



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Thursday, 29th June 2023

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Serjeant-at-Arms, continue ringing the Division Bell. We have no quorum.

(The Quorum Bell was rung)

Order, Serjeant-at-Arms. We now have quorum. Clerks-at-the-Table.

(Several Members walked into the Chamber)

Order. Take your seats.

COMMUNICATION FROM THE CHAIR

DELEGATION FROM THE COUNTY ASSEMBLY OF KILIFI

I wish to recognise Members of the County Assembly (MCAs) of Kilifi. Hon. Members, I wish to introduce to you a delegation of Members of the County Assembly of Kilifi seated at the Speaker's Gallery. The delegation comprises Members of the County Assembly's House Business Committee. They are:

1. Hon. Teddy Mwambire, MCA - Speaker of the County Assembly;
2. Hon. Stephen Mwaro, MCA;
3. Hon. Grace Mwangi, MCA;
4. Hon. Agnes Sidi, MCA;
5. Hon. Tete Haron, MCA;
6. Hon. Emmanuel Changawa, MCA; and,
7. Hon. Benson Ngirani, MCA.

(Applause)

Five officers of the County Assembly are accompanying the delegation. They are on a visit to benchmark with the National Assembly, with a view to learning best practices and sharing experiences in the execution of their mandates. On my own behalf and that of the House, I wish to welcome them to the National Assembly and wish them a fruitful engagement.

(Hon. Abdi Shurie and Hon. Yusuf Hassan consulted loudly)

Hon. Speaker: Hon. Shurie and Hon. Hassan, you are supposed to be in silence when the Speaker is delivering a Communication. You have continued to engage in animated discussions, which is not right.

(An Hon. Member spoke off-record)

Yeye ndiye amekuharibu?

(Laughter)

Next Order!

(Hon. Gabriel Tongoyo and Hon. G.G. Kagombe walked into the Chamber)

Order, Tongoyo. Take the nearest seat. Order, Karemba. Take the nearest seat. Is it not Karemba?

(Laughter)

Order! We have a new *Mukorino*?

(Laughter)

We take note of your change of faith.

MESSAGE

PASSAGE OF THE ECONOMIC AND SOCIAL RIGHTS BILL

Hon. Speaker: Hon. Members, I have a Message from the Senate on the passage of the Economic and Social Rights Bill (Senate Bill No. 7 of 2022).

Hon. Members, pursuant to the provisions of Standing Order 41(4) of the National Assembly Standing Orders, I wish to convey to the House that I have received a Message from the Senate regarding the passage of the Economic and Social Rights Bill (Senate Bill No. 7 of 2022).

Hon. Members, the Economic and Social Rights Bill (Senate Bill No. 7 of 2022), was published vide *Kenya Gazette* Supplement No. 178 of 9th November 2022. The Bill seeks to provide for preservation of human dignity and enforcement of economic and social rights to provide a framework for the promotion, monitoring and enforcement of economic and social rights and to establish mechanisms for monitoring and promoting adherence to the national and county governments, Article 43 of the Constitution.

Hon. Members, the Message conveys that on Tuesday 20th June 2023, the Senate considered and passed the said with amendments. The Senate now seeks the concurrence of the National Assembly on the Bill pursuant to Article 110(4) of the Constitution and Standing Order 46(1) of the Senate Standing Orders.

Hon. Members, Standing Order 143(1)(c) of the National Assembly Standing Orders requires the Speaker to cause a Bill received from the Senate to be read a first time upon conveyance of its message. I, therefore, direct the Clerk of the National Assembly to have the Bill listed in the Order Paper for the First Reading at the next Sitting. After being read a first

time, the Bill will stand committed to the Departmental Committee on Justice and Legal Affairs for consideration.

I thank you.

Hon. Kagombe, you will have to satisfy the House that the gear on your head is a religious gear to which you are an adherent. Otherwise, you will be improperly dressed.

(Loud consultations)

There is a Petition on the Order Paper by Hon. Bady Twalib. He has written to the Speaker requesting that this Petition's presentation be stayed until next week because he is... Is it the same one you want to present? He had indicated that he is unable to attend the House today and the Speaker has accepted that. Hon. Owen Baya, your Petition is not yet here. Pardon? I will give you an opportunity to present your Petition when we get to Order No. 5.

Next Order!

Hon. Emmanuel Wangwe (Navakholo, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Wangwe?

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. When Hon. Kagombe was walking in, you did mention that unless he justifies his headgear, he is improperly dressed. That instruction is hanging. We do not know whether you meant that he leaves the House or he has to clarify.

Hon. Speaker: Hon. Kagombe, what is that on your head?

(Laughter)

An Hon. Member: *Kwani ameumia?*

Hon. G.G. Kagombe (Gatundu South, UDA): Hon. Speaker, in keeping with Article 32 of the Constitution, I am exercising my right to religion and assembly. In fact, I want to read it out to you.

Hon. Speaker: I know what it says. Order, Hon. Kagombe. I know what it says.

Hon. G.G. Kagombe (Gatundu South, UDA): Hon. Speaker, since the last Sitting, I have found Jesus in a different way and the religion that I profess dictates that I, at times, during official functions like this, dress like this.

Hon. Speaker: Which sect is that?

Hon. G.G. Kagombe (Gatundu South, UDA): It is not a sect. It is a religion.

(Laughter)

Hon. Speaker: Which religion?

Hon. G.G. Kagombe (Gatundu South, UDA): It is called "the Church of Love and Acceptance." This is a newly registered church that has just been registered at the Registrar of Societies. I now associate with it.

Hon. Speaker: Hon. Kagombe, the Chair takes judicial notice of the fact that the only sect I know that dresses the way you are dressed is the *Akorino*. To the extent that you are naming something totally different, I rule you out of order. You will have to go, change your gear and come back. Order, Hon. Kagombe!

(Applause)

Next Order.

Hon. Kagombe, Hon. Karemba had notified the Speaker in writing that he is an adherent to the *Akorino* sect which is commonly known to wear that kind of headgear. You are out of order. Go and change and come back.

(Applause)

Next Order!

Hon. Naomi, hold on. Hon. Karemba is now a stranger in the House. Sorry, I meant Hon. Kagombe. My Apologies to Hon. Karemba. Hon. Kagombe, you are now a stranger in the House, but when you are properly dressed, I will allow you back.

(Hon. Kagombe walked out of the Chamber)

PAPERS

Hon. Naomi Waqo (Marsabit CWR, UDA): Thank you, Hon. Speaker. I beg to lay the following Papers on the Table:

1. Reports of the Auditor General and Financial Statements in respect of the following constituencies for the year ended 30th June 2022, and their certificates therein:
 - (a) Mbeere South;
 - (b) Mbeere North;
 - (c) Mandera East;
 - (d) Mandera West;
 - (e) Mandera South;
 - (f) Mandera North;
 - (g) Wajir East;
 - (h) Wajir North;
 - (i) Buuri;
 - (j) Sigor;
 - (k) Maara;
 - (l) Ijara;
 - (m) Banisa;
 - (n) Balambala;
 - (o) Igembe South;
 - (p) Loima;
 - (q) Keiyo North;
 - (r) Tigania West;
 - (s) Saboti;
 - (t) Kapenguria;
 - (u) Lagdera;
 - (v) Dadaab;
 - (w) Lafey;
 - (x) Lamu East;
 - (y) Lamu West; and,
 - (z) Garissa Township.
2. Bank Supervision Annual Report for the year ended 2021 from the Central Bank of Kenya.

Thank you.

Hon. Speaker: Chairman of the Departmental Committee on Lands.

Hon. Gideon Ochanda (Bondo, ODM): Thank you, Hon. Speaker. On behalf of the Chairperson of the Departmental Committee on Lands, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Lands on its consideration of the National Rating Bill, (National Assembly Bill No. 55 of 2022).

Hon. Speaker: Thank you, Hon. Ochanda. Chairperson of the Public Debt and Privatisation Committee.

Hon. Abdi Shurie (Balambala, JP): Thank you, Hon. Speaker. I beg to lay the following Paper on the Table:

Report of the Public Debt and Privatization Committee on its consideration of the Consolidated Fund Service Expenditures under the Financial Year 2022/2023 Supplementary Budget Estimates II.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, I will go back to Order No. 4 and allow Hon. Owen Baya to present his Petition.

PETITION

DELAYED ADJUDICATION AND SETTLEMENT OF RESIDENTS OF KILIFI NORTH CONSTITUENCY

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to present a Public Petition on delayed adjudication and settlement of residents of Misufini, Vibandani and Kibarani sub-locations, Tezo Location, Kilifi North Constituency.

Before I do that, I would like to recognise the delegation from Kilifi which is visiting Parliament and I wish them fruitful deliberations in the House.

I, the undersigned, on behalf of the residents of Kilifi North Constituency, draw the attention of the House to the following:

THAT, the people of Misufini, Vibandani and Kibarani sub-locations, Tezo Location, Kilifi North Constituency have occupied a piece of land registered as Plot No: 5046/5 in the name of Coast Development Company Limited measuring 265 acres for more than 50 years.

THAT, one of the directors acquired the land at Independence from a European known as Lilly White who had initially acquired the same land as a leasehold for a term of 99 years from 1st May 1929 with a rent of Ksh3,760 per annum.

THAT, the Petitioners are concerned that the leasehold term is almost lapsing and they are fearful of its fate in terms of Article 65(2) of the 2010 Constitution;

THAT, one of the directors allowed locals to settle in the area willingly and they were to pay a monthly fee. However, in the year 2010, a Committee chaired by one Mr Abdi Makarani entered into an agreement with Coast Development Company stating that the residents would be required to pay Ksh20,000 as shares to the said company, and some of the residents paid the Ksh20,000 and were issued with payment receipts;

THAT, presently, there is no LR. 5046/5 as the property was sub-divided into several portions without the resident's notice - being LR No.5046/8, 5046/9, 5046/10 and 5046/11.

THAT, plot No.5046/8 measuring 34.4 Acres was sub-divided subject to the compulsory acquisition of the property by the Government for the construction of Coast Institute of Agriculture, which is now Pwani University.

THAT, Coast Development Company submitted an application to the County Government of Kilifi seeking an approval for its proposed change of user from agricultural to residential plot No.5046/11. The same was approved on 27th June 2018.

THAT, the petitioners have written many letters to the National Lands Commission but no action has been taken concerning the matter;

THAT, both the National Government and County Government have invested heavily in the said piece of land by providing the necessary infrastructure such as electricity connectivity, water, roads and other social amenities;

THAT, the land has not been adjudicated and, therefore, no title deeds have been issued;

THAT, the matter presented in this Petition is not pending before any tribunal, court of law or independent body.

Therefore, your humble petitioners pray that the National Assembly, through the Public Petitions Committee;

1. inquires into the ownership of the land occupied by the residents of Misufini, Vibandani and Kibarani sub-locations - Kilifi North Constituency in the name of Coast Development Company.
2. establishes whether Coast Development Company is a legally registered company and the number of locals that bought shares in the Coast Development Company and their fate in terms of their shareholding in the company.
3. recommends that the Government under the 1 Million Acre Compulsory Land Acquisition Programme acquires the land for the local residents and that the land be adjudicated so as to ensure that the residents acquire title deeds; and,
4. makes any other recommendations or actions it deems fit in addressing the plight of the petitioners.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Baya. When a Petition is presented, normally we give a little latitude for Members to comment.

Leader of the Minority Party, are you on the Petition?

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you very much, Hon. Speaker. The Petition by Hon. Baya is timely. The issue of land is a big problem in this country given the fact that Kenyans in this day and age are still living as squatters on their own land. From what I have heard from the Petition, the mere fact that those residents have stayed on that land for over 50 years is reason enough for the land to revert to them. Under the law, those residents should have acquired that land through adverse possession. Even the idea of a “phantom” company emerging from the blues and then laying claim to land should not have arisen. The residents should have been given titles to this land a long time ago. This issue should be addressed expeditiously by the relevant Committee. This issue is not only affecting Kilifi North alone, but all over the country, especially in the coast region.

This Petition is merited and should be dealt with expeditiously. I support.

Hon. Speaker: Member for Kamukunji.

Hon. Yusuf Hassan (Kamukunji, JP): Thank you Hon. Speaker. The issue of land is very important. Millions of Kenyans were dispossessed during the colonial period. Until now, there are thousands of people who are land-poor, and are living in squalid and miserable conditions on their own land.

I support this particular Petition because it is righting the wrongs of the past. The communities in those areas were dispossessed and were made squatters on their own land. It is important for us, now that we are an independent country, to correct some of the mistakes of

the past and to empower the dispossessed poor people who do not have any voice in their country anymore, because there are some very powerful elements that control the levers of power, legal affairs and land. They corrupt the officials who are involved in such activities.

I fully support Hon. Owen Baya's Petition and the community of Kilifi. There are many squatters in Kilifi, Kwale and Taita Taveta. Those are people whose land was taken during the colonial period. Independent Kenya should correct and allow those people to own that land. In this particular case, they are there; they have the documents; their lease should be recognised and extended and they should be allowed to cultivate and use that land.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I rise to support this Petition by the residents of Misufini, Vibandani and Kibarani in Kilifi North. I know this Petition is to go to the Public Petitions Committee, but it is a matter of concern that the Chairperson of the Public Petitions Committee is never in the House.

Hon. Speaker: Who is that?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Nimrod Mbai. It defeats the purpose for us to be ventilating on a petition that is to go to a Committee where the Chairperson is forever absent from the House. Hon. Speaker, you direct that...

(Hon. Joshua Kandie spoke off-record)

Hon. Speaker, I can hear Hon. Kandie shouting from behind.

Hon. Speaker: Hon. Kandie, the Chairperson carries greater responsibility than you as a member. He is even paid for being a chairperson and he must be here to listen to Members. As the Leader of the Majority Party goes on, I want to ask him and his counterpart to be reporting to the House Business Committee every month on how many Petitions have been processed. Members of the public come to Parliament out of desperation in some cases and you cannot receive their petitions and go and sit on them on end.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I am sure Hon. Opiyo Wandayi has heard and we will act accordingly.

I was just noting this as a matter of concern because it is important that whenever business is being transacted that will appear before a committee, the chairperson is to be present. The Chairperson of the Public Petitions Committee ought to know that under the particular Order that we are in, every time the House rises, there will be petitions that may end up in his Committee.

Allow me to also note that cases where a director of a company ends up taking over huge tracts of land that belong to residents of certain areas is not just in Kilifi. Hon. Speaker, this is a matter that began over 50 years ago. As the case is, wherever those who were in positions of authority at Independence were, they took advantage of innocent people who sacrificed their lives to get land, including the great people of Kilifi County.

You may want to imagine that it is only the *Mau Mau* who were involved in the resistance movement against the colonial Government, but I also know that the likes of Mekatilili wa Menza led the people of Kilifi in fighting for their land. It is, therefore, a great injustice that 60 years after Independence, the people of Kilifi are still landless and squatting on land that is held by those who were in positions of power then.

I do not know the director who is being referred to in this Petition, unless Hon. Owen Baya tells us. I can, however, bet for almost 100 per cent that it is a person who was in the first Government of Independent Kenya. It is not just in Kilifi County, but also in Central Kenya and the greater parts of what was formally the White Highlands. Productive land ended in the hands of very few people at the expense of the millions who sacrificed their lives to fight for

Independence largely on the basis of land that had been occupied by our former colonial masters.

It is, therefore, imperative that the Committee embarks on considering this Petition as it does to the others that have been sent to them. However, on this particular one that touches on land, I urge the Public Petitions Committee to take it with the urgency that it deserves because land is a very emotive issue not just to the people of Coast region, but also to people in other parts of the country.

Hon. Speaker, when we were campaigning, we promised the people of Kilifi County and the greater coastal region that the issue of absentee landlords must and should be addressed by this administration and, therefore, it is imperative that the Committee considers in view of what the Kenya Kwanza Administration promised, that they will no longer be squatters on their own ancestral land, and that the said land should go back to its rightful owners who are the people of Kilifi County and Mount Kenya region.

Thank you very much, Hon. Speaker. I beg to support.

Hon. Speaker: Hon. Chonga.

Hon. Ken Chonga (Kilifi South, ODM): Thank you, Hon. Speaker. Before I contribute to the Petition, kindly allow me to appreciate the Speaker of Kilifi County Assembly and the delegation that has accompanied him. Hon. Teddy was a Member of this House in the 12th Parliament, and was a friend to many. Let me appreciate him for that.

The Petition that has been brought by Hon. Owen Baya is not unique. I also want to appreciate the statement that has been made by the Leader of Majority Party on how the Petitions are being handled by the Committee of Public Petitions. I have brought over six petitions.

Hon. Owen Baya, being a Member representing a minority community, is very much in tandem with this because he was in the Departmental Committee of Lands. Unfortunately, nothing has been done about those petitions. It is frustrating, demoralising and makes us look like we do not know what we are doing.

The number of land grabbing cases in the Coast region is huge. What is going on right now is that some people go to Ardhi House; get whatever papers in pretence of being the actual owners and the next day, eviction orders are served on the people. It is time for this House to come up with resolute laws so that such people can be defended from the agony that they undergo from the land grabbers. I know of eight cases in Kilifi South which have been brought here. Every human being has a right to live and own land. The cases of land grabbers that have been coming up of late are making some people to live very uncomfortable lives.

