwaka juzi amekuwa akilia akisema: “Mheshimiwa, mimi nina ndugu zangu wadogo. Hii kazi kidogo angalau nimepata nafundisha huko. Mimi sijazoea masuala ya mabundiki. Nataka kuja huko nyumbani ama kwengineko kule Kenya.” Hamna. Nimejaribu lakini ni tatizo.

Watu wasichukulie suala hili hivi. Waliangalie kwa kina kabisa. Kama walimu ambao wako kule hawasikii kufanya kazi kule wapatiwe nafasi kwani nafasi ziko nyingi Kenya nzima. Vile vile, suluhu mwafaka itafutwe maana wale watoto ni wetu pia. Hatutaki wakose masomo kule Mandera na unajua wakati hakuna masomo ndio basi bunduki zitalia zaidi huko. Kwa hivyo, Mwenyekiti wa Kamati ya Elimu na Utafiti, ningepomba uyaangalie malalamishi haya kwa undani kabisa. Angalia pande zote ili tupate suluhu mwafaka tuone jinsi watoto wa kule watakavyosaidika na wale ndugu zetu ambao wako kule wanalia watasaidiwa namna gani. Nikikumbuka, yale niloyoyaona 1990 hayakuniridhisha. Najua wengi wenu hapa wakati huo mlikuwa hamjamaliza chuo. Yale niliyoyaona yalikuwa mengi. Ilinibidi nipeleke mashtaka dhidi ya Wizara ya Elimu kule kortini. Kwa bahati mbaya walinishinda na nikaumia sana. Niliomba msamaha ndio nikarejea maana nilikuwa sina namna.

Kwa hivyo, watu wasilichukulie suala hili kwa mzaha. Waliangalie kwa kina na suluhu ipatikane kwa haraka maana wale watoto wakikosa elimu risasi zitazidi upande ule na wale nao wakiwa kule hamna elimu inaendelea maana hawajatulia. Usalama wao upo hatarini. Unajua ukishajisikia usalama hauko sawasawa basi utakuta tumbo lako kila wakati linawaka moto na hamna kazi unaweza kufanya. Tuyaangalie na kuyapina yote hayo na tujaribu kutatua suala hili kisawasawa. Asante sana, Mhe. Naibu Spika wa Muda kwa fursa hii.

The Temporary Deputy Speaker (Hon. Omulele): I will give this opportunity to the Leader of the Minority Party.

Hon. Ng'ongo: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this Motion. I want to, first of all, start by congratulating Hon. Sossion for bringing this Motion. Now, I actually understand why, in our Constitution, we decided to include that we need representation from various sectors of this economy. We needed someone to represent workers and I think we did not make a mistake to bring Hon. Sossion to this House. I want to speak to those busybodies who are trying to interfere with the representatives of workers by trying to make the nomination of Hon. Sossion illegal, which it is

not, that they should understand that those who can understand problems of workers are actually people who are still in that category of professionals. When some of us leave their profession to come to Parliament, we forget about the other professionals in our fields. If you are still with them, it is easy to appreciate them. That is why Hon. Sossion has remembered that these teachers are suffering and attention is needed not only about teachers but also about education of these regions.

I want to first start by saying that these terrorists have wreaked havoc in Wajir, Mandera, Garissa and other areas of this country, including Baragoi, Baringo area and sections of Lamu. These are also parts of Kenya. We cannot ignore and forget that these regions require teachers. Even as we complain about the deaths, these areas need teachers. The reason why this matter has become so important is because lives were lost. If it was any other suffering, we could close our ears and eyes and say that so long as you are in Kenya, like what Waswahili say vumilia, so that you serve Kenyans. If there is any right that someone must enjoy is the right to life. When you hear of Kenyans losing their lives, you must be concerned. We lost two people, Mr. Seth Odada and his wife from Homa Bay County, Kojwach Ward in Kabondo Kasipul, because of these senseless actions of terrorism. These are people who are not friends of this country. By the way, I have heard some of our colleagues saying that this community should talk amongst themselves. You cannot even single out these terrorists, and identify where they come from. These are criminals who have decided to wreak havoc in this country. You cannot even blame the people of Wajir. Most of these terrorists come from Somalia. Some of them are Kenyans who come all the way even from western Kenya. It should be understood that terrorism is not restricted to people who profess Islamic faith or to those who come from these specific regions. They recruit worldwide. They recruit people across the country whom they train and induct into these criminal activities.

