

PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY

THE HANSARD

Tuesday, 16th February 2021

The House met at 2.30 p.m.

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

PRAYERS

Hon. Speaker: We may start. We quorate.

COMMUNICATION FROM THE CHAIR

DELEGATION OF MEMBERS AND STAFF FROM THE PARLIAMENT OF UGANDA

Hon. Members, I wish to introduce to you a delegation of Members of Parliament and staff from the Uganda Branch of the Commonwealth Parliamentary Association (CPA) Executive Committee, seated at the Speaker's Row. The delegation comprises the following:

1. Hon. Bintu Lukumu Ngonzi Abwooli Jalia, MP – Leader of the Delegation;
2. Hon. Elijah Okupa, MP – Deputy Treasurer, CPA Africa Region;
3. Hon. Nsubuga Simeo Muwanga, MP; and
4. Hon. Patrick Nsamba Oshabe, MP.

The delegation is accompanied by the following officers:

1. Mr. Paul Gamusi Wabwire – Deputy Clerk, Parliamentary Affairs;
2. Ms. Shallon Atuhairu Mugabe – Deputy Hansard Editor;
3. Mr. Enamu Jonathan – Principal Research Officer;
4. Mrs. Geria Beatrice Gladys – Principal Administrative Officer; and
5. Mrs. Jacqueline Mpitsi Oidu – Clerk Assistant/Delegation Secretary.

The delegation is in the country on a visit to our Parliament, specifically to share experiences on the CPA Kenya Branch Rules, branch operations, induction of new Members of Parliament on CPA matters, on CPA activities and the overall strategic objectives of Parliament.

On my own behalf and that of the House, I wish to welcome them to the National Assembly and wish them fruitful engagements during their stay in the country.

I thank you, Hon. Members.

(Applause)

Hon. Speaker: May the Members who are making their way in, please, do so quickly and take their seats.

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DEMISE OF HON. JOHN OROO OYIOKA,
MEMBER FOR BONCHARI CONSTITUENCY

Hon. Members, it is with deep sorrow that I wish to notify the House of the untimely passing on of the Member for Bonchari Constituency, the Hon. John Oroo Oyioka, who passed on yesterday, Monday 15th February 2021, while undergoing treatment at Aga Khan Hospital, Kisumu.

The late Hon. John Oroo Oyioka, was born on 5th May 1950 in Bonchari. He attended Cardinal Otunga Mosochi High School where he obtained his “O” Level certificate in 1970. He proceeded to Strathmore for “A” Level and thereafter joined the University of Nairobi, where he graduated with a Bachelor of Education (Science) in 1976.

Hon. Oyioka worked as a high school teacher in various stations, including Cheptenye High School, Kaaga Girls’ High School and Kericho Day High School. His excellence enabled him to rise to the position of Education Officer and later to the level of Assistant Director of Education at the Ministry of Education Headquarters, a position he held until his retirement in 1999. He had immense enthusiasm for education as a tool for securing the future of young people through impartation of skills and values.

The late Hon. Oyioka made his debut in elective politics in 2013 when he contested for and won the Bonchari parliamentary seat on a Kenya African National Union (KANU) party ticket. His stint was, however, short-lived because he lost the seat in a by-election that was held in 2014, following nullification of his election by the High Court. Hon. Oyioka was re-elected to the National Assembly in the 2017 General Elections, when he successfully reclaimed the parliamentary seat on a People’s Democratic Party (PDP) ticket. Until his demise, he was a dedicated member of the Departmental Committee on Education and Research.

Hon. Oyioka was a devoted legislator who passionately articulated issues of concern to his electorate through parliamentary questions and relentlessly served the interests of his people.

In terms of legislation, the late Member had sponsored the Central Bank of Kenya (Amendment) Bill, 2020, which was read the First Time on 28th July 2020 and is awaiting Second Reading. Through the Bill, the late Member sought to anchor in law a legal framework that would obligate the Central Bank of Kenya to regulate digital financial lending products and services. In honour of the late Hon. Oyioka, I urge the relevant Departmental Committee to consider taking up the Bill and moving its consideration in the pending stages.

The Parliamentary fraternity will forever remember the late Hon. Oyioka for his humility, friendliness and belief in collegiality during his time as a Member of this House.

Hon. Members, on behalf of all Members, the staff of the National Assembly and my behalf, I wish to convey condolences to the family of the late Hon. John Oroo Oyioka, the people of Bonchari Constituency and all his relatives and friends during this difficult time of mourning their departed leader. As the National Assembly, we assure the family of our support during this period of great sorrow.

In this regard, Hon. Members, and in line with the Parliamentary Service Commission’s Bereavement Policy, I have constituted an ad-hoc committee to help with the funeral arrangements. The Committee comprises of the following:

- (i) Hon. Ben Momanyi, MP; Member of Parliamentary Service Commissioner – Chairperson;
- (ii) Hon. Richard Onyonka, MP;

- (iii) Hon. Samuel Arama, MP;
- (iv) Hon. Joash Nyamoko, MP;
- (v) Hon. Richard Tong'i, MP;
- (vi) Hon. (Ms.) Jerusha Momanyi, MP;
- (vii) Hon. Geoffrey Odanga, MP;
- (viii) Hon. Innocent Momanyi, MP; and,
- (ix) Hon. Janet Ong'era, MP.

I have also requested the Speaker of the Senate to nominate two Senators to the *ad-hoc* committee. Hon. Members are therefore encouraged to liaise with the committee on matters relating to the funeral and interment of our departed colleague.

May his soul rest in eternal peace.

I will take my seat briefly, as I allow Members to make their way in.

(Several Members entered into the Chamber)

The Members who are making their way, please, take your seats if you desire to sit at all.

(Loud consultations)

DEMISE OF HONOURABLE SENATOR MOHAMED YUSUF HAJI

Hon. Speaker: Hon. Members, as you are already aware, the week started off on a very sad note for the country, the residents of Garissa County and indeed the nation as a whole, following the demise of Hon. Sen. Mohamed Yusuf Haji, MP. The Hon. Member passed on in the morning of yesterday, Monday, 15th February 2021 while undergoing treatment at the Aga Khan Hospital, Nairobi.

Hon. Members, the late Hon. Sen. Mohamed Yusuf Haji was born on 23rd December 1940 and attended his post-secondary education where he earned a degree from the University of Birmingham, majoring in Management and Finance Control. His Parliamentary career commenced when he was nominated to Parliament in 1998 and appointed an Assistant Minister in the Office of the President.

The late Hon. Haji was elected on a KANU ticket to represent Ijara Constituency in the National Assembly in 2002. He was re-elected to the 9th Parliament when he, again, won on a KANU ticket during the 27th December 2007 General Elections. During the term of that Parliament, he was appointed Minister of State for Defence.

He is fondly remembered for his resolute and brave leadership as shown when he led a Kenyan delegation to Mogadishu, Somalia, on 18th October 2011 to meet with the Transitional Federal Government of Somalia (TFG) officials to discuss security matters and cooperation, amongst other assignments.

Hon. Members, at the time of his death, the Hon. Senator Haji was serving his fourth term as a Member of Parliament. He was also the Chairperson of the Building Bridges Initiative (BBI) Taskforce appointed to coordinate the review of the Constitution of Kenya by His Excellency the President.

The late Senator Yusuf Haji was a dependable leader who served Kenyans with utmost commitment. He was selfless, ambitious, realistic, resourceful and committed to public service.

Truly, his approach to leadership, and as was heart fully said by Hon. Aden Duale, Member for Garissa Township:

“His guidance will be greatly missed, as a man who advocated for peace and harmony among communities across the country during his lifetime.”

Without doubt, the residents of Garissa County, the entire Parliament and the nation at large, have lost a vibrant, pragmatic and dedicated leader.

The Member was laid to rest yesterday at the Lang’ata Cemetery in accordance with Islamic tradition. May God rest his soul in eternal peace.

In tribute and honour to the departed colleagues, the late Hon. John Oroo Oyioka, MP and the late Senator Mohamed Yusuf Haji, MP, I request that we all stand to observe a minute of silence.

(Members stood to observe a moment of silence)

May their souls rest in eternal peace.

Hon. Speaker: I can see several Members who want to make some tributes. Kindly, make it very brief. Hon. Opiyo Wandayi, kindly have the Floor.

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you, Hon. Speaker. Let me take this opportunity to, on my behalf and on behalf of the people of Ugunja Constituency, join the families, friends and relatives of the late Hon. Mohamed Yussuf Haji and the late Hon. John Oyioka on their untimely passing on. The two Members have left an indelible mark for the time they have served in this Parliament.

I remember the late. Hon. Oyioka having served with me in the 11th Parliament though for a very short time as you rightly put it. He was known for humility of its own kind. He was a man who was at peace with almost everybody. Therefore, during this difficult time, I wish the family well. May God rest their souls in eternal peace.

Thank you.

Hon. Speaker: Leader of the Majority Party, you have the Floor.

Hon. Amos Kimunya (Kipipiri, JP): Thank you, Hon. Speaker. I rise to join my colleagues to say that yesterday was really a bad day. It started with bad news in the morning of the passing on of Sen. Haji and closed with the demise of Hon. Oyioka.

However, God knows better why he had to take our two colleagues. Moreover, the most we can do is to deal with the matters as they arise, comfort the families, and wish them and their souls peaceful rest in eternity as we then think of what else we need to do here. I knew Senator Haji in my early days. Like the late Nyachae, both of them served in Nyandarua. He was the District Commissioner (DC) for Nyandarua, and hence even when we met here in the House, our friendship was then anchored on that earlier history.

In addition, we served together in the Cabinet and so again we were intertwined. The late Hon. Haji, Hon. Nyachae, Hon. Karume and Hon. Michuki were a group of elders who had full support and respect of the former President Kibaki.

Moreover, for some of us, we were not sure whether we were relating as colleagues or as their sons’ equivalent. You know, when they called you and you sat to chat, you were very cautious that those were our fathers. However, the relationship was maintained in a very professional manner and we learnt quite a bit.

For Hon. Oyioka, I served with him in the Departmental Committee on Education and Research and I have not seen such a cool gentleman. He very polite and very knowledgeable on

matters education. Even in the interactions with people who appeared before the Departmental Committee on Education and Research, you could see the richness of his knowledge. He never had that condescending attitude that people would have on Ministry officials when they appeared before a committee and he was actually very polite. Therefore, it is sad to lose him, but we have to accept God's will.

Now, in line with our traditions you know we have a standing arrangement where each one of us makes contribution. I know it is voluntary but everyone does it. So, you are at liberty to top it up. I have given instructions to the Clerk and I think my colleague will countersign so that we can, at least, have a coordinated way of passing on our contributions. If we start making our contributions through M-PESA and all that, it will be disorganised. I think through the Clerk's office, they will be able to sort out that and we have one consolidated cheque that the Speaker can hand over.

Therefore, I thank you so much for the support to our colleague and I do hope we shall also extend that to the arrangements for the funeral. I was very amused yesterday when we went to Senator Haji's funeral having come straight from Nyachae's funeral in Kisii. The contrast was like day and night between the Christian version and the Muslim version and there are lessons to be learnt.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Makali Mulu.

Hon. Makali Mulu (Kitui Central, WDM-K): Thank you, Hon. Speaker. Let me also join my colleagues in conveying my condolences on my own behalf, on behalf of my family and on behalf of the good people of Kitui Central and Kitui County at large.

Hon. Speaker, I know Hon. Oyioka and Senator Haji. I have interacted with them at a personal level and I must say it is a big loss to this country. I really want to encourage the families that God gave and he has taken and we can only say his name be blessed. Therefore, I want to really pray that during these trying moments, God strengthens the two families and their relatives. May their souls rest in eternal peace.

Amen.

Hon. Speaker: Hon. Duale.

Hon. Aden Duale (Garissa Township, JP): Thank you Hon. Speaker. I join you and the entire Legislature, to say that yesterday was a very sad day for Kenya and the Legislature. In the morning at 5.30 a.m., we lost our father, our mentor, a man we respect, Sen. Haji. In the evening we lost hon. Oyioka. For those of us who attended both burials, we were again shocked to learn about the death of our colleague, hon. Oyioka.

Hon. Speaker, let me speak for Hon. Haji. Hon. Haji is a man who introduced me to politics in 2007, despite both of us coming from two different parties. He was a man who was very much respected in Kenya by all citizens. He worked in all provinces whether in the Rift Valley, Nairobi, Western, Eastern and has a chequered career both here and even within our neighbours. He participated in the stabilisation and the war against terror when he was the Minister for Defence.

For a long time, Hon. Haji was the Chairman of the North Eastern Parliamentary Group Meeting. In addition, he was known for two things: one, he speaks his mind and he speaks the truth. Moreover, as we remember Hon. Haji and the role he played in the BBI as the Chairman, I think it will be very fair that the constituency called Ijara- which has recorded more than 350,000 citizens in the last census- for him to be remembered, must be accorded an extra constituency. That is what I think the President and the former Prime Minister and those who are in the forefront of the BBI should do because the people of Garissa expected that.

Hon. Speaker, finally, allow me to read one very important prayer for the dead according to the Muslims. Moreover, I am sure Hon. Kimunya said it yesterday. Everybody including him, the President, Deputy President and the former Prime Minister were shocked at how we bury our dead, the cost involved and the time involved. Hon. Nyachae died two weeks ago and he was buried yesterday. Hon. Haji died yesterday morning and he was buried at 4.30 p.m. in accordance with our Islamic religion.

Hon. Speaker, now let me just read this prayer for him:

*“Oh Allah, surely, Hon. Senator Haji is under your protection and in the rope of your security. Therefore, save him from the trial of the grave and from the punishment of the fire. You fulfill promises, Oh Allah. Grant him right, forgive him, and have mercy on him. Surely, Oh Allah, you are the most forgiving and you are the most merciful.
Amen”*

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Wamunyinyi

Hon. Wafula Wamunyinyi (Kanduyi, FORD-K): Thank you, Hon. Speaker. I join you and colleagues in sending messages of condolence to the families of our departed colleagues, the Hon. Yusuf Haji and the Hon. Oyioka.

Hon. Speaker, I want to specifically say that I had the opportunity to know Hon. Senator Yusuf Haji very well. Apart from being a colleague here in Parliament, he has been our Provincial Commissioner (PC) in Western and was very close to our family. He has been described as a nationalist, statesman, very patriotic and an advocate of peace and stability of our country. I had the chance to work with Hon. Yusuf Haji when I was Head of Mission in Somalia as a special representative of the President. Moreover, even during those visits, the ones referred to of 2011, I was in Mogadishu and I received him. The meetings that he had on promotion of the process of reconciliation and stabilisation of Somalia will not be forgotten. He left a mark in the efforts to stabilise Somalia and this will go a long way as the people of Somalia strive to ensure their peace is back to normalcy.

Hon. Speaker, as Kenyans, we have lost a pillar. We have lost a strong Kenyan who participated in the BBI process as Chairperson. Unfortunately, he is not going to see it through but we hope, in his honour, we are going to have everybody support the BBI.

With those few remarks, we wish the family strength during this period and may their souls rest in peace.

I thank you, Hon. Speaker.

Hon. Speaker: Let us have Hon. (Dr.) Pukose.

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you, Hon. Speaker. I join you and Parliament to convey my condolences to the family of Senator Haji and also the family of our colleague, Hon. John Oroo.

I met Senator Haji on several occasions, more so in the gym. He would come there for massage and little exercises. He would not assume anybody. He used to talk to most of us, especially the younger generation, and give us advice. He was a very courteous gentleman, one whom I would say was a good human being. The people of Garissa will miss his services.

I also convey my condolences to the people of Bonchari. It was very sad news. The social media plays some role, but it sent mixed signals yesterday because there are those who said he was dead while others said he was still alive. Anyway, finally, it was confirmed that he was dead. It

was a sad day. It was not a very good experience especially because of those who write on social media. It is good to have control to a certain extent.

Hon. Speaker, the late Sen. Haji was the Chair of the BBI. His death tells us that we should do things for posterity and not just for ourselves. Let us do it for the future generations because we are passing by. Our time will come and we shall all leave. However, let us make a document that will endure time.

I thank you, Hon. Speaker.

Hon. Speaker: Let us have the Deputy Speaker.

Hon. Moses Cheboi (Kuresoi North, JP): Thank you, Hon. Speaker. I wish to pass my condolences to the families of our colleagues. Indeed, yesterday, 15th February is one of the saddest days of our parliamentary calendars. Yesterday, we lost two of our Members and buried one who is a former Member of this House.

I had the opportunity, like yourself, to serve with all the late Members, including the late Hon. Nyachae. To start with, Hon. Oyioka was declared an MP by the Coalition for Reforms and Democracy (CORD). I remember there was a petition and for the first time in our parliamentary history, there was a swap of Members. I was then in KANU together with Hon. Oyioka. I escorted him on the day he was sworn in. I remember how disappointed he was with the National Assembly because when he came here on that particular date and was given an opportunity to speak, there were murmurs. We would have expected him to thank the House and do all that happens, but because there were some murmurs in the House, Hon. Oyioka was very disappointed. He thought that people in this place behaved like they were in a market place. He put it on record, but over time he ended up learning that that was part of debate in this House.

