



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Tuesday, 1st August 2023

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

Hon. Speaker: Do we have quorum? Serjeants-At-Arms, you may ring the Quorum Bell.

(The Quorum Bell was rung)

Serjeants-At-Arms, do we have quorum? Clerks-at-the-Table, proceed.

(Several Members walked into the Chamber)

Hon. Members, take the nearest seats.

PETITION

COMPENSATION OF COMPULSORY ACQUIRED LAND AND PROPERTIES ALONG KIBWEZI-KITUI ROAD

Hon. Members: Hon. Members, I have a Petition regarding compensation of compulsory acquired land and properties along the Kibwezi-Kitui Road. Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition other than those presented by a Member. In this regard, I wish to report to the House that my office has received a Petition from one Ibrahim Nthitu Makwattah on behalf of landowners of land and properties compulsorily acquired by the Government of Kenya for the construction of the Kibwezi Lorry Park and roadside amenities along Kibwezi-Kitui Road.

The Petitioner avers that the landowners he is representing were invited for a meeting in the Office of the Deputy County Commissioner of Kibwezi Sub-County on 7th October 2021 where they were informed of the decision by the Government of Kenya to acquire parcels of land for purposes of constructing a lorry park and other roadside amenities. During the said meeting, the national and county government's Kenya National Highways Authority (KeNHA), the National Lands Commission (NLC), and APEC consortium were in attendance. The affected landowners were requested to give access to their properties for purposes of identification of beacons and measurements for design purposes.

Hon. Members, the Petitioner is perturbed that when it was time for this exercise to commence, none of the government officers were present. Instead, staff of APEC consortium participated in the exercise of 8th October 2021 claiming to represent the Kenya National Highways Authority (KeNHA).

The Petitioner adds that the KeNHA published a Gazette Notice indicating interest in the parcels of land and inviting the landowners for negotiations, a process which he claims was unsuccessful. The Petitioner states that immediately thereafter, the NLC wrote to affected landowners informing them that the KeNHA had been granted full access to commence construction. The Petitioner asserts that all efforts to have the matter settled amicably including the intervention of then Makueni Senator have all been unsuccessful.

The Petitioner thus prays that this House investigates the alleged illegal acquisition of their properties, investigates why affected landowners were not compensated, what was the role of APEC Consortium in the compulsory acquisition of the properties and whether NLC shared the valuation report and any recommended offers to the affected landowners.

Having established that the matter raised in the Petition is well within the authority of this House; and further, that the matters raised in this Petition are not pending before any court of law, constitutional or legal body, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A. The Committee is required to consider the Petition and report its findings to the House and the Petitioner in accordance with Standing Order 227(2).

Hon. Members, before I give you time to comment, is the Chairman of the Public Petitions Committee here? Any Member from that Committee? There are very many petitions pending before this Committee. If this situation continues, I will ask the Leaders of the Majority and Minority Parties to consider reconstituting this Committee so that it can serve the public. I do not believe the public is being properly served to have many petitions committed to the Committee and nothing comes back to the House.

The Leader of the Minority Party.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, I cannot agree more with you on this matter. It is not the first time we are raising this issue of perpetual absence from the House of the leadership of the Public Petitions Committee. In fact, it has now gone beyond the leadership. Even the membership has started becoming absent. It is the right time to deal with this matter once and for all. As things stand, this is a Committee that has the highest number of issues that come to the Floor of this House every other day. It is a Committee that should be permanently in the House and proactive so that it can deal with the many petitions that are of utmost concern to the public. I will be suggesting to Hon. Ichung'wah, my good friend, that we move with speed and convene the Committee on Selection to not only look at this Committee but also others so that we can deal with these issues more comprehensively going forward.

Hon. Speaker: Thank you. The Leader of the Majority Party.

Remember, Minority and Majority Party leaders, that Kenyans come to this House because they have hope that you can resolve their issues. When their petitions come here and queue on end, then we are letting Kenyans down.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I have nothing to add to what you and the Leader of the Minority Party have said. Other than the Member for Baringo Central, Hon. Kandie, who is a Member of that Committee and is here, the Chairperson, Hon. Nimrod Mbai, is not here. I am informed the Vice Chairperson is admitted in hospital. This is the second time the House is noting displeasure with the absence of the Chairperson of the Public Petitions Committee. We now have no choice. Members of that Committee need to do the needful. All these Members especially the chairpersons of committees lobbied our parliamentary group meetings to be selected and voted for as chairpersons of committees.

Being a Chairperson of a Committee comes with responsibilities. There is no reason why even you, Hon. Speaker, would be coming here at 2:30 p.m. to wait for quorum while we have 60 Chairpersons and Vice-Chairpersons, more than the required quorum to begin Sittings

of the House. I am saying this not only to the Chairperson of the Public Petitions Committee but to all the other chairpersons of committees.