I support the position that Hon. Sossion has brought to this House this afternoon. One, let these teachers whose lives are under threat be deployed elsewhere, and recruit from these regions people who understand the local dynamics and environment. They may survive more easily than people who come from other places.

I want to also speak on one issue before I sit down, if you allow me just one minute. We have enough security forces in this country. We have a lot of police officers in this country who are not deployed productively. People who shot that young man, the Secretary General of Meru University, should be taken to North Eastern to deal with criminals.

The Temporary Deputy Speaker (Hon. Omulele): We shall have Hon. Peter Lochakapong, Member for Sigor.

Hon. Lochakapong: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute. I rise to support the Adjournment Motion by Hon. Sossion. What he has brought to this House is good. We need short-term measure for the challenges which our people are going through.

The shortage of teachers is well known to everybody in this country. We have a shortage of about 104,000 teachers. We are facing a lot of challenges and inadequacies in staffing in our schools. With the current situation where teachers' lives are in danger in some of the areas in this country which have a lot of insecurity like in the North Eastern, parts of Kerio Valley and in the North Rift, the best thing to do is to accept that this is a reality. Teachers have moved from those places, and pupils and students are not being taught. Therefore, it is important for us to look at a way out of this in the short run. We have what we are calling insecure areas.

First of all, let us recruit all the locals from those areas who have qualified as teachers. After we have done that, we top-up the shortage with those who have already completed some level of education and are able to teach, so that our children can be taught. We are going through the same system of education and syllabus in this country. Students are not being taught now in some parts of this country. We are saying that we are waiting for something to be done, so that teachers can go back to those classrooms. It is high time we did something. We are not saying that this is something that will continue. We are only saying that in the short run, let us have something that will engage these students and have them taught. That is why I am supporting what Hon. Sossion is saying.

There is this concept of delocalisation. There are areas delocalisation cannot easily work. These are areas prone to insecurity. You give somebody an opportunity to be employed in those areas, and he says that he would rather leave the job and do something else. In areas like that, TSC needs to give priority to the locals there to be recruited because even in instances of insecurity, they will not run away. They were brought up there and they went to school in those places. So, they understand the area. The TSC takes a long time to make decisions. Problems arise early in January and they tell you that they would make a decision in April when schools close. Between January and April, there is time that students are supposed to learn, and nobody is teaching them. It is important that we get to reality and know that there are some parts of this country that we cannot treat the same as others. We must accept. The TSC has to be fast in taking action. Two, they should ensure that children are taught. A fact is that in many of our primary and secondary schools, we have teachers who are not even registered and have just completed high school. They teach but they are paid by the parents. We want this burden to be shouldered by the TSC and our children to be taught.

I support the Motion. Let us have something that can assist in the short run as we fix the issues of security in this country. Thank you.

The Temporary Deputy Speaker (Hon. Omulele): Hon. Mohamed Kolosh, Member for Wajir West

Hon. Mohamed Ahmed: Thank you, Hon. Temporary Deputy Speaker. Allow me first to condemn the killings that happened in Wajir East and also condole with the family and friends of those who lost their lives.

I can tell the House that the killings were not done in the name of Islam. We cannot debate as Members here that we will take some Kenyans out of parts of Kenya. I was with the Cabinet Secretary for Interior and Coordination of National Government in Wajir on Tuesday this week. The Cabinet Secretary declared that Wajir was a peaceful place and that, that was one isolated incident. The same group attacked the Westgate Mall and we did not close all our supermarkets. The other day, a school in the United States of America was attacked and although President Donald Trump retracted his statements later on, he said that the USA should arm its teachers. We cannot come here, especially as teachers, and say that we will move out from parts of Kenya. I have construction work going on in Wajir and there is only one local person working for me - the one who pays them in the afternoon. I have 36 workers. The other 35 are non-locals. Are we saying that they also move out of Wajir? Where will you give them jobs?