In 2002, Hon. Haji was first elected and that was when I was also elected with you. We were all in KANU then and we were 68 of us. Therefore, we were a very close family. We got to learn about Hon. Haji's behaviour in the House: a gentleman and a fatherly figure. Most importantly, when he was the Provincial Commissioner of the Rift Valley, which was our home province, there was a very surprising thing about him. In his own house he had built a mosque. We have always referred to Hon. Haji as one of the most religious provincial administrators in Nakuru together with Hon. Raburu. Hon. Haji had a mosque in his own House and Hon. Raburu was the provincial administrator who put the Ten Commandments in the PC's office.

With that Hon. Speaker, I take this opportunity to send my condolences to the families. I thank you.

Hon. Speaker: Let us have the Member for Kathiani.

Hon. Robert Mbui (Kathiani, WDM-K): Thank you, Hon. Speaker for this opportunity to also pass this condolence message on my own behalf and that of the people of Kathiani in Machakos County. We have lost three leaders in quick succession in the recent past. Maybe this is a message from God that we need to learn some few things.

First, we need to note that all of us will die one day and so when we are here let us be humble, respect one another, and also respect the dead. In the recent past, we have seen people fighting in funerals when people and families are mourning. You see politicians there fighting and throwing punches and kicks. That should be one of the lessons. We also need to allow the bereaved families to mourn.

When we lost our Senator, Kabaka, in Machakos County, unfortunately, the United Democratic Alliance (UDA) party fielded a candidate even before he was buried. That was a very negative show. So, we need to respect each other, allow families to mourn for a while and after

that we can engage in politics. Right now, there must be people who are looking at this seat and even planning and strategizing, which is really an unfortunate thing.

Finally, I like what Hon. (Dr.) Pukose has said. The Hon. Sen. Haji was Chair of the BBI. Maybe, in his remembrance, we should urge Kenyans to pass BBI in large numbers so that we can have good memories.

I thank you, Hon. Speaker for the opportunity.

Hon. Speaker: Let us have Hon. Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Speaker. On my own behalf, that of my family and the 6.5 million Kenyans with disability that I represent in this House, may I take this opportunity to send our sincere condolences to the family of the late Hon. Yusuf Hajj and the late Hon. Member for Bonchari. I knew John as a very good gentleman who loved everybody. On one occasion, I was almost falling down outside this premise because it is a bit slippery at times when they do waxing near the canteen. He assisted me.

Hon. Speaker, it was a dark day yesterday. The last few days are almost synonymous with what happened when the National Rainbow Coalition (NARC) took over power. We lost Members of Parliament in large numbers. Today, we are witnessing the same. That is why, through you, Hon. Speaker, I want to call upon our religious leaders led by bishops, priests and Imams to pray for our country so that God can redeem our nation.

May their souls rest in eternal peace.

I thank you, Hon. Speaker.

Hon. Speaker: Let us have the Hon. Member for Alego-Usonga

Hon. Samuel Atandi (Alego-Usonga, ODM): Thank you, Hon. Speaker. On behalf of my family and the people of Alego-Usonga, I join you and my colleagues in sending my condolences to the families of the late MP for Bonchari, Hon. Oroo Oyioka and the late Garissa Senator, Hon. Haji.

The late Hon. Oroo Oyioka was a very humble politician. He was not like many of us who are either loud or vocal. When I asked MPs from Kisii, they told me that even though he was very humble here, he was very effective on the ground. This is demonstrated by the number of programmes that he initiated and the love that the people of Bonchari had for him.

Many politicians think that the best way to be a leader is to be as noisy as possible. However, learning from the life of the late Hon. Oyioka, it is important for us just to be humble, effective and to earn the love and trust of the people who elected us.

Hon. Speaker, on Hon. Haji, I think he has left indelible marks on the map of this country. This is something that has been confirmed by everybody today. Another thing I would like to say about him is that during his last days as a leader in this country, he was the driver of the BBI programme together with other leaders.

If there is anything we will remember him for it is the successful accomplishment and passage of BBI. This will be for the benefit of the people of Kenya. I would like to appeal to MPs in this House and especially the MP for Garissa Township - He has spoken heartily about the life of Hon. Haji and said he was his mentor - to come out from this House today, claim and support the BBI process.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Kipkelion East.

Hon. Joseph Limo (Kipkelion East, JP): Thank you, Hon. Speaker for giving me an opportunity to join the rest of the Members. On behalf of my family, the people of Kipkelion East,

who I represent and the people of Kericho County as a whole, I want to convey a message of condolences to the two families of Hon. Haji and Hon. Oyioka.

The sad news was shocking because from the word go, the country was only prepared to send off the late Nyachae but yesterday the sad news of Haji came in the morning. I want to join Kenyans in saying we have lost a very serious administrator. He was a leader when I was a student in Nakuru. He was one of the longest serving Provincial Commissioners in Nakuru.

He was a serious administrator, did a lot for the people and was a very serious peacemaker. In fact, the Senate has lost a person who was very well balanced. I remember one of the Senators saying that at some point before the Senate decided on something, they would get a word of wisdom from the late Sen. Haji. I do remember in the 11th Parliament, Hon. Dalmas Otieno was in high demand especially when we were at logger heads. I think that was the role Yusuf was playing in the Senate. This is because he was well balanced.

I came to know Mr. Oyioka when I was the Chair of the Departmental Committee on Finance and National Planning. He used to come to our Committee very often to articulate issues concerning the finance sector. He was a serious legislator and was one of the MPs who serviced within the shortest time during the 11th Parliament. I want to join Kenyans in sending condolences to the two families. May God give them strength to withstand this trying moment.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Member for Ndaragwa.

Hon. Jeremiah Kioni (Ndaragwa, JP): Thank you, Hon. Speaker for giving me an opportunity to convey my condolences and those of the people of Ndaragwa to the families of John Oyioka and Sen. Yusuf Haji. In the 10th Parliament, I had an opportunity of serving together with Sen. Haji.

As my colleagues have said, he was a true nationalist. We had an opportunity to engage during the making of our Constitution 2010. He thought like a true Kenyan and believed that all Kenyans regardless of where they are need to be treated equally. Those of us who had an opportunity of serving with such a gentleman learnt a lot.

I believe with the proposed changes in the Constitution, Members of the National Assembly will have an opportunity of interacting with seniors, those who have been there a little longer. When you serve with them in the same Chamber, you learn a lot. I learnt a lot from Sen. Yusuf Haji whom I call *Mzee*.

As the Leader of the Majority Party has said, the Senator was a District Commissioner and then Provincial Commissioner in our region. Other than the people of Ndaragwa, even the people of Nyandarua remember him for various things. One thing that was certain about him was that he was a human being. You could approach him even in those days of provincial administration. He was not a person who would be available to harass you.

We will remember him for the things he did in our area as a PC. Certainly, he was a good example of what we as Kenyans should be. He played a role in the drafting of the BBI. Seeing him at Bomas you could tell he was not very strong. I saw his call for helping the country to come together was overwhelming him. I think it is befitting for us to urge Kenyans to honour him by passing the BBI. This is what came to my mind when I learnt of his passing on.

Also, let me draw some parallels as was mentioned by the former Leader of the Majority Party. It is only yesterday that *Mzee* Nyachae was buried after more than 10 days since he left us. It took Christians that number of days to bury him. It only took hours to bury Yusuf Haji. Even the Members who are seated here since we feel important in one way or another, and we are, when

we pass on because our day is also coming, most likely we will give the people we have left problems for 10 to 14 days.

I wondered how many of us will have a chequered performance like that of Yusuf Haji yet, he was dwelt with within hours. What reason would any of us have to be left on tables and in cold rooms for some 14 or 15 days? I think this is something we need to learn from the way they dealt with Yusuf Haji.

Let me conclude by saying that the whole management of the body of Yusuf Haji would have cost the family something between Kshs10,000 or Kshs.20,000. This would cost Kshs2 or 3 million for Christians to handle. I think this is an aspect Christians need to learn from Muslims.

Thank you, Hon. Speaker.

Hon. Speaker: Well, I hope it is not just Christians. This is because the other day, I was just trying to recalculate how many months it took before the former Secretary General of the United Nations (UN), the late Kofi Annan was buried. Also, more recently how many months it took for the late President of Ghana Jerry Rawlings to be buried. I think some of it could be customs and traditions. It might not be a matter of religion.

If you can reflect when the late Kofi Annan died and was buried, it was not less than two months. The late Jerry Rawlings passed on sometimes in October and was buried last month. I also know some of you belong to the Commonwealth Parliamentary Association (CPA) family. Is Hon. Makali Mulu in the House? He will tell you how long it took to bury a relative of one of the senior officials of the CPA, Africa region. I think this is something to do with tradition.

Hon. Kioni and Hon. Kimunya, it has been rightly pointed out that there are lessons to be learnt even as we think whether it is religion, traditions or custom. There is something each could learn from the other. Perhaps, we could see some little bit of reduction of the agony that accompanies those long sessions of living with corpses.

Nominated Member, Sossion.

Hon. Wilson Sossion (Nominated, ODM): Thank you, Hon. Speaker. I join you and the rest of the Members in conveying my condolences and those of the teachers of this country, and also by extension the workers, to the families of Senator Yusuf Haji and Member of Parliament, Hon. Oyioka.

Senator Yusuf Haji has been praised very much in this House and in the country as an outstanding statesman. From my personal experience in 1990 when we trekked all the way from Egerton to Nakuru Town to protest the killing of the Minister for Foreign Affairs and Member for Kisumu Town, Dr. Robert Ouko and we brought the town to a standstill, the late Hon. Haji was able to handle us very well in an emotive moment and addressed us very well as university students. He gave us *Nyayo* buses to take us back to the university. That was my first interaction with the PC. All over the country he has been praised in terms of education and in Rift Valley, his work and input to education is unmatched. I remember in one of the schools, Kipsigis Girls High School, there is a dormitory that is named after Yusuf Haji. It is not very easy for a girls' school of that magnitude to name a dormitory after a senior public officer.

While in this House, with a lot of humility, in two occasions, Hon. Yusuf Haji approached me and engaged in discussions on two matters: One was about Ijara Kenya National Union of Teachers (KNUT) branch. I was so surprised about the details and the concerns that he had about a KNUT branch in Ijara. It is one of the smallest branches we have in the country.

Secondly, he engaged me very strongly in terms of teachers' welfare and deployment of teachers in northern Kenya, a matter that we have discussed with Members of Parliament from northern Kenya. He was deeply concerned about ensuring that children from northern Kenya also

access qualified teachers in their classrooms. So, in short, Yusuf Haji's role in this country, with a lot of humility, is an outstanding statesman that all of us ought really to emulate.

A lot has been said in honour of Yusuf Haji. He was the Chair of BBI and how he handled the BBI even during presentation, of course, depicts a very serious statesman. I join my colleagues in urging the rest of us who are still very averse and have issues with the BBI to reconsider as the greatest gift to Hon. Yusuf Haji. This country requires both political and economic stability and any process like BBI should really be treated well and we should all rise above pettiness and ensure we deliver something that is good. I am sure the success of BBI will be one of the biggest gifts to Hon. Yusuf Haji.

Hon. Oyioka, an outstanding teacher and a serious Member of this Parliament, of course I had an opportunity to work with him in the Departmental Committee on Education and Research and I can remember he was a very strong voice of reason. Sometimes when my emotions would be a bit high, he would always cool me and bring me down. These two great men have done a wonderful job in this country. They have left an indelible mark and may their souls rest in eternal peace. Those of us who are remaining to carry on with leadership in this country hope to do our best to ensure that we rediscover values in this country and bequeath them to the citizens so that this country can also get great men and women and leaders of great integrity and value like Hon. Yusuf Haji and Hon. Oyioka.

May their souls rest in eternal piece.

Hon. Speaker: May I suggest that you do not take more than one minute, if I am going to get more Members. There are far too many requests and obviously I appreciate that these are our colleagues and many of you have many kind words that you may wish to say, but at the end of the day, we still have to transact business. Life must also continue. Like Hon. Sossion has said, sometimes when his emotions would run high, Hon. Oroo would cool him down. I would urge that you now remain cool for the rest of this sitting, but do not take too long so that we can have as many of you as possible. This is because there is business to be transacted. I am only dealing with those on interventions.

Next is the Member for Kitutu Masaba. I am following the order in which you have put your requests on the intervention button. Those of you who do not know how to use the intervention button, please just relax. You can listen to what is being said and associate yourself with it.

Hon. Shadrack Mose (Kitutu Masaba, JP): Thank you, Hon. Speaker. I take this opportunity also, on my own behalf and that of my family and the people of Kitutu Masaba, to pass my condolences to the family of the late John Oroo Oyioka of Bonchari. Hon. Oyioka was an extremely humble and amiable person. When I come to Senator Yusuf Haji, he is an icon. He has left a track record in this country. May their souls rest in eternal peace.

Thank you, Hon. Speaker.

Hon. Speaker: I give the Floor to Samburu North.

Hon. Alois Lentoimaga (Samburu North, JP): Thank you, Hon. Speaker, for giving me this opportunity. I also want to convey my condolences and the condolences of my family and the people of Samburu North and Samburu in general to the families of both the late Hon. Oyioka and the late Senator Haji.

I knew Mohamed Yusuf Haji, our former Senator and also PC. I happened to know him from 1989 when I joined the provincial administration when I was serving in North Eastern. Later again I worked with him in Rift Valley while I was in Kericho when he was the PC. This is a very great Kenyan. He is very strong and an aggressive disciplinarian. I can say that he mentored me

because during our time, he used to advise us as well as warn us on issues concerning administration. Most of the provinces Yusuf Haji served were calm because of the good leadership he showed. So, we have lost a great Kenyan, a patriot and a good leader.

May his soul rest in eternal peace.

Hon. Speaker: Hon. Members, I am strictly following the request button. Next is the Member for Gilgil.

Hon. (Ms.) Martha Wangari (Gilgil, JP): Asante sana, Mhe. Spika, kwa kunipatia nafasi hii. Naungana na wenzangu kutoa rambirambi zangu binafsi, za familia yangu na za watu wa Gilgil kwa familia za wendazao.

Hili Bunge la 12 tumekuwa na misiba mingi sana ambayo inagusa wenzetu na tunaomba kwamba Mola aisitishie na isipite hapo. Tunaomba pia Mungu awalaze mahali pema. Niliweza kutumikia na Seneta Yusuf Haji kwenye Bunge la 11 kama Seneta na alikuwa mwenye heshima kwa wazee na wadogo zake.

Alikuwa mwenye uadilifu, mwenye maarifa na nafikiri pia aliweza kutudhihirishia kwamba unaweza kuingia Bunge kwa kuteuliwa na ukarudi pia ukaomba nafasi kwa kuchaguliwa. Alichaguliwa sio mara moja, sio mara mbili bali karibu miaka 20.

Kwa hivyo, ametutengenezea njia na sisi sote tunamfuata na tunasema kwamba hata wakati Raisi alimchagua kuwa kiongozi katika huu mchakato wa kuleta uwiano, alikuwa ameangalia uadilifu wake wa kazi. Alikuwa mcha Mungu na alipenda watu wote bila kuangalia kabila wala miaka.

Mhe. Spika, hata tunapoandika kitabu cha historia cha nchi hii, marehemu Mhe. Yusuf Haji atakuwa amejiandikia sio aya bali sura nzima kwa sababu ya kazi yake.

Asante, Mhe. Spika, kwa nafasi hiyo.

Hon. Speaker: Member for Tharaka.

Hon. George Gitonga (Tharaka, DP): Thank you, Hon. Speaker. Allow me also to join you and the House in conveying my condolences to the two families of the deceased Members; Hon. Oroo Oyioka, Member for Bonchari and Senator Yusuf Haji.

Hon. Oyioka was actually a very amiable man. He did not have many words as we interacted with him in this House. He is the man who gave us a lot of guidance on how to go about doing our business here. We will miss him.

I came to know of Hon. Yusuf Haji when I was a young lad in High School, when we could go and sing for them patriotic KANU songs, as he administered the country from Eldoret to Nakuru. He was an astute administrator, a man who actually stood his word and a man who ensured that there was order in everything that we did. The country has lost great sons and we actually mourn with their families and with the rest of the country.

May their souls rest in eternal peace.

Hon. Speaker: Member for Navakholo.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Speaker. On my own behalf and on behalf of the people of Navakholo, allow me to pass my condolences to the two families; the families of the late Hon. Senator Yusuf Haji and the late Hon. Oroo Oyioka. I have the good memories that we had with Hon. Oyioka whom I first met in the corridors of Justice in 2014, in the Court of Appeal in Kisumu. We were both being presented before the court following a petition. We used to sit together the whole day until we got justice.

He was a patient man, a man of wisdom and his words were very few. He used to choose the words to use, but they were words of wisdom.

About Sen. Yusuf Haji, he was a great man. Once in a while we could meet and he would quote the Bible, yet he was a Muslim. He used to tell me, “Young man, Christians say that you must respect those in authority”. I used to wonder how he understood the Bible, yet he was a Muslim. He quoted it because he had high respect for the rule of law and the Government of the day. He was a great man who I will really miss. I pray that God will choose the next leader for the people of Garissa.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Kilifi North.

Hon. Owen Baya (Kilifi North, ODM): Thank you, very much Hon. Speaker. I would like to join you and colleagues here, and on behalf of my family and the people of Kilifi North and Kilifi County in general, to give a sincere condolence to the families of the two deceased colleagues.