I stand and strongly support the Petition by Hon. Owen Baya.

Hon. Speaker: Thank you, Hon. Members. Hon. Pukose, you will be the last.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker, for allowing me to contribute to the Petition by the Member for Kilifi North. I want to join my colleagues to welcome the Speaker of Kilifi County Assembly, Hon. Teddy Mwambire, who was a Member of this House in the last Parliament. And as Hon. Chonga has put it, he was a friend to many.

This Petition is very important. I hope that the Public Petitions Committee would be able to table their report in this House because matters of land in the Coast region and Rift Valley, especially the North Rift, are very touchy and sensitive. We hope that with the Government putting up money to purchase about one million acres, the squatter issue will be sorted out in the Coast region, North Rift and any other affected area.

Hon. Speaker, you are one of the leaders from Trans Nzoia and Western, and you know that the issue of squatters in Trans Nzoia is a very emotive one and needs to be handled and resolved once and for all. I am hoping that this Committee will be able to table a report in this

House with good recommendations that have far-reaching effects not just to the people of Kilifi, but the whole of country.

With those few remarks, I support.

Hon. Speaker: Thank you. The Petition stands committed to the Committee on Public Petitions, and they have to finish the work in 60 days.

(Hon. Muchangi Karemba walked into the Chamber)

That is the original Hon. Karemba, whom this House knows.

(Laughter)

Hon. Members, before I go to the next Order, allow me to acknowledge the presence of students in the Public and Speaker's Gallery. They are: Shakaina Presbyterian Primary School, Juja Constituency, Kiambu County; Good Samaritan Secondary School, Mwea Constituency, Kirinyaga County; Orero Boys High School, Rangwe Constituency, Homa Bay County; Ancilla Catholic Academy, Kesses Constituency, Uasin Gishu County and Restoration Education Centre, Dagoretti North Constituency, Nairobi County.

We also have a Community Based Organisation (CBO) from the Community Action for Teenage Pregnancies. The CBO has organised a visit for the following schools in a bid to develop leadership skills and exposure for the youth involved in their programmes: They are: Dandora Secondary School, Peakview Schools, St. Mary's Kibuk Secondary School, Ushirika Secondary School, Kangema High School, Terminus Adventist School, James Gichuru Primary School, Prince of Peace Secondary School, Giachuki Boys High School, Ichagaki Boys High School, Aquinas High School, Weithaga Boys High School, St. Patrick Boys High School, St. Claire Gatitu Girls High School, Maseno School, Kibutha Girls High School, Kinyui Boys High School, Dandora Girls High School, Ruchu Girls High School and Gachoire Girls High School.

You are all welcomed to the Houses of Parliament. On my own behalf and that of the House, we welcome you all to feel free in the Chamber.

Next Order! Hon. Peter Nabalindo.

NOTICES OF MOTIONS

POLICY AND FUNDING FOR SUGAR-CANE FARMING IN THE COUNTRY

Hon. Peter Nabalindo (Matungu, ODM): Hon. Speaker, I beg to give notices of the following Motions:

THAT, aware that commercial sugar-cane production in Kenya was introduced in the early years after Independence with an aim of eliminating dependence on sugar importation and contributing to economic transformation in the sugar belt and the country at large through agriculture; acknowledging that at its pinnacle, the sugar industry significantly contributed to the country's national Gross Domestic Product (GDP) and became one of the largest employers which supported the livelihoods of many Kenyans, both directly and indirectly; concerned that over the last 25 years sugar-cane farming, particularly in western Kenya, has been declining significantly thereby dipping sugar production from over 600,000 metric tonnes per year in the 1990s to less than 300,000 metric tonnes in recent years; noting that the decline in sugar-cane farming has forced local millers to operate far below their milling capacities and pushed the country

to over-rely on net importation of sugar, which negatively impacts on the balance of trade; noting that the decline in sugar production is attributable to factors such as mismanagement, interference and unfair competition from cheaply imported sugar; further concerned that state-owned sugar millers like Mumias Sugar Company and Nzoia Sugar Company ceased milling while owing farmers hundreds of millions of shillings; appreciating that the Government has been putting in place strategies, policies and regulations to define the roles of millers and major players and stakeholders in the sugar industry in a bid to revamp the sector; concerned that the acute shortage of sugar-cane resulting from mass abandonment of sugar-cane farming continues to roll back initiatives for reviving sugar milling; recognising that further investment in revamping sugar companies before reviving sugar-cane farming would occasion loss of the invested public funds instead of yielding success; now, therefore, this House resolves that the national Government, through the Ministry of Agriculture and Livestock Development, reviews the sugar development policies to provide that every investor-miller sets aside definite funds for the development of sugar-cane farming, incentivising farmers to embrace sugar-cane growing and to enhance cane production in each of the respective zones.

Thank you, Hon. Speaker. I have a second one.

Hon. Speaker: Go ahead.

NATIONAL SENSITISATION AND SUPPORT FOR COMBATING
SICKLE CELL AND HAEMOPHILIA DISEASES

Hon. Peter Nabolindo (Matungu, ODM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that Article 43(1) of the Constitution entitles every person to the right to the highest attainable standard of health, which includes the right to health care services; further aware that every year, an estimated 14,000 children born in Kenya suffer from sickle cell and haemophilia diseases, with the highest prevalence rate being within Western, Nyanza and Coast regions; concerned that failure to undertake sickle cell and haemophilia screening at birth hinders timely administration of appropriate treatment and other mitigation measures to forestall high infant mortality that is caused by preventable diseases like malaria; cognisant that national population surveys do not include data on sickle cell and haemophilia diseases; concerned that the dearth of data and information negatively hinders prioritisation of resources and implementation of sickle cell disease management programmes; recognising that the number of infant deaths caused by the disease continues to grow as a result of underfunding due to lack of data on the number of cases of the killer disease; now, therefore, this House resolves that the national Government, through the Ministry of Health, and in conjunction with county governments:

- (a) Conducts awareness and sensitisation programmes on sickle cell and haemophilia diseases and supports research and training for medical personnel on the two diseases; and,
- (b) Puts in place measures for mandatory screening of new-borns for sickle cell and haemophilia diseases in all public health facilities in the country in order to create a database to guide funding and other

interventions aimed at curbing the diseases and reducing infant mortalities resulting from the diseases.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Nabulindo. Hon. Bernard Kitur.

NOTICE OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

INSECURITY IN LAMU COUNTY

Hon. Bernard Kitur (Nandi Hills, UDA): Hon. Speaker, pursuant to Standing Order 33(1), I seek leave for the adjournment of the House for purposes of discussing a matter of urgent national importance regarding ongoing incidents of insecurity in Lamu County.

The country has been witnessing attacks by suspected terror groups and clandestine armed gangs in certain parts of the country, particularly in Lamu and Garissa counties. Recently, innocent residents of Salama and Juhudi villages in Lamu County were treated to heinous and brutal attacks that have caused anxiety to grip them and other Kenyans at large with regard to the safety of the country. The terror groups also attacked Kenya Defence Forces (KDF) troops using Improvised Explosive Devices (IEDs).

About five or more locals and two officers of the KDF lost their lives due to the attacks, while several others suffered injuries of varying degrees. Residents in the affected areas remain tense due to fear of recurrent attacks, which is interrupting the social and economic order of their lives, and rolling back the gains that have been made in bolstering socio-economic development. There is, therefore, an urgent need for this House to discuss the matter with a view to charting a way forward on how to better equip the KDF and other security agencies in order to bring those attacks to an end, and secure the well-being of residents.

Hon. Speaker, it is against this background that I seek leave for the adjournment of the House to discuss this matter of great national concern.

Thank you very much, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kitur for your Motion. To get the nod of the House, you need 20 Members to stand in your support.

(Several Hon. Members stood up in their places)

The support is overwhelming. I direct that this Motion be debated from 5.30 p.m. today. Members, you may take your seats. Chairperson of the Public Debt and Privatisation Committee.

ADOPTION OF REPORT ON THE CONSOLIDATED FUND SERVICE EXPENDITURES UNDER THE SUPPLEMENTARY BUDGET ESTIMATES II

Hon. Abdi Shurie (Balambala, JP): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Public Debt and Privatisation Committee on its consideration of the Consolidated Fund Service Expenditures under the Financial Year 2022/2023 Supplementary Budget Estimates II, laid on the Table of the House on Thursday, 29th June 2023.

Hon. Speaker: Thank you. Next Order!

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

Hon. Speaker: Hold on. Yes, Kamket.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, at the beginning of this Parliament, you made an order that Bills that had lapsed be re-introduced, and that such Bills can even skip the rigorous First Reading. I am among those Members who had a Bill – the Equalisation Fund Bill. I wrote to the Speaker, but I am worried about its fate. It looks like the Departmental Committee on Finance and National Planning is sitting on it. I do not know what they want to do with that important enabling legislation.

Hon. Speaker, I ask that you help me by intervening in this matter.

Hon. Speaker: Chairperson of the Departmental Committee on Finance and National Planning, are you dealing with the Bill that the Member for Tiaty is asking about?

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Speaker. Indeed, we received the Bill from Hon. Kamket. It is one of the Bills that the Departmental Committee on Finance and National Planning is processing. He will certainly hear from us before the end of 14 days.

Hon. Speaker: Thank you. Hon. Kamket, I hope your fears are allayed. Next Order!

STATEMENT

Hon. Speaker: Leader of the Majority Party, you have your usual Thursday Statement.

BUSINESS FOR THE WEEK OF 3RD TO 7TH JULY 2023

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44 (2) (a), I rise to give a Statement on behalf of the House Business Committee (HBC), which met on Tuesday, 27th June 2023 to prioritise the business for consideration during the week.

As Members are aware, yesterday was a public holiday marking *Eid Ul-Adha*. I would like to convey my belated wishes to our Muslim brothers and sisters, some of whom are still observing the holiday today. Due to the public holiday yesterday, the appearance of the Cabinet Secretaries that had been scheduled for yesterday has been deferred to next week. Therefore, in accordance with the provisions of Standing Order 42A (5) and (6), I wish to convey that the following Cabinet Secretaries are scheduled to appear before the House on Wednesday, 5th July 2023 in the afternoon to respond to Questions as follows:

1. The Cabinet Secretary for Water, Sanitation and Irrigation will appear before the House to respond to the following Questions:
 - (a) Question by Private Notice No.007/2023 by the Member of Alego Usonga Constituency, Hon. Samuel Atandi, regarding the collapsing dykes around Lake Kanyaboli which has resulted in flooding of the area and displacement of people;
 - (b) Question No.158/2023 by the Member for Ikolomani Constituency, Hon. Bernard Shinali, regarding the implementation of the Moi's Bridge-Matunda Water Supply and Sanitation Project;
 - (c) Question No.159/2023 by the Member for Turkana Central Constituency, Hon. Joseph Emathe, regarding the status of Naoros and Nadoto Irrigation Scheme in Turkana County; and,
 - (d) Question No.247/2023 by the Member for Rongo Constituency, Hon. Paul Abuor, regarding the stalling of Rongo Town Water Supply Project.
2. The Cabinet Secretary for Labour and Social Protection will appear before the House to respond to the following Questions:
 - (a) Question No.088/2023 by the Member of Konoin Constituency, Hon. Brighton Yegon, regarding the welfare of Kenyans working in Saudi Arabia and efforts geared towards regulated licensing of recruiting agencies;

- (b) Question No.089/2023 by the Member for Yatta Constituency, Hon. Basil Robert, regarding the incorporation of new senior citizens into the Older Persons Cash Transfer Scheme;
 - (c) Question No.090/2023 by the Member for Konoin Constituency, Hon. Brighton Yegon, regarding the formulation of policy framework to support children whose parents or guardians are incarcerated;
 - (d) Question No.091/2023 by the Member for Machakos County, Hon. Joyce Kamene, regarding the plight of orphans, widows and widowers in the country;
 - (e) Question No.092/2023 by the Member for Kirinyaga County, Hon. Jane Njeri Maina, regarding the effectiveness of *Inua Jamii* Programme since its inception; and,
 - (f) Question No.160/2023 by the Member for Kiambu Constituency, Hon. John Machua Waithaka, regarding the eligibility of cancer survivors being registered as persons with disabilities.
3. The Cabinet Secretary for Lands, Housing and Urban Development will appear before the House to respond to the following Questions:
- (a) Question No.084/2023 by Member for Mwingi Central Constituency, Hon. Gideon Mulyungi, regarding errors in title deeds for parcels of land in Mui Coal Basin;
 - (b) Question No. 085/2023 by the Member for Mwingi Central Constituency, Hon. Gideon Mulyungi, regarding the High Mast Security Lighting Project in Mwingi Town;
 - (c) Question No.086/2023 by the Member for Saboti Constituency, Hon. Caleb Amisi, regarding the ownership status of the parcel of land LR No. 5004/30/R, currently occupied by Kwale International Sugar Company;
 - (d) Question No. 087/2023 by the Member for Laisamis Constituency, Hon. Joseph Lekuton, regarding the review of boundaries bordering Laisamis Constituency;
 - (e) Question No.109/2023 by the Member for Nakuru Town East, Hon. David Gikaria, regarding the *Kazi Mtaani* Project Phase 3; and,
 - (f) Question No.117/2023 by the Member for Embakasi West, Hon. Mark Mwenje, regarding the status of ownership of land popularly known as EMCO in Mowlem Ward in Embakasi West Constituency.

Hon. Speaker, Members will also note that today's Order Paper includes a Motion proposing an alteration of the House Calendar for the Second Session. It seeks to vary the period of the short recess so that it commences next week on Friday, 7th July 2023 instead of Friday, 13th July 2023 as planned. Without pre-empting debate, I urge all Members and committees to conclude any urgent matters before them and ensure that there is smooth transaction of House business before the recess begins.

With regard to the business for Tuesday next week, the House is expected to undertake the Second Reading of the following Bills, should they not be concluded today:

1. The National Rating Bill of 2022;
2. The Conflict of Interest Bill of 2023;
3. Food and Feed Safety Control Coordination Bill of 2023; and,
4. The Statute Law (Miscellaneous Amendments) Bill of 2022.

Debate will also be undertaken on the following Motions, should they not be concluded today:

1. The Ratification of the Bamako Convention on the Ban of the Importation into Africa and the Control of Trans-boundary Movement and Management of Hazardous Waste within Africa;
2. The Public Finance Management (National Peace Support Operations Fund) Regulations of 2023;
3. Ratification of the Minamata Convention on Mercury;
4. Defence Co-operation Agreement Between the Government of Kenya and the Government of Seychelles;
5. Report on the Consolidated Fund Service Expenditures under the Financial Year 2023/2024 Budget Estimates; and,
6. Report on the United Nations Convention against Corruption (UNCAC) and Global Parliamentarians against Corruption (GOPAC) Annual General Meeting.

Hon. Speaker, the HBC will convene again on Tuesday, 4th July 2023 to schedule the business for the rest of the week. I wish to lay this Statement on the Table of the House. I apologise since it was too long today.

Hon. Speaker: Thank you, Leader of the Majority Party. Next Order!

MOTIONS

RATIFICATION OF THE AMENDED NAIROBI CONVENTION AND PROTOCOL FOR THE PROTECTION OF MARINE AND COASTAL ENVIRONMENT

THAT, this House adopts the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the Ratification of the amended Nairobi Convention and the Protocol for the Protection of Marine and Coastal Environment of the Western Indian Ocean from Land-Based Sources and Activities, laid on the Table of the House on Thursday, 4th May 2023 and, pursuant to the provisions of Section 8(4) of the Treaty Making and Ratification Act, 2012, approves the Ratification of the Amended Nairobi Convention and the Protocol for the Protection of Marine and Coastal Environment of the Western Indian Ocean from Land-Based Sources and Activities.

(Moved by Hon. Charles Kamuren on 27.6.2023)

(Debate concluded on 27.6.2023)

(Question put and agreed to)

RATIFICATION OF THE KIGALI AMENDMENTS ON THE MONTREAL PROTOCOL ON THE SUBSTANCES THAT DEplete THE OZONE LAYER

THAT, this House adopts the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the Ratification of the Kigali Amendments on the Montreal Protocol on the Substances that Deplete the Ozone Layer, laid on the Table of the House on Thursday, 4th May 2023 and, pursuant to the provisions of Section 8(4) of the Treaty Making and Ratification Act, 2012, approves the Ratification of the Kigali Amendments on the Montreal Protocol on the Substances that Deplete the Ozone Layer.

(Moved by Hon. Charles Kamuren on 27.6.2023)

(Debate concluded on 27.6.2023)

(Question put and agreed to)

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Is it Order No.10?

Hon. Speaker: Yes! We are on Order No.10.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Sorry, Hon. Speaker. I was speaking to the Chair of the Public Petitions Committee. He has heard you and me from wherever he is.

ALTERATION OF THE CALENDAR OF THE HOUSE

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order 28(4), this House resolves to alter its Calendar for the Second Session (Regular Sessions) as adopted on Wednesday, 15th February 2023 by varying the period for the short recess with respect to the Second Part of the Session so that:

- (a) the short recess commences on Friday, 7th July 2023 and ends on Monday, 24th July 2023; and,
- (b) the House resumes Regular Sittings on Tuesday, 25th July 2023 to continue with the Second Part of the Session.