(Loud consultations)

The Temporary Deputy Speaker (Hon. Omulele): Hon. Kolosh, do not be swayed from your presentation. Hon. Kolosh will be heard in silence.

Hon. Mohamed Ahmed: The most important thing is that we do a reality check. I support to the extent that we train more teachers for the people of northern Kenya. But what do we do? First, we need to understand the problem. That incident happened just at the border of Somalia. My constituency is 500 kilometres away and teachers have run away from that constituency simply because they wanted to come to this side. There is no single incident of an Al Shabaab attack that has happened in Wajir West, Eldas or Wajir North since the time we heard of the name “Al Shabaab.” Why are teachers running away from those areas? Is it not good that we carry out due diligence? Why are those teachers honourable? Should we take the local teachers in those areas to those zones and take the non-local teachers to areas where we think they are safe?

I oppose this Motion and ask the Mover of this Motion and the Chair of the Departmental Committee on Education and Research to convene an urgent meeting where we will discuss the reality on the ground and how best we can secure the lives of our teachers while not compromising the future of our children. I had the opportunity to talk to the CEO of the Teachers Service Commission. She has no clue about what is happening. She does not know the geographical areas. She has not consulted her Commission. She told me that she received orders. I do not know where she received those orders from. It is very sad to lose one life, not just that of a teacher but of any Kenyan. But if all non-locals leave Garissa and Wajir and go to Mwingi, the Al Shabaab will go there. They will shift from Mwingi and go to Nairobi and the Al Shabaab will come there. Tell us where we will go.

More importantly, this Motion is unconstitutional. As my friend said, Article 237 of the Constitution says that TSC cannot employ untrained teachers. How do we debate here and say that we are urging the TSC to employ untrained teachers unless you are talking of constitutional amendments. The Mover of this Motion is a stakeholder in this. We can meet as stakeholders and agree on a most suitable way to save lives and the future of our children.

The Temporary Deputy Speaker (Hon. Omulele): Let us have Hon. Jeremiah Kioni, Member for Ndaragwa.

Hon. Kioni: Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to speak to this Motion.

From the outset, I was here when Hon. Wamalwa spoke. I want to inform him that Jubilee is spot on in terms of the big four agenda. The Budget Policy Statement (BPS) addresses it very well. But if you are out of Parliament most of the time and even when you are here you are unable to concentrate, it becomes difficult for you to know that we know where we are going.

I want to associate myself with the comments or contribution made by the Member who has just spoken and also the Member for Wajir North, Mheshimiwa Ibrahim. As we engage on this issue, I am happy to hear from those people who come from that area. What I fear is the profiling of this region as one that is at war. Even areas that are peaceful would fall into this bracket. For those Kenyans who do not know how this country is, they will start fearing parts of this country and they will have a perception in their mind given the kind of contributions that we make on this Floor. It is very dangerous. Talking to the Members from that area, there are small sections that have been hit. In my constituency, I have buried people who were attacked in the quarries but we never stopped encouraging them to go and look for opportunities to work. We must lay the blame where it should be and it is the issue of insecurity.

I agree that kids need to be in school. The measures that need to be put in place by the Government need to be quick and fast. Saying that members of one area should move out of that area is not a solution to this. Even as I speak, I know I am putting myself in the firing line from

some of the teachers from my area who are in those areas. What are they doing now? They want me to intervene and get them removed from that area. This narrative is dangerous for this country. It is not just the teachers. Army officers who have been posted to security zones in those areas are also putting pressure on us that they want to go back home. We have police officers who are all asking to be allowed to go back home. If we are not careful with this narrative, it is not that these people want to move because there is insecurity; they are using it to try and move out of that area.

I agree that I would not want to sacrifice the life of one person for anything. But we have to be careful as leaders so that we do not allow a narrative in this country where people would just hold us to ransom, and especially those who come from my area for reasons that are not quite clear. I want to thank the Members from those areas who have spoken. They have made it clear to us. We know that we can intervene if somebody is unwell but we should avoid falling into a trap where we take in a narrative. Those are criminals and they have an objective. If we allow ourselves to just do what they want, they will hit another area and continue doing so. Even in areas we think are safe and where these teachers will go to, they will come and hit them. It is important for us to draw a line and make sure that this does not go beyond here, and especially isolate the insecure areas, deal with them and provide security to those areas.