You also notice that Wednesday mornings, Members Private Bills and Motions are coming before the House but the chairpersons of committees are not there to give the views of their Committees on those Private Bills and Motions. I am also getting petitions from ministries on how certain Motions and Bills are going through the House without the input of ministries. That is a failure by the Chairpersons and Vice-Chairpersons of Committees.

Hon. Speaker, let me say for the record that I have surrendered. I surrender. As far as chairpersons of committees are concerned, I surrender. For any chairperson who does not take their work seriously, Members have the liberty to impeach that chairperson and elect another one. I will be very much available to ensure that happens. That is the only way to make sure that when a Member takes up responsibility as a chairperson or vice chairperson of a committee, the Member is available in the House and in their committee to show the way.

Thank you, Hon. Speaker.

Hon. Speaker: So much on the Committee. Hon. Makali Mulu.

Hon. Makali Mulu (Kitui Central, WDM): Thank you very much Hon. Speaker. Before I say something about the Petition, let me weigh in on this matter of the Committee and Chairperson of this particular one.

Time has come for the 13th Parliament to reconsider the wisdom behind centralising all petitions under one Committee. In the 11th and 12th Parliaments, where I served, petitions were taken to specific committees depending on the subject matter. That might be another way out. At the same time, I get very concerned when I see the Leader of the Majority Party surrendering. On a serious note, when the Leader of the Majority Party surrenders and this House is full of competent Parliamentarians and Members of Parliament...

Hon. Speaker: Hon. Makali Mulu, I understood the Leader of the Majority Party to be saying he will not defend any Chairman.

Hon. Makali Mulu (Kitui Central, WDM): Let him give us hope. He is the one who appointed these people. I do not know how.

Hon. Speaker: Go on.

Hon. Makali Mulu (Kitui Central, WDM): I must thank the Petitioner. This matter is very serious in our region, that is, Makueni and Kitui counties, where this road was constructed about five years ago. None of our people has been compensated for the land they donated. The law is very clear that when the Government acquires land for purposes of public good, it must compensate those who have given out the land. I really thank this Petitioner and wish this Committee takes this matter up urgently to make sure that our people are compensated.

That said and done, the issue has always been the budget. I urge this House, that when it comes to budgeting, to make sure that we allocate resources for compensating Kenyans not specifically Kitui or Makueni but all Kenyans who have given out their land for purposes of constructing projects and programmes which benefit Kenyans.

With those remarks, Hon. Speaker, I would want to see this Committee working very fast to give us a resolution as a House so that we resolve the matter. I thank you Hon. Speaker for the time.

Hon. Speaker: Thank you. Those I give an opportunity, take two minutes. Hon. Yusuf Hassan. The screen is full as usual. I do not know for what matter.

What is the matter, Hon. Mwengi Mutuse? Hon. Yusuf, were you queuing for this?

Hon. Yusuf Hassan (Kamukunji, JP): No.

Hon. Speaker: Hon. Mwengi Mutuse.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Thank you, Hon. Speaker. The Petition partly touches on my constituency. I want to confirm to this House that the Petitioner is a person that I personally know. The owners of the parcels of land that were acquired for

purposes of construction of the lorry park are also known to me. They are actually my constituents. It is, indeed, true that around the 21st March, I brought a Question before this House on the same matter. The Question has not been replied to by the Cabinet Secretary for Lands, Public Works, Housing and Urban Development. I have revived the same Question and it has also not been replied. Even as we interrogate the Petition through the Public Petitions Committee, I would request your indulgence on the questions that we have filed before this House that the Cabinet Secretary may also shed light. This is because as a Member of Parliament, I had brought a Question related to that parcel of land.

Hon. Speaker, I also want to confirm that the Petition is, indeed, very valid as it has been said by Hon. Makali Mulu. Our people gave out their land in 2017 for the construction of Kibwezi-Kitui Road: 26 kilometres are in my constituency and none of them, including those whose lands were acquired at Kibwezi Town for construction of a lorry park, have been compensated. We are made to understand that the NLC has money for that compensation as it was budgeted for by this Parliament in subsequent years. We have been wondering why the same has not been given to our people. My request is that the Public Petitions Committee moves with speed so that our people may realise their rights.

Thank you, Hon. Speaker. I also want to thank the Petitioner and my people of Kibwezi for bringing the Petition before this House.

Hon. Speaker: Hon. Didmus. I hope you are giving...

Hon. Didmus Barasa (Kimilili, UDA): Thank you, Hon. Speaker, for giving me this opportunity. The Petitioner raises very pertinent issues that need to be looked into. As the Departmental Committee on Transport and Infrastructure, we are ready to work with the Public Petitions Committee to have this matter resolved. There are very many Kenyans who had their land forcefully acquired by Government and it is their right to be paid their dues. Any slight delay should not be tolerated. As a House, we must ensure that all those people plus very many other Kenyans whose lands have been forcefully acquired by Government are compensated as quickly as possible.

I support this Petition.

Hon. Speaker: Thank you. Hon. Members, the Petition is committed... Hon. Atandi, do you want to speak to this? Hon. Atandi, you have the Floor.