I would like speak about Sen. Haji who served in the Coast Region as a Provincial Commissioner from 1985. I think it is during his tenure as a Provincial Commissioner there, that a lot of the issues we experience in Coast especially on the land issues were solved. So, we would like to give credit. Sen. Haji up to his time of death was a regular visitor of Kilifi. His son, the Director of Public Prosecutions was born in Kilifi. Every year, they used to come to Kilifi as a family.

Around October last year, I had an opportunity to see them in Kilifi. He was a great family man. This was one of the great characters of Senator Haji which I saw. He would bring his whole family, including his grandchildren for holiday in Kilifi. This is one thing that has not been said, but he was a great family man. Above all, I take one lesson from him; he was a great administrator. Everywhere he had served, he left an indelible mark of performance, progress and good leadership. These are traits and character that we need to emulate as we come forward as young leaders.

So, I would like to pray that God rests the souls of these two colleagues in eternal peace.

Hon. Speaker: Member for Malava.

Hon. Moses Injendi (Malava, JP): Thank you, Hon. Speaker. I also join the Members of the National Assembly to pass my condolences to the family of Oroo and the family of Yusuf. I want to remember Hon. Oroo. We used to serve on the same Committee, the Departmental Committee on Education and Research. This is a person who was so humble in the Committee, yet active when it came to matters of education. I noted that when it comes to parliamentary issues, most persons contribute positively in committees, like Oyioka did. In fact, I would like to urge the House to hasten the process of transmitting Committee proceedings live. Hon. Oyioka was active in the Committee, unlike on the Floor of the House.

I pray that their souls rest in peace.

Hon. Speaker: Member for Central Imenti.

Hon. Moses Kirima (Central Imenti, JP): Hon. Speaker, I join you in mourning these two great Kenyans, the Senator for Garissa and our colleague John. They have been great Kenyans. The Senator for Garissa has been close to my community of Meru having contributed to peace building when there were conflicts between the Somali Community and the Meru people on *miraa* trade. He contributed so much in a way that he cannot be forgotten. His word has been taken seriously in Meru, as a peacemaker.

When he went round collecting views about BBI, Hon. Haji was very much respected. He is one of the people who came to Kamunde Hall to collect views on the BBI. Our people had so much confidence in giving views to him because they knew that was the only way they could be heard.

It is unfortunate that he has left us before he could see the final result of the BBI. We hope that those people left behind to propel the agenda of BBI will be like Haji, a reasonable and a person who could accommodate everyone. They should see to it that the BBI does not divide us, but unites us.

As for our colleague John, we are praying that the Almighty God rests his soul in eternal peace because he has been very good to us and kind to everybody.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Dagoretti South.

Hon. John Kiarie (Dagoretti South, JP): Hon. Speaker, on my behalf and on behalf of my family and the people of Dagoretti South, I rise to send a message of condolence to the families of Hon. Senator Haji and Hon. Oroo. In addition to what has been said here, I believe that the House never acts in vain.

I speak with regard to how people are handling messages of death and how they are being transmitted. As we pass condolences to these two families, we realise that the mode in which we are learning of the passing on of dear members of this country is becoming a bit untidy. This House, in its own Motion, passed a Bill on computer misuse, which went to court and faced a lot of headwinds. Hon. Gathoni wa Muchomba was part of the committee that I sat in, that was forwarding this Bill. We saw how the death of our colleague was transmitted even to us. I have to say that we might not be able to legislate on habits and bad manners.

As a country, we need to think of the sensitivity of such matters. The moment an individual passes on, it is the business of their loved ones and their families. We would like to call upon people who are handling these gadgets, people who are operating as bloggers; people who have taken and allocated upon themselves the duty of transmitting fake news that issues of death are very sensitive to the loved ones of these members.

In condoling the Hon. Sen. Haji...

Hon. Speaker: Member for Taita Taveta.

Hon. (Ms.) Haika Mizighi (Taita Taveta CWR, JP): Thank you, Hon. Speaker for giving me the opportunity. On my own behalf and on behalf of the people of Taita Taveta, I want to convey my condolences to the people of Bonchari and Garissa and their families. I want to say that we have lost very humble, peace loving Kenyans and leaders who were devoted to their cause. From us as leaders, we just pray that they rest in peace. Death is inevitable. Yesterday was truly a dark day for Kenyans. May their souls rest in peace.

I thank you.

Hon. Speaker: Member for Tinderet.

Hon. Julius Melly (Tinderet, JP): Hon. Speaker, I join you and my colleagues to, on my own behalf and on behalf of the people of Tinderet, pass my condolences to the families of Hon. Yusuf Haji and Hon. Oroo Oyioka.

As Members have said, Hon. Yusuf Haji served as a very good Provincial Commissioner in Rift Valley for many years. When we were young, in school, we were told how good he administered the region. It is during his time that a number of communities were settled; a number of schools were built and a number of institutions were set up. So, we have lost a great Kenyan who has done a lot for this country.

For Hon. Oroo Oyioka, I served with him as a Member of the Departmental Committee on Education and Research. He was a very diligent and hardworking Member. He participated in all Committee deliberations. He was very humble. He actually helped a lot in the work of the

Departmental Committee on Education and Research. He was such a very good Member. I, therefore, pass my condolences to his family.

I thank you.

Hon. Speaker: Member for Kikuyu.

Hon. Kimani Ichung'wah (Kikuyu, JP): Thank you, Hon. Speaker. I also rise on behalf of the people of Kikuyu and my family to convey my condolences to the family of the late Hon. Yusuf Haji and *Mheshimiwa* Oroo Oyioka. The late Hon. Yusuf Haji had served this country diligently for many years. I pray that God will grant his family, especially the DPP who is in public service, the strength to serve with the spirit that his father served this country.

Hon. Speaker, the late Hon. Oroo Oyioka has a Bill that is before this House. As a lasting legacy to the late Hon. Oyioka, and as respect to his family and the people he has represented here, as much as he sponsored the Bill alone – we may not be able to continue with it because it has similar features to a Bill sponsored by Hon. Gideon Keter – we can probably incorporate the provisions of his Bill into Hon. Gideon Keter's Bill in order to protect the hustler nation from digital lending companies, which are harassing Kenyans who are in business from digital licensing.

Since the late Hon. Oyioka had this thought of protecting the people of Kenya, and not just the people he represented, from digital lenders I want to urge the House, in his memory, to incorporate the provisions he had in that Bill into Gideon Keter's Bill, which has similar provisions, as a lasting legacy that the country will remember the late Hon. Oyioka for.

I thank you.

Hon. Speaker: Member for Samburu County.

Hon. (Ms.) Maison Leshomo (Samburu CWR, KANU): Asante, Mh. Spika, kwa kunipa nafasi hii ili nitoe pole zangu na pole za Kaunti ya Samburu kwa wenzetu ambao wameaga dunia.

Seneta Yusuf Haji alikuwa kiongozi ambaye hatasahaulika nchini Kenya. Seneta Haji ni mtu ambaye aliishikilia Kenya. Tangu utotoni mwake, alihudumia umma enzi za marais wanne wa Kenya. Ni mzee ambaye tunasema, kwa sababu ni Mwenyezi Mungu amemchukua, amuweke mahali pazuri kwenye roho yake. Seneta Haji ni mtu ambaye aliwalea wengine wetu; ni mzee ametulea. Ni mzee aliyejua njia ya kuongoza. Yeye ni mmoja wa watu ambao walitufanya sisi kuwa viongozi. Seneta Haji hatasahaulika. Mwenyezi Mungu ndiye atakayeturudishia mtu mwingine katika nafasi yake mwenye atakuwa kama yeye. Yeye ni mzee ambaye hakuwa na ubaguzi, hakuwa na ukabila, hakuwa na chochote. Alikuwa mtu ambaye akikwambia “ndiyo” inakuwa “ndiyo” na akikwambia “hapana” inakuwa “hapana.”

Nashukuru kwa sababu wakati alipokuwa mwenyekiti wa BBI, Seneta Haji hakuwa mtu aliyetaka mambo ya kwenda hivihivi. Ni mzee aliyekuwa anasimama kama kiongozi. Alikuwa anatuambia kwamba hakuna chochote kitawekwa kwenye BBI isipokuwa ni kile mwananchi...

Hon. Speaker: Hon. Cecily Mbarire. Hon. Members, the time allowed is only two minutes per Member. So, just speak quickly. Otherwise, you will be cut off.

Hon. (Ms.) Cecily Mbarire (Nominated, JP): Thank you, Hon. Speaker. I also rise to give my personal condolences to the family of Senator Yusuf Haji, a good friend of mine, and Hon. Oroo Oyioka, who have since left us. It is sad that we have lost Hon. Yusuf Haji who played a key role as a unifying factor, especially in Parliament before he became a Senator.

May I just remind this House that after the post-election violence of 2007/2008, one of the most unifying voices that we listened to was that of Hon. Yusuf Haji. He kept on reminding us that we were not an island of peace as we thought, and what would get us to where Somalia was at that time. So, we will remember him for the role he played in calming us down as Members of Parliament from across the political divide.

I believe that even as he played a role as the Chair of BBI, he hoped that he would come up with a report and a Bill that would unite Kenyans and not divide them further. It is sad though that he is not there to tell his story. We pray that as we move forward, we will strive, as a nation, to ensuring that we have a process that is all-inclusive; a process that unites the country and not what we are witnessing at the moment.

Hon. Speaker, may I also say that we have lost two very great elders of this House, one being Hon. Yusuf Haji and the other one being Hon. Simeon Nyachae. I truly do miss the Parliament...

Hon. Speaker: Hon. Member for Wajir County.

Hon. (Ms.) Fatuma Gedi (Wajir CWR, PDR): Thank you, Hon. Speaker. On my own behalf, on behalf of my family and on behalf of the people of Wajir County, I join the House to pay my condolences to the family of Hon. Yusuf Haji and the people of Garissa. It is a big loss to us as Kenyans and the people from the northern region. Hon. Yusuf Haji was a peacemaker. He was very honest. He was the glue that brought many people together. Whenever there was a conflict in the region, he was out there trying to bring people together. For us, it is a very big loss but we pray, because it is Allah who has determined all this.

Hon. Speaker, one thing that I have learnt from his death is that in life you do not need to steal so that you can be somebody. He died a very humble Senator, with all the powers that he had. He was an administrator who was very firm, but he was a very honest person. So, for us, leaders, this death should teach us a lesson. We must be humble. We must respect our bosses. Humility is key and that is what his death has taught us. The only gift we can give to Senator Haji today is to pass the BBI so that, as a country, we can move forward and have a united Kenya. That is all he wanted. He never wanted to be rich. He wanted to have one Kenya. That is the gift that we can give him today as the people of Kenya in this House.

The second gift we can give is to consider allocating extra seats to Ijara and Habaswein because that is what he really wanted. When Western Province lost Wamalwa, they lost a leader. That is why there is currently a lot of division in Western. In North Eastern, this is a big challenge because we do not have somebody who will fill his shoes. I ask leaders to pray for us, so that the North Eastern region can get another leader like him.

Hon. Speaker: Let us have the Member for Tiaty.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, I join my colleagues in mourning the passing on of our departed brothers. It is important for me to remember that when I was a young reporter for the *Daily Nation* in Nakuru, I served very well with Hon. Yusuf Haji when he was the Provincial Commissioner (PC) in the Rift Valley. I learnt a lot from him. He was a very firm man who had an eye for detail in whatever you wanted to report as a journalist.

My only regret is that Hon. Haji went without a resolution on the matter of Kapedo. He has gone with the memory of where Kapedo really belongs. He served for a long time and when the dispute arose, he was the Provincial Commissioner. That is my only regret about Hon. Haji.

For those who are keen to remind us about dynasties and hustlers, I am proud to note that Hon. Haji, even if he has gone to be with the Lord, has left behind a brilliant young man who is leading a very serious department in the country.

May their souls rest in eternal peace.

Hon. Speaker: Let us have the Member for Nyaribari Chache. Are you not able to see your microphone? I have given you the microphone. The moment I mention your name and then you start touching the buttons you then...Do not fumble with them like that, Hon. Tong'i.

(Loud consultations)

That microphone seems to have a problem with your body.

Hon. Richard Tong’i (Nyaribari Chache, JP): Let me use this one, Hon. Speaker.

Hon. Speaker, thank you for the opportunity to also contribute and share my pain with the families who have lost their loved ones, Hon. Yusuf Haji, and my colleague and friend, Oroo Oyioka, the Member for Bonchari. We have lost very key people in this country in short succession. Particularly in Kisii, in less than two months, we have lost a governor, a Member of Parliament and a small-scale farmer, my father, Mzee Tong’i Nyangate. It is so painful that I can only imagine what the families are going through.

It is a moment for all of us to reflect and find out what it is that we have done so that we reconcile with God and not go through this pain. It is quite painful to lose leaders of this magnitude, founders of this country who had contributed immensely to the well-being of the country.

As a young man, I used to read about Hon. Yusuf Haji in the papers. He is a man that I looked up to and admired. I have had a few opportunities to share with him and I believe he was a great person. I remember he once told me that as young people, our biggest mistake was that we believe in papers and degrees. Leadership is never about degrees or the papers we have today. Leadership is about being humble, listening to the needs of the people and doing what the people want. Hon. Yusuf Haji, just like Hon. Oroo Oyioka, believed in and practised such. Leadership is about modelling the best behavior. Hon. Nyachae is also that type of a person. They are people who did not go to formal school...

Hon. Speaker: Let us have the Member for Suba North.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker for giving me this opportunity. Let me pass my condolences and those of the people of Suba North on the loss of Hon. Yusuf Haji, whom I served with in the 12th Parliament. He was a very firm and strict person. I know people know him differently, but that is how I remember him. He was very strict and straightforward in everything he did.

I also send my condolences to the people of Bonchari on the loss of Hon. Oyioka. I also send my condolences on the loss of Hon. Nyachae. I did not get a chance the last time when people were giving their condolences. The people of Kisii in general have suffered great loss in the last few months.

One thing we need to know as a House and a nation is that we are living in difficult times. This is my third term in Parliament. Even though we are not seeing it, it is very peculiar that we are burying so many past and present Members of Parliament, both in the National Assembly and the Senate. We have never had a situation like this. It may or may not be COVID-19. It is a call for us to remember that we are only here for a short time. For the duration we are here, people remember you by whether you were hard-working or if you only used to call people *tanga tanga* or all those names that we call each other. Beyond that, it is a reminder for us to be serious for the short time we have here. It is very serious that Hon. 001 has noted it by even changing his uniform. Today, he is donning a KANU uniform. He is changing his demeanour.

Hon. Speaker: Let us have the Member for Wajir South.

Hon. Mohamed Mohamud (Wajir South, JP): Thank you very much, Hon. Speaker. I stand to condole the departed soul of our senior citizen, a man we always revere, Senator Haji. He was an icon that we always looked up to. He was my first cousin. Unfortunately, it was the saddest moment for me and my family. He touched the hearts of many of our people because of the good

he did for himself, the community and the country. He was a man who put the country first and stood by what the country needed.

He was one of the icons that all the presidents of this country have related to in terms of his work ethic. Senator Haji was above board in terms of ethics. He stood by his words and stood his ground. He took leadership to the highest level and was admired for it.

Truly speaking, we are sure that if every one of us felt that way, then it means that the calling of Allah to his heaven is obvious. I request everybody to sincerely forgive if you have crossed any line with anybody. That is my plea. We revere his soul. He stands in our hearts and up above in heaven.

Hon. Speaker: Let us have the Member for North Horr.

Hon. Chachu Ganya (North Horr, FAP): Thank you, Hon. Speaker. Let me join my colleagues in sending my message of condolence to the families of Senator Haji and our colleague, John Oroo. May God rest their souls in eternal peace and give their families the courage and wisdom to overcome this immense loss.

Hon. Yusuf Haji was a great leader of this nation. He was very humble, religious and had a high level of integrity. He served this nation as a public servant in administration, as a Cabinet Minister, a Member of Parliament, a Senator and in many other capacities. In particular, I honour and remember him for the great work he did for us in Marsabit County.

In 2013, we had a major crisis in that part of the country and he was a key mediator appointed by the President together with Hon. Kaparo, the former Speaker of this House. Through their efforts, we were able to have peace in that region for some time.

Hon. Speaker, he was an honest broker and very dignified in how he handled everything. More than that, he was a God-fearing man. May God rest his soul in eternal peace.

Hon. Speaker: Commissioner, Hon. George Momanyi.

Hon. Ben Momanyi (Borabu, WDM-K): Thank you, Hon. Speaker, for giving me this chance to also join the rest of my colleagues in condoling with the families of the two great Kenyans that we lost yesterday. Indeed, as my colleagues have said, yesterday was a very unfortunate day for our country as we lost Sen. Yusuf Haji, a man that was respected, not only in the country, but also internationally.

Hon. Speaker, as most of my colleagues have said, we have an initiative in the country known as the Building Bridges Initiative (BBI) which was headed by Sen. Yusuf Haji. As my colleagues have said, in honour of the late Senator, all of us as a team should pass the document as a way of showing respect to the late Senator. Some of my colleagues have said that we single-out the former Leader of Majority to lead this process in honour of the Senator who really mentored him politically.

As Hon. Tong'i said, the Kisii community has gone through a series of losses in about three months. Yesterday evening, we lost Hon. Oyioka Oroo. He was a good man. We all knew him. He was a very humble Kenyan. We wish that their souls rest in peace.

Thank you, Hon. Speaker and may God bless you.

Hon. Speaker: Let us have the Member for Mwea.