Education is a right. I hear the trade unionist in this House but the rights of the child still exist. We still need to respect the rights of the child but not at the expense of the life of another person. I need 1,900 teachers in Nyandarua County where we have that shortfall. If we say that we are recruiting untrained teachers in Wajir, why not in Nyandarua or other parts of this country? Those are issues that we may want to intervene and talk to but we have to be careful on the policy and against profiling without knowing.

With those remarks, I hope the Government will give us a better solution than what is on the Floor before us.

The Temporary Deputy Speaker (Hon. Omulele): I will give this opportunity to Hon. ole Kenta.

Hon. ole Kenta: Thank you, Hon. Temporary Deputy Speaker for the opportunity. This is a very complex issue. They say that however big a pancake is, it has two sides. I have listened to the Members of this House. To tell you the truth, the failure of the Jubilee Government has come to the fore. Pastoral communities have been treated as lost territories. That is why when the Government should be protecting the people, it is simply making it worse. Why do I say this? The Government takes away security from Members of Parliament. Where do they take this security? They engage in pettiness while Kenyans are dying. I would like to tell Kenyans one thing. The people of northern Kenya and the Rift Valley are suffering. The solution is not to transfer teachers. Nobody should be killed. We all have families. Our family members and children are protected. Who would want their child to be killed?

When we see teachers crying on television, we realise we are losing it as a country. These people are criminals; They are not Muslims. If they were Muslims, we would not be hearing of deaths in Somalia and many Arab countries. These are criminals. I wish to ask my colleagues: for how long will pastoralists hide criminals in their midst as they suffer? It is the pastoralists who are saying teachers should not be withdrawn from their areas. Why should we be quiet when we are suffering?

It is difficult for us to tell Hon. Sossion that this Motion is bad. Equally, we should look for a better solution. Why is it that they now have vacancies in north eastern Kenya and yet there are no vacancies in Narok? Teachers who graduated in 2005 have not been employed. Teachers

from Kiambu, Nyamira and other areas are being employed every day, but our people are not getting employed. It is now they realize that they can employ people in North Eastern. Why would they not employ them when there was peace in the region? As a country, we are losing focus. I request Hon. Sossion to listen to the views of these people. If security is provided, the teachers should remain in that region. Insecurity is like a bushfire. There is no buffer zone. The moment you allow it, it spreads, as a Member said it happened here in Nairobi. It has happened all over. Let there be security. There is no second way about it. It is security, security and security. Cohesion is also essential.

When the ordinary persons see mistreatment of a Member of Parliament, for instance, the way my security was withdrawn, they would not feel like they are part of the Government. If you also mistreat those communities by denying them opportunities and work, do you think they will be comfortable with the preferred communities? The moment you show other communities that there are some that are more favoured than others, animosity will be bred and it will grow and there is nothing you can do about it. Cohesion must be brought by the leadership. That is what has failed.

Look at the killing of a university student. Why would someone kill a university student when students are fighting for their rights? Look at what happened the other day when we were coming from Narok. We were held up on the road for long and our car tyres were punctured. Why did we not see anybody shooting tear gas there? Why did they not shoot live bullets like they do elsewhere? There is a time we were complaining in Narok about misuse of money by the national Government and some individuals, including the Governor. What happened to us? Our people were shot dead and we were locked up. Why is there favouritism? Why is the law applied selectively?

Look at the Mau. They have now realised that its destruction affects them. When we said it was bad, they said that it should be exploited because there are Maasais there. How come they now realise that rivers flow from Maasailand to Kisumu? There are things that are happening without...

I request that we talk first, but let us provide security for our teachers. Let us remove them from where they are vulnerable. Where they are not vulnerable, let us retain them.

Thank you.

The Temporary Deputy Speaker (Hon. Omulele): Well spoken, Hon. Kenta. I now give this opportunity to Hon. Garane Hire, Member for Lagdera.

Hon. Garane: Thank you Hon. Temporary Deputy Speaker for giving me this opportunity.

(Hon. Wanjala spoke off record)

The Temporary Deputy Speaker (Hon. Omulele): Hon. Sauti, you have just walked in. You are the last one on the list. You have not even slotted in your card.