Hon. Speaker, as the Motion says, we want to vary our calendar in line with what we agreed on in the House Business Committee on Tuesday this week. We were to commence the one-week short recess on 14th July 2023, which is the other week. The HBC approved this Motion to bring that recess forward to 7th July 2023, appreciating that the National Treasury has disbursed 100 per cent of NGAAF and almost 90 per cent of NG-CDF. I think they should be completing disbursement of NG-CDF if they have not yet done so. For the first time, before the end of a financial year, and even amidst the difficulties in raising revenue, the National Treasury has worked hard to disburse all the allocations. I am sure the NG-CDF Board is now in the process of disbursing that money to constituencies.

When there are regular sittings of the House, Hon. K.J., myself and a few other Members, who do not have the rare privilege of enjoying any mileage claims, enjoy the rare privilege of accessing our constituencies. Members may not have a lot of time to engage with the public, especially at the beginning of a new financial year such as now. As leaders in their constituencies, Members have no role in NG-CDF. They are not patrons of the Fund. They do not administer it. They do not implement its projects. They are strangers in NG-CDF constituency committees. But they have a huge responsibility of overseeing the implementation of projects. When money is released in huge tranches, many Fund Account Managers (FAMS), knowing there is no meaningful oversight on the ground, may take advantage and misuse or misappropriate those funds. When NG-CDF money is misappropriated in a constituency, the media will not mention the FAM or the committee. They will say the money has been stolen in the constituency of Hon. Kimani Ichung'wah or that of Hon. Robert Mbui. They make it look like it is the Member of Parliament who is responsible. It is important that Members of Parliament get time off regular sittings to go and shepherd some meaningful oversight of implementation of projects through NG-CDF and NGAAF.

Secondly, at the beginning of a new financial year, NG-CDF constituency committees are required to submit new proposals. As provided for in the Constitution, those proposals need to have gone through meaningful and active public participation. Public participation can only be meaningful if the Members of Parliament are available to lead and offer guidance to members of the public. Additionally, Members must ensure that the projects that are proposed and forwarded to the national board address the genuine concerns of the people on the ground and not the wishes of a few people who sit on the NG-CDF constituency committees. In the wisdom of the HBC, we resolved to make the recess two weeks for this purpose. It will also allow Committees that have not had time to sit to do so and finalise the reports that are pending before them.

With those many remarks, allow me to request the Leader of the Minority Party, Hon. Opiyo Wandayi, who is a Member of HBC and the Member for Ugunja, to second. But I caution him that, because the recess will start on 7th July 2023, we are not giving him time to do other things other than go to Ugunja.

(Laughter)

Hon. Speaker, allow me to ask the Leader of the Minority Party to second. I beg to move.

Hon. Musa Sirma (Eldama Ravine, UDA): On a point of information.

Hon. Speaker: Hon. Sirma, who do you want to inform?

Hon. Musa Sirma (Eldama Ravine, UDA): I want to inform the Leader of the Majority Party.

Hon. Speaker: He has finished his contribution, but go ahead.

Hon. Musa Sirma (Eldama Ravine, UDA): Hon. Speaker, I would like to inform the Leader of the Majority Party that all the money due to NG-CDF has been released by the National Treasury and will be in the constituency accounts by tomorrow.

(Loud consultations)

Hon. Speaker: Hon. Wandayi.

Hon. Opiyo Wandayi (Ugunja, ODM): Thank you, Hon. Speaker. You know Hon. Ichung'wah opened a Pandora's Box in his closing remarks, but I will avoid that route for now. I must appreciate that today I have set my eyes on the Chair of the Public Petitions Committee. I have never had a chance to see him physically in this House. Hon. Mbai, I am happy to see you today. I wish that you continue being available and consult with my office. It is important that Chairpersons consult with my office, especially on issues of public importance such as public petitions.

I second the Motion by echoing the words of Hon. Ichung'wah. This short recess is timely. I must thank HBC for exercising its discretion to revise the Calendar of the House to accommodate the need for Members to be with their constituents, especially now that the financial year has come to an end. The importance of NG-CDF can never be over-emphasised. It is also true that in many instances, many Members who have made it back to this House more than once have done so on account of how well their NG-CDF constituency committees have managed those funds. In the course of their day-to-day oversight and representation roles, Members have a duty to ensure that those funds are utilised appropriately.

The NG-CDF is one of the decentralised funds that have had the greatest impact at the grassroots. I am, therefore, pleased to learn that the National Treasury has disbursed all the funds due in this financial year which ends tomorrow. I must thank Members from across the political divide for having exerted pressure. Without that pressure, that money would not have been disbursed. From past experience, we have never had an opportunity to have all the money

disbursed before the close of a financial year. This is a first on account of the pressure that has been exerted by Members of this House. That pressure must continue so that even as we start a new financial year, those disbursements must be made on timely basis so that those monies can be used to do the work they are meant to do.

As we embark on a new financial year, I also hope that Members of this House will guide their constituents accordingly, in prioritising new projects. As we do so, let us also empower the Constituency Oversight Committees which, under the current Act, have a role to play in overseeing that Fund.

Hon. Speaker, I can tell those of us who are here for the first time that if those funds are utilised prudently, there are very high chances that you will make it back to this House. But if by any chance those funds are misappropriated, you will be digging your political grave.

As we embark on this new journey of coming up with new projects for the new financial year, let us take it upon ourselves to ensure that the National Government Constituencies Development Fund (NG-CDF) is ring-fenced further by whatever means possible. For some of us, that is the only Fund we can talk and be sure of. Sometimes, I wonder where this idea of Members developing a habit of disturbing State House for development comes from yet, the development that one can count on and is tangible is the one that comes from the utilisation of the NG-CDF. Stop disturbing State House with endless visits, especially Members from my side of the political divide. Stop wasting your time queuing at the State House looking for the so-called development, yet you have an opportunity to develop your constituency using the NG-CDF, which is being managed by your own committees.

In response to the remarks by Hon. Chepkong'a, I wish to reiterate that development is not found in State House. It is budgeted for in this House. The NG-CDF is such development that needs to be utilised appropriately.

Thank you, Hon. Speaker. I second.

Hon. Speaker: Thank you, Hon. Leader of the Minority Party.

(Several Members stood along the aisle)

Order, Hon. Members! Take your seats.

(Question proposed)

Can I put the Question, Members?

Hon. Members: Yes!

(Question put and agreed to)

Next Order! Before you call the next Order, allow me to acknowledge the presence of St. Theresa's Girls Secondary School from Samburu East Constituency, Samburu County, and Bwake Boys Secondary School from Cherangany Constituency, Trans Nzoia County, in the Speaker's Gallery. On your behalf and on my own behalf, I welcome the schools and those accompanying them to the House of Parliament.

(Applause)

Next Order!

SPECIAL MOTION

ADOPTION OF REPORT ON NOMINEE FOR APPOINTMENT AS MEMBER
OF THE SALARIES AND REMUNERATION COMMISSION

THAT, taking into consideration the findings of the Departmental Committee on Labour in its Report on the vetting of a nominee for the appointment as a member of the Salaries and Remuneration Commission, laid on the Table of the House on Tuesday, 27th June 2023, and pursuant to the provisions of Article 250(2)(b) of the Constitution, section 7 (11) of the Salaries and Remuneration Commission Act, 2011, and Section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House rejects the appointment of Dr Phyllis Wambui Wagacha as a Member of the Salaries and Remuneration Commission.

Hon. Speaker: Chairman of the Departmental Committee on Labour.

(Hon. Kimani Ichungw'ah stood in his place)

The Leader of the Majority Party.

Hon. Kimani Ichungw'ah (Kikuyu, UDA): Hon. Speaker, I beg your indulgence. We consulted with the Chairman, and because he was rushing somewhere, he requested that you indulge him and allow this business on Order No.12 to be rescheduled to some time on Tuesday next week.

Hon. Speaker: Order No.11?

Hon. Kimani Ichungw'ah (Kikuyu, UDA): Yes. Order No.11. Sorry. So that we can move on to Order No.12.

Hon. Speaker: Order No.11 is stepped down as requested.

(Motion deferred)

Next Order!

ADOPTION OF REPORT ON NOMINEE FOR APPOINTMENT AS THE CHAIRPERSON
OF COMMISSION ON REVENUE ALLOCATION

Hon. Speaker: Chairman of the Departmental Committee on Finance and National Planning.

Hon. Junet Mohamed (Suna East, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Junet Mohamed.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I am not disagreeing with the request by the Leader of the Majority Party, but I wanted clarity on whether it is procedural to step down an Order just like that. There is a way to do it. First, the Chairman of the Committee is not in. He has not given valid reasons to the House on why we should step the Motion down. The authority to step it down only rests with the Speaker. It is the Speaker who can do it on his own Motion, that: 'I am rescheduling or reorganising the Order Paper'. If it becomes the norm, tomorrow another Chairperson will stand up and request you saying: 'I have some urgent matter in Garissa! Can you just step the Motion down for me?' This is a House of procedure, and so...

Hon. Speaker: Hon. Junet, I fully agree with you, only that you are not privy to the fact that there was prior consultation between the Leader of the Majority Party and the Speaker. So, when he stood up to speak, the Speaker was privy to what he was saying, and had acceded to the stepping down of the Order on account that the Chairman is unavailable this afternoon. It will be on the Order Paper next week on Tuesday.

Chairman of the Departmental Committee on Finance and National Planning.

Hon. Kuria Kimani (Molo, UDA): Hon. Speaker, I beg to move the following Motion:

THAT, taking into consideration the findings of the Departmental Committee on Finance and National Planning in its Report on the vetting of a nominee for appointment as a Chairperson of the Commission on Revenue Allocation, laid on the Table of the House on Tuesday, 27th June 2023 and, pursuant to the provisions of Article 215(2)(a) of the Constitution and section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of CPA Mary A.C. Wanyonyi as Chairperson of the Commission on Revenue Allocation.

Hon. Speaker, Article 215(2) of the Constitution requires that a chairperson shall be nominated by His Excellency the President and approved by the National Assembly for appointment as Chairperson of the Commission on Revenue Allocation. The term of the Chairperson of the Commission on Revenue Allocation ended on 28th February 2023. Article 250(c) of the Constitution as read together with Section 9(2) of the Commission on Revenue Allocation Act, provides that persons appointed as members and chairperson of the Commission shall serve for a period of six years, and will not be eligible for re-appointment.

Hon. Speaker, on Tuesday, 6th June 2023, and pursuant to Article 215(2)(a) of the Constitution, and Section 5 of the Public Appointments (Parliamentary Approval) Act, 2011, and Standing Order 45(1), the Hon. Speaker notified the National Assembly of the nomination of CPA Mary Andeyo Wanyonyi Chebukati by his Excellency the President for approval for appointment as the Chairperson of the Commission on Revenue Allocation. Subsequently, the name of the nominee, her curriculum vitae and report of the selection panel on her recruitment, were committed to the Departmental Committee on Finance and National Planning for approval hearing and reporting to the House.

Hon. Speaker, in compliance with Article 118(b) of the Constitution, and Section 6(4) of the Public Appointments (Parliamentary Approval) Act, 2011, the Committee placed an advertisement in the print media on Tuesday, 14th June 2023, informing members of the public of the nomination, the date and place for the approval hearing.

Hon. Speaker, the Committee also invited the public to submit memoranda on the suitability of the nominee in conformity with Section 6(9) of the Public Appointments (Parliamentary Approval) Act, 2011. By the close of business on Wednesday, 21st June 2023, the Committee had not received any memoranda or affidavit contesting the suitability of the nominee. Further, the Committee also requested information regarding the nominee from the Kenya Revenue Authority (KRA), Ethics and Anti-Corruption Commission (EACC), Director of Criminal Investigations (DCI), Higher Education Loans Board (HELB) and Office of the Registrar of Political Parties (ORPP) on her suitability to hold a public office. It is instructive to note that the nominee got clearance from all the said agencies.

The nominee appeared before the Committee on Thursday, 22nd June 2023 at 11.30 a.m. for vetting. She was examined based on the criteria set out in Section 6 of the Commission on Revenue Allocation Act, 2011 and Section 7 of the Public Appointments (Parliamentary Approval) Act. In addition, the Committee examined her academic credentials, relevant experience, knowledge of sector issues and matters of leadership and integrity. The Committee paid due regard to the procedure used to arrive at the nominee and we have attached the Public Service Commission (PSC) Report; any constitutional or statutory requirements relating to the office in question and the suitability of the nominee for the appointment with regard to whether her abilities, experience and qualities meet the needs of the Commission.

Hon. Speaker, CPA Mary Andeyo Wanyonyi Chebukati is a Kenyan citizen bearer of Identity Card (ID) No.1809617 and was born in Bungoma County in 1962. She started her education at St. George's Primary School, Nairobi and later proceeded to Kenya High School

where she attained her Certificate of Primary Education (CPE) and Kenya Certificate of Secondary Education (KCSE) in 1974 and 1978 respectively. The nominee pursued her A-Level education from 1979 to 1980 at Kereri Girls High School and thereafter proceeded to Punjab University where she graduated in 1984 with a Bachelor of Commerce Degree.

The nominee further proceeded to Eastern and Southern African Management Institute (ESAMI) University in Arusha, Tanzania, where she enrolled for a Master's Degree in Business Administration graduating in the year 2014. She is a Certified Public Accountant (CPA) of good standing with the Institute of Certified Public Accountants of Kenya (ICPAK). She is also a Financial Analyst (FA) and a Certified Professional Mediator (CPM) and with all these qualifications, she has a good standing with the respective professional bodies. She holds a certificate in Tax Compliance and Emerging Issues from ICPAK.

On her work experience, CPA Mary started her career as an accountant in 1985 at the Office of the Vice President, Ministry of Home Affairs before she was promoted to Accountant 1, Ministry of Supply and Marketing in 1989. It was interesting to note, one Member of our Committee CPA Oyula who was the Pay Master General at the Treasury then, was one of her referees because she was his junior accountant. She was then promoted to Acting Principal Accountant, Ministry of Finance, later worked as a District Accountant, Kwale District Treasury and Deputy District Accountant, Mombasa District Treasury between 1998 and 2012.

After that, she was promoted to become the Chief Accountant or Deputy Head of Accounting Unit, Ministry of Foreign Affairs, a position she served between 2011 and 2012. Further, between 2012 and 2016, she was promoted to serve as Acting Assistant Accounting General, Head of Training and Secretariat at the Corporate Governance Sub-Committee of the Public Service Accountants Standards Board (PSASB). She later proceeded to work as an Assistant Accountant General, Head of Accounting Unit at the Ministry of Energy and Petroleum between 2016 and 2018. Up to the time of her appointment, she was serving as the Senior Deputy Accountant General in the Ministry of Lands and Physical Planning, a position she has held to 2019.

We were keen to note that the nominee is a receiver of several awards; the 2nd runners-up Public Sector Awards and the ICPAK Award for 2017 for leading the State Department to be tax compliant. Also, in 2019, her agency was among the top five agencies awarded by His Excellency the President for the highest amount of Value Added Tax (VAT) collected.

Hon. Speaker, during the vetting exercise, an interesting discussion came up. When she was appointed as the Chairperson of CRA, most reports from the media were in relation to her spouse, of course, a commonly known name in every household in Kenya, the Chairman of the Independent Electoral and Boundaries Commission (IEBC), Mr. Chebukati. We had a unique time as a Committee wondering whether to go into issues of who someone is married to against their academic qualifications but, CPA Mary took up the task and went on to explain that during her well decorated career of 37 years, as I have read out to you and the Committee established, the issue of who she was married to was never a point of discussion. It was only until she was nominated for the position of Chairperson of CRA that the question of her spouse came into discussion.

It was very unfair to see people thrash her curriculum vitae and the many years of hard work she put both in public service and pursuing her academic qualifications. This House needs to ask whether we accord the same treatment when vetting male candidates for various positions. Does anybody care whose husband someone is when they get appointed? So, why the double standards for professional, qualified and experienced women of this country? Why does the question of their spouse come to play? CPA Mary Wanyonyi is a proud wife and mother and no matter what was said, she would still choose that gentleman as her husband. I thought this is how our women should be proud of their husbands.

Hon. Speaker, I beg to move that this House approves the appointment of CPA Mary Wanyonyi as the Chairperson of CRA and ask the Vice-Chair of the Departmental Committee of Finance and National Planning, Hon. Ambassador Lang'at to second.

Thank you, Hon. Speaker.

Hon. Speaker: Who is seconding?

Hon. Kimani Kuria (Molo, UDA): Vice-Chair.

Hon. Speaker: Okay, Vice-Chair. Give him the microphone.

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you, Hon. Speaker. I do not want to belabor the point the Chairman has already put across to the House. I want to confirm that CPA Mary is among the very qualified persons in the Republic. She has a very good proven track record of public service and is qualified. I ask the House to approve so that she can start working for this country.

Hon. Speaker, I second.

Hon. Speaker: Hon. Members, order. Take your seats.

(Question proposed)

Should I put the Question, Members?

Hon. Members: Yes.