Hon. Josphat Kabinga (Mwea, JP): Thank you, Hon. Speaker. I want to join my colleagues in condoling with the families of the two great men who left us yesterday. Yesterday was a really sad moment for this country. As Parliament, in the recent past, we have lost a number of our colleagues and it is high time that we probably organise some prayers so that this spirit departs from us.

Hon. Speaker, Sen. Yusuf Haji and I interacted quite a lot in my previous engagements, especially, in seeking for peace in this region. Many may not know that part of the reason we have peace in this country is because of the contributions of the great men, Sen. Haji included. I have heard from a number of our colleagues who seem to truly believe in him and in what he wanted this country to be; a tribeless country, where people enjoy what we have been given by the Almighty God freely and without feeling discriminated. It is for that reason that I also want to urge my colleagues to live to their words. If they believed in Sen. Haji and what he believed in, they should also believe in him in spirit and continue with the good work that he started.

It is unfortunate that we could be talking about how we believed in him and yet some of us are fighting the efforts to unite this country, namely, the efforts to bring this country into a lovely country where we all love each other.

Hon. Speaker: Let us have the Member for Mvita.

Hon. Abdullswamad Nassir (Mvita, ODM): Asante sana Bw. Spika. Kwanza, kwa niaba yangu na ile ya Wanamvita, ningependa kutoa pole kwa familia na jamii ya Mhe. Oroo Oyioka ambaye alikuwa Mbunge wa Bonchari na ile ya Marehemu Mohamed Yusuf Haji ambaye alikuwa Seneta wetu. Kibinafsi, ningependa kutoa pole zangu kwa wanawe Abdul na Noordin.

Bw. Spika, mengi yameweza kuzungumzwa katika Jumba hili lakini kuna mafunzo ambayo vifo hivi vinafaa kutufunza sisi. Kwanza, hamna ambaye ana mkataba na Mwenyezi Mungu ni lini ataenda mbele ya haki. Haya mambo ya watu kujigamba kuhusu 2022... Ikiwa kuna lolote mwanasiasa anapaswa kujifunza na vifo hivi ni kuwa yeyote anaweza kwenda mbele ya haki wakati wowote.

Pili, mkumbuke leo tunazungumzia wenzetu walioenda mbele ya haki. Kesho mimi na mmoja yeyote atakayekuwa hapa na wengine wote watakaokuwa hapa, wataenda mbele ya haki. Swali ni: Tutakumbukwa na yapi ambayo tuliweza kuwatendea watu wetu? Tusiwe ni wenye kujigamba lakini tujue yakuwa binadamu akienda mbele ya haki hukumbukwa kwa yale aliyoweza kuyafanya.

Mwishowe, katika dini ya Uisilamu, hamna aliye na hadhi zaidi ama aliye na fedha zaidi ama mwenye kujulikana zaidi. Unafariki alfajiri, ikifika aduhuri ama alasiri, uko chini ya mchanga.

Hon. Speaker: Let us have the Member for Eldas.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Speaker. I want to join other Members of Parliament in sending my condolences to the people of Bonchari and the great people of Garissa for the loss of two great leaders.

I first interacted with Sen Haji as a Deputy Provincial Commissioner, a Provincial Commissioner, a nominated Member of Parliament, and then as a Member of Parliament and later on by the grace of God, he was the Minister for Defence and I was the Chairman of the Departmental Committee on Defence and Foreign Relations, then as a Member for Ijara and currently before his death as the Senator for Garissa county.

Hon. Speaker, if you look at the history of *Mhe.* Yusuf Haji, he served in the colonial Government between 1963 and 1978 when the members of the Somali community were highly stereotyped. Serving in the Government then was the most difficult thing and Mr. Haji used all his skills, demonstrated leadership and survived. Indeed, he got promoted and became a District Commissioner at that particular time when it was very difficult to serve in the public administration. You can imagine all the skills he had. He excelled in serving the colonial Government, the Kenyatta Government, the Moi Government, the Kibaki Government and the Uhuru Government. That is a unique person.

The only thing we need to appreciate is that he demonstrated resilience and progressiveness as much as education was very difficult at that time. If you contextualise all his thinking and the things he did, these are some of the things any modern person would yearn for. The best we can do to remember him is to apply the same skills that he has applied so that our country remains united. I want to join the other colleagues who have asked for this for the sake of Sen. Haji. As one of the leaders, I promise that we will do everything possible to make sure that the people of northern Kenya in particular, pass the BBI in the honour of Sen. Haji.

I want to appeal to all others...

Hon. Speaker: Let us have the Member for Muhoroni.

Hon. Onyango Oyoo (Muhoroni, ODM): Thank you, Hon. Speaker, for the consideration. On behalf of the people of Muhoroni Constituency, I want to pass our condolences to the family of the late Sen. Yusuf Haji. I want to inform this House that Hon. Yusuf Haji was the first District Officer at the inception of my sub-county when it was carved out of the larger Nyando Division.

For Hon. Oroo Oyioka, we share many things. Hon. Oroo Oyioka and I will go on record as having been to this Parliament via a political party known as the People's Democratic Party (PDP). I knew him as a very humble man. May God rest their souls in eternal peace.

Hon. Speaker: Member for Marakwet West, you may have the Floor.

Hon. William Kisang (Marakwet West, JP): Thank you, Hon. Speaker. On behalf of myself, my family and the great people of Marakwet West, I want to take this opportunity to pass my condolences to the family of Sen. Yusuf Haji, who was our PC in Rift Valley for a long time. When we were in school, every evening at 7.00 p.m., when we were watching news, we would see Sen. Haji and His Excellency Daniel Toroitich arap Moi for like 15 or 20 minutes.

Sen. Haji worked very hard for this country and he did it for over 50 years in the Civil Service. In 2016, I had the opportunity to accompany the Deputy President with him to Turkey and we stayed there for a whole week and went shopping together. It is sad we have lost him.

Hon. Oroo and I served in the Departmental Committee on Energy and the Departmental Committee on Communication, Information and Innovation for a short time in the last Parliament before he lost his seat.

May the Almighty God rest their souls in eternal peace.

Hon. Speaker: Member for Mbeere South.

Hon. Geoffrey Muturi (Mbeere South, JP): Thank you, Hon. Speaker for giving me this opportunity to add my voice to that of my colleagues to convey my condolences and those of the people of Mbeere South Constituency on the death of Hon. Member for Bonchari Constituency and Hon. Yusuf Haji.

I would like to make a remark about Yusuf Haji. I interacted with him when I served at the National Security Advisory Committee. I came to know him as man who cherished the truth. He was always seeking to know the truth. He always insisted that the truth should be spoken and if there was an issue, it be examined carefully and resolved. Therefore, I feel that this country has lost a great man. For those of us left behind, this is a good example for us to follow.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Emurua Dikirr.

Hon. Kipyegon Ng'eno (Emurua Dikirr, KANU): Thank you, Hon. Speaker for giving me this opportunity to remember three great men we lost in the last one week. Last time I talked about the great Chief Secretary, Hon. Nyachae, I only forgot to mention that he paid my fees of Kshs300,000 when I was going abroad.

(Applause)

I was not related to him, I had no serious connection with him, but he felt that I should be given a chance like any other person from a poor family. I will forever be grateful.

As for the Provincial Commissioner, Senator Yusuf Haji, he was the greatest PC ever in the Rift Valley. The Rift Valley is a cosmopolitan province and has had several issues ranging from land to clashes. Yusuf Haji stood firm. He was a very firm administrator. He is the only person who brought the Rift Valley under one roof and I think, the only person who administered peace in the Rift Valley. I have always tried to talk to the Regional Commissioner there now to emulate Hon. Haji. He came from a small community, but he never looked down upon other communities. He knew how communities lived in the Rift Valley and how they stayed together in peace. There were very many issues including evictions which were done in the Mau during his time, but he handled them with a lot of respect, unlike what we see nowadays.

Hon. Speaker: Member for Wajir East.

Hon. Rashid Kassim (Wajir East, WDM-K): Thank you Hon. Speaker for giving me an opportunity to give my condolences regarding the great men who lost their lives in the last one week.

I remember Hon. Nyachae for one great thing he did for Kenya. He was an icon in the Civil Service. When he was the head of the Civil Service, one thing he will be remembered for is the District Focus for Rural Development. The District Focus for Rural Development Blueprint was done by Hon. Nyachae. That is the precursor or genesis of devolution which we see today. The District Focus for Rural Development was instrumental in the development of Kenya.

I interacted with Hon. Haji very well when I worked in his Ijara Constituency in 2000 up to 2002 in Ijara sub-county. I was in charge of agriculture and livestock development. That is one time I was very close to Hon. Haji. He was instrumental in the development of northern Kenya. He was a very humble man. He never misused his position as a Provincial Commissioner. He never showed his wealth although he was a wealthy and intellectual man. He also did not transgress into the lives of Kenyans while he served in the provincial administration or served as a minister in the Republic Kenya. He is one man who will be remembered for not speaking loudly. He was instrumental, insightful and courageous. He always spoke the truth. That is one of the things we will remember him for.

The other thing we will remember him for is his contribution towards peace initiative and creation of Juba Land.

Hon. Speaker: Member for Kitui South.

Hon. (Ms.) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Speaker. On behalf of myself, my family and the people of Kitui South, I would like to take this opportunity to join my colleagues in paying tribute to the fallen colleagues, the Member for Bonchari, Hon. Oroo and the late Hon. Yusuf Haji.

I remember Yusuf Haji for being soft spoken yet he had occupied high offices for over 50 years. That is not a mean achievement. As I spoke with one of our colleagues who served with him in the Building Bridges Initiative, she told me that he used to ask whether the voice of women had been considered in every chapter they went through. For those seated in sensitive positions like the late Hon. Yusuf Haji sat, kindly remember to ask whether the voice of women has been heard.

It is not a mean achievement to serve in three Governments which were constituted in totally different ways and being seen to be useful in those three Governments, namely, the Government of Mzee Kenyatta, that of Mzee Moi and of that of Hon. Uhuru Kenyatta.

I call upon our colleagues and friends in the northern Kenya, as Hon. Keynan said, to pass the BBI which was at the centre of the heart of the late Senator. It will be a great honour for all of us as Kenyans because it will put us together. Hon. Yusuf Haji was a person who never cared about his tribe. He did not care where Kenyans came from. He just wanted us to have one Kenya, one nation. That is why he was pushing for the BBI.

He did not advocate for greed. Based on the positions he sat in all the Governments...

Hon. Speaker: You forgot that he was also the Minister for Defence in the second Kibaki Administration.

Member for Ganze.

Hon. Teddy Mwambire (Ganze, ODM): Thank you, very much Hon. Speaker for according me an opportunity to convey my condolences, those of my family and those of the great people of Kilifi and Ganze.

I had opportunity to interact with Senator Haji for quite some time especially when I made presentations on the BBI Report. He always said that he saw hope in the young parliamentarians given the way we were articulating issues and even giving proposals that could cure the challenges we have in the country. I believe in what my colleagues have said that this is the right time for us to tone down and focus in the same direction in the passage of the BBI in honour of Senator Haji.

I also mourn my colleague who was very humble and did what I normally do; not speaking for the sake of speaking. He normally spoke sense and so people listened to him. May their souls rest in eternal peace.

Thank you, Hon. Speaker.

Hon. Speaker: Finally, Hon. Chepkut.

Hon. William Chepkut (Ainabkoi, Independent): Thank you, Hon. Speaker for giving me this opportunity. May I convey my heartfelt sorrow because the cruel hand of death has robbed us distinguished patriots of this Republic; Haji, Simeon Nyachae and our colleague Oroo John. I will talk in particular about Yusuf Haji because I worked with him. He worked with the second President of the Republic of Kenya who happened to be an amazing President of this republic and my boss, the late Hon. Nicholas Biwott. He used to visit Elgeyo Marakwet County for fund raising for needy students.

The late Hon. Yusuf Haji believed that leadership is, indeed, a calling from God to serve humanity with honour, fairness, dignity and integrity as opposed to personal greed, sycophancy and arrogance. Humility, tolerance and accommodation were very key to the late Sen. Yusuf Haji. I talked with him two months ago about the North Rift Economic Bloc (NOREB). There is a board in the Ministry of Education...

(An. Hon. Member spoke off record)

Yes, it is NOREB. I talked with him about NOREB in addressing issues of north-eastern. I met the head of Public Service, Dr. Joseph Kinyua, and he told me that it is going to be in the Building Bridges Initiative.

Hon. Speaker: Finally, Member for Likoni.

Hon. (Ms.) Mishi Mboko (Likoni, ODM): Asante sana, Mhe. Spika. Kwa niaba ya familia yangu na watu wa Likoni, natoa risala zangu za rambirambi kwa familia ya wendazao ambao ni

mashujaa wetu watatu ambao walituacha. Nikizungumzia Mhe. Nyachae na Sen. Haji, hawa ni viongozi ambao wametoa michango kubwa katika Taifa la Kenya haswa katika nyanja za maendeleo.

Nikizungumzia Sen. Haji, si kwamba ni Garissa peke yake imepoteza kiongozi, lakini ni Kenya kwa jumla haswa jamii ya Kiislamu. Sen. Haji alikuwa kama kielelezo chetu. Alikuwa kama jicho letu kama jamii ya Kiislamu tukimuangalia sana katika nyanja za maendeleo. Tumeona sifa zake za kutokuwa na dosari katika uongozi wake. Pia ameonyesha njia ya kuunganisha jamii kule Kaskazini-Mashariki wakati jamii za watu wa sehemu hizo walikuwa wakizozana na kuweza kuwapatanisha. Haya yote ni kuonyesha kuwa ni mtu ambaye hakuwa na ubinafsi. Alikuwa mtu wa ukweli, shupavu na kusimama na jambo la kutetea jamii na Kenya kwa jumla.

Kwa hivyo, sisi kama Taifa, tumepoteza kiongozi ambaye sasa angekuwa mstari wa mbele kuongoza lile jopo la BBI. Katika kumpa tuzo, tutapitisha mswada wa BBI na pale alipo, atajua kwamba Wakenya walisimama naye katika kuleta Wakenya pamoja tuwe taifa moja na kushirikiana katika kuleta nyanja za maendeleo.

Sisi Waislamu pia tunasema: “*Inna lillahi wa inna ilayhi raji’un.*” Yaani tulitoka kwa mwenyezi Mungu, na kwa mwenyezi Mungu ni marejeo.

Hon. Speaker: Very well.

Next Order!

PAPERS LAID

Hon. Speaker: The Leader of the Majority Party.

Hon. Amos Kimunya (Kipipiri, JP): Thank you, Hon. Speaker. I beg to lay the following Papers on the Table of the House today, Tuesday, 16th February 2021, in the afternoon sitting:

Annex 4B to the Budget Policy Statement for the Financial Year 2021/2022 and the Medium-Term Programmes/Sub-Programmes, Outputs, Performance Indicators and Targets by the Sector from the National Treasury and Planning.

Performance Audit Report on Management of Drought in Kenya by the National Drought Management Authority from the Office of the Auditor-General.

Status of the Public Service Compliance with the Values and Principles in Articles 10 and 232 of the Constitution for the Financial Year 2019/2020 (An Evaluation Report prepared pursuant to Article 234(2)(h) of the Constitution) from the Public Service Commission (Reports submitted in both English and Kiswahili).

Report of the Auditor-General and Financial Statements in respect of the Kenya Post Office Savings Bank for the year ended 31st December 2018 and the certificates therein.

Report of the Auditor-General and Financial Statements of the Teachers Service Commission for the year ended 30th June 2020 and the certificate therein.

The Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June 2019 and the certificates therein:

- (a) The National Treasury;
- (b) The National Treasury - Equalisation Fund;
- (c) The National Treasury - Development Revenue Statements;
- (d) State Department for Infrastructure - Roads Annuity Fund;
- (e) The Ministry of Health;
- (f) Competition Authority of Kenya;

- (g) State Department for Housing and Urban Development - Kenya Slum Upgrading Low-Cost Housing and Infrastructure Trust Fund (KENSUF);
- (h) State Department for Housing and Urban Development - State Officers House Mortgage Scheme Fund;
- (i) State Department for Crop Development - Commodities Fund;
- (j) State Department for Public Works for eight months period;
- (k) State Department for Crop Development and Agricultural Research - Small Scale Irrigation and Value Addition Project; and,
- (l) The Ministry of Environment and Forestry.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Suba North, what is your point of order?

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. I was just hoping that the Leader of the Majority Party would have said something about concerns of some of us who are bringing Private Members' Bills, especially given that in the recent past, we have seen a lot of older men dying after taking something called the blue pill. I have actually brought a Bill called the Reproductive Healthcare Bill that seeks to deal with some of the issues that are challenging our brothers which they do not want to talk about, and yet they are causing too many deaths.

(Applause)

We need to talk about these issues. The Bills are before this House. We are not bringing the Bill. How many people have to die when we can pass laws that can save our brothers and fathers? I would also like to encourage our brothers that there is a point that even the cow must stop eating. You cannot eat throughout your life. Even us, we are about to retire, so even men should get used to retiring. You cannot die on the job.

(Laughter)

So, I would encourage the Leader of the Majority Party to bring the Bill, and let us discuss the issues that affect our brothers. There are even issues that we discuss about women that people do not want. I am glad I came here as a young woman, and I am transiting. When I come back here in the next Parliament, I might be walking with a stick, but I will have the wisdom that I can teach the younger ones about resilience and all those.