Hon. Garane: Thank you Hon. Temporary Deputy Speaker for giving me this opportunity to contribute on this important Adjournment Motion.

First, I wish to send my heartfelt sympathy and condolences to the families and friends of the late teachers. Their deaths are unacceptable and very painful. It is something which, as a country, we should come together and face.

I do not support this Adjournment Motion because it is very simplistic. It is not giving us a solution to the problem at hand. Areas that are affected by these incidences have historically

had very poor education. The idea of hiring untrained teachers will only worsen the problem. It is not a solution. I would rather have the Mover of this Motion suggest the closure of those schools because there are no teachers. If you say that you will have untrained teachers, what quality of education will you be providing there? It is not logical. In fact, we have spoken to some of the teachers in that region. They are ready to serve the people. It is like TSC is doing a forced withdrawal. We have spoken to them. In fact, some are willing to continue delivering services to those innocent children because they feel that the rights of those children are not being catered for. The short-term measure should have been to deploy enough security personnel in those isolated areas where we have incidents of insecurity.

Hon. Members need to understand that terrorists are not ordinary Kenyans. These are people who create fear in the minds and hearts of every citizen in this country. They do not just pop up; they plan their things and make sure that they get the desired effect. What is the desired effect? To create fear in every non-local in the North Eastern region, including teachers, police officers and doctors, who are supposed to be serving the people. If you remove all the teachers, what will you do with the doctors? There are doctors and nurses serving in Garissa and other far-flung areas of that region? If you remove them from that region, the terrorists will follow you to the capital city of Nairobi. We have seen them hitting the commercial hubs of major cities in this world. They have done it in Belgium, New York and in other cities across the world. They have even done it at Westgate Shopping Mall.

If they mean to kill teachers, they will come and kill teachers in Nairobi. What will stop a lone gunman from walking into one of the private school compounds and shooting teachers? What will stop him? Nothing! Therefore, the idea of saying that we remove teachers from Northern Kenyan region is simplistic. It holds no water, and it is not the right solution.

We are falling into the trap of the terrorists. Therefore, we must find permanent solutions. We must come up with forward looking strategies. Terrorists will be here today, tomorrow and every other day. They are evolving and coming up with a sophisticated approach for working out their agenda. If we start firefighting and saying that we need to withdraw teachers from northern Kenya, that is defeating the whole purpose of the integration of this country.

I, therefore, strongly oppose this Adjournment Motion.

The Temporary Deputy Speaker (Hon. Omulele): Very well spoken. I will give this opportunity to Hon. Janet Ong'era, Member for Kisii County.

Hon. (Ms.) Ong'era: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this Motion. At the outset, let me thank Hon. Sossion for bringing this very important Motion to this august House. I rise to support it.

There can never be something more important than discussing the welfare of teachers. In this country, teachers are the most downtrodden people. For years, they have been suppressed by the Jubilee Government. They have never been paid their dues. When it comes to the question of insecurity, it shocks me that the Jubilee Government can be so busy killing children with live bullets. We know the case of baby Pendo and the case of baby Moraa. We know that the Jubilee Government is an expert in sending teargas and crashing NASA supporters yet they have failed to tackle the very important issue of insecurity in the North Eastern region of this country. It is now 54 years since Kenya attained Independence. For how long will we be discussing the North Eastern region in terms of being an insecure area?

This is unacceptable! While I do not condone that we should move teachers from North Eastern, where their lives are at stake, I think they should be moved until a solution is found. I feel sorry for the young children who do not have access to knowledge right now because of the many teachers that we have lost in North Eastern. This is a serious issue. It is an issue that the Jubilee Government should not take as a joke. They should, by now, have taken serious measures to bring the insecurity in North Eastern to an end. Mothers and children in these schools are dying, yet we are not being told. I do not think Al Shabaab is a question that cannot be arrested. In Ethiopia, there is no question of Al Shabaab, yet they are our neighbours. How have they managed to arrest the issue? I think that security is sacrosanct and the Government of Kenya, which is responsible for security, should take the matter at hand seriously.

I want to conclude by stating that the lives of teachers should not be put at risk. As I said earlier on, over 50 teachers have died in the last three years and that is unacceptable. I beg to support.