(Question put and agreed to)

Hon. Speaker: Hon. Members, before we move to the next Order, allow me to acknowledge the following schools in the Speaker's Gallery and the Public Gallery: Moi Girls' High School Kamusinga from Kimililli Constituency in Bungoma County; Ting'ang'a Primary School from Kiambu Constituency in Kiambu County; Kimuka Primary School from Kajiado West Constituency in Kajiado County; Aiyebo Primary School from Baringo North Constituency, Baringo County; St. Mary's Kabarnet Primary School from Baringo Central Constituency, Baringo County and Immaculate Heart School from Butula in Busia County.

Hon. Members, on your behalf and mine, I welcome the teachers and students in the House of Parliament. Thank you.

Next Order.

Yes, Hon. Makilap. What is it, before we go to the next Order? Give him the microphone. Is it because Baringo was mentioned? Then welcome everybody else.

Hon. Joseph Makilap (Baringo North, UDA): Yes, Hon. Speaker. Allow me, Hon. Speaker, to join you in welcoming the teachers of Aiyebo Primary School, students from Kabarnet and students from Kamusinga and all parts of the country that you mentioned.

Aiyebo is a public primary school. It was the best primary school in my constituency. Those teachers, together with others, mentored us into politics. They first elected me as the chairman of the Kenya National Union of Teachers (KNUT). They elected the man behind me here, Hon. Kamuren, as their secretary at the same time. They have produced leaders who are in this House. We thank the teachers of Kenya for working hard to remove ignorance from our children and become serious Kenyans like us who are Members of Parliament. I join you to say thank you. May they continue doing a good job for the country. Even if the housing levy hit them, I assure them that this Government will also cushion them with equal measure so that they have better salaries and better allowances as teachers of Kenya. That is so that they work for our children.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Makilap. Next Order.

MOTIONS

RATIFICATION OF THE BAMAKO CONVENTION ON THE BAN OF IMPORTATION INTO AFRICA AND CONTROL OF TRANSBOUNDARY MOVEMENT AND MANAGEMENT OF HAZARDOUS WASTE WITHIN AFRICA

THAT, this House adopts the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the ratification of the Bamako Convention on the Ban of Importation into Africa and the Control of Transboundary Movement and Management of Hazardous Waste within Africa, laid on the Table of the House on Thursday, 4th May 2023, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, approves the Ratification of the Bamako Convention on the Ban of Importation into Africa and the Control of Transboundary Movement and Management of Hazardous Waste within Africa.

On the request of the Chairperson of the Departmental Committee on Environment, Forestry and Mining, Order Nos. 13 and 15 will be stepped down to appear on the Order Paper next week on Tuesday.

(Motion deferred)

Next Order, No.14. Chairperson of the Select Committee on Delegated Legislation. Is that Hon. Chepkong'a? Are you ready?

Hon. Samwel Chepkonga (Ainabkoi, UDA): Yes. I am ready, Hon. Speaker. I am very sorry. You know the only thing is that we should be given notice when there is an intention to step down certain Motions from the Order Paper so that we can prepare. As you know, I am always prepared.

Hon. Speaker: You must be like the five clever girls in the Bible. They were 10. Five were foolish while five were clever. So, you must always choose which ones you want to be.

Hon. Samwel Chepkonga (Ainabkoi, UDA): I carried three quarters of the oil.

Hon. Speaker: So, you are half-clever.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Yes. Thank you very much, Hon. Speaker.

(Laughter)

APPROVAL OF THE PUBLIC FINANCE MANAGEMENT (NATIONAL PEACE SUPPORT OPERATIONS FUND) REGULATIONS, 2023

Hon. Samwel Chepkonga (Ainabkoi, UDA): I beg to move the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (National Peace Support Operations Fund) Regulations, 2023, laid on the Table of the House on Wednesday, 21st June 2023, and pursuant to the provisions of Section 24(4) of the Public Finance Management Act, 2012, approves the Public Finance Management (National Peace Support Operations Fund) Regulations, published as Legal Notice No. 58 of 2023.

The import and objective of these Regulations is to create the National Peace Support Operations Fund into which the Government is expected to contribute Ksh1 billion and Ksh6 billion to be remitted from peace operations that our troops are participating in. As you know,

we are currently contributing troops to the African Union Transition Mission in Somalia (ATMIS) and to the Democratic Republic of Congo (DRC).

Previously, before the promulgation of these Regulations by the Cabinet Secretary of the National Treasury and Economic Planning, monies pursuant to the participation of our troops in various missions have always been paid to the Consolidated Fund. It has been very difficult for the Ministry of Defence to support the operations of our troops in those countries because we have to appropriate money paid to the Consolidated Fund to the peace missions we participate in.

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

[The Deputy Speaker (Hon. Gladys Boss) took the Chair]

Hon. Deputy Speaker, it was agreed that a fund be created to streamline this process, specifically to deal with the operations our troops participate in. Therefore, the Regulations put in place the National Peace Support Operations Fund so that the Government contributes or allocates Ksh1 billion to the Fund. Also, there will be an amount of Ksh6 billion received from the United Nations for the participation or salaries paid to our participating troops.

The second thing that this Fund intends to achieve is to ensure the equipment we supply to our troops is in working condition. Members may not be aware that most of the countries that have contributed troops to peace missions send brand new equipment together with their troops. One of the things the United Nations pays for is the equipment contributed to peace missions. If the equipment remains unserviceable, it will not be paid for the period in which it remains idle. This means that the country will be losing revenue it would have received if we had good working equipment available to our troops.

One of the things this Fund intends to do is to provide or kit our troops with modern and working equipment so that they are paid for the period in which troops are deployed in countries our country participates in. That is the main import. The rest of the regulations ensure that the Fund is operated; they deal with governance issues of the Fund, it is operated in such a way that it can be audited by the Auditor-General and follows all procedures dealing with the Public Finance Management Act. It is a very short regulation that ensures that our troops are well kitted, provided for and do not suffer consequences of not being paid monies yet we have deployed them.

With those remarks, I move and would like to request Hon. Bashir, who was formerly a Major in the army, and participated in a number of peace keeping operations, to second this Motion.

I thank you, Hon. Deputy Speaker.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Deputy Speaker.

I stand here to second the Motion. As it has been said by the Chairman, this is a special kitty that has never existed in our country. It is now time to have this Peace Support Operations Fund. We lose a lot in terms of funds reimbursed from peace support operations that get back to the country but are not accounted for. This Fund will ring-fence all reimbursements we get from peace support operations. Whatever will be paid to this Fund will still be utilised for peace support operations.

At the moment, we have issues on the kind of equipment we supply and use in peace support operations. Some of them might not be very effective, serviceable and what the United Nations or peace support missions do is reimburse you in terms of how serviceable your equipment is, and how many personnel you have taken for that operation. If your equipment is not serviceable, then there is a certain percentage that you get. Now that we have this kind of

Fund, we can take serviceable equipment so that we can get 100 per cent reimbursement. This will also mean that the Fund will take care of troops as they go out in the field. Equipment will be laid down in the field and their serviceability will be taken care of using this Fund.

The current situation is that they rely on any amount of money from the Exchequer, which most of the time is not forthcoming. With this Fund that is ring-fenced, it will be used specifically for peace support operations. It will be used to ensure that equipment that we take to these peace support operations areas are serviceable and operating at 100 per cent. Whenever you take equipment that is serviceable, you get something commensurate to that equipment you have taken. Now that we have said the Government of Kenya guarantees Ksh1 billion and Ksh6 billion will be reimbursed by peace support operations activities and mainly by the United Nations, we are talking about a Ksh7 billion Fund that is revolving and will be used to ensure our activities in peace support operations are well taken care of.

This is a good idea. We have looked at it from all angles and found it fit to have this Fund.

I second.

(Hon. Samwel Chepkonga spoke off record)

Hon. Deputy Speaker: Hon. Members, sorry. I was slightly distracted by the Chairman.

(Question proposed)

Hon. Junet Mohamed (Suna East, ODM): On a point of order.

Hon. Samwel Chepkonga (Ainabkoi, UDA): On a point of order.

Hon. Deputy Speaker: What is your point of order, Hon. Chepkonga?

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Deputy Speaker, you had allowed me to lay some Papers and move a Motion, can I do so?

(Hon. Junet Mohamed spoke off record)

Just hold on. It is still business of the Committee. It is not different. It is the same Committee on Delegated Legislation.

(Hon. Junet Mohamed spoke off record)

Yes. It is business.

Hon. Junet Mohamed (Suna East, ODM): On a point of order.

Hon. Deputy Speaker: What is your point of order, Hon. Junet? I have given you the microphone.

Hon. Junet Mohamed (Suna East, ODM): Hon. Deputy Speaker, the Chairman has moved a Motion for regulation of peace which was seconded and you proposed the Question. This is the time for Members to contribute and dispense with that agenda, then after that he can table whatever he wants to table. This is a House of procedure. You cannot say we have come here to contribute to your Motion and you still want to table other documents. Give us time to dispense with the issue of the Fund, and then you can table other documents unless the Chairman has extra powers to move a Motion, propose the Question, present Papers then after that he closes the debate himself. If that is the case, then we can just go home and rest. We go sleep.

Hon. Deputy Speaker: Hon. Junet, he was just on a point of order. We have not even heard what he was going to say. You are speculating. Hon. Chepkonga, do you want to proceed?

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Deputy Speaker, I had requested the substantive Speaker and he agreed that I lay the Paper when I am ready because it is an important Paper to lay. Purely laying it. If Hon. Junet had allowed me just two minutes, it would not be a subject of discussion. In fact, the Paper will be very important for his constituency. I see he has nodded with agreement.

PAPER

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Committee on Delegated Legislation on its consideration of the draft charter for the Open University of Kenya.

Can I proceed to move the Motion?

Hon. Deputy Speaker: You were laying a Paper. You have done so, Hon. Chepkonga. You want to give a Notice of Motion?

NOTICE OF MOTION

CONSIDERATION OF DRAFT CHARTER FOR THE OPEN UNIVERSITY OF KENYA

Hon. Samwel Chepkonga (Ainabkoi, UDA): I beg to give notice of the following Motion:

THAT, this House adopts Report of the Committee on Delegated Legislation on its consideration of the draft charter for the Open University of Kenya, laid on the Table of the House on Thursday, 29th June 2023 and pursuant to the provisions of Section 24(1) of the Universities Act, 2012 approves the award of charter for the Open University of Kenya.

I thank you.

(Debate resumed)

Hon. Deputy Speaker: Alright, Hon. Members. I now call upon Hon. Kawanjiku.

(Hon. Njuguna Kawanjiku spoke off record)

You did not want to contribute? I saw your name on the list. Okay, Hon. Caroli Omondi, Member of Parliament for Suba South.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Deputy Speaker. I rise to support the establishment of the peace fund. Leo Tolstoy once said that the problem with an idle army is abundant idleness. It is useful that our military gets engaged in international assignments. If in that process they can also improve financial flows to the military, that would be a very good idea.

This Fund is long overdue because this kind of support from the UN has been available for a very long time. I look forward to a very transparent operation of the Fund. That is why it has been isolated instead of being obfuscated in the normal military budget.

It could also be a very good opportunity for our military to modernise its equipment and its operational procedures by constantly engaging with the UN in peacekeeping. It will enhance our capability as a country for international diplomacy and also strengthen our value systems so that we are viewed as a country that loves peace and order.

With those few remarks Hon. Deputy Speaker, I support.

Hon. Deputy Speaker: Hon. Leader of the Majority Party. Hon. Mbui I had not seen your card, but you will go next.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. I raise to support approval of these Regulations.

What the Chairperson of Committee on Delegated Legislation and the Vice Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations have said is true. The Vice Chairperson was a seasoned officer in the military. I keep telling him that unlike in the military, in this House, there are rules other than the Standing Orders that they had in the military. I am happy that the Vice Chairperson is now accustomed to operations of the House. He had difficulty in the last Parliament settling down because he was used to the military.

The Vice Chair will tell you that it is true that over time our country has been losing its premier status in the region as one of the countries that contribute immensely to the UN and other regional forces like AU. We have very good and disciplined officers in our army but some of the equipment they use may not be as good as it ought to be. Some were acquired when Major Bashir was still in the army. He has been out of the army for this long, but they are still using the same equipment he used when he was there with Hon. Rasu.

When our very disciplined and good officers serve either in the UN or other regional forces like in Somalia and in the Democratic Republic of Congo, we in a way also benefit as a country because the UN gives money to pay for equipment and officers' allowances. Many officers serving in our military occasionally lobby very aggressively to serve in units that serve outside the country because it is beneficial. Therefore, when they lose such opportunities on account of not having modern equipment but vehicles that are rickety and a little bit older than they ought to be, and do not undertake continuous training and capacity building, we lose as a country.

It is important to have a separate fund for this money. Whenever money is contributed from the UN and it goes into the Consolidated Fund and finds Members of Parliament demanding for the National Government Constituencies Development Fund (NG-CDF) disbursement or our gracious ladies demanding for the National Government Affirmative Action Fund (NGAAF), governors demanding for money to be disbursed to counties or if the money comes at a time when public debt is due for payment, there is no way of creating a distinction between what money ought to go to peacekeeping missions or what should go to debt repayment. The money is put in one pot, the Consolidated Fund and ends up being used paying part of our debt and settlement of other national obligations leaving our military officers to operate with equipment that is almost obsolete. They will also not have capacity building. Basically, when our young men and women serving in the military are out there in the bush fighting to restore peace, they serve under very strenuous conditions. We should not put them and their families at home under any more strain or stress. It is therefore important to have this money in a separate fund where we can ensure that they are able to access it as fast as they need it to buy equipment and feed officers out in the field. I support the establishment of this Fund.

In conclusion, our military has served in very many jurisdictions, from Bosnia to Somalia, now in DRC and a good number of them are still in Somalia. Our neighbours, the Sudan, have problems. As neighbours and African brothers, we have a duty and responsibility to the neighbouring countries to ensure there is peace in those countries. We may not need to strain our regional forces to go and restore peace because it is all about politics in Sudan. I

really appeal to the generals fighting there to consider the plight of millions of Sudanese who today are suffering and dying. We have seen reports in the media of bodies all over the streets of Khartoum.

With those many remarks, I support as I plead with the generals in our neighbouring countries to maintain peace so that we do not have to strain our forces by sending them to other countries besides those they are already in.

Hon. Deputy Speaker: Hon. Junet Mohammed.

Hon. Junet Mohammed (Suna East, ODM): Thank you, Hon. Deputy Speaker.

I stand to oppose these Regulations. We are becoming a country that is going to be run through special funds. For every small thing we want to do in this country, we want to create a fund for it. It is very dangerous to govern a country through subsidiary legislations.

Peacekeeping missions did not start in this country yesterday. They did not start with Somalia or Sudan. They have been there since Independence. This country is actually known for peacekeeping missions. Our soldiers have done very well and have developed countries that were in turmoil and brought them back to peace. When you see people handling funds the way we are now doing it here, there is always a fishy element in it. There are people who are targeting that money in a certain way. We have been here for some time and we know.

We appropriate over Ksh400 billion every financial year to the Ministry of Defence. They have been using that money very well and it is audited. It goes through the auditing system and through the Public Accounts Committee system. They have been presenting their documents in Parliament and all the time they have been given a clean bill of health. Why create a special fund? Why do we create a fund if the people who are managing those funds have been doing well for the past five years? When we create a fund like the NG-CDF and NGAAF it is understandable because those are special situations and circumstances that require direct intervention at the grassroots level. What are we intervening here? If you are given new equipment that you need to use, you can take them to the barracks and the military will handle them. If we get funding, let us put it in the Consolidated Fund and appropriate it directly to the Ministry of Defence. At the Defence level, their accountants can use it as per their requirements.

Hon. Deputy Speaker, I urge the House to desist from this urge from the Executive to create special funds all the time for special purposes. One time, these special vehicles are going to hang this country and you will remember my statement in this House. These are separate entities derived from the State Department so that they can be operated separately under supervision of certain people. It is my humble request that we allow the Ministry of Defence to operate as they have been for the longest time. We have never seen any peculiar audit query, serious misappropriation of funds or any wrongdoings in their accounting books. Why then should we go this way? Let us not become a country that operates through special funds; that every small thing we want to do we create a special fund.

With those few remarks, I oppose.

Hon. Deputy Speaker: Hon. Mbui, the Member for Kathiani.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Deputy Speaker for this opportunity.

I rise to support the formation of this Public Finance Management (National Peace Support Operations Fund) Regulations for the Ministry of Defence.

I want to thank the Committee on Delegated Legislation. I am a member of that Committee. I also grew up in the Military Barracks of Kahawa and Waterworks, and that is why I am highly disciplined, and so, this is timely.

First and foremost, the Fund is not requesting for a lot of money from the Exchequer. It should be around Kshs1 billion. The additional amount would be about Ksh6 billion. The total amount in that Fund would be about Ksh7 billion. This is for purpose of enabling Kenya to

participate appropriately and properly in peacekeeping missions. Historically, Kenya has been participating in these peacekeeping missions but over the years, some of our neighbouring countries which are smaller than us, and even with their smaller economies, have overtaken our country in participation. The reason is because we do not have enough equipment and neither do we have modern equipment.

This Fund will help our troops in the military to participate and actively get involved in peacekeeping missions which keep them physically fit. It also helps them to keep abreast of modern warfare. This is because if we can keep troops in the barracks forever and then one time, God forbid, we get attacked, if they have not been practising, they will not be able to keep up. This is one way in which we keep our troops busy because they are constantly out there participating.