Thank you, Hon. Speaker.

Hon. Speaker: Honestly, Hon. Millie, did you want to tell us about when cows should stop eating?

(Laughter)

I suspect that you wanted to know the status of some of the Private Members' Bills which is a valid concern. Part of the reasons why we have added the extra sitting for the evenings, Hon. Millie and for the benefit of all Members, and we said it last week, was out of that concern that far too many Private Members' Bills, which as you recall in December last year before we went to the long recess, we had to pass a special Motion to carry them over.

We felt that, as House Business Committee, we really needed to have some extra sessions or sittings to be able to consider those very many Private Members' Bills such as the one you have. I am not too sure it is about some blue or green pills that you said, or about cows stopping to feed. However, cows must feed to produce milk.

(Laughter)

Unless your intention with that Bill is that cows must not produce milk after feeding. The point is noted, Hon. Millie. The leader of the Majority Party and the rest of the Membership of the House Business Committee, indeed, are quite alive to that and we are encouraging committee chairpersons that several of the Private Members' Bills have not been considered partly because reports on them from the committees have not been submitted.

Therefore, the Bills have matured, but you know it is always useful when there is a committee report on a Bill. It helps to inform debate and whatever other decisions the House may make. So, please, committees, I know you now have quite a lot in your hands. The Budget Policy Statement is already with you, but please, try also to find time to prioritise Private Members' Bills. The intention in introducing the two extra sittings - the two hours between 7.00 p.m. and 9.00 p.m. today and the two hours between 7.00 p.m. and 9.00 p.m. on Thursday - is to try and accommodate as many of the Private Members' Bills as possible. As Parliament, we have been used to only Morning sittings on Wednesdays. This Parliament has grown and more Members have introduced a lot of business. We must also appreciate that 99 per cent of all the Bills that come from the Senate are Private Members' Bills. There is not much Government business that emanates from there. So, even those Senate Bills are actually Private Members' Bills and, therefore, we cannot continue with the Morning Sitting as the only day reserved for consideration of Private Members' businesses. So, please, we would want to implore chairs of committees to also appeal to your memberships to find time to consider those legislative proposals from your colleagues.

Next is the co-Chair of the Joint Committee on Referendum Bills. Who is the co-Chair? Hon. Muturi Kigano.

Hon. Clement Kigano (Kangema, JP): Hon. Speaker, I was about to rise on a point of order. Member for Suba, death does not necessarily ensue from that other exercise. Death may ensue because of her not keeping distance from the Member for Kisumu.

Hon. Speaker: Member for Suba North and Member for Kisumu, the Hon. Muturi Kigano suggests that you are sitting too dangerously close to one another, unless the cows are now feeding.

(Laughter)

Hon. Clement Kigano (Kangema, JP): That is what may cause immediate death – not keeping distance.

Hon. Speaker, I beg to lay the following Paper on the Table of the House:

Report of the joint meeting between the Constitution Implementation Oversight Committee and the Departmental Committee on Justice and Legal Affairs on consideration of the Referendum Bill (National Assembly Bill No.11 of 2020) and the Referendum (No.2) Bill (National Assembly Bill No.14 of 2020).

Thank you.

Hon. Speaker: Very well. I think the Hon. Members who were present last week on Thursday before we adjourned will recall that, that was raised by Hon. Hon. T.J. Kajwang'. I think now Members should make a point of looking at the Report of the Joint Committee.

Hon. T.J. Kajwang', do you want to say something on that?

Hon. T.J. Kajwang' (Ruaraka, ODM): Hon. Speaker, could you by your kind indulgence and the Office of the Clerk make available for us these reports. It is because the Motion is coming this evening and we want to use these reports to reach the debate.

Thank you very much.

Hon. Speaker: Very well. Clerk, that will be done immediately, before we adjourn.

The Chairman of the Select Committee on Delegated Legislation, Hon. Kamket.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, I just wanted to inform Hon. Millie Odhiambo that the resolution from the virtual men's conference is that three minutes is enough. So, there will be no more deaths moving forward.

(Laughter)

Hon. Speaker: Now, what is that? I thought you are laying some Papers.

Hon. Kassait Kamket (Tiaty, KANU): I beg to lay the following Papers on the Table of the House:

Reports of the Committee on Delegated Legislation on its consideration of the following Regulations:

- (i) The Value Added Tax (Amendment) Regulations, 2020.
- (ii) The Value Added Tax (Electronic Tax Invoice) Regulations, 2020.
- (iii) The Value Added Tax (Digital Marketplace Supply) Regulations, 2020.

Thank you, Hon. Speaker.

Hon. Speaker: Very well. Next Order.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON VALUE ADDED TAX (AMENDMENT) REGULATIONS, 2020

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, I beg to give Notice of the following Motions:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Value Added Tax (Amendment) Regulations, 2020, laid on the Table of the House on Tuesday, 16th February 2021, and pursuant to the provisions of Section 67 of the Value Added Tax Act, 2013, approves the Value Added Tax (Amendment) Regulations, 2020, published as Legal Notice No.188 of 2020.

ADOPTION OF REPORT ON VALUE ADDED TAX (ELECTRONIC TAX INVOICE) REGULATIONS, 2020

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Value Added Tax (Electronic Tax Invoice) Regulations, 2020, laid on the Table of the House on Tuesday, 16th February 2021, and pursuant to the

provisions of Section 67 of the Value Added Tax Act, 2013, approves the Value Added Tax (Electronic Tax Invoice) Regulations, 2020, published as Legal Notice No.190 of 2020.

ADOPTION OF REPORT ON VALUE ADDED TAX (DIGITAL
MARKETPLACE SUPPLY) REGULATIONS, 2020

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Value Added Tax (Digital Marketplace Supply) Regulations, 2020, laid on the Table of the House on Tuesday, 16th February 2021, and pursuant to the provisions of Section 67 of the Value Added Tax Act, 2013, approves the Value Added Tax (Digital Marketplace Supply) Regulations, 2020, published as Legal Notice No.189 of 2020.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Kamket, you still have another notice of Motion. Please, continue.

EXTENSION OF PERIOD FOR CONSIDERATION OF THE
PETROLEUM DEVELOPMENT LEVY ORDER, 2020

Hon. Kassait Kamket (Tiaty, KANU): I am sorry about that omission, Hon. Speaker. I beg to give Notice of the following Motion:

THAT, in furtherance to the provisions of Standing Order 210(3) relating to the mandate of the Committee on Delegated Legislation and notwithstanding the provisions of Section 15(2) of Statutory Instruments Act, 2013 relating to the period of consideration of Statutory Instruments by the Committee, this House resolves to extend the period for consideration of the Petroleum Development Levy Order, 2020, Legal Notice No.124 of 2020, submitted to the House on 5th August 2020 by a further period of 21 days from 16th February 2021 pursuant to the provisions of Section 15(3) of Statutory Instruments Act.

Thank you, Hon. Speaker.

Hon. Speaker: Very well. Member of Dagoretti South.

EMPOWERMENT OF ARTISANS BY THE GOVERNMENT

Hon. John Kiarie (Dagoretti South, JP): Hon. Speaker, I beg to give Notice of the following hustler-friendly Motion on empowerment of artisans by the Government.

Hon. Speaker: Please, I want to request that you do not bring here those things which are said out there in the villages. This is Parliament and if we bring those issues here, we are going to...

Hon. John Kiarie (Dagoretti South, JP): Hon. Speaker, I beg to give Notice of the following Motion:

Hon. Speaker: Is it a Dagoretti South people-friendly Motion?

Hon. John Kiarie (Dagoretti South, JP): Yes. It is a Dagoretti hustler people-friendly Motion.

THAT, aware that there are many talents amongst the youth of this country; noting that these talents have been severally displayed through various inventions and also innovations by the artisans in platforms such as the Annual Youth Innovation Week

and profiled on social media; concerned that most of these innovations and artworks do not go beyond making sensational stories in their localities, local dailies and social media mentions; noting that most of these innovations and artworks are crucial in ideas promotion, intellectual development and at creating employment and addressing the problems that affect us as Kenyans on a daily basis; concerned that there is inadequate support and administrative measures to support the artisans; cognizant of the fact that the Kenya Vision 2030 seeks to make our country an industrialised middle-income economy in the next nine (9) years; aware of the immense potential for wealth creation and job opportunities through our own local production generate if well-developed and commercialised; also recognising that our imports are well in excess of Kshs2 billion and most of these imports are not relevant to the Kenyan market; noting that homegrown technology would be region sensitive and appropriate for the environment, social economic dynamics and suitable for our utility; further concerned that most of these artisans lack appropriate technology, skills, capital and tools, this House, therefore, resolves that the national Government, through the relevant ministry, formulates a policy which stipulates that two per cent of the National Government Constituencies Development Fund (NG-CDF) and the UWEZO Fund is allocated for the purpose of equipping the artisans with the necessary skills, technology and tools.

Thank you, Hon. Speaker.

Hon. Speaker: Very well. Next Order!

ORDINARY QUESTIONS

Question No.006/2021

PROVISION OF RELIEF FOOD TO FLOOD VICTIMS

Hon. Nicholas Mwale (Butere, ANC): Thank you, Hon. Speaker. I rise to ask Question No.006/2021 to the Cabinet Secretary for Devolution and ASALs.

- (i) Could the Cabinet Secretary explain what became of relief food allocated by the Government to people affected by floods in Butere Sub-County as evidenced by a letter dated 2nd June 2020, from the Principal Secretary, Ministry of Devolution and ASALs to Butere Sub County Deputy County Commissioner?
- (ii) Could the Cabinet Secretary provide a list of beneficiaries of the said relief food in Butere Sub -County?
- (iii) Could the Cabinet Secretary state when M/s. Dubai Mattress delivered the foodstuffs and how much was paid for the delivery?

Hon. Speaker: The Question is referred to the Departmental Committee on Administration and National Security.

The next Question is by the Member for Kisumu West, Hon. John Olago Aluoch. It is obvious that there is a problem on this side. The Clerk should address the issue.

Question No.011/2021

BLOCKAGE OF USOMA-NAWA-KIREMBE ROAD

Hon. Olago Aluoch (Kisumu West, FORD-K): Thank you, Hon. Speaker. I raised this Question towards the end of the Fourth Session, but it was not responded to. They have brought it back.

I rise to ask Question No.011/2021 which is directed to the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works:

- (i) Could the Cabinet Secretary explain why the Kenya Airports Authority blocked the Usoma–Nawa–Kirembe (C35) Road by constructing a perimeter fence to secure the southern end of the Kisumu runway thereby cutting off residents from accessing their houses from either side of the runway?
- (ii) Could the Cabinet Secretary explain whether the road agencies, that is, the Kenya Rural Roads Authority (KeRRA) and the Kenya Urban Roads Authority (KURA) were consulted or involved in the irregular blockage of the said road?
- (iii) Why did the Kenya Airports Authority (KAA) fail to construct an alternative access road using the Ksh.45m that was earmarked for a new access road?
- (iv) What measures has the Ministry and the KAA put in place to design and construct an alternative road that will be appropriately raised to avoid future damage by the rising levels of Lake Victoria waters?

Thank you, Hon. Speaker.

Hon. Speaker: The Question is referred to the Departmental Committee on Transport, Public Works and Housing.

The next Question is by the Member for Kitutu Masaba, Hon. Shadrack Mose.

*Question No.012/2021*REGISTRATION OF PRIMARY AND SECONDARY SCHOOLS
IN KITUTU MASABA CONSTITUENCY

Hon. Shadrack Mose (Kitutu Masaba, JP): Hon. Speaker, I rise to ask Question No.012/2021 to the Cabinet Secretary for Education.

- (i) Could the Cabinet Secretary provide an updated list of all applications for registration of primary and secondary schools in Kitutu Masaba Constituency for the last five years, specifying the successful ones and the reasons for the unregistered ones?
- (ii) What measures is the Ministry pursuing to ensure a structured and efficient registration process to avoid inconveniencing learners, parents and stakeholders such as school sponsors in view of the fact that a registration certificate is a prerequisite for accessing National Government – Constituencies Development Fund (NG-CDF) funding?

Thank you, Hon. Speaker.

Hon. Speaker: The Question is referred to the Departmental Committee on Education and Research.

The next Question is by the Member for Marakwet East, Hon. Kangogo Bowen.

Question No.014/2021

DESIGN OF CHESOI-MARON-CHESEGON ROAD

Hon. Kangogo Bowen (Marakwet East, JP): Hon. Speaker, I beg to ask Question No.014/2021 to the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works.

- (i) Why was the Chesoi-Maroon-Chesegon Road designed with a steep gradient that makes it dangerous and impassable?
- (ii) Are there plans to redesign the affected part of the said road, and if so, when will the newly redesigned sections be constructed?
- (iii) Why has the Ministry's agencies abdicated their role of maintaining the road in view of the constant landslides and rockslides that have damaged it thereby causing fatal accidents and damage to vehicles including the recent case of a school bus belonging to Kapchebau Girls High School?

Thank you, Hon. Speaker.

Hon. Speaker: The Question is referred to the Departmental Committee on Transport, Public Works and Housing.

The next Question is by the Member for Nakuru Town East, Hon. David Gikaria.

Question No.017/2021

PROPOSED CONSTRUCTION OF AN AIRSTRIP IN NAKURU TOWN

Hon. David Gikaria (Nakuru Town East, JP): Hon. Speaker, I rise to ask Question No.017/2021 to the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works:

- (i) Could the Cabinet Secretary provide details regarding the proposed construction of an airport or airstrip on land in Nakuru Town currently occupied by Internally Displaced Persons (IDPs)?
- (ii) Could the Cabinet Secretary further explain whether there exists a title deed(s) to the said land and state the acreage of the area on which the facility will stand?

Hon. Speaker: The Question is referred to the Departmental Committee on Transport, Public Works and Housing. The next is by the Member for Igembe South, Hon. John Paul Mwirigi. Next Question is by the Member for Magarini, Hon. Kingi.

*Question No. 023/2021*STATUS OF IMPLEMENTATION REPORT ON DISPOSITION
OF PUBLIC LAND BY NLC

Hon. Michael Kingi (Magarini, ODM): Thank you, Hon. Speaker. I rise to ask Question No. 23 of 2021 to the Cabinet Secretary for Lands and Physical Planning:

- (i) What is the status of implementation of the recommendation report on the determination or review of grants and disposition of public land by the National Land

Commission, published under Kenya Gazette Notice No.11714 of 19th November 2018 by the NLC?

- (ii) What measures has the Ministry put in place to amend the title of LR. No.13427 which was erroneously indicated to be of 2,034 hectares instead of 2,000 hectares and allocated to MS Krystalline Salt Limited thereby including the 34 hectares vested to the original owner M/S Katana Fondo of Giryama village in Magarini Constituency, as recommended by the NLC in the said report?

Thank you.

Hon. Speaker: Question referred to the Departmental Committee on Lands. For the second time, Member for Igembe South. Being absent for the second time, the Question is dropped.

Question No.022/2021

COMPENSATION FOR RESIDENTS LIVING ALONG KIIJI-AUKI-MAUA ROAD

(Question dropped)

We go to Statements.

STATEMENTS

Hon. Kassait Kamket (Tiaty, KANU): On a point of order, Hon. Speaker.

Hon. Speaker: What is the matter, Hon. Kamket?

CONTINUED IMPOSITION OF CURFEW IN TIATY CONSTITUENCY

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, I just need your kind indulgence. Last week, I sought a Statement from the Departmental Committee on Administration and National Security and you made an order on the same. As I said last week, the security situation on the ground is not very good. I have not got any indication as to when they are likely to call a meeting, and days are running fast. You made an order that the Cabinet Secretary appear before the Committee within seven days. I am apprehensive. I spoke with the Chairman of the Committee earlier, but he did not seem aware that there was something like that. I am very perturbed by the casual manner in which this matter is being taken by the Committee. I beg your indulgence, Hon. Speaker.

Hon. Speaker: A Member of the Committee, who says he is responsible for this matter, undertook to pursue the matter, is it not? Hon. Koinange, what have you to say about the matter? It is about insecurity in Kapedo.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, it is not about Kapedo. Kapedo is a very small village.

Hon. Speaker: What was the name of the place?

Hon. Kassait Kamket (Tiaty, KANU): The Government has imposed curfew on the entire Tiaty Constituency, which is 5,000 square kilometres, just because of the problem in Kapedo, a small village; an 18-acre plot. The Government continues to blockade roads. It is a deliberate attempt by the Government to starve the people. No one is able to transport food into Tiaty or even do business in Tiaty. Government offices are closed. People are not able to go about their normal

businesses. Schools and hospitals are closed. Women are giving birth in the bushes. It is a terrible state of affairs. I am very disturbed by the casual manner in which this Committee is taking this situation. We do not live in a police State. We live in a country of law and order. The children of Tiaty are also children of God. Whatever may have happened may have happened, but you cannot punish an entire constituency of over 300,000 people because of the crime of a few people.

Hon. Speaker: Hon. Koinange, the Chairperson.

Hon. Paul Koinange (Kiambaa, JP): Thank you, Hon. Speaker. I am really surprised by what Hon. Kamket is saying. Last week on Wednesday, Hon. Kamket appeared before the Committee in the presence of the Cabinet Secretary for Interior and Coordination of National Government, and he aired his grievances. We agreed with him to give the Cabinet Secretary at least 21 days. Security issues are not like other issues. There is a way to deal with them. There are good and bad sides of the issue we are dealing with in Tiaty and Kapedo. We cannot rush, otherwise, we are not going to get results. Already, I have told Hon. Kamket that the issue of movement of food and people is being addressed. So, Hon. Speaker, through you, let him give us another 21 days so that there is peace and order in the area. We cannot push. That is the situation we found Tiaty and Kapedo in and we have to sort out the good and the bad people within the community.