The Temporary Deputy Speaker (Hon. Omulele): Hon. Tuwei, Member for Mosop. Member for Budalangi, you have not keyed in your card. If you have, I cannot seem to pick it.

Hon. Tuwei: Thank you, Hon. Temporary Deputy Speaker; I thought the Member for Budalangi is more experienced because he has been in this House longer than us. However, that notwithstanding may I support this Motion on the grounds that right to life is more important than appeasing a community that does not appreciate what I call the complexity of security and leadership in that region.

When this matter came up the other day, the first persons who condemned the teachers are those in leadership from that region. I felt so bad because 40 of the said teachers come from my constituency in Mosop. I felt bad because the other time, when they were attacked, 112 came from my constituency. Today as we speak, I have listened to the leadership from North Eastern. They seem to know something and they want to blame other institutions and other bodies, yet we have been bestowed with responsibility as law makers and leaders of this country to come up with solutions. You cannot tell me that we should lose lives because of providing quality education yet the leadership of the affected area is not being sensitive...

The Temporary Deputy Speaker (Hon. Omulele): Hon. Kulosh has a point of order. Hon. Member for Mosop, you will hold on.

Hon. Mohamed Ahmed: Thank you, Hon. Temporary Deputy Speaker, is the Hon. Member in order to insinuate that we are sympathisers of Al Shabaab and that we know more than we say?

The Temporary Deputy Speaker (Hon. Omulele): Very well. I did not pick that up but if he said that...

Hon. Tuwei: Hon. Temporary Deputy Speaker, I did not say that the leaders are sympathisers. We have a responsibility as leaders.

The Temporary Deputy Speaker (Hon. Omulele): So, did you say that the leaders are sympathisers?

Hon. Tuwei: I said instead of the political leadership in that region...

The Temporary Deputy Speaker (Hon. Omulele): Proceed.

Hon. Tuwei: Even when passing a word of condolence, they took it that the Government has taken the wrong step. I believe that TSC took this into consideration with the advice that they must have got from the security agencies in that region. Nothing happens in Government without the advice of the security agencies. If this advice is anything to save lives, then I support it. The CS is not a guarantor of security.

(Hon. Mohamed Ahmed consulted loudly)

The Temporary Deputy Speaker (Hon. Omulele): Hon. Mohamed Kolosh, you were heard in silence. Let the Member for Mosop also have his time.

Hon. Ibrahim Ahmed: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Omulele): The Member for Mosop, just hold on for one second. Hon. Ibrahim Abdisalan, what is out of order?

Hon. Ibrahim Ahmed: Hon. Temporary Deputy Speaker, is it in order for the Member to mislead Members of this House that the security sector is informed on this issue? A day ago we had a meeting with all Members of Parliament - all the leadership - at Wajir in the presence of the north eastern regional commissioner and Matiang'i who is in charge of security. The regional commissioner is not supporting this movement and claims that...

The Temporary Deputy Speaker (Hon. Omulele): What is your point of order?

Hon. Ibrahim Ahmed: My point of order is that the Member is misleading by saying that the security sector in North Eastern is aware of the movement of those teachers. That is a misleading position.

The Temporary Deputy Speaker (Hon. Omulele): That is a point of argument, Hon. Abdisalan. The Member for Mosop, proceed.

Hon. Tuwei: Thank you very much, Hon. Temporary Deputy Speaker. May I be more particular about this matter: the presence of a CS in a region does not guarantee your security. We are talking about security across the country, especially the regions in the Rift Valley where schools right now are closed. Our concern is...

The Temporary Deputy Speaker (Hon. Omulele): The Member for Mosop, you will address the Speaker. You should not address a Member.

Hon. Tuwei: I am addressing you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Omulele): Very well. And you have just one more minute. I have added you one minute.

Hon. Tuwei: Hon. Temporary Deputy Speaker, from my own point of view, what is very important right now is for the leadership of that affected region to have a closed-door discussion with the Teachers Service Commission and the security agencies and try to see as to how far the TSC has been advised on this matter. It has been found out that local teachers who are in urban areas are refusing to go to the rural areas. That is the information I have from the teachers from Mosop who are working there. Let the local teachers who are now enjoying, some of them are now doing business in urban areas where the security agencies are, go to their own...