When Kenya or any other country participates in peacekeeping, there are payments made for two things: personnel and equipment. Kenya has been benefiting from personnel but the money paid to the personnel is done directly to the participating soldiers, and therefore, nothing comes to the Government.

The equipment is also supposed to be paid for but what they do is look at the quality of the equipment that you are taking out there. If the quality is almost obsolete like the one for Kenya, then they will not be paid for. In essence, we are sending troops with obsolete equipment. We get money for the troops while the country gets almost nothing. It is therefore, important that we be able to invest in this Fund.

The Fund will also enable the Ministry of Defence to ring-fence the money that is paid for purposes of peace support. The little money that we receive as a country then becomes part of the Consolidated Fund. That means that when the military requires to procure equipment, they must go there with the budget and request. And as the Leader of the Majority Party has said, when there are too many competing interests for the little money, they end up not getting the money back. It is important that we ring-fence this by providing them with a fund so that their money can go to that fund, and whatever money is paid, they can always access it, use it and roll it over to even beyond the financial year.

(The Deputy Speaker (Hon. Gladys Boss) left the Chair)

(The Temporary Speaker (Hon. Omboko Milemba) took the Chair)

Finally, Hon. Temporary Speaker, my only concern would be, if there would be any corruption. As I have said, the military is one of those departments that have been very clean when it comes to matters of appropriate use of public resources. I believe the Kenya's military, which was grown long time ago by my grandfather, the late Gen. Jackson Kimeu Mulinge, can continue with the spirit of discipline that they had. We do not want to hear any cases of corruption.

With those few remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Before we have the next speaker, let me acknowledge the students of Murindu Highway Primary School from Gilgil Constituency, Nakuru County who are seated in the Public Gallery.

Hon. Members, remember that anyone speaking to this Motion will have five minutes each.

Let us have Hon. Gitonga Murugara.

Hon. Gitonga Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker.

I was the first one to log in and really, I am entitled to this. I rise to support the Report of the Committee on Delegated Legislation with regard to the establishment of this military fund which is very important.

Hon. Junet is not here otherwise, I would have informed him that policy decisions of a Government are run through a subsidiary legislation. You cannot run policy decisions based on the Constitution or Acts of Parliament. The Constitution makes a provision while the Acts of Parliament provide how that provision is to be executed. Regulations would then carry out policies of that particular provision that is to be enforced. Therefore, there is nothing wrong with the provisions that we are dealing with through a delegated legislation's decision to establish a fund for our military.

As it has been said, our military has been involved in very many peacekeeping missions. In fact, many people have been saying Kenya has a professional army. Sometimes, they try to belittle our army but their strength is actually felt when we go out to enforce peace missions, whether in Bosnia, Herzegovina, Liberia, Somalia or anywhere else in the world.

Most importantly is the fact that there are some monies that are received from the international community with regard to the peace missions that we hold. When that money goes into the Consolidated Fund, we have no way of ring-fencing and protecting it so that it goes in for the purpose intended.

Out there, we do a good job but as is going to be seen in the next Motion that we are going to debate, and I do not wish to anticipate debate, we are not doing very well as a country because of late, we have seen our soldiers get killed by terrorists all over and it begs the question of whether they are well equipped. Are the vehicles they are using military or technical as they are called in Somalia when they are doing their terrorism?

Let us ring-fence this money and avail it for the peacekeeping missions and put it into proper use. I agree that there should never be any element of corruption, pilferage or misuse of the money when it comes to this Fund. This is a Fund that is purely meant for the military. The Kenya Prisons Service has two Funds which we are told have actually been misused. We are looking into this matter and if there is any attempt whatsoever, may they be warned that this House will be on alert and we shall be dealing with it.

Allow me to support. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Wilberforce Oundo, Funyula Constituency.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker for this opportunity to contribute to this Motion. I will reiterate the issue of management, corruption and misuse.

Hon. Temporary Speaker, all over the world, especially when you go to the United States of America (USA), the military is accorded a lot of respect. Military men and women are exalted to the extent that they are given priority, even when they board flights or when they receive service in shops. That is the kind of respect and esteem that is accorded to the military in other parts of the world. Unfortunately, in Kenya, we do not value our military as we ought to despite the fact that they do so much for us, internationally and locally.

The issue at hand is the many funds that are being created. The justification being given is that it is to ring-fence reimbursed funds for used equipment, and provide funds to support peacekeeping missions all over the world. I hope that the national Government or the Executive does not intend in any way to find means and ways of probably defeating or avoiding the application of the Public Finance Management (PFM) Act in the management of the various affairs of this country. It would seem that the idea is to create a separate fund, so that you avoid the provisions of the PFM Act. We hope that, that is not the intention, but that it is just being done to ensure that we have funds readily available to support those soldiers because the call

for peacekeeping is never budgeted for; it can come at any time. Therefore, for that reason, we will need a dedicated account to make sure that we support our soldiers wherever they go.

The preparedness of our soldiers has been a point of discussion. Many times, you find that our soldiers have been killed like what happened in Somalia. Every day, we hear reports of our soldiers being killed in operations, even within the country. It was reported last week that many of them were killed in Lamu. It was also reported that there was an ambush along Garissa Road. This raises the question of whether our military is well-trained, equipped, and resourced in terms of intelligence information to avoid falling into traps of ragtag armies like the *Al Shabaab*. I just hope and pray that this fund that we are creating, whose contributions will come from the United Nations or whichever body, will continuously improve the equipment that our soldiers are given to protect their lives as they protect ours. Secondly, I hope it will improve the morale of our soldiers as they do their work.

Hon. Temporary Speaker, this is an important matter that requires serious consideration. With those few remarks, I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Hon. John Kwanjiku.

Hon. Njuguna Kwanjiku (Kiambaa, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Motion. I agree with the Chairperson of the Committee on Delegated Legislation that we need to consolidate funds for the National Peace Support Operations Fund. This is to ensure that when our young people, our brothers, and sisters, go out there for peacekeeping purposes, they are taken care of. The Fund is addressing very critical issues. They are now in the Democratic Republic of Congo (DRC) and some are in Somalia trying to help our neighbours to coexist with each other. We must make sure that we create a fund that will take care of them.

It is quite unfortunate that when they go to the DRC and some are injured, there is no fund to take care of them. I support that we make sure that we separate the operations of the military and those of the entire defence system from peacekeeping missions, so that they can get special attention. With the way that this country has been managed for many years, if we put those resources together with those of daily operations of the KDF, those people may be disadvantaged because the process of making sure that they get equipment and that they are well-taken care of is tedious and bureaucratic.

We have seen incidents where, even after money has been put aside, there is corruption but it must be dealt with. We must make sure that the people who benefit from this Fund are the same people who go out there for peacekeeping missions. As my colleagues have said, we have not had incidents in the country where we have had to recall our military. We have old equipment, some even from the 1982 coup. We have not experienced any military issue in our country. Soldiers do not understand or do not know whether their equipment can function properly. We do not know whether we have the military capability to deal with any external aggression against our country. Let these people go out there on peacekeeping missions and gain experience on how to fight wars because we have not had such incidents in our country.

Secondly, we will be able to upgrade their equipment, so that when they come back, the equipment can continue to be used within the boundaries of our country. We must put strict measures in place to take care of this Fund. The issue of corruption must be dealt with because we do not want a situation whereby, we set aside funds and later find out that the money has been misappropriated. When these people go to fight and come back, they find that the money that is supposed to take care of them and upgrade their military equipment is not there because of misappropriation. Therefore, we must support them and make sure that we tie up loose ends to ensure that the money will not be misappropriated, and that it will only be used by soldiers who go for peacekeeping missions.

The other thing that the proposer of the Motion talked about is making sure that we support and encourage the military. We have had incidents whereby vehicles belonging to

armoured military personnel have been attacked by the *Al Shabaab* because we have been using the same old models of vehicles. We witnessed this in Garissa, and the other day Lamu because we do not have new military equipment that can deal with Improvised Explosive Devices (IEDs) and bombs, and detect whatever is happening.

I support the Motion. We need to ring-fence this amount of money and make sure that we upgrade our military and support them when they go for peacekeeping missions.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Francis Sigei from Sotik. Is he in the House? Him not desiring to be in the House, could we have Hon. Bashir Abdullahi from Mandera? Very well, therefore, we move to Hon. Kibet Komingoi. Proceed.

Hon. Kibet Komingoi (Bureti, UDA): Thank you very much, Hon. Temporary Speaker. I rise to support the Regulations on the National Peace Support Operations Fund that have been proposed by the Ministry of National Treasury and Economic Planning. The National Peace Support Operations Fund is being developed through the Ministry of Defence. The major discussion that we need to have as Kenyans is: How updated is our military? How updated is our equipment? How trained are our officers? What opportunities exist for our officers to contribute to national development in supporting peace missions around the world?

In supporting these Regulations, we must be cognisant of the fact that we are giving opportunities to our military. We may even include the police in future to protect and offer support in a variety of situations that may arise around the world. We will be able to modernise, train, and improve our military to enable them to take care of themselves and have equipment in readiness to be deployed. If you look at scenarios within the country where the military has been deployed, particularly along the Somalia border, the coastal region, and even in Lamu as recently as last week, some of the equipment that has been deployed to those areas does not protect our military. With this Fund, we will be sure that our military will be better equipped and trained. We will, therefore, respond better to any circumstances within and outside the borders. We will expose our personnel to the things that are happening and contribute to the peace of the earth.

I thank you, Hon. Temporary Speaker. I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Kamene.

Hon. Joyce Kamene (Machakos County, WDM): Hon. Temporary Speaker, thank you for giving me this opportunity to contribute. I support this Motion that has been brought by the Committee on Delegated Legislation. I am a Member of this Committee. It is meant to support the National Peace Operations Fund. It will help provide support for the participation of our Kenya Defence Forces in our neighbouring countries where there is conflict. Indeed, when we look back, we remember very well how our KDF have been strong in the past years. Recently, they used old equipment. This Fund will give them the innovation and the face that they require to be up to the standard with other countries. When we pass this National Peace Support Operations Fund, I am sure that the lost glory will be rekindled. We have heard the other Members contributing. We pray that the Ministry of Defence will ensure that corruption is not envisaged in this Fund.

I support the Motion. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Rindikiri Mugambi. I notice that you are not appearing on the screen. If you want to speak on this Motion, check your cards. You may proceed.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Motion that has been brought by the Committee on Delegated Legislation. This is one of the best ideas that have come here at the right time.

Kenya is known internationally as a peacekeeping nation. I stand here as the president of good governance and democracy. Hon. Kakai is the president of peace and security of the 12 countries that form the Forum of Parliaments of the Member States of the International

Conference on the Great Lakes Region (FP-ICGLR). During the last meeting that we had in Juba, we realised that all the forces that are sent to the Democratic Republic of Congo, Somalia and Sudan are ill-equipped. From that perspective, we need to support this initiative of creating a special Fund. There is nothing wrong with it. I agree that its management can be an issue.

Kenya has reached a point where we need to be prepared against external aggression. When we are called upon by the international community to offer peace services, we need to be prepared. When we talk about peace support system, we are not only referring to the KDF because also there is an ocean of other support factors that the people on the ground require. We also know that when there is a peace mission, it is a combination of KDF, regular police services and civilian support. It becomes very difficult sometimes, if they are tied by the strictness of the supply chain. It is my conviction that these people require funds that they can directly control and account for.

I lost two relatives and a neighbour in the infamous tragedy in Somalia. Their families told me that these attacks happen at night. The people who came from there said that one of the weaknesses they had was lack of night surveillance equipment. These people require serious technology update. They require modern transport equipment. They require training and monitoring equipment which are essential for their operations. It is common knowledge when you see some of the equipment moving along the roads and then you realise they are not modern. The only thing that causes people to panic is the colour. The suitability of this equipment is not the best. It is my conviction that if this Fund is utilised well, it will result in serious preparedness of our military and peacekeeping forces which include the National Police Service and civilians. If it is used properly, it will add value to the services.

If Hon. Junet was here, I would have informed him that a peacekeeping mission is not done in Eastleigh where they walk in and out, but it is done out there. I ask him to change his mind because he will be a victim from the other side.

Thank you, Hon. Temporary Speaker.

Hon. Aden Mohammed (Wajir East, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): What is your point of order? He has already finished contributing.

Hon. Aden Mohammed (Wajir East, JP): Is the Member in order to profile Hon. Junet by talking about peacekeeping mission in Eastleigh? He has contributed to the Motion eloquently. Is he in order to profile somebody who is not here?

The Temporary Speaker (Hon. Omboko Milemba): He is already done. You are actually the next one to speak on this. Proceed and contribute instead of raising a point of order.

Hon. Aden Mohammed (Wajir East, JP): Thank you, Hon. Temporary Speaker. I rise to support this Motion on Consideration of the Public Finance Management (National Peace Support Operations Fund) Regulations, 2023.

Firstly, the creation of this Fund will help us fund these peace operations. You are aware that we do not budget for them. These are emergency things that just come. As a Member of the United Nations and African Union, this country participates in peace operations. We are the premier peacekeeping country in our region. I support the formation of this National Peace Support Operations Fund.

Secondly, I propose that this Fund should not be domiciled only in the military because they are not the only ones who are involved in peacekeeping operations. We send combined forces like the police and prosecutors in some countries to help prosecute crimes. As we think about operationalising the National Peace Support Operations Fund, we should also think of having people from other disciplined forces in the membership of a board or whichever entity that will operate it.

With those few remarks, I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Beatrice Adagala.

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Temporary Speaker. I am in support of the Report of the Committee on Delegated Legislation. We should keep in mind that the military does a lot of work, especially when they go for peacekeeping missions out of the country. They need to be equipped with current and modern equipment among other requirements for their welfare. This is a good Motion and I support it strongly. This will ensure that the military are comfortable as they carry out their duties. For instance, when they leave their families behind, those families must be catered for. Therefore, this is a noble idea by the Committee. This Fund is important like other funds such as the NG-CDF, NGAAF, among others. This Motion is timely and we have to support it.

Thank you, Hon Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Charles Onchoke.

Hon. Charles Onchoke (Bonchari, UPA): Thank you, Hon. Temporary Speaker, for the opportunity to support this Motion. I invite us to think of Kenya, which is known to be a first country in many respects. Kenya has the best athletes internationally and is the economic superpower in the East African region. People come here to study our economic and financial systems as well as governance in terms of how we run our public affairs. Many young nations in the region come here to learn how we do many things. Much has been given to Kenya and to those that much has been given, much is expected. Can you think of a situation of a regional superpower, Kenya, called upon to discharge an obligation in a peacekeeping mission then we say that we cannot? We know that we have very good men and women in KDF. What lets us down sometimes is equipment, but we have an opportunity to address this matter.

This is not the first time we are creating a fund. There are over 200 funds that have been created in this country. We also have the technology and knowledge of putting in place systems, internal controls and everything else to ensure that these funds are properly managed. In any case, these Regulations come under the auspices of the Public Finance Management (PFM) Act. The Act has enough safeguards for all public funds. Therefore, if any weaknesses are noticed along the way, the Act will address them. Unfortunately, in public financial management or accounting, sometimes controls come after bad things have happened. However, that is not to say that we cannot create any funds to be more efficient in providing the technology, logistics and equipment that our KDF require.

If Kenya is first in many respects and we want to retain that status, we must pay a price for it. That means that whenever we are called upon to provide services in peacekeeping missions, we should be ready, not just with trained men and women but we must give them the equipment. You cannot go to war without equipment. This Fund seeks to serve that purpose thus we cannot deny them that. Besides, we are putting regulations in place to govern this Fund so that it is used properly and accounted for efficiently. This will ensure that KDF does not go to the battlefield without equipment.

With those remarks, I support that we approve these Regulations.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Next to speak on this is Hon. Paul Nabuin.

Hon. Paul Nabuin (Turkana North, ODM): Thank you, Hon. Temporary Speaker, for this opportunity. I rise to support the Motion. Our military has done very well in previous peacekeeping missions. The feedback we are getting from the recent peacekeeping effort in DRC is great for our military. There have been positive efforts in trying to restore peace and harmony in some parts of DRC. As other Members have said in support of this Fund, it is important that the military have operational equipment for peacekeeping missions and even for use within the country. We have heard stories that some of the military equipment that our KDF have used before have been sub-standard to the extent that they have not been able to secure our men and women in the military while in service.

With those few remarks, I support the Motion. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Farah, Member for Fafi Constituency.

Hon. Farah Yakub (Fafi, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to add my points to this Motion. I rise to support the Motion which is meant to support peacekeeping operations in neighbouring countries and elsewhere. When I read through this Report, I noted some matters that are of importance to me. I know the kind of operations that the Kenya military forces undertake in Somalia, which borders my constituency. I have a large contingent of KDF officers and cadets stationed in my constituency.

One of the things I have noted is that most of the equipment used by our military are a bit obsolete and not of the standard of international military gears. A good example is the kind of vehicles they use for operations, the Toyota and Mitsubishi lorries. To the best of my knowledge, these are not the standards of international military. Most armies use top gear gadgets and vehicles like Jeeps and SUVs of high quality. The kind of military armours and uniform they wear are not of the same standards. I attribute this to the fact that our budget for those operations is low compared to other countries who dominate the operations. What I understand from the young men from my area who serve in the peacekeeping missions in Somalia is that there is a problem. The kind of stories they talk about, especially on remuneration and gears *vis-a-vis* the operations they undertake, are not good. Their remuneration is capped because of finances. I believe this Fund will make sure that our men and women in uniform are rated highly in the world.