Thank you.

Hon. Speaker: Is it another 21 days? I thought you said 21 days from Wednesday last week? When the Cabinet Secretary appeared last week, he asked for 21 days, right?

Hon. Paul Koinange (Kiambaa, JP): When we met the CS on Wednesday last week, he said within 21 days the situation will improve. He actually told us the areas he wanted addressed urgently. Already, they are being addressed. So, in another 14 days, I will make sure that the Cabinet Secretary meets Hon. Kamket and the other Members of that area, because the affected area is larger than Hon. Kamket's own constituency. We would also like to meet with the other Members from the same area.

Hon. Speaker: Hon. Kamket.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, this is very disturbing. You heard Hon. Kaluma last week talking about 28 days. Now the Chairman is talking about 21 days. You ruled from your Chair, Hon. Speaker, after a very lengthy back and forth between Hon. Kaluma and I. Unless the Chairman is challenging your ruling, you made a ruling that because of the situation on the ground, we will not wait for 28 days or 21 days. The situation on the ground is bad. This Member does not know what he is talking about. He is being lied to. He is being misinformed by the security people. If we have a Member of this Committee who represents a constituency like myself talking the way he is talking, then we are in trouble as a legislature. There is an attack on pastoralism. It is an attack on our way of life. We did not choose to be born in Tiaty. I wish we were born elsewhere where we would grow cotton or maize or something else. We keep cattle because of the nature of the terrain. Now the police are killing livestock and people with wanton abandon.

You heard Hon. Kaluma saying that the matter that was being discussed when I appeared before the Committee last week was about Marsabit. It was not the Tiaty matter. And the Chairman knows. I appeared before that Committee and I was asked to say a few words, which I did, and I was told to go away. I never got a response from the Cabinet Secretary. It is, therefore, not in order for the Chairman to take these matters as casually as he is.

You cannot hide under the word "security" and the police are continuing to blockade roads. People are not able to travel, there is curfew in the entire constituency and everything is at a

standstill. So, does he want to say that after 28 days they will have finished killing all people and the livestock? After 21 or the 28 magic days, what are we going to be talking about?

Once again, I beg you. I am not a mad man. I am a Member of Parliament. I represent people. When I speak like this, I do for the people. All of us are elected to represent interests of our people. I plead with you, please, help the people of Tiaty. Hon. Speaker, use your discretion, affirm and uphold the ruling you made last week that the Cabinet Secretary appears before the Departmental Committee on Administration and National Security and not only me, even the other Members who have interest in this issue can come, so that we can have a serious discussion on the matter that is going on in the ground.

The Chairman here has never been to Tiaty. He does not know where Tiaty is. It is unfortunate, he is taking these matters casually.

(Loud consultations)

Hon. Speaker: Just a minute. Do not get excited. I had to allow the Member to completely ventilate so that I can hear. I want to hear a Member of the Departmental Committee on Administration and National Security. Hon. Kabinga Wachira, kindly have the Floor.

Hon. Josphat Kabinga (Mwea, JP): Thank you, Hon. Speaker.

It is unfortunate for a Member to start castigating a Chairman of the Departmental Committee on Administration and National Security whom we know has been working tirelessly to resolve conflicts that surround us in this country, not only in Tiaty, but also in Marsabit and other places. Our Committee has been working tirelessly. Although the Chairman may not have been in those areas, the Committee is composed of people who have verse knowledge in the region.

Personally, I have been handling conflicts in this region for the last 20 years. Tiaty and Kapedo are well known to me. We know the complex nature of some of these conflicts. We also know that much of the problems we have in these areas are related with politics and politicians. We dare say, there is nothing we can sort out without having all politicians sit together and not just one. The Committee wants to meet with all the politicians from that area and with the Ministry of Interior and Coordination of National Government so that we can come up with a lasting solution. So, when a Member stands here and starts castigating the Chair, as if the Committee is doing nothing, I, really feel it, because that is not the best way to handle things.

Thank you, Hon. Speaker.

(Loud consultations)

Hon. Speaker: Hon. Members, I do not need your assistance. Hon. Koinange, when this matter was raised last week, on Thursday, you were not in the Chamber. Another Member stood on your behalf and purported to be representing you. This is the danger of anybody rising in the place of the Chair and taking up a matter. How? That means, I should not actually be listening to anybody.

If a Chair is not in the Chamber, let the Vice-Chair be present, so that we have responsibility. This thing of anybody rising in their places saying they are going to deal with an issue, then you go on a frolic of your own in all manner of places is not helping. Hon. Kabinga, Indeed, as you rightly said, the instructions of last week were that the Committee should meet with the CS for Interior and Coordination of National Government in the presence of Kamket and other

Members from the neighboring areas that maybe having a direct connection with Tiaty Constituency.

Who is going to be present other than Hon. Kamket, so that you do not go and appear alone? Your other colleagues with whom you fight with, collaborate with or whatever, must be there. All of them must be present if you want the Departmental Committee on Administration and National Security to give you a fair hearing or chance, so that all those who may have direct information even if it points at you or the others, the matter can then be discussed and a way forward agreed on.

Hon. Kamket, if you appear alone, it is not going to resolve the matter. I am sure you have gone to some other areas. If the problem is like what you and others have alluded to be your way of life, surely, it cannot be just a way of life for people living in Tiaty Constituency. It must affect some other neighbouring constituencies and counties whatever the case maybe. Is it not possible to agree because Hon. Koinange was not here and it appears the information was not given to him? Hon. Koinange, if it is true that on that day that the Cabinet Secretary appeared you were dealing with the issue of Marsabit, obviously, then it is understandable why you had to give him a few minutes to come and say what he had to say and throw him out. That is not what we had congregated to discuss that day. Why not set a date, a proper one, and perhaps, come and announce it here, which day you are going to meet with all the Members who come from that area? That is the only way you are going to agree on a way forward.

This thing of one Member appearing, perhaps, even starting to accuse neighbours, who in turn will come here, raise another question, go and appear on their own, accuse you back, then, we would just be going round in circles. In the meantime, innocent lives and property would be lost. In fairness, it should not be a situation whereby somebody is appearing to score points on the other. It should be a meeting at which you are looking for a lasting solution which should be a win-win for all. Hon. Koinange, this is the only way. Let us agree. You need to get a date when all those Members representing your neighbours would be present. Who are your neighbors? I may not know all the constituencies and how you neighbours are configured. Hon. Kamket, maybe, you can help us. Who and who should be there?

Hon. Kassait Kamket (Tiaty, KANU): As a way forward, I suggest that while still pleading with you to uphold your ruling, the place that is hurting the most now is Tiaty. We neighbor Turkana East, Samburu North, Samburu West, Laikipia West, my colleague here from Marakwet East and Sigor, Baringo North. Tiaty is where security operation is taking place. So, as the Committee considers calling the rest of us, I suggest that the Committee and the Chairman commits himself here, maybe, through you, that the debilitating roadblocks be removed immediately. The idea of blocking transportation of food is unbelievable. Can you imagine a Government of the people by the people blocking roads?

Hon. Speaker: Hon. Kamket, there must have been a reason informing placement of those roadblocks. The best thing will be for you to appear before the Committee in the presence of those who instructed the placing of roadblocks.

When you now start saying that the Chairman starts ordering the removal of roadblocks...

Hon. Kassait Kamket (Tiaty, KANU): In that case then, Hon. Speaker, can I? That is the most inhibiting in terms of the survival of the people. I suggest that instead of the 28 or 21 days he is talking about, I am ready to yield. You know it is survival for the fittest. That is what is happening now. So, I am ready to yield. Instead of this week, we can meet even if it is on Monday. I have no problem. But telling us 21 days is a bit insensitive. I did not want to cast aspersions on the Chair. I was just a bit incensed by the casual manner in which they are treating the matter but

I am ready, even if it is Monday. I am ready, but something must be seen to be done to help the people.

Hon. Speaker, you and Members know that when the police are given a free hand to do whatever they wish, you can imagine what they will do. You can only imagine them asking for bribes and stopping the lorries that are taking food and burning the food. Can you imagine that kind of situation?

Hon. Speaker: Hon. Members, I can see all of you want to give me suggestions that are just going to inflame the situation. You want to speak, Hon. Mariru?

Hon. Patrick Mariru (Laikipia West, JP): You know, Hon. Speaker, when you listen to Hon. Kamket speaking, you would think that the most evil things are happening in Tiaty. He is saying that there is curfew, but I can tell you that even with the curfew, the people from Tiaty are stealing cows and goats from Laikipia every day. What is he speaking about the curfew? He is talking about.... Of course, we do not want the people in Tiaty or elsewhere to go without food. That, we agree but I can tell you that in the last one month since that operation started there, they have shifted from Kapedo to Laikipia West. Every day, there are goats being stolen from Laikipia West. Every day, there are cows being stolen. Actually, in the whole region of Wangwachi, Eighteen, Kieni up to Milimani, there are no goats now. They are proceeding and they have guns. In fact, the Government has enhanced security but, the other day, there were more than 80 men with guns who came to my village. My people are crying. When I hear Hon. Kamket speaking here, you would think the people of Tiaty are the victims. They are not. In fact, they are the aggressors. The victims are people in Laikipia West. I agree with you, Hon. Speaker, because we must find a way out.

In addition, I agree with Hon. Kamket. I would not support that the people of Tiaty should go hungry. That is inhuman. It is not acceptable. I support that but, also, let Hon. Kamket speak about those aggressors; very aggressive young people with guns, AK-47. In fact, we have police armoured vehicles in Laikipia, but they are not able to cope with the gangs of young people with guns from Tiaty who are fighting my people and getting their goats and cows.

Therefore, as the way forward, let us have a meeting not with Hon. Kamket and the Minister, but with the entire region, including Laikipia West. Hon. Kamket is my friend and my neighbour and we have no enmity but he has to tell me what is wrong with his people! What is wrong? What is wrong?

The other day, I was at Milimani where they had stolen all the goats and cows. I was giving bursary to the young people and I was asking why Hon. Kamket cannot give bursaries to those young people so that they can stop stealing goats and cows. It is getting out of hand. In fact, my people were asking: "Hon. Mariru, what do we do now?" That is because they are stealing everything and they are from Tiaty. Hon. Kamket must speak with both mouths. He must cry for the people of Tiaty and also for the people of Laikipia West.

Hon. Speaker: Now this is what... Hon. Lodepe! Let us hear from Turkana Central.

Hon. Lodepe Nakara (Turkana Central, ODM): Thank you, Hon. Speaker. I was the victim of that and we thank the Government for the steps it took. At least now, Kapedo and the surrounding areas are at peace.

Hon. Speaker, we are not happy that the people of Tiaty are not getting food. They are Kenyans like us. The Turkana people are friendly to them. Those who have ran away from the operation have gone to Turkana South with their cows and everything, including guns. We are not enemies not to accommodate our neighbours but, our neighbours must leave their guns behind. That is the only problem with people from Tiaty. Therefore, we are telling Hon. Kamket that we can

host his people as much as we can but, please, guns are the enemy to all of us, including himself. Those guys do not care whether you are driving a big vehicle or on a flight. We were in that convoy in which the Deputy Director of Operations was killed. Thank God we were only five minutes late. We could have died that day. Those guys care less about your uniform or whatever. We do not blame Hon. Kamket for that. Those guys are robbers. The Government must deal with them seriously so that we can eliminate the stealing of cows and livestock from all over. For those who are citizens and who really need those services, let us give them. But for those who are robbers and killers of our people, they must be dealt with by the Government of Kenya. We support the operation to continue.

Thank you.

Hon. Speaker: I think let us just agree that there is need for a holistic approach, not just the issue of taking food. Hon. Kamket, people are talking. They are not blaming you. They are saying that the people from Tiaty- in as much as they are human beings like others - should leave their guns behind. Maybe, the Government wants to get rid of those guns and so, they have now moved away from Tiaty to other places with their guns. Could that be the problem? That might be the problem. It may be, of course, that they feel that they must go while they are armed because they are going to a foreign territory and not in Tiaty. All of you want to suggest solutions. I think the better solution is a meeting. The one that you are calling should involve all the members of the region. That is the only way we are going to get some reasonable way forward.

Hon. Koinange, can you propose some timeline within which you can have the meeting? The Cabinet Secretary (CS) and his team must also appear. He must be prepared to come and tell the Committee what his challenges are because there could be some challenges.

Hon. Paul Koinange (Kiambaa, JP): Thank you, Hon. Speaker. By Thursday, I will give you a definite date when we can meet all the members from those regions with the CS and other security organs concerned so that we can come up with a solution. I will tell you by Thursday.

Hon. Speaker: On Thursday this week?

Hon. Paul Koinange (Kiambaa, JP): Yes, Hon. Speaker.

Hon. Speaker: In the afternoon?

Hon. Paul Koinange (Kiambaa, JP): Yes.

Hon. Speaker: Very well. You come and give...

Hon. Kassait Kamket (Tiaty, KANU): That is...

Hon. Speaker: Because you know he also needs to organise with them, let us be fair.

Hon. Kamket, are you...

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, can I suggest a day? Thank you, *Mheshimiwa* Koinange, for that. Let me suggest that this Committee calls the Cabinet Secretary on Tuesday morning. That is fair enough without again confirming on Thursday. Let us just say we are meeting the Cabinet Secretary all of us, my colleague Hon. Mariru and the other members on Tuesday morning. That is fair enough.

Hon. Speaker: Let us also be sensitive to the fact that...

Hon. Member: The CS might not be in the country.

Hon. Speaker: Yes, so if we just... Why do we not allow Hon. Koinange - he is coming to bring the answer to the House - some date next week? You must confirm a date next week when you will be meeting with all of them including, Hon. Lentoimaga. Actually you are part of that group. You are a victim.

(Loud consultations)

No please! Let us wait for the answer from the Committee.

Hon. Koinange, on your word, come and report which date next week you are going to have that meeting so that it can be announced for all the concerned Members present.

Let us have Hon. Abdullswamad.

REQUEST FOR STATEMENT

SHOOTING OF SALIM ABDALLAH, FAHAL SALIM ABDALLAH AND AHMED SALIM IN MVITA

Hon. Abdullswamad Nassir (Mvita, ODM): Ahsante sana Mhe. Spika. Kupitia Kanuni ya Kudumu Nambari 44 (2) (c), naitisha jawabu kupitia kwa Mwenyekiti wa Kamati ya Usalama kuhusu upigaji risasi uliosababisha kuumia kwa Bw. Sadat Salim Abdallah mwenye umri wa miaka 42, Bw. Fahal Salim Abdallah mwenye umri wa miaka 35 na kuuawa kwa Amur Ahmed Salim, kijana mdogo aliyekuwa na umri wa miaka 24, risasi zilipomiminwa kwenye miili yao. Alhamisi iliyopita, tarehe 11, Sadat, Fahal na Amur walipigwa risasi kadhaa na watu wanaosemekana kuwa polisi katika hali isiyoielewika. Walikuwa nje ya duka dogo la M-PESA eneo la Kaloleni, Mvita. Yaliyotokea ni kifo cha Amur na majeraha makubwa kwa Fahad na Sadat.

Mhe. Spika, la kushangaza, kusikitisha na kutia wasiwasi zaidi ni kuwa polisi hawajafanya uchunguzi wowote hadi leo. Hawajarudi kwenye eneo ambako uhalifu huo ulitokea. Hawajaongea na majirani ama watu ambao waliona tukio hilo, wala hawajaitisha rekodi za CCTV katika maeneo ya karibu mahali pale. Juzi nikiwa hospitali, nilithibitisha kuwa polisi hawajawafuatilia wale walioumizwa ili kuweza kuchukua kauli zao. Nimeongea na familia ya marehemu na hadi leo, hawajajulishwa chochote wala kuambiwa waende waandike maelezo yoyote.

Mhe. Spika, kupitia haya, twastahili jawabu kupita kwa Mwenyekiti wa Usalama kuhusu mambo matatu yafuatayo:

- (i) Serikali imeweka mikakati gani kuhakikisha kwamba uchunguzi unafanywa ili wale waliosababisha madhara na kifo wapelekwe mbele ya haki?
- (ii) Ni mikakati gani Serikali inaweka kuhakikisha kwamba familia za walioathirika kwenye mkasa huu wamepewa fidia ikiwemo kulipa malipo ya hospitali, na ni lini jambo hili litaweza kufanyika na kumalizika?
- (iii) Serikali ni lazima iwe wazi na kutuelezea imeweka mikakati gani kuhakikisha kwamba kuna hali ya usalama, haswa wakati huu tulioko wa dijitali. Wameweka mikakati gani ili mambo kama haya yakitokea tuweze kujua bila ya kuchelewa wahalifu ni akina nani?

Ahsante, Mhe. Spika.

Hon. Speaker: Statement to be responded to by the Committee on Administration and National Security. Could you give a timeframe, Hon. Koinange, as to when you can give an answer to the Statement?

Hon. Paul Koinange (Kiambaa, JP): Thank you, Hon. Speaker. That one is a bit urgent. We can give feedback within two weeks.