The Temporary Deputy Speaker (Hon. Omulele): I will give you an extra minute.

Hon. Tuwei: Thank you, Hon. Temporary Deputy Speaker. I found out from those who are on the ground that even the said leaders who are talking here do not go to these schools. They have never met them. It is actually wrong to come here and tell you they have talked to local teachers transferred from all over Kenya to their region yet they have never had even a session of a cup of tea with them. It is wrong. It is high time that the TSC had a temporary measure of giving you whatever you will take because of insecurity.

The Temporary Deputy Speaker (Hon. Omulele): we shall have the Member for Budalang'i, followed by the Member for Kajiado West.

Hon. Wanjala: Thank you, Hon. Temporary Deputy Speaker. First, when Garissa University College was attacked I lost my uncle's son who was killed by the Al Shabaab. Today if you tell the people of Budalang'i that your son is going to Garissa University or to those sides,

it is very difficult. As I am talking to you, I have a teacher who is in Mandera by the name Wilfred Olua Ondayo, TSC No.654900. He is in Mandera County, Lafey Sub-County, Lafey Boarding Primary School. These people are not sleeping. Even when I was in Korea these people did not sleep. They keep calling their Members of Parliament: “Come and save us. Right now we have come... We have run away. We are in hiding places”. It is terrible. When I came on Tuesday, I went straight to the TSC. I found teachers in the hot sunshine because they had closed TSC and were not allowing any teacher from North Eastern to access TSC. That was terrible. They were on the roadside where there was no shade. They were treated as if they are not Kenyans. I felt very bad. I entered that office but did not see the TSC Secretary. I was told she was out of office. I left the reason I went there so that, that teacher would be helped to leave that place.

Hon. Temporary Deputy Speaker, the issues we are talking about are very serious. Kenya has been independent for more than 50 years. Those people in North Eastern also go to school. They have been going to school. But they have one problem: When they educate one person and he happens to come to Nairobi, they all run away and come and stay in Nairobi and leave home. When they die, they are buried anywhere where they have died. They are not taken back home. So they have no ownership of those places. So, the people they leave there are helpless. Even MPs elected from those places come and stay in Nairobi. These are very serious issues.

Hon. Ibrahim Ahmed: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Omulele): Hon. Abdisalan, what is your point of order?

Hon. Ibrahim Ahmed: Hon. Temporary Deputy Speaker, I cannot sit here and listen to the Member alluding to the fact that we do not have sense of ownership of our area. That is quite misleading and painful. The Hon. Member must withdraw.

The Temporary Deputy Speaker (Hon. Omulele): The fact that you are in this House as Member of Parliament of that area means that Kenya recognises that, that is an area that is populated and needs representation. So, Hon. Wanjala, Member for Bundalangi, you are out of order on that. You will have to withdraw.

Hon. Wanjala: Thank you, Hon. Temporary Deputy Speaker. We are just talking out of experience. Wherever they are and wherever they go, one person comes and calls other 50 people and they stay in one room.

The Temporary Deputy Speaker (Hon. Omulele): The point you are out of order on, Hon. Wanjala is that they do not have a sense of ownership.

Hon. Wanjala: Hon. Temporary Deputy Speaker, I am saying that because when a community has taken you to school

The Temporary Deputy Speaker (Hon. Omulele): I am directing you to withdraw that.

Hon. Wanjala: Hon. Temporary Deputy Speaker, I withdraw.

I support Hon. Sossion and thank the ODM as a party for having nominated a teacher. I am talking as a teacher. He is a high calibre teacher who is the Secretary General of KNUT. As a mere teacher, no one listens to me. It is good that Hon. Sossion has come here. This is where the cake is being baked. I assure teachers that things will be done the way they are supposed to because of Hon. Sossion and Hon. Omboko’s presence in the House.

Many Somalis are looking for jobs. They have gone to school and obtained the grades of D Plus, C Minus or C plain.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Omulele): Hon. Members, the time being 7.00 p.m. this House stands adjourned until Tuesday, 13th March 2018 at 2.30 p.m.

The House rose at 7.00 p.m.