Another reason I support this Motion is that it is not only a mission of guns and vehicles, but that of winning the hearts of the people in the areas of operation. Winning hearts requires infrastructural development and community support. Most of these areas in southern Somalia, for example, where Kenya operates in Lower Juba, are deprived of simple social amenities like medical facilities, water sources and schools.

If you see the international peacekeepers when they are stationed in a country, for example, the United States of America Army in Iraq and Afghanistan, though I am not saying we will reach that level, the kind of service they offer is not only a service of guns and military equipment, but medical personnel assistance, building of hospitals, provision of drugs, drilling of boreholes and building of roads. All these require money and our budget is still constrained. We can see what is happening. By having a sufficient amount of money to support that, it will help us win the hearts and minds of the people in the area we are doing operations like in Lower Somalia. These military operations will also help us in peace-building. Many elders, communities, talks and workshops will be held in those areas to facilitate co-existence and peaceful considerations.

I support this Motion because I believe our operations in areas that we will be doing peacekeeping will be rendered areas of high value and our military personnel, equipment and position in the world will be seen at the same level and standard as up-level countries like Malaysia and maybe Japan. This is where we are headed. We leave behind the issues of substandard service and look for support from the international donor community to support even our military so that we are able to finance our own military operations in and outside the country.

I rise to support this Motion. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Memusi Kanchory, Kajiado Central.

Hon. Memusi Kanchory (Kajiado Central, ODM): Thank you, Hon. Temporary Speaker.

Let me also start by adding my voice to those of my colleagues in support of this legislation by the Committee on Delegation Legislation. I sit in the Departmental Committee on Defence, Intelligence and Foreign Relations and I have served in that Committee for a period of three terms. I must say that our disciplined forces are one of the most disciplined in terms of financial management. This has been seen when there is a crisis in any of Government Departments, for example, Kenya Meat Commission (KMC). We called upon the military to step in and assist in reviving KMC, and that was done.

This Fund is one that will go a long way because the military has been responsive not just internally but also outside the country. Recently, we approved our military forces to go to the Democratic Republic of Congo. This potentially strains Treasury because we require about Ksh7 billion urgently for this mission. Kenya has earned a good reputation in peacekeeping around our neighbours.

This Fund seeks to release the pressure that National Treasury gets whenever our gallant forces are required to intervene anywhere. Even locally, when our military was required to support our police forces in the north, if this Fund was in operation, we would not have strained Treasury.

When the United Nations is giving us as a country money for peacekeeping missions, this money is sent directly to the Treasury. We are aware that the country is straining financially and so, when such monies are received, you find that the Government has to prioritise and that money is put where there is immediate need.

I rise to support this Fund. The military have proved their financial prudence. They have never had bad reputation. The money that we allocate them in the Departmental Committee on Defence, Intelligence and Foreign Relations has always been put into very good use.

I support. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon Kuria Kimani.

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Motion on Consideration of the Public Finance Management (National Peace Support Operations Fund) Regulations, 2023.

All the speakers that have spoken talked about the accolades of our disciplined men and women. We talk about how our defence forces is one of the most celebrated in the world because of their efficiency and discipline. We have seen quite a number of scandals happening in other sectors of our human resource in this country, but very little, if any, in our Kenya Defence Forces. But we need to ask ourselves, would they say the same of their living standards, working environment, remuneration, the equipment they use at work or do we just have very good human resource but without elaborate decision and putting resources to making sure that these great men and women have the most conducive work environment? That is why the operationalisation of this Fund cannot come at a more difficult time than now.

We have seen great presidents across the world have their children, sons and daughters, serve in the army. I could mention Zachary Taylor's son or Robert Lincoln or Roosevelt's four sons that served in the army among the sons of many distinguished leaders in the world. For president Abraham Lincoln's son, Robert Lincoln, he actually left Harvard University and went straight to become an army person.

How many of us, including us this House, would send our sons and daughters to our army? How many sons and daughters from privileged families would want to give up Harvard to go and serve in the army of this country? That question tells us that we really need to invest our resources in our Kenya Defence Forces making sure that they live a good life, have a good working environment and to make sure that we avail the best resources in terms of equipment for their disposal for their operations.

We have seen other countries take care of the retirees of the army, either when they retire or get injured at war. We have had cases of some of our officers who have lost their speech because of blasts that have happened when they are at war, but hardly anything is being done to help them restore their speech.

We have great soldiers who served this country in a very great way, but because of noise pollution and them being exposed to those blasts, they lost their voices, they cannot speak and there is not a lot that is being done in that particular sector. What we have seen is an attempt to recruit speech therapists in the army, but those therapists that work at the KDF hospital are the lowest in cadre in terms of their job group and, therefore, KDF has been unable to attract the most qualified speech therapists to help wounded soldiers to recover their speech.

Even as we look at making sure that we facilitate our army with the equipment, we need to consider the well-being, mental health and working conditions of these great men and women we celebrate today for their great work, discipline and resilience in our forces.

I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Agnes Pareyio.

Hon. Agnes Mantaine (Narok North, JP): Thank you, Hon. Temporary Speaker, for giving me this opportunity to support this Motion on setting aside funds to support peace operations of our troops that take care of our country from outside threats. They compete with the rest of the countries. It is important for us to have a Fund set aside for the sake of buying equipment for our troops. There is no way we can send them outside the country when they do not have the equipment to compete with other troops out of the country. We do not only need to look at our forces outside the country; we also need to look at our military troops here in Kenya. We must make them comfortable. If they cannot take care of our boundaries in Kenya, our enemies will get a way of penetrating our country. Therefore, it is important for a Fund to be set aside to make sure that troops that go outside for peace missions are comfortable and they have all the equipment that they need.

We hear so many sad stories. When we lose our people for lack of equipment that can protect them, we will be failing as a country. I support.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Paul Biego. Is he in the House? He is absent.

Hon. Kimei. You have the microphone, proceed.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. I stand to support the Motion and appreciate the Committee on Delegated Legislation for bringing this Motion concerning the National Peace Support Operations Fund. In our disciplined forces, the military do so much for our country and the countries they are sent to for peace missions. They protect civilians, they actively prevent conflicts and they strengthen our security. These are people we should celebrate. They leave their families and give themselves fully to serve humanity. They do not only serve our country, but they also serve the people of the world. Our disciplined forces play a very vital role for Kenya to be known internationally and to be at par with other countries. In that case, I support that more funding be given to them. For them to have less risks in life, they need improved and modern equipment. In this day and era, other countries have improved their equipment. We cannot compete with them favourably if we are using old equipment. Our forces will be celebrated more in the world if we improve their equipment.

The working conditions of our forces need to be improved. However, that cannot happen if more funding is not given to them. Their families that support them and give them to Kenya and the world need to be supported and compensated in a way. The disciplined forces are usually away from their families for a long duration of time. Therefore, I want to request that we also consider their families as we look at their living conditions and them having

modern equipment. Let us make a part of this Fund to go to their families. That can only happen if their remuneration and living standards are improved.

When our forces are outside the country, I know – as a woman and a mother – that their families are usually not at peace. They live in fear of the unknown and sometimes of the known. However, when they have the modern equipment, their families will feel that they are safe. As we continue praying for them, I pray that they will be supported fully. I cannot miss to say that the National Peace Support Operations Fund that we are proposing today must be used prudently. I say no to any form of corruption on the Fund. I know that the concerned Ministry works hard. Whatever that is given to them is used wisely.

With those remarks, I support and believe that with more capacity building, the forces will represent us well in the world. Thank you.

The Temporary Speaker (Hon. Omboko Milemba): We have a Special Motion coming up. So, the last Member to speak on this Motion will be Hon. Abraham Kirwa, Member for Mosop.

Hon. Abraham Kirwa (Mosop, UDA): Thank you so much, Hon. Temporary Speaker, for giving me this opportunity to support the Motion on the National Peace Support Operations Fund. As a nation, it is high time that we truly consider and support our troops when they go outside the country on peace missions. Most of our youth and young men employed in the military sacrifice so much as they secure peace of this country. As such, we should not be talking about whether to approve this Fund or not. This Fund should have been established a long time ago so that when they are outside the country be it Somalia or other countries for peace missions, their interests are taken care of. They should never worry where their funding will come from.

I want to suggest that if we approve this Motion, we ensure that the National Peace Support Operations Fund is ring-fenced. It should specifically be used to support the soldiers who go out of the country for peace missions. Kenya is considered as one of the top countries in peace keeping missions in Africa and we should strive to remain there. However, we have now been overtaken by other countries. We have dropped from number one to number seven or eight. So, I support the Motion on the National Peace Support Operations Fund. We should approve it to allow our troops to be well prepared with state-of-the-art equipment that will help them in peacekeeping missions. They should never worry about their funding. I know that the United Nations has continuously supported the peacekeeping missions but for one reason or another, they have delayed...

The Temporary Speaker (Hon. Omboko Milemba): Order, Member. Hon. Mwafrika, what is your point of order?

Hon. Kamande Mwafrika (Roysambu UDA): Hon. Temporary Speaker, I rise on a point of order pursuant to Standing Order 95. Since all Members are in support of this Motion, the Mover can be called upon to reply.

The Temporary Speaker (Hon. Omboko Milemba): Very well. A Member has risen in his place under Standing Order 95 that the Mover be called upon to reply.

Hon. Kirwa, you can finish your contribution then I shall call upon the Mover to reply.

Hon. Abraham Kirwa (Mosop, UDA): Hon. Temporary Speaker, I stand to support this Motion like many of my colleagues. Kenya should always be number one when it comes to peacekeeping missions. So, to assure ourselves that our region is safe, we need this funding.

Hon. Temporary Speaker, I support.

The Temporary Speaker (Hon. Omboko Milemba): Is the Mover in the House? Yes, Hon. Baya, proceed.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much. On behalf of the Mover of the Motion...

(Hon. Major (Rtd) Abdullahi Sheikh stood in his place)

The Temporary Speaker (Hon. Omboko Milemba): Order! There are two Members standing. Hon. Baya, you may continue.

Hon. Owen Baya (Kilifi North, UDA): Thank you Hon. Temporary Speaker. These Regulations as tabled are important because they will give our peacekeepers an opportunity to operate, be aided and given funds when money is available. As you know, many Government operations are guided by the Public Finance Management Act which sometimes restricts usage of funds because of the tight procedures involved. These Regulations allow our peacekeepers, fallen and injured soldiers and those going on missions abroad to be financed.

I reply and request that the House approves these Regulations.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Thank you. We shall defer putting of the Question on this matter until the next session.

(Putting of the Question deferred)

Hon. Members, the time now is 5.31 p.m. You remember that the Speaker approved a Motion of adjournment on a definite matter of urgent national importance regarding insecurity in Lamu by Hon. Bernard Kitur. Is he in the House? You have 10 minutes to move. You will have no seconder and every Member speaking to this Motion will have five minutes.

You may proceed.

MOTION OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

INSECURITY IN LAMU

Hon. Bernard Kitur (Nandi Hills, UDA): Thank you very much, Hon. Temporary Speaker. Pursuant to Standing Order No.33(1), I seek leave for adjournment of the House to discuss a definite matter of urgent national importance regarding the ongoing incidences of insecurity in Lamu County.

We have been witnessing dastardly attacks by suspected terror groups and clandestine armed gangs in certain parts of the country, particularly in Lamu and Garissa counties. Recently, innocent residents of *Salama* and *Juhudi* villages in Lamu were treated to heinous and brutal attacks that caused anxiety to grip them and Kenyans at large with regard to safety in the country. These terror groups also attacked Kenya Defence Forces soldiers and other security forces using IEDs. We got this information through the media and other sources on how more than five locals were killed in the attacks.

Hon. Temporary Speaker, first, I sincerely condole with the families of those who lost their loved ones, including the police officers, in this cowardly and heinous act. I also condole with those who are agonising, the injured and those in hospital suffering emotionally and psychologically, including children because family units were broken. As leaders of this country, we want the people of Lamu and other regions going through such pain to know that we condole with them.

Secondly, I want to appreciate the work that the Government did earlier this year in the North Rift region, where there was serious banditry but which has since been contained to a great extent. This has brought development in that region. With regard to what is happening in Lamu County, the Government needs to put its foot down because the effect of these heinous

and cowardly acts by the terrorists has negatively impacted the ongoing development activities in that area.

Equally, education and the social lives of people in that region have seriously been affected. Therefore, the Government should take this seriously. We have been informed that as we speak, there are many internally displaced Kenyans from a number of villages who are now living in school compounds. I appreciate the fact that we have the Government's presence in that area. Sadly, we have seen some of the gory pictures of IEDs that have exploded under vehicles which security officers were using.

How I wish the Government could invest more in armoured vehicles and other very important armaments for security officers to do continuous surveillance in areas that are a bit porous. We do not wish to see what we have witnessed in the recent past where officers were injured by IEDs. I engaged the people in that area and one of their greatest concerns is the need for Government to focus on development of Lamu East and Lamu West. This is because most attacks using IEDs do not happen on tarmac roads but on earth roads, where attackers implant those deadly devices to cause terror and horror amongst people.

There are other issues that came up in my engagement with some of the people who were on the ground, which I wish to highlight - like the big chunks of land in some parts of Lamu County with absentee landlords. In 2014, title deeds were revoked but somehow, they were returned. So, there are big chunks of land which are undeveloped because of absent landlords. The Government needs to look into this so that those lands can be developed.

Also, there is need for the Government to recruit the local people into the National Police Reservists (NPRs) and have them trained on how to protect themselves when faced with unexpected attacks like the recent one. There is need for collaborative efforts amongst the leaders of Lamu because sometimes we see the differences that happen amongst the leadership. I would like to quote Martin Luther King Jr., who said, "We must live together as brothers or perish together as fools" and "In the end, we will remember not the words of our enemies but the silence of our friends." In that regard, I implore the leaders of Lamu to come together with the security agencies and avoid having a push and pull so as to face the enemy who has come to destabilise the communities in that part of the region.

As I conclude, I want to say that the locals in that area have been talking about land demarcation. This is long overdue and is probably one of the issues they are facing right now. I implore the Government to provide basic needs to the internally displaced people who are now grouped in school compounds. It is very sad that because of this heinous act, locals are losing a lot. They go to the farms during the day and return to school compounds, where they are taking shelter. They claim that animals which are not tended to at night go to their farms and destroy their livelihoods.

I castigate this cowardly act and encourage the Government to move with speed to protect people in that region. They must have a bigger collaborative effort amongst the security teams to protect the people of Lamu in those porous borders. I understand that the Government has handled similar situations before because we have had terrible attacks in the past. We have currently had a relatively long period without attacks. However, this kind of insurgency puts all of us in a risk. When Lamu, Turkana or Mandera are at risk or face terrorists attacks, we all face the same risk. I encourage the Government to move with speed. We also need to get flawless information from Government on what is happening towards protecting Kenyans in Lamu, Garissa and other regions.

Lastly, as a leader, I stand in solidarity with all the people of Lamu County; all those who have been affected, including the families of the soldiers who have been affected by these heinous acts. They are going through a lot of pain and I want them to know that as leaders of this nation, we stand by them. We will pray with them. We will face this enemy together as one people. We will overcome. We must stand as one people to protect our country.

Thank you very much, Hon. Temporary Speaker for giving me an opportunity to move this Special Motion so that we can ventilate together on this matter of national importance that is affecting us all. We have overcome several things before and I am sure that when we walk together, we will also overcome this situation.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Peter Salasya will have the first bite on this discussion.

Hon. Peter Salasya (Mumias East, DAP-K): Hon. Temporary Speaker, I pass my condolences to the family of the young people who lost their lives while keeping peace for this country. It is very painful because most of the victims are young people, and more so, those who have just joined the security services. It is high time the Ministry checked on experience before they send young people to such hostile areas.

We have not been having such kinds of attacks from *Al Shaabab* for a while. It is only recently, after the discussion about opening of the border between Kenya and Somalia, that attacks started. We are now having such attacks in our country. The Government should take full charge before reopening the borders between Kenya and Somalia. It must consider whether it is right for the Government to do so and if the attacks persist, then it is very likely we will have to close the borders to protect this country until a time when Somalia starts experiencing independence and peace. If that does not happen, then we must compel the Government to rethink its decision to reopen our borders with Somalia.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Geoffrey Ruku.

Hon. Geoffrey Ruku (Mbeere North, DP): Thank you, Hon. Temporary Speaker. The security of a nation is paramount. We thank the security forces, including the military and the police for the work they have done over the years to protect the territorial integrity of our nation. They require proper equipment and training to do so. Proper equipment comes with proper investment that comes from our coffers. Their equipment and training can also be supported by all Kenyans through the taxes we pay.

Any nation where security is not properly taken care of normally fails. The residents of that country will have a lot of problems. We have seen this from our neighbours. Some of our neighbours, whom I would not want to mention, experienced problems in the 1980s through to the 1990s until now because of failure of security. Whatever happened in Lamu a few days ago is something that must be dealt with decisively. I am sure we have competent security people who must be working seriously at the moment to ensure that we have security.