Hon. Speaker: Yes, Hon. Abdullswamad

Hon. Abdullswamad Nassir (Mvita, ODM): Mhe. Spika, naomba Mwenyekiti wa Kamati ya Usalama atakapozungumza na wizara husika aweze kuwaambia wazi kwamba wakija, wasituambie ilikuwa ni mambo ya wizi kwa sababu duka la M-PESA ambalo liko pale ni dogo sana, na hakuna chochote kilichoibiwa. Kwa hivyo, waje watuambie, kulingana na uchunguzi

uliofanywa, ni kwa nini walifanya jambo hili. Kama wanatuambia ni masuala yanayohitaji wiki mbili, tutalikubali hilo ili wasiwe na sababu ya kuwa wiki mbili waliitisha na tukataka muda mfupi zaidi.

Hon. Speaker: Hon. Abdullswamad, the only thing we cannot say is predict the answer they are going to come up with. We do not know. You have chosen the route of a Statement. So, the Chairman cannot tell them what to say. How about if that is what they have to say? So, we cannot gag them and say: "The answer must be this or the other." That is because we do not know. Let the Chairman come with an answer. If the Statement is not satisfactory, we can still give other directions.

Next Order.

MOTION

APPROVAL OF SESSIONAL PAPER ON KENYA WILDLIFE SERVICE POLICY

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on Sessional Paper No.1 of 2020 on the Kenya Wildlife Service Policy, laid on the Table of the House on Thursday, 3rd December 2020, and further approves Sessional Paper No.01 of 2020.

(Hon. Kareke Mbiuki on 11.2.2021)

(Resumption of Debate interrupted on 11.2.2021)

Hon. Speaker: Hon. Members, debate on this Motion was continuing. It has a balance of one hour and 10 minutes. The person on the Floor, who has a balance of four minutes, is Hon. Wamunyinyi.

Hon. Wafula Wamunyinyi (Kanduyi, FORD-K): Thank you, Hon. Speaker, for giving me an opportunity to continue contributing to the Motion on Sessional Paper No.1 of 2020 regarding the Wildlife Service Policy in our country. I had indicated that I support this policy for a number of reasons.

First, is the fact that it looks into historical issues. It looks at issues that inform development of wildlife policies in the past and navigates through history up to where we are today. Secondly, it reviews the current state of affairs, including the existing pressure that arises from climate change, thus calling for policy review. Thirdly, the policy paper has set out goals and objectives as well as the guiding principles towards a clear route to attain those goals. Therefore, it is a very good policy document. I looked at other provisions, including one on sustainability in relation to wildlife conservation and management with measures on need for continuous review and assessment just to ensure that the policy works.

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

[The Temporary Deputy Speaker (Hon. Patrick Mariru) took the Chair]

Hon. Temporary Deputy Speaker, this policy paper also looks at the fact that there is need for a continuous review; that there may also be need to relook at the policy and therefore provide for continuous policy review so that it fits and ensures that we attain the goals which are desired in the course of implementation. I also note that the policy provides very clear and elaborate guidelines on its operationalisation. We have passed good laws and policy papers that contain many good measures, but the implementation has been a problem. This policy paper contains clear guidelines that will ensure it is operationalised. It gives the strategy to implement the policy and this will clearly ensure that we move on to see that the desired objectives are realised. From this, we are enabled as legislators or MPs to ably legislate on wildlife issues and management. There is a clear provision that will inform legislation on this policy.

With those few remarks, I beg to support the passage of this policy. Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Members, because this is resumption of debate, let me read out a few names of the Members who had spoken to this because they will not get a second chance. Hon. Kareke Mbiuki and Hon. Chachu, one moved the other seconded.

We have Hon. Maanzo, Hon. Pukose, Hon. Murugara, Hon. Katoo ole Metito, Hon. Tuitoek Kamuren, Hon. Sankok, Hon. Wanyonyi, Hon. Kimunya, Hon. Ojiambo, Hon. Millie Odhiambo, Hon. Hulufu Oda, Hon. Munene and Hon. Wamunyinyi. They have already had their bite on this. Shall we have Hon. Kipyegon Ng'eno? You do not want to speak to this? Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Temporary Deputy Speaker. I do not want to talk on this but the next one.

The Temporary Deputy Speaker (Hon. Patrick Mariru): You would like to speak to the next one. Okay. Still on my right, Hon. Kimani Kuria? You want the next one? It looks like quite a number of Members want to speak to the next one. Hon. Mutunga, do you want to speak on this or the next one?

Hon. John Mutunga (Tigania West, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to the passage of Sessional Paper No.1 of 2020 on the Kenya Wildlife Service Policy.

This country has benefited a lot from wildlife. It has taken a bit of time for us to have a very clear policy that provides the guidelines which will help people co-exist with wildlife. Many forms and approaches have been taken to enable people live with wildlife. Sometimes, as you drive through the countryside, you will wonder where the demarcation lines lie. There is wildlife all over. It appears like we have been unable to keep wildlife off the farming areas.

I have in mind situations and cases where fencing is done or some protection mechanism is put in place to contain the wildlife within the conservation areas, national parks or restricted areas, but still there is a possibility of them moving across and destroying farm produce.

My only hope is that this policy comes in to solve some of the problems we have been having, one of them being the human-wildlife conflict. This has been a major issue especially where I come from. My constituency is fairly semi-arid and we co-exist with wildlife in conservation areas. Mt. Kenya Forest has elephants and they seem to have a pattern of movement that is not restricted even by the fencing that is done.

There is a clear electrical fence that is meant to keep elephants within the park, but we are not sure whether the fence is kept intact. I believe and hope that this policy has prescribed how the management of the fences is supposed to be done. We have cases and incidences where wildlife maneuvers across the fence during a specific time of the year and invade farms. They eat crops

and farmers are always left in problems. They always request for compensation, which has not been forthcoming. I believe and hope this policy will take care of compensation so that it does not take too long for farmers to be compensated. The compensation made should cover the losses people incur from the destruction caused by wildlife.

We have individuals and corporates who have also decided to manage wildlife in conservancies. Those conservancies are all over the country and we have hotels constructed within. We absolutely have no problem with that kind of arrangement but, sometimes, the entry charges for Kenyans who wish to access those conservancies are limiting. They bar our people from accessing those areas.

I believe and hope this policy has taken care of that and prescribed guidelines on unlimited access for Kenyans and others. On the other hand, when it comes to conservation and wildlife management, we have some species that are facing extinction. I have a case in point where we have almost lost all the white rhinos in this country. Their breeding circles and patterns were supposed to have been very carefully looked into or taken care of. Unfortunately, we have serious problems in the sense that, that breed has not been increasing but decreasing. I believe this Sessional Paper will take care of that as well. I support the adoption of this Sessional Paper. Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Nyikal Wambura.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Speaker for giving me an opportunity to contribute to this Motion. I rise to support the Report of this Committee. It is dealing with a very important component of our life as a nation, the economy in general and also linking it to tourism. Therefore, it is important for us to have this policy. It should be a living one so that, as the environment changes, it also changes to adopt the same.

This particular document has been well done. It gives out a very clear rationale for its development, which recognises that there was a policy that was done in 1975 and was followed by the Wildlife Act in 1976. It recognises that changes have occurred in population growth, settlement and climate change that make the old policy extremely un-applicable in the current circumstances.

It further goes on to look at the current challenges that need to be addressed. It comes out very clearly that land-use, destruction of the environment and wildlife habitat have become extremely important issues. Even where there is close contact with wildlife and human beings, the incentive of the population to see the value of wildlife living close to them is not there. Therefore, the issue of human-wildlife conflict is a big one.

Apparently, it is also becoming clear that there is not much scientific information about the environment and people's habitat. Even as we move wildlife, we know what happened when we were moving buffalos from one point to another and 11 of them died. So, we need that information.

It also looks at the issue of bio-piracy while linking it together with tourism and other people. It is easy for the genetic material of our wildlife to be pirated. This can affect the wildlife and productivity.

The climate change that is taking place is important and it affects the wildlife and utilisation of land and makes matters much worse.

Further, as the various sectors of Government are being involved in development, it is important to coordinate them. For example, when you are doing a railway line - like what we are doing now which is passing across the wildlife habitat - how does that affect the wildlife? When we are getting into large-scale farming and expanding, how does that affect wildlife? When we are organising tourism, how does that affect wildlife? So, it is a well done document. They have

actually looked at very clear areas of intervention like how to make people realise the strategic importance of wildlife and how to manage the national parks, reserves and the sanctuaries; considering that they are part and parcel of the habitat of human beings also. They have also looked at how to link the management of wildlife with the management of private land, particularly where you have large tracts of land. That has been done very well. Look at the issue of wetlands. You see what is happening in areas like Lake Baringo. Those are things that have to be looked into. We did not know a change of climate would bring us to that level. I have talked about human-wildlife conflict. There are even diseases. As the habitat changes and there is close contact, you notice diseases affect humans and wildlife at the same time.

Therefore, we are looking at the research issues which need to be taken under consideration. I support the Committee's recommendations that we adopt this Report noting in particular...

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Mutemi, Member for Mwingi Central.

Hon. Gideon Mulyungi (Mwingi Central, WDM-K): Hon. Temporary Deputy Speaker, I wanted to speak on another matter and not this one.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Nakara Lodepe.

Hon. Lodepe Nakara (Turkana Central, ODM): Thank you, Hon. Temporary Deputy Speaker. I stand to support this Motion. The policies that we had sometimes back are now outdated. For us to conserve our wild animals and for tourism to give us good revenue in this country, we need to see how we can co-exist as people with the wild animals so that we can benefit from them.

There is an issue I want to raise which has become a burden to this country. This is the issue of compensation. Whenever wild animals kill a person or destroy property, it takes many years before the compensation is done. We want this policy that we are now trying to pass in this House to be implemented so that those people who have suffered for a long time because of wild animals are compensated.

Another thing that I want to bring out clearly on this issue is about the policies that we make in this House, but we do not implement them. Kenya is known as a country that has made progress in good policies on written paper, but we do not implement them. So, we plead with the Committee that what we have discussed here and the policy that we have enacted here should be implemented so that people can test them at the grassroots. It is good for us to have ministers in this House so that we can ask them questions directly rather than waiting for the CS to come after one month when people have already suffered.

I support the Motion. Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Jeremiah Kioni.

Hon. Jeremiah Kioni (Ndaragwa, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute and support this policy paper that has been developed by the Departmental Committee on Environment and Natural Resources. Without doubt, the issue of wildlife is crucial to us as a country. It has been a source of revenue because of the tourists that it attracts in this country. To have a policy that is keeping with the changing trends is a very useful thing.

I note that among the many things that have been written in the document is that Kenya ranks as the second country in Africa after South Africa in hosting diverse animal species. I think it is something that we need to pride ourselves in. Threats and challenges that have been noted by the Committee are many. I hear Members concentrating on the human-wildlife conflicts but there

are over 17 challenges that have been identified by the Committee, and I think it is important that we also get to think through them.

As I support this policy paper, let me say that without doubt, tourism is key to this country. I know a little while ago you were complaining about the difficulties that you are having and that are being occasioned onto your people by your good neighbour. Those difficulties are also overflowing into Ndaragwa because we are also losing cattle. We are also losing goats and as we lose them, they go through your area. So, I am also asking your people not to allow them to be passed through your area. They can stop them on our behalf.

That aside, we have quite a number of the animals that are being talked about in the country, but I see very few tourists coming to our area. Even as we discuss this policy paper, I think the Cabinet Secretary in charge of tourism and the whole of the Tourism Department together with Brand Kenya should know that there is a whole region of our area that they have left out. When I was thinking about it over the weekend - I did not know that we are going to discuss it - I actually asked somebody: "Could it be that the Ministry has not quite identified the potential of tourism that is in our area?" We were saved from this...

Hon. David ole Sankok (Nominated, JP): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order, Hon. Kioni. What is it, Hon. ole Sankok?

Hon. David ole Sankok (Nominated, JP): Thank you very much, Hon. Temporary Deputy Speaker. Is it in order for the honourable Member for Ndaragwa to mislead this House? I have travelled to Ndaragwa extensively and all I have seen are only rabbits and rats. They are not part of the wildlife that can attract tourism.

(Laughter)

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. ole Sankok, your place may be full of elephants, but those rabbits are cherished in Hon. Kioni's area.

Hon. Jeremiah Kioni (Ndaragwa, JP): Hon. Temporary Deputy Speaker, if you were to rely on the tourism by Hon. ole Sankok, then this country would suffer. If he goes across the country looking for rats, then I think he must... They can also be a tourist attraction. If he has not seen them, we have them in plenty. But if you look around, you will see more than just the rats and the rabbits.

What I was going to say is that it will interest him to visit Lake Ol Bolosat, for example, where we have very many species of birds that are very unique not just in this country, but in the world. However, I have not seen any attention given to that lake by the Ministry of Tourism. We supported the fencing of the Aberdare Forest so as to ensure that elephants do not stray into the lands of people around Shamata and Pesi areas. Kenyans who reside within that area supported the initiative and have continued to be very useful. However, I have not seen what we are benefiting as the people of that area in terms of tourism. We have the rare bongo in the Aberdares around the Shamata area and if the Ministry would spend some money to ensure that there is breeding and its population is increased, then again as Kenyans, we would benefit from tourism. I believe this policy paper addresses such issues so that when we talk about tourism, it is not just the hotels along the coast or the beaches that we are looking at, but there are also tourist attractions that exist far and wide and in places where we come from.

I thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Ochanda.

Hon. Gideon Ochanda (Bondo, ODM): Thank you, Hon. Temporary Deputy Speaker. At the outset, I want to support the policy paper and the work of the Committee. We cannot gainsay the role of wildlife in this country and the kind of diversity that nature made us have as a people of this country. How we have not made this country a preferred destination internationally is really another matter because, in my view, this should be the preferred destination in the whole world. That is if you look at the diversity that we have in the wildlife. It is good that the Chair of the Committee is around. I want to raise two issues.

There is a problem in terms of what we have as lakes and wetlands and how they are recognised internationally. I want to believe that the Chair needs to look at the issue of wetlands, rivers and lake ecosystems.

There is recognition of how Kenya is a contracting party in what we call the Ramsar Convention. The Ramsar Convention recognises the international importance of wetlands, rivers and lakes. The most unfortunate thing in this is that Lake Victoria and Lake Turkana are absent, and those are the biggest lakes in this country. If you look at Lake Victoria, for example, I want to believe, if somebody took data, the number of hippos, crocodiles, snakes and even birds, if they were to be cumulatively looked into, I do not believe that there is no other water body or wetland system that would be compared to that of Lake Victoria. That is the case for Lake Turkana. If you look at recognition in terms of the size of the country, we only have Lake Nakuru, Lake Naivasha, Lake Bogoria, Lake Baringo and Lake Elementaita. That means that the entire Lake Victoria system is out. So, when this is out, it raises a number of questions. One, what are those wildlife officers doing in Siaya, Kisumu, Migori and Homa Bay? That is a big question that they must answer. Two, what is happening that we have all those number of hippos and the kind of conflict that we have had between the wildlife and the communities around the Lake? Who is really looking at this? About a month or two ago, I incurred debts in my constituency, arising from hippos and crocodiles. We cannot afford not to be listed as a site, if you look at the number of hippos that we have from Port Victoria through to the entire part of Bondo, Rarieda, Kisumu through to Homa Bay and Migori. If we are not listed as a site, the best that the Kenya Wildlife Service needs to do is to take those animals out of Lake Victoria.

Two, if we are to be recognized or co-exist with the wildlife, the Committee needs to look at this, that we get an arrangement where the county government, the wildlife officers in those counties and the communities get to work together for purposes of promoting conservation in non-conservancy areas, or non-wildlife areas, such that Lake Victoria is listed as a site and we have a way of working together as stakeholders and that wildlife does not affect the communities and the economy of the area.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Nyenze Edith.

Hon. (Ms.) Edith Nyenze (Kitui West, WDM-K): Thank you, Hon. Temporary Deputy Speaker. Let me take this opportunity to say that I support this policy paper on Kenyan Wildlife. I know that the overall mandate of the Kenya Wildlife Services is to conserve and manage wildlife, sustainably conserve and enhance Kenya's wildlife, its habitats and provide a wide a range of public uses in collaboration with other stakeholders for posterity.

There are many challenges that are facing wildlife and biodiversity in Kenya, which include climate change, habitat degradation, loss of forests and human-wildlife conflict. Faced with all these challenges, it is very important to conserve wildlife because it contributes to our economy through tourism.

Conserving wildlife goes hand-in-hand with increasing the green cover - that is vegetation - so that we can maintain the wildlife in our country. If I remember very well, when I was young – and I come from a constituency where we do not have wildlife per se - I could see dik-diks, hares and other small animals, which we could hunt for food. So, as we keep on removing the green cover, if we do not conserve our vegetation due to this challenge of human-wildlife conflict, tourism will continue to get degraded and, eventually, our country will be a desert. This one comes at a very good point where we should conserve and uphold such a policy in our country.

Hon. Temporary Deputy Speaker, we should also encourage local tourists through awareness. As I have said, in my constituency, we do not have wildlife per se. The other time a lion escaped from Tsavo National Park, it came to my constituency and people were very excited to see it. Some people even tried to touch it because they had not seen a lion before. So, it is very important to make Kenyans aware of the animals that are within our country. I know the Ministry has tried to expose our people for local tourism through opening the parks so that everyone can go and see. This is a good move. It should be encouraged further.

I stand to support the Committee's Report. The environment should be maintained because it keeps on changing every time and it is a threat to our wildlife.

I thank you. I support.

(An Hon. Member spoke off record)

The Temporary Deputy Speaker (Hon. Patrick Mariru): No! It cannot be Nyando now. You have just come, Hon. Member. Not until Hon. (Ms.) Ruweida Obo has spoken.

Hon. (Ms.) Ruweida Obo (Lamu (CWR), JP): Asante, Mhe. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili niweze kuchangia.

Mwanzo, ningependa kushukuru Kamati. Kamati hii ya Mazingira ni Kamati ya ungwana sana. Sisi, watu wa Lamu, tunaitambua hii kamati zaidi kushinda kamati nyingine yoyote. Tulifanya *petition*, wakaenda *Members* wote mpaka Ndao, wakaona hali ilivyo, wakatusaidia na hiyo iko kwenye *records*. Kwa hivyo, pongezi sana Kamati.

Mhe. Naibu Spika wa Muda, naunga mkono Repoti hii. Katika pointi walizotoa, ya kwanza nikinukuu, wamesema: “Misitu yetu na hifadhi za wanyama ni muhimu kuzihifadhi.” Hizi ndizo rasilimali zetu. Lakini wakati tunazihifadhi, tufikirie Kenya yote pia. Pahali kama Lamu kuna Dodori National Reserve ambayo inaweza kuleta pesa nyingi sana hapa nchini. Lamu kuna mambo mazuri lakini yamenyamaziwa, hayaangaliwi. Hivyo basi, pesa zinapotea bure na hatupati hizo pesa. Kuna simba pale Dodori National Reserve ambao huvua samaki. Ni kitu ambacho hakitokei sehemu zingine. Hii ingekuwa kama ule uhamiaji wa nyumbu kule Maasai Mara ambayo ingetusaidia kuleta watalii. Kwa hivyo, mkiangalia misitu hii, muangalie pia Dodori National Reserve.

Jambo la pili amezungumzia ni vita kati ya wanyama na binadamu. Vita hivi viko katika kila kaunti, lakini Kaunti ya Lamu zaidi. Kwa mfano, kuna watu wa Mkokoni ambao wanalima na hawasaidiwi na matrakta. Wanalima kwa nguvu zao lakini kabla hawajavuna, nyati huenda kuvuna. Kisha, wao hukaa kwa muda bila kulipwa au pengine hawalipwi kabisa. Jambo hilo huwafanya wafe moyo. Kuna sehemu mbali mbali zingine kama kule mainland ambapo wamekufa moyo maanake wanaathiriwa na wanyama na hawalipwi.

Amezungumzia pia udhibitisho wa haki kwa wananchi wanaoishi katika maeneo ambayo yako karibu na wanyama hao. Kusema ukweli, wakianza kwenda muundo huu, watasaidia sana.

Kuna wanyama ambao ni hatari na huleta shida kwa wananchi. Kule Maasai Mara, wameona kwamba simba ni muhimu kwao na wasimuu kwa sababu analeta rasilimali. Sisi Lamu hatujaona umuhimu wa mnyama. Wale wanyama ambao twapenda kuwala kama chakula, kwa mfano kasa, Serikali haitaki waliwe. Kule Lamu kwa Wabajuni, kasa ni chakula cha kitamaduni. Inajulikana kwamba mnyama huyu ni mtamu ukimla na ni dawa pia. Lakini kwa sababu ya kuchunga mazingira, tunakatazwa kumla na sheria kali zimewekwa kuwa utafungwa miaka 25. Serikali haijakuja na mbinu za kutuonyesha tumuhifadhi mnyama huyo kiviipi. Kama tumekatazwa kumla, basi atusaidie tupate manufaa kama vile watu wa Maasai Mara wanavyopata.

Lau Kamati hii itafuata hayo yaliyozungumziwa, basi sote tutajihisi kuwa Wakenya.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Oduol Adhiambo.

Hon. (Prof.) Jacqueline Oduol (Nominated, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me the opportunity to contribute to this Motion.

At the outset, I would like to thank the Committee for bringing the Motion on Sessional Paper No.1 of 2020 on the Kenya Wildlife Policy. I have looked at the policy and it is clear that the purpose or rationale for coming up with it was to make it more robust because the existing policy was not robust enough to address emerging challenges and realities in the wildlife sector.

As I support this Motion, I do so with one specific reservation or concern that was already raised by Hon. (Dr.) Ochanda with regard to increased human-wildlife conflict. We also need to ensure that we have adequate research that would allow us to innovate and address emerging challenges. There are wetlands of international importance and, as a country; we need to ensure that they are identified and that the policy addresses emerging issues,

Looking at the emerging challenges in Lake Victoria and Lake Turkana regions, we have witnessed tremendous deaths, challenges and threats. I recently returned from Rusinga Lodge in Homa Bay. As the water levels rose, the proprietors would advise that we be on the lookout because hippos could likely come at any time and be a threat.

Hon. Temporary Deputy Speaker, we have cases of children, women and others who have been affected.

On the same note, we do not see that fish would qualify as wildlife, but it is clear that we are looking at how we would protect and ensure that the wetlands and attendant lakes are not under threat in any way. Currently, we have cases where fish are dying particularly in Lake Victoria. It is a matter that is rife on the social media. It is therefore important that, as we look at this policy, given its objective and the concern to deal with the emerging challenges and the institutional arrangements that are proposed, that we take this into account.

Therefore, Hon. Temporary Deputy Speaker, I support the policy, but require that it be exhaustive.

Hon. Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Tonui. Hon. Tonui has since left. Let us have Hon. Shamalla Jennifer.

Hon. (Ms.) Shamalla Jennifer (Nominated, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Motion but before, I do that, I want to pass my condolences to the family of the late Sen. Haji and to our very own Member of Parliament (MP), who passed on yesterday. I wish that their families may be consoled and comforted.

When it comes to the late Sen. Haji, I hope his family will one day read the *Hansard* and tell them that, indeed, their father was a great man and that he lives through them. This is especially when I think of the late Sen. Haji and his family; I remember Abdul and Noordin Haji and the role they played at the Westgate attack and the fearless defense for the Kenyan people. This is

something that is very close to my heart and this, I will never forget. I wish to say: *Poleni sana* and all the people of Kenya are with you.

Now, to Sessional Paper No.14 of 2020 on wildlife policy, I want to state that it is long overdue. As we move with a rapid infrastructure from third world to first world, it is crucial that we address issues surrounding human-wildlife conflict comprehensively. I suggest to the Committee that we must understand how it is that we are going to be a competitive preferred destination. I agree that it is not enough to say that. For us to go hand-in-hand to be a competitive preferred destination, we must be able to give value for money. I have heard complaints from tour operators and the tourism industry of the costs and the taxes that are incurred in this country that raise the prices and make it far more expensive for tourists to come to this country than to other countries such as Morocco.

In fact, yes, indeed, Morocco is two and a half hours away from Europe and costs are obviously cheaper. I admit that it is also one of my preferred destinations in the world because it is cheaper to visit. We should look at those examples and countries such as Morocco and ask ourselves: What is it that they are doing differently that we are not?

I commend the Committee for acknowledging that our wildlife is a strategic national resource and, indeed, must be given the adequate funding it requires. However, it being a strategic national resource, as a country, we must understand that the overall security of this country must be improved. At times, we do not have the best reputation when it comes to the security of the nation. I am not touching on issues with regard to international terrorism. The city must be lit up; people must be able to walk in the parks without fear and we must have the nightlife, the day life and the wildlife. There are many things we can improve in our tourism sector.

With those few remarks, I too, support the Sessional Paper.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Ekamais, Member for Loima.

Hon. Jeremiah Lomorukai (Loima, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support this very important Motion.

It is very important for the country to see the importance of conserving wildlife in the country. I come from Turkana County, which has diverse wildlife. The entire northern and north western part of Kenya has a lot of wildlife, but one serious thing that lacks is having a workforce that takes care of all the ranches and animals in the wild. I was born in a sub-county where during my early childhood, I used to see elephants, buffalos and many other animals, but due to the introduction of illegal firearms, most of that wildlife cannot be seen today. That means the rate at which the Ministry in charge of wildlife takes care of wildlife is wanting. We need to put this very important law in place so that our wildlife, both the biodiversity in water and on land, is highly protected.

Some Members have mentioned something about Lake Turkana. Lake Turkana is an important lake in this country, but there are cases in the recent past where crocodiles have taken the lives of over seven people, but the compensation element has never come out clearly. So, this important policy should take care of situations where wildlife affects human beings. We need to provide laws that will take care of the people who live within our country.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Member for Nyando.

Hon. Jared Okelo (Nyando, ODM): Hon. Temporary Deputy Speaker, thank you very much for giving me the opportunity. If you allow me, at the outset, let me join my colleagues in condoling with the families and friends of our two departed colleagues: Hon. Oyioka, who passed

on last evening and Hon. Yusuf Haji of the Senate, who was buried yesterday. May our good Lord rest their souls in eternal peace.

We remember Hon. Oyioka for what was part of a Communiqué from our Speaker that he had initiated a Bill touching on the Central Bank of Kenya. If there is any honour we need to bestow upon him right now is to quickly process that Bill and shepherd it into a law as a remembrance that will outlive him.

Hon. Haji served quite immensely as a public servant rising through the ranks to become a Provincial Commissioner and ultimately a Member of the Senate. He was charged with the responsibility of midwifing the Building Bridges Initiative (BBI). If there is any iota of respect that this country owes him, it is to discard all our political interests and pass the BBI as it is so that this country can move forward in unison.

I support this Report from the Departmental Committee on Environment and Natural Resources because flora and fauna play a pivotal role towards our economic endowment. This country relies very heavily on tourism which is our No. 2 earner after agriculture. With COVID-19 taking a swipe on the economy across the globe, we need to harness our tourism department so that when the world bounces back to its normalcy, we will reap big on this front and, hence, help our economy to stabilize. Otherwise, if we discard this most integral part of our revenue stream, then I am afraid that many people will be jobless and lots of issues that come with crime will be part and parcel of this Republic. Therefore, the conservation of wildlife becomes key.

I remember when I was doing my Masters at the university. My thesis was based on factors that contribute towards conservation of our five water towers. In my abstract, I realized how important it is for a nation to rally itself behind a common goal of preservation or conservation of its environment. It came at a time when there was heightened politics around Mau Forest. The champions who shepherded the conservation of Mau Forest from encroachers can now stand with their heads high as a result of what we have seen on global warming.

Today, as we speak, six of my schools are still marooned in water, not as a result of the perennial flooding that Nyando Constituency is known for, but because of a backflow from the lake. If this continues, then I am afraid that the lake may, at the end of the day, reclaim much more land putting pressure on already overstretched families. Many children have had to trek for tens of kilometres to access education in other schools. The Ministry, together with my office, is scratching their heads on what need to be done based on permanency and not stop-gap measures. Therefore, I support this, and we need to move with speed and put this Sessional Paper into practice so that we can conserve our environment.

Hon. Temporary Deputy Speaker, before I finish, because I see the light blinking and I do not know why it has blinked too fast, Hon. Sankok today is donning a red suit which is characteristic of KANU, and I wonder why because he was nominated here on a Jubilee Party. Therefore, he needs to resign as is espoused in the Political Parties Act so that he can face the Jubilee Party again. More able people who are loyal can be brought into this House, Hon. Sankok.

Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity.

(Hon. David ole Sankok spoke off-record)

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order! Why do you look very agitated, Hon. Sankok?

Hon. David ole Sankok (Nominated, JP): Hon. Temporary Deputy Speaker, he mentioned me adversely. I am a life member of the Jubilee Party. You also remember that Jubilee Party also

has red colours. I cannot leave a national political party for a local cockerel party. I had accidentally attended the men's conference on 14th February 2021 during Valentine's Day, and when I went home, I was referred to Mrs. Grace Nyachae's Speech that we need to invest in our wives. So, I decided that I should don a red suit which is Valentine's Day colour. Valentine's Day will not be over until it is over.

Hon. Millie also has just insinuated on the same. I want to assure you that I am a life member of the Jubilee Party.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Order! You have made your point. You are now moving on a tangent. Let us have Hon. Buyu Akinyi.

Hon. (Ms.) Rozaah Buyu (Kisumu CWR, ODM): Thank you, Hon. Temporary Deputy Speaker. Today is 16th February 2021, and Valentine's Day ended, but you are still in red. So, I am going to take him up on that offer.

(Laughter)

Hon. Temporary Deputy Speaker, thank you for giving me this opportunity to contribute to the Motion before us. I am a member of the Departmental Committee on Environment and Natural Resources and, indeed, the Committee has done a lot of work to come up with this Report. The most important thing that I get out of this Report is the human-wildlife conflict. We know that thousands of Kenyans have suffered because of human-wildlife conflict. In the Committee, we get cries from people who have suffered and have never been compensated. There are people who feel that the Government prefers to look after wildlife as opposed to its citizens. At some point, the Committee was forced to actually speak to the Cabinet Secretary (CS) for Tourism and Wildlife and ask him that even if there are meager resources; those funds must be spread across all the people who have suffered or people who have been affected by the human-wildlife conflict.

I am also happy that the Report recognises the effects of climate change. I come from the lake region. In that part of Kenya, there is a backflow of the lake and with it, there is a disaster waiting to happen. Along the area that I come from, we have the menace from crocodiles. We have children being swallowed by crocodiles. We have people who, even if they do not die, have to be amputated and lose their limbs. These are people who wait to be compensated but the compensation never sees the light of the day. So, apart from the Report recognising that, I would like to also suggest that we must look at the speed or the time within which the compensation is made. The compensation will not bring back human life but it makes you feel like somebody cares. Many a times, that is what the citizens need.

I know many people have spoken on this Report. I will not take too much time to repeat what they have said. I would like to thank you for giving me this opportunity.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Very well. That social distance between Hon. Akinyi and Millie Odhiambo is a bit worrying. I know you were seated quite far apart from each other but you keep on coming close to each other for some reason.

Hon. (Ms.) Rozaah Buyu (Kisumu CWR, ODM): Hon. Temporary Deputy Speaker, for some reason, Hon. Millie has fallen in love with me. Especially after Valentine! But I will eventually direct her to the former Speaker who is wearing red because we know Kenya stands for one woman one man and never two men.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Well. That is an aside.

(Hon. Amos Kimunya spoke off-record)

There is some confession which the Leader of the Majority Party is saying. But that can be done over tea. Not here.

Hon. Members, we must have the Mover replying now. Mover! Hon. Kareke Mbiuki?

Hon. Kareke Mbiuki (Maara, JP): Thank you, Hon. Temporary Deputy Speaker.

At the very outset, allow me to thank the House for the debate and overwhelming support to Sessional Paper No. 1 of 2020 on Wildlife Policy. I wish to appreciate and acknowledge all the concerns raised by the Hon. Members, specifically on the issues of human-wildlife conflict.

This House has been seized of so many Questions, Statements and Petitions on human-wildlife conflict, which the Committee has been able to process. At the same time, the Ministry of Tourism and Wildlife came up with a taskforce to try to address the issue of human-wildlife conflict. In that taskforce, the Committee recommended, due to serious budgetary constraints, that the Ministry needs to come up with a policy whereby the families of the victims of issues like deaths occasioned by wildlife are compensated to the tune of Kshs5 million in case of any death. But due to budgetary constraints, we proposed that the money be paid on a *prorata* basis - 30 per cent for the first year, 30 per cent for the second year and finally 40 per cent for the final year. That is so that, at the end of the day, as many cases as possible can be addressed.

We currently have pending bills of more than Kshs6 billion on certified claims due to human-wildlife conflict. Unfortunately, what we have in the budget, like this Financial Year, is barely Kshs500 million.

As a Committee, we have tried to engage this House through the Budget and Appropriations Committee, but we have not been able to make progress. Arising from those serious constraints, I want to beg this House, specifically the Budget and Appropriations Committee, to consider enhancing allocation to the issue of human-wildlife conflict.

The issue of snake bites also came up in the debate. Initially, snake bites were in the compensation schedule but due to very many cases arising from snake bites, more so, outside the protected areas, it was in the wisdom of this House to remove it from the compensation schedule. Arising from the concerns of very many Members, I want to make an undertaking that the same can be reviewed, but at the same time, request Members to ensure that we have enough funds to make those compensations.

Hon. Millie Odhiambo has mentioned that the issue of marine wildlife is not properly addressed in the Policy, but I want to state that Section 4.4.5 outlines the issues of marine and coastal ecosystems. It seeks to have a dedicated policy framework to address issues of marine and the coastal ecosystems.

The issue of climate change, which has affected wildlife conservation, has also been brought up. I want to make an undertaking that the same will be addressed.

Finally, I want to take this opportunity to thank all the Hon. Members for the overwhelming support to this Motion. I undertake that all the concerns raised by the Hon. Members will be addressed, and we will take it up with the Ministry of Environment and Natural Resources.

With those many remarks, I beg to reply. Thank you, Hon. Temporary Deputy Speaker.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Members, we shall suspend putting of the Question on that particular Motion until next time.

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(Putting of the Question deferred)

Hon. Members, for the convenience of the House, being three minutes to 6.30 p.m. when the House must rise, any other business will be carried forward. The time being 6.28 p.m., this House stands adjourned until this evening at 7.00 p.m.

The House rose at 6.28 p.m.