As a House, we must assure them of our total support as they put their act together. I know this country has invested in armoured vehicles. In some of those areas, we must ensure that the soldiers, police officers, paramilitary and people trained to handle these kinds of security situations are properly equipped. Let us deploy armoured vehicles in those areas. We saw the security officers using vehicles that were not armoured. We must encourage the managers of our security sectors to explore ways of ensuring that those areas are manned by security personnel riding in armoured vehicles. We know the vehicles are there because the Government has invested in the past, and they must be deployed in the most appropriate way.

I am a Member of the Committee on Delegated Legislation which has just forwarded the funding of the military. That agenda has already been deliberated on. We have to do what it takes to ensure that the military, which is operating within and without our borders, is supported. At the same time, we must ask ourselves whether we are getting value for money. We have seen what military forces in other parts of the world are doing. We also want to encourage the Generals in our barracks. Today, this country has a lot to take care of. The resources are not only going to come from internal resources, but we must also exploit external sources from within our region. This investment cannot be in vain. Why do we need to invest our money to have security forces in Eastern Congo and Somalia? That investment must yield

returns. It is upon the Generals to come up with strategies on how our investments can yield returns through the security we are offering across the boundaries.

I support this Special Motion.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Gabriel Tongoyo.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to add my voice to this very important Motion. At the outset, I want to appreciate my colleague, the Member for Nandi Hills, for bringing this important Motion to the House so that Members can discuss and ventilate on this matter of great national importance.

As you are aware, I am the Chairman of the Departmental Committee on Administration and Internal Affairs, and this is a matter that is quite known to me. I want to start by passing my condolences to the families and our friends who lost their lives defending Kenyans. At the same time, I congratulate our security officers and personnel wherever they are - both those operating locally and in the region at large - for continuously working day and night to keep Kenya safe.

It is true we had incidents of insecurity and terrorist attacks in Lamu and in some other pockets of the North-Eastern region in the recent past. In Lamu, it happened at a place known as Salama Village, in Lamu West. The official data is that we lost about 22 Kenyans comprising of four KDF soldiers and about seven civilians, and the others are members of the National Police Service.

It is good to note that we have been having a multi-agency operation in Lamu's Boni Forest where the Government of Kenya has been putting resources to ensure that we manage our borders and volatile areas. It is regrettable that such an incident happened. I want to report that ever since the Cabinet Secretary for Interior and National Administration, Hon. Kindiki, visited the area severally, there has been a lot of positive improvement. The situation is calm for now. We have managed to bring the situation to calmness and our security agencies are on top of things. There have been alleged acts of terrorism by remnants of the *Al Shaabab* militia but reports indicate that the attackers could be a mixture of some local elements who have taken advantage of the situation. There could be some criminal elements that have been involved in land injustices.

The Cabinet Secretary has been visiting that area for quite some time now. Tomorrow, some senior KDF officers and the Inspector-General of Police will be touring the area to assess the situation and give support to the officers.

It is very regrettable to have had this situation and to have lost lives of Kenyans. It is a situation that as a Committee, and even as a country, we have continuously been putting resources into. Even in the Supplementary Budget II, we allocated an additional Ksh200 million to facilitate the officers who are operating in those areas. In the Supplementary Budget I, there was also about Ksh500 million set aside for that purpose. In this Financial Year, a sum of Ksh1.6 billion has been set aside to enable security officers to carry out their work effectively. Even as we regret that this incident happened, we should celebrate that the situation in the North Rift, which was equally very bad, has improved so much. This can be attested to by a majority of the Members who come from that region. Members of the public have gone back to their farms.

The Temporary Speaker (Hon. Omboko Milemba): Give Hon. Chairperson one more minute.

Hon. Gabriel Tongoyo (Narok West, UDA): On behalf of the Committee, I assure Kenyans that the Government is in control and the situation is now calm. I would like to inform the Member who brought the Motion that the Government has short-term and long-term plans to ensure that security in the region is managed. In this regard, I am glad to report that a sum

of Kshs35 billion has been set aside for modernisation of police equipment as announced by the President in the recent past. This will enable the National Police Service (NPS) to acquire new policing technology, unmanned vehicles, armoured vehicles, arm-wraps and even helicopter gunships so that our officers can effectively respond to situations on a timely basis.

Hon. Temporary Speaker, we all know that security is a very expensive endeavour. I challenge Members that we continuously play our roles and prioritise security while allocating resources to ensure that our security agencies operate effectively.

I join my colleagues to condole with the affected families and condemn these acts of terror. At the same time, I assure all of us that the Government is on top of the situation and our security officers are working round the clock to ensure that Kenyans live in peace.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Bishop Jackson Kosgei.

Hon. (Dr) Jackson Kosgei (Nominated, UDA): Thank you, Hon. Temporary Speaker. I have read *The Art of War* by a Chinese philosopher and military strategist. I guess most Members might have read it too. He says, “Strategy without tactics is the slowest route to victory. Tactics without strategy is the noise before defeat.” National security is the ultimate responsibility of the national Government. This, we cannot overstate. A time has come for patriotism. Every citizen in this country has the responsibility to secure our nation. In most cases, some of the very dangerous threats to our country come from across our borders. At the borders, we have communities of Kenyans who spill-over to the neighbouring countries. In some areas, some of these communities are fully aware of their people. They can identify new individuals who can pose a threat. I suggest and opine that the internal security and the KDF should involve communities and capacitate them to participate in matters of security across the border. For example, at the Kenya-Tanzania border, the Maasai community spills over on to the other side. In the northern side bordering Ethiopia, we have communities living within Kenya and have relatives on the other side. In Mt. Elgon and across western Kenya, communities spill over to the neighbouring country. One of the issues that have been coming up most of the time is co-operation between the citizens and the security agencies.

I wish, as we condole with the families that have lost their loved ones due to these attacks, we remind ourselves that we need to revisit our strategy and employ better tactics as we manage insecurity in this country. We know Kenya is a free and warm country in terms of relationships and welcoming in the region. It is time, for a moment, we took the issue of security more serious in order to secure our borders and communities in this country.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Naomi Waqo

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker for allowing me to add my voice to this very important Motion. I also thank the Hon. Member who moved it with a lot of passion.

Hon. Temporary Speaker, because of what is happening, this Motion needs our support. For the last few weeks, we have lost quite a number of soldiers who were fighting on our behalf. It is important for us to note that when we send our troops to those areas, which are quite dangerous, they have sacrificed a lot. It takes passion and patriotism from them to do so.

(Hon. Yussuf Farah crossed the Floor without bowing)

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Member. You are crisscrossing the Floor. In fact, you have done so twice. Just go back and do the correct thing.

(Hon. Yussuf Farah walked to the Bar and bowed)

Please, come back to the House in an orderly way. Do not crisscross the House. This is a House of rules, and not a market place.

You may proceed, Hon. Naomi.

Hon. Naomi Waqo (Marsabit County, UDA): When we send our troops to some of those areas, it takes them a lot of courage and sacrifice because some of them have young families and are exposed to a lot of danger. They leave their families unsure of whether they will be lucky to return. As a result of such heinous acts by terrorists, many children have been orphaned and young women widowed. At the moment, all we can do is condole with the families that have been affected and request the Government to give them all the necessary support that they need. The family members of fallen soldiers are psychologically traumatised. So, they need counselling and better support. As we send soldiers on such missions, some special grants should be put aside so that in case of anything, their families can be attended to urgently.

The equipment that are used, and especially vehicles, should be modernised. Your enemies would always want to capitalise on your weaknesses. They have now realised that even the vehicles that our troops use are not strong enough. Majority of them have lost their lives while going to serve Kenyans or giving services where they are needed. Therefore, we should be ready. I am glad the Chairman has reported that they have been considered in the budget that we recently approved, and in all previous budgets. Going forward, there should be enough budgetary allocations to take care of our soldiers.

Article 27 of the Constitution provides that every person is equal before the law and has the right to equal protection and equal benefit of the law. This means that even the soldiers have equal right to life and need to be protected. As they protect the lives of others, they should also be protected. This is the responsibility of our Government. It is high time Kenyans changed their tactics and saw how best we can protect our troops which are within and outside the country.

Currently, the families of the fallen soldiers are suffering in different ways. Special consideration should, therefore, be taken for the said families, especially the young women who have been widowed and the orphans who have been left behind by the heroes.

I support.

Hon Nicholas Mwale (Butere, ODM): Asante sana, Bw. Spika wa Muda. Pia nami ningependa kuchangia hii Hoja ya ukosefu wa usalama katika Kaunti ya Lamu. Wakati ambapo hamna usalama katika eneo lolote nchini, ni akina mama, watoto na vijana ambao wanateseka zaidi.

Wacha nianze kwa kumshukuru mwenzangu, Mbunge wa Eneo Bunge la Lamu kwa kuileta Hoja hii kuhusu utovu wa usalama katika Kaunti yetu ya Lamu. Usalama haujakosekana kule Lamu peke yaka bali pia katika maeneo mengine humu nchini. Kwenye maeneo mengi humu nchini, watu wanateseka, wengine wanapoteza maisha na wengine kunajisiwa.

(Hon. Benard Kitur rose on a point of order)

The Temporary Speaker (Hon. Omboko Milemba): Hon. Benard Kibor, what is your point of order?

Hon. Bernard Kitur (Nandi Hills, UDA): I have heard my colleague say that this Motion was brought by a Member from Lamu. He needs to be corrected that I am not a Member from Lamu. I am the Member for Nandi Hills Constituency.

The Temporary Speaker (Hon. Omboko Milemba): You may proceed, Hon. Tindi.

Hon Nicholas Mwale (Butere, ODM): Nilimaanisha Eneo Bunge la Nandi. Ni vile yeye alisikia Lamu. Pole, hii Hoja imeletwa na Mbunge wa Eneo Bunge la Nandi Hills. Nimeshukuru kwa marekebisho yako.

Naibu Spika wa Muda, ili uchumi wetu uweze kukua, ni lazima tuimarisha usalama. Pasipo na usalama wanafunzi hawawezi kwenda shuleni, na wafanyibiashara pia hawawezi kufanya biashara. Mambo mengi yanazungukwa na usalama. Kwa hivyo ni lazima Serikali idumisha usalama.

Kuna vifaa kwenye vikosi vya polisi na jeshi vilivyounuliwa kutumia ushuru kutoka kwa wananchi. Vinafaa hivyo vitolewe vipelekwe Lamu na mahali kwingine inchini kwenye utovu wa usalama. Hivyo vifaa vinafaa vitumike kuwalinda wananchi ambao wanalipa ushuru.

Tuko na wanajeshi ambao wamepelekwa nchini Congo kudumisha amani. Hivi majuzi, vyombo vya habari vilitangaza kwamba Serikali ya Congo inayoongozwa na Rais Felix Tshisekedi haiwataki wanajeshi wetu nchini kwao. Mbona tusiwarudishe na tuwapeleke Lamu ile wawalinde Wakenya?

Ninaunga mkono Hoja hii ili usalama udumishwe katika Kaunti ya Lamu na kwingineko nchini Kenya ndiyo wananchi waweze kuishi wakijua kwamba tuko na wanajeshi na askari wa polisi ambao wanawalinda .

Kwa hayo machache, ninaunga mkono.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Next is the Member for Wajir South, Hon. Mohamed Adow.

Hon. Mohammed Adow (Wajir South, ODM): Thank you very much, Hon. Temporary Speaker for this opportunity. At the outset, I would like to send my heartfelt condolences to the families of our gallant soldiers who died while defending our land. The *Al Shabaab* and other armed groups have wreaked havoc not just in Lamu County but also in the north-eastern Kenya region, where we have seen attacks in Mandera, Wajir and Garissa counties in the past few weeks.

Hon. Temporary Speaker, I believe this is not just the work of *Al Shabaab* fighters who have crossed over from Somalia, but also homegrown elements who are assisting them in traversing the terrain, which they know very little about. So, there is need for concerted efforts by not just the Government, but also from the public to fight these people once and for all. If they get a foothold in our country, we will see much more brazen attacks that will jeopardise the peace and security that we so much cherish.

We are sitting on a ticking bomb, looking at the thousands of young people in those marginal areas where this group is now operating. I am talking about places like Lamu, Mandera, Garissa and Wajir. Their target is to recruit as many of our young people as possible in their campaign of violence. If we do not do something about this, it will be to our detriment. So far, the National Police Reservists (NPR) are at the forefront of defending this country. These are people who have been chosen because of their knowledge of the terrain, the people and language. Some of them are armed while others are not and this makes them sitting ducks when it comes to fighting this group effectively.

There is need to remunerate them better than they are currently. In my constituency, we have seen sometimes three months pass before they are given their dues. Their dues are also deducted by some senior police officers and this is unacceptable. We need to properly train, kit and remunerate them so that they form the first line of defence in ensuring that we do not get attacked, going forward.

Hon. Temporary Speaker, no amount of conventional warfare will work against this group. In the course of doing journalism over the past 25 years, I have covered groups like *Boko Haram*, *Al Shabaab* and *Al Qaida* in the Islamic motherland. These people are not only smooth and far reaching but also very difficult to detect. They make their entry even before their presence in a place is known. We should not look at them like any other security threat. We are facing an existential threat.

I do not agree with those who are arguing that the Somalia-Kenya border should not be opened as planned by the Government because these criminal elements are not passing through

official border points. This gives our gallant forces a chance to identify those who are coming to Kenya for good and those coming to try and harm us. At this point, I would like to thank our security forces who have so far been very steadfast in fighting these groups.

Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Member for Emgwen, Hon. Josses Lelmengit.

Hon. Josses Lelmengit (Emgwen, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to support the Motion for adjournment to discuss insecurity in Lamu and the north-eastern region of Kenya. This was brought by the Member for Nandi Hills, Hon. Benjamin Langat.

First and foremost, I would like to pass my message of condolence to the families affected and the young souls lost in this attack. Secondly, I thought this only happens in movies but we have seen it happen in real life. There is a movie called ‘Soldiers’ where before the soldiers went to war, one of the commanders promised his platoon that he would be the first to touch the ground and last to leave the scene. That, he would not leave any soldier behind. The kind of dedication, sacrifice and endurance these soldiers pass through is enormous. After their training, as they join the service, they swore to protect this nation at whatever cost.

The Government should remain true to its word. It should take care of soldiers’ welfare and protect them. I believe the soldiers should have had better equipment with which to detect the IEDs even before they drove over them. The world is awash with state-of-the-art technology with such capacity. Our soldiers should be given more sophisticated weapons to help them fight *Al Shabaab* in Lamu County, which has big forests like Boni Forest. As long as that forest exists, we will continue to lose our people and soldiers. I want to encourage the Government to clear that forest for development so that it helps in the economic growth of this country and, at least, bring peace to Lamu.

There are several cases of land injustices in Lamu. I call upon the National Land Commission (NLC) to settle people in that area because some people are taking advantage of the prevailing insecurity to bring vices. Also, during deployment, as part of taking care of the welfare of soldiers, experienced soldiers should lead the new recruits, so that they can train them on how to easily prevent such incidences from occurring. We need to have psycho-social support desks for them because they get frustrated with their work and the deaths they witness. This will enable them to take care of their families and themselves.

On the compensation issue, we need a proper package for soldiers whenever they pass on. I question the employment criteria used by the National Intelligence Service (NIS), who have been accused of employing children from rich families only. How can you send kids from rich families to handle security issues? They cannot stay up at night to protect poor people. So, I advise that they should follow the right procedures when employing security officers for intelligence reasons.

I beg to support.

The Temporary Speaker (Hon. Omboko Milemba): Next is Hon. Yusuf Mohamed.

Hon. Yussuf Farah (Wajir West, ODM): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this Motion. This is a weighty issue that we need to discuss seriously. The *Al Shabaab* militia is with us and we know the damage they bring to our country. We can vividly remember what happened at the Westgate Mall, Garissa University and many other places. So many young promising people have lost their lives due to *Al Shabaab* attacks. As we speak, it is not only Lamu County which is at risk, but the whole of Kenya. How do we prevent remnants of the *Al Shabaab* militia from coming to wage war in our homeland? I believe that a homegrown solution is the only way to detect and prevent the *Al Shabaab* menace. If we can remember very well, after the Garissa University attack, the Government of Kenya decided to use a different approach to deal with the *Al Shabaab*. The

Government employed and remunerated National Police Reservists. The Government also deployed people called *macawisley*, who were always at the forefront at the Kenya-Somali border. Those people were initially well-remunerated but I do not know what has happened. Eventually, things changed and they decided to leave the stations. We are now experiencing the *Al Shabaab* menace all over in Mandera, Wajir, Garissa and Lamu. Who knows where they will strike next?

I want us to visualise and think about what happened during those times. Are we ready for the tragedies that happened during those times? No. If not, this Government needs to remunerate and motivate the first line of defence, who are the NPRs and the special forces, who are also doing a great job at our borders. The special forces were initially given extra allowances but for the last 10 months, those allowances have not been paid according to the information we have received from the ground. That has resulted in laxity in terms of security. If a person who sleeps outside every night to secure this country is not well-motivated, you can imagine what will happen.

What else can we invest in in this country? Security is the first thing that we should invest in. For our country to be secure, we must invest in the security agencies, so that we have secure borders. I echo my brother, Hon. Adow, who mentioned that some people are saying that the borders should not be opened. The borders should be opened for the youth in those areas to get jobs instead of being recruited by the *Al Shabaab*. Security officers should be well-remunerated to motivate them so that they can secure our borders.

With those few remarks, I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Let us have Hon. Augustine Mwafrika from Roysambu.

Hon. Kamande Mwafrika (Roysambu, UDA): Thank you, Hon. Temporary Speaker. I am a firm believer that the *Al Shabaab*, or the attackers, can never be ahead of the Government. No matter how sophisticated their weapons are, there is no way they can be ahead of the Government. This is a grave matter. We understand that villagers in Lamu County have fled their homesteads because of the attacks. Most Members have talked about armoured vehicles. That is okay and I support it. However, I would like to make an additional call to our security agents and the Government about coming up with a detector of the IEDs that the terrorists use to kill our security personnel. There are two common tactics that they use. The assailants are either armed or they plant IEDs on the roads. If our security agents can come up with a detector, it will be very good. Before our security agents drive within those areas, they should use detectors to know if there are any hidden IEDs. That will be easy. The Government or our security agents should come up with detectors.

Hon. Temporary Speaker, we may talk about those who have been killed. However, there are so many others who are injured. I request the Government to also take care of the injured. Most of the injured are innocent Kenyans who, probably, have nothing to do with the war. We are requesting the Government to take care of them. I also support those who are making a call for our soldiers in Congo to be withdrawn and brought back to Kenya. They can be deployed within those areas. It is not right that we have parts of our country under attack and offer military support to another country in this region. Before we help people in other countries, our people need to be safe at home. The soldiers who have been deployed in DR Congo should be brought back and deployed in Lamu. It does not matter if the ratio is 1 to 10, provided we do not hear of more attacks within those areas. We can only progress when our country is peaceful.

With those remarks, I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Pamela Njeru Njeru.

Hon. Pamela Njeru (Embu County, UDA): Thank you, Hon. Temporary Speaker for giving me this opportunity to contribute. As much as we thank the Government for the credible

job being done in security matters in our nation, I wish to reiterate that our security should not be compromised whatsoever. As the Member for Embu County, and on behalf of the Embu community, I wish to convey my sincere condolences to the affected community in Lamu, following the recent attacks that have led to loss of lives.

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Pamela Njoki Njeru. As much as possible, speak on this matter. Do not read a speech.

Proceed.

Hon. Pamela Njeru (Embu County, UDA): Thank you, Hon. Temporary Speaker. I was giving my condolences on behalf of the Embu community. The recent attacks in Lamu by a suspected terrorist gang have led to loss of lives, people being homeless and a lot of pain to women and children. It is high time the Government equipped KDF soldiers and other security agencies with the best weaponry and ammunition available so that our country can be safe. Children are expected to go back to school from the mid-term break next week on 3rd July 2023. In some areas in Lamu, people do not have a place to stay and children cannot go back to school. The Government should act with speed to resolve this matter. In Salama and Juhudi villages, we have heard reports of loss of lives and people who are already in pain having been left homeless. The Government should move with speed to ensure that Kenyans, and more so the people of Lamu County, live peacefully.

The Government should explore the strategy of winners. It should ensure that life matters most in their approach to circumstances and situations for us to be champions. The Government needs to stay in the mood of lions, which is the mood of winners.

With those remarks, I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Joseph Oyula, Member for Butula.

Hon. Maero Oyula (Butula, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to add my voice to the insecurity issue. I send my condolences to the families of the young officers who were killed in the recent Lamu attacks. One of the officers who passed on comes from my constituency. He was a young officer of about 25 years of age. We lost him through this terrorism. It is high time the Government came up with a way to curb insecurity in these areas. Lamu was once a good place to visit but nowadays the security situation there has deteriorated alongside that of Mandera, Garissa and Wajir.

I support what one Member said. There should be landmine detectors. Whenever soldiers are travelling, there should be a vehicle that can identify and detect landmines ahead of them. The time is ripe for the Government to take decisive action to make sure that we do not lose many officers as it has been the case in the past. I urge the Government to take this Motion seriously and ensure that in future, our armed officers are properly taken care of. I also ask the Government to move with speed and release the compensation money to the families of the deceased soldiers. Families of deceased soldiers are left in a very awkward situation with a lot of pain. Therefore, anything that can help them to heal quickly from the pain of losing their breadwinners should be released as soon as possible.

I thank the Member who has brought this Motion for discussion in this House. Let us ask the Government to act promptly.

I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Abdi Ali, the Member for Ijara, is next.

Hon. Abdi Ali Abdi (Ijara, NAP-K): Thank you very much, Hon. Temporary Speaker, for giving me an opportunity to contribute on this adjournment Motion that is discussing insecurity issues in Lamu County and the entire north-eastern region, and more particularly in Garissa County in the constituency I represent.

First and foremost, I send my condolences on behalf of Ijara Constituency to the families that lost their loved ones in the Kenya Defence Forces. As I stand here, Ijara Constituency has lost one KDF officer, whose unit is based in my constituency because of the attack that happened in Handaro Location. The name of that officer is Sadam Abdule. He comes from a humble family in a place called Hara in Masalani Division. Another officer who was injured in the recent Lamu attack is also from Ijara Constituency. His name is Abdirahman Ahmed Bashir.

As you know, *Al Shabaab* is a very dangerous terrorist organisation. You can see that the entire northern Kenya region has lagged behind in terms of development, including lack of basic things like roads, electricity and mobile telephone network connectivity. A clear example in Ijara Constituency is that we do not have mobile telephone network connectivity in places like Handaro, Elkambere and Geedi Luul. These areas are near the Boni Forest, which is where the *Al Shabaab* terrorists always hide. Because of that, the local Non-Governmental Organisations (NGOs) cannot access Ijara Constituency and the entire northern Kenya counties. This is because of the narrative of insecurity. Therefore, by improving the security situation, we will have more NGOs - cross-border NGOs - coming to support our communities.

Going forward, I would like to propose a solution to this problem. The Government should equip more National Police Reservists. Most of our NPRs lack motivation. They do not get proper motivation. They only earn Ksh5,000 per month, and that money comes after two months. There are delays in salary payments. Because of that, they are not motivated. The other challenge they are facing is identification. You will see a police reservist in uniform similar to that won by our police officers patrolling an area. In the process, they might meet with KDF soldiers, and the KDF soldiers might beat them up. This is just because they do not have identification tags to show that they are genuine NPRs. This exposes them to such issues. At a place called Sangole, we have eight NPRs who have been earning salaries for the last one year, but they do not have guns. The *Al Shabaab* know them. The other solution I want the Government to take is to have organised and legalised local militia by the name *macawisley*. This homegrown solution will help our people. Our people, particularly our Ijara people, are ready to defend their nation and land as long as the Government supports them.

Because of that, I support this Motion.

The Temporary Speaker (Hon. Omboko Milemba): Did you say you also have a militia?

(Laughter)

The next to speak on this Motion is Hon. Francis Sigei.

Hon. Francis Sigei (Sotik, UDA): Hon. Temporary Speaker, I thank you for giving me an opportunity to add my voice to this national issue that is dear to me. Having worked in this system for a very long time, I am passionate about this subject matter. I thank the Mover of this Motion, Hon. Bernard Kitur of Nandi Hills, for articulating this issue very well. I thank him because it is a national issue and he has come out to tell the world that we need to talk about it.

I also send my condolences to the families of the soldiers who lost their lives during this operation. I have been watching on television the agony that our people are facing in Lamu. People have been displaced. Yesterday I watched them on television being returned to their original places. I am not even sure those places are safe to go back to. I express my sympathy on this issue. I am a Member of the Departmental Committee on National Administration and Internal Security. I support my Chairman. I do not want to go back to the several issues that my Chairman has spoken on. I support him. We, in the Committee, are supporting our security forces. We enhanced their finances in the recent budgetary process.

Today, I want to speak here as the Member of Parliament for Sotik Constituency. On Saturday, we buried a young man who was working with the KDF. His name is Justus Kipkorir Too. He is a very young soul. It was a very sad moment to lose the young man who left a very young widow. I support whatever my colleagues have said – that we need to look into the issue of compensation for these lost souls. Many issues came out during that funeral. People asked me questions and I want to say this: One is the criteria that the system uses to identify officers who go to these battlefronts. This young man joined the service only in 2021. People expressed doubts whether these people are experienced enough to go to the forefront. People also asked me hard questions like the conditions in which our officers live. We will discuss this in our Committee. As a Member of the Committee, I would not like to discuss this issue.

However, I want to mention one person who has done a very good job in this Government - the Cabinet Secretary for Administration and Internal Security, Prof. Kindiki Kithure. I am happy he has stopped the wanton destruction of lives in the North-Rift region. We are now reporting peaceful areas in the Rift Valley and in some parts of northern Kenya. I thank him for doing this. We, in the Departmental Committee on Administration and Internal Affairs, are forgetting the modernisation of whatever equipment our officers are using.

The Temporary Speaker (Hon. Omboko Milemba, ANC): You have had your bite, Hon. Sigei. I encourage Members to be as brief as possible to allow as many Members as possible to have a bite of the cherry.

Let us hear Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. At the outset, I thank Hon. Bernard from Nandi Hills Constituency for this Special Motion. Some colleagues are saying that we should return our forces from the Africa Union Mission in the Democratic Republic of Congo and Somalia. Those forces should remain where they are. Terrorism is the weapon of the weak against the strong. Planting IEDs on roadsides and attacking isolated villages sporadically is just showing the weakness of *Al Shabaab*. You may wish to know that the *Al Shabaab* is being chased out of Somalia. They are defeated. They are on the run. As Kenya, we should not give them a sanctuary. So far, we have lost close to 21 persons over the last two months - 10 KDF soldiers, five Kenya Police Reservists, and five civilians. That is not a small number killed by enemies.

For that reason, I want to say that we, the Kenyan people, know that terrorism is about targeting people when they are vulnerable. A good example is the attack on the Garissa University in 2015. Our people must rise up for that reason, particularly the people of northern Kenya. We should not just leave it to the security forces to handle these things. We should provide intelligence to the Government by volunteering information on suspected characters in our midst and getting more of our people to talk to the youth, particularly elders and imams. The *Al Shabaab* ride on radicalisation. We may continue to face this menace so long as we do not address the issue of radicalisation, and people will help this thing to thrive.

I join Hon. Sigei in saying that Prof. Kindiki is doing a good job. We see Mine-Resistant Ambush-Protected (MRAP) vehicles and Armoured Personnel Carriers (APCs) being used. I think we want to have more of these vehicles so that our soldiers are not on soft-skinned land cruisers and lorries that are easy targets of IEDs. There are those saying we should use gadgets to pick out the IEDs. It may be quite difficult at this point in time. What is important is vigilance and rapid changeover of our soldiers so that those who have finished six months in those operation areas can be relieved. At every point in time, we should have fresh boots on the ground.

Hon. Temporary Speaker, the attacks in north-eastern Kenya and the Coast regions have recurred at a time when the Cabinet Secretary for Defence is Aden Duale; the National Intelligence Service Director-General is Noordin Haji; the Director, Directorate of Criminal Investigations (DCI) is Amin Mohammed; the Deputy Inspector-General of Police (DIG) is

Noor Gabow, and the Director of Military Intelligence (DMI) is Major-General Burje. These are among most qualified people, and *Al Shabaab* have made a big mistake. The people of northern Kenya are up to task. I call upon these honourable men to know that we count on them. We count on their expertise to help Kenya in the hour of need.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Farah.

Hon. Farah Maalim (Daadab, WDM): Thank you very much, Hon. Temporary Speaker. I also wish to weigh in on this issue which is very close to our hearts. Those of us who come from north eastern Kenya and the districts of Lamu and Tana River know the problem.

As a matter of fact, my two very good young men here - I should call them my sons because they are all young except the first one, who is older than my son, Hon. Yakub and Hon. Ali of Ijara - have a very tough task right now. Just navigating through their constituencies to give attention to their constituents and see how they can deliver development, they literally have to go with a convoy of security men and women.

I am very happy I have heard Hon. Sigei. He was a District Commissioner in Garissa when we were going through similar problems many years back, in the 1990s. We did a fantastic job there. The manner in which you deal with these people has got to be very specialised. Colonel Raso will tell you that. You do not use a conventional force where you say bring a backup of forces. This is not about numbers. These people move in small groups of four, five or six men and carry out these terrorist acts. They do not move in their thousands. They do not face military forces in a frontal attack. When they realise that our soldiers are approaching their positions, they hide.

The best way to deal with them - I want my colleagues to support me on this one - is for us, first of all, to create our own *macawisley*, which is our own KPR. The KPR is in a position to attack and smoke them out of wherever they go. Right now, in my constituency there is nobody there. Hon. Yakub will tell you that there is nobody there. There is no single *Al Shabaab* terrorist in my constituency. We flashed them out. I spent my own resources to send those young men to track them on foot and tackle them. Just the other day, they tried to attack outside Hamay and you heard what happened to them. Four of them were gunned down. Let these young men get the same support and we put in resources into that effort. Let us pay KPRs better than we do now. The KPRs do not get paid anything. They get paid a paltry Ksh5,000 a month, and that amount does not come for six or seven months in a row. If we put a little bit of more resources into this effort by giving them a little more fire power and we follow them up with provisions of foodstuffs, bullets and the rest of such stuff, we can finish up this problem at a minimum cost. We can literally smoke out remnants of *Al Shabaab* from our homeland and get rid of them.

You tell a young man who grew up in the lake or mountain regions, and trained at Kiganjo Police Training College as a police officer to track down such hardened criminals, you are sentencing such a young person to death. It is not fair at all for these young people to be sent after those hardened, seasoned, very crooked guys because they will just be ambushed and get killed. They set up IEDs everywhere they go. The IEDs have the capacity to be put underground. I almost lost my life when I was campaigning last time because there was an attempt on my life using IED. They hide in the bush and detonate the IEDs wherever vehicles carrying security personnel drive near the place where the bombs have been planted. However, if they are being chased on foot by people who know them, it will be much easier to tackle them. I do not know if we have a Pokot Member of Parliament in here. We could also do with a few members of the Pokot community in the security forces, the Turkana and some of the people who have had a similar situation like ours. We smoke them out and chase them away. Give me just a few more minutes. Those people know how to deal with the *Al Shabaab* menace.

You cannot use a conventional force. It has to be a home-grown solution. You need to get people who understand how the terrorists work and give them resources. They will flush them out. They will get rid of all of them. You do not need any sophisticated military equipment. You just need to be smart.

The Temporary Speaker (Hon. Omboko Milemba): You have had your bite of the apple, senior. Other Members have also been waiting to contribute.

Let us have Hon. Jackson Lekumontare from Samburu. He is also from those areas. Proceed.

Hon. Jackson Lekumontare (Samburu East, KANU): Thank you, Hon. Temporary Speaker. I also support this Motion. This issue has been with us for quite some time. We have lost many soldiers over the years. Members of the *Al Shabaab* could be from outside the country as well as from within the country. These are youths from all over Kenya. Recently, I was surprised to learn that some people who were arrested by military personnel as being part of the *Al Shabaab* come from Samburu.

Sometimes we get information from the outside world that the *Al Shabaab* militia group is going to carry out an attack. Our military intelligence needs to be empowered because these guys hit us from within the country. We lost many people in Lamu. The current situation there is pathetic. People are not sleeping. Yesterday, I watched news on television and I saw that people get really worried at night and go to sleep within school compounds. It is important that we discuss these issues because if Lamu is not safe, nobody is safe. The Government should come out strongly and deal with the *Al Shabaab* menace. It is important that we support the Government military personnel, so that we can have peace within our country.

With those remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Let us give a chance to Hon. Paul Biego. You have two minutes.

Hon. Paul Biego (Chesumei, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity. First and foremost, I congratulate my brother, Hon. Kitur, for bringing this Motion. As much as he comes from the North-Rift region, he has brought an issue of national importance. Insecurity in the entire north eastern region, especially in Lamu, has become a concern. I echo the sentiments made by the Members who spoke before me that we need gadgets that can detect IEDs. We also need to equip our guards or security personnel with armoured vehicles, taking into consideration that they have families and are needed in society. Their families need them. Therefore, it is important that we give them proper equipment and ammunition.

I would like to commend the Government for forming the Maraga Task Force to address issues of welfare and financial independence of police and prison officers. I also take this opportunity to thank all the Members who have put their points across.

I support the Motion.

The Temporary Speaker (Hon. Omboko Milemba): Finally, Hon. Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you, Hon. Temporary Speaker. I join my colleagues who have spoken before me in giving credit to the Mover of the Motion. It is high time Kenya woke up. It is high time Kenya, especially the Government, took up this challenge and took full responsibility on this matter of the *Al Shabaab*. Hon. Farah alluded to the fact that there are better home-grown ways of dealing with this matter. I have also been having the problem of bandits in my home county of Baringo. It is very clear that when the community takes up such a matter, it is easily dealt with it. The community understands the people involved. These are criminals who most likely grew up in the same environment. As much as KDF officers do a lot of work, we need to support them through intelligence so that they can act as fast as possible to avert terror attacks.

With those remarks, I support.

ADJOURNMENT

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, let us be upstanding. The time now being 7.01 p.m., the House stands adjourned until Tuesday, 4th July 2023 at 2.30 pm.

The House rose at 7.01 p.m.

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