Hon. Samuel Atandi (Alego Usonga, ODM): Thank you, Hon. Speaker. I stand to support this Petition. There are many petitions touching on land compensation which have not been resolved by this House, including in my constituency.

Hon. Speaker, I would like you to know that there is a road from Siaya Town to Nyadorera to Port Victoria which was done 20 years ago and the parcels of land which were acquired during that period have not been compensated to date. So, we want to urge the NLC to fast track these matters because it appears that it is sleeping on the job. I do not know what this Commission does other than corruption. I think this Commission also needs to be checked by this House. The Departmental Committee that is in charge of overseeing this Commission needs to check whether it is working or not.

Secondly, I have a Petition before this Committee touching on Cytonn Investments. When we appeared before this Committee together with the petitioners, I realised that the petition should have gone to another Departmental Committee but not this particular one. This is because the petition had technical issues which should have been handled by the competent Departmental Committee on Finance and National Planning. So, the question of centralising this petition is something that this House needs to check so that it is taken to a Departmental Committee that is competent enough with Members who are well versed to resolve it.

Thank you, Hon. Speaker.

Hon. Speaker: The County Woman Representative for Isiolo. Give her the microphone.

Hon. Mumina Bonaya (Isiolo County, JP): Thank you, Hon. Speaker. I would like to add my input on the matter of compensation that continues to affect almost everyone in this country. In my county, we have the Horn of Africa Road that passes all the way from Kulamawe to Modogashe. To date, those whose lands were acquired by Government are yet to be paid. This is happening and the roads are already underway in terms of construction. No communication has been given to the affected locals. No discussion on compensation has also taken place to date. The locals have just been left in darkness. They have been visiting the National Lands Commission, and it has just been a promise after promise. Nothing is happening and this is a matter that needs to be seriously taken up. This delay portrays us as incompetent representatives of the people. Therefore, I want to appeal to this House to take up this matter seriously so that the locals are compensated.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Justice Kemei.

Hon. Justice Kemei (Sigowet/Soin, UDA): Thank you, Hon. Speaker for the opportunity to add my voice to this issue of compensation. When the Government acquires land or property from the owners, they have no otherwise except to surrender that land. They will also rely on Government valuation; they do not even get the kind of value they would wish for. We will not be doing justice to our people when the authorities within Government delay in effective compensation. As I speak, we have the Soin-Koru dam, a massive project that is being done between Sigowet/Soin and Muhoroni constituencies. The land was forcefully acquired about 10 years ago. To date, majority of the landowners in that project have not been compensated. I want to thank Mr. Makwattah Ibrahim for bringing this issue to Parliament. I want to request that his case is promptly and expeditiously processed. Competent authorities in Government should also do the same when it comes to compensation.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Mwafrika.

Hon. Kamande Mwafrika (Roysambu, UDA): Thank you, Hon. Speaker. I wish to enrich what one Member said about these compensations. The Cabinet Secretary should come and answer questions related to these petitions. The Ministry of Roads and Transport undertakes compulsory acquisitions and then it hands over money which is supposed to be compensated to the owners of the land to the Ministry of Lands, Public Works, Housing and Urban Development which knows the owners of the land. So, after compulsory acquisition by the Ministry of Roads and Transport, the money is handed over to the Ministry of Lands, Public Works, Housing and Urban Development. In cases where there are difficulties in compensation, most of those parcels of land have issues like court cases because of ownership. I wish to support that the Cabinet Secretary for Lands, Public Works, Housing and Urban Development is invited to this House to answer questions related to these petitions and the compulsory acquired compensations.

I thank you.

Hon. Speaker: Hon. Member for Kesses.

Hon. Julius Rutto (Kesses, UDA): Thank you very much, Hon. Speaker. I also rise in support of the Petition. Further, I would like to raise a matter with the Kenya Electricity Transmission Company Limited (KETRACO). The company has constructed main lines from Lessos to Nakuru, which touch Cheboror Farm. The line has been commissioned but compensation is yet to be done. The land owners cannot utilise the land because compensation is yet to be done. I request the Public Petitions Committee to look into this matter and ensure that the farmers are compensated accordingly for the land that they ceded to KETRACO.

Thank you very much, Hon. Speaker.

Hon. Speaker: Hon. Wamuchomba.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Thank you, Hon. Speaker. I appreciate the opportunity you have given me. I have some matters that I want to bring to the attention of the House with regard to the concern that has been raised by Hon. Atandi on NLC. He has alluded to the fact that the Committee that oversees NLC needs to up its game in terms of oversight because there is too much backlog on the table that is supposed to be tackled by NLC. As the Chairperson of the Constitution Implementation Oversight Committee, I appreciate that we have had a meeting with NLC to understand the predicaments that hinder the process of implementation of their work.

I must confess that this is a Commission that is very confused because they do not know where they are supposed to be reporting to. The other day they were requested to be reporting to the Office of the President on activities that surround compensation of land. So, this is an issue that needs to be given some special attention because the confusion will further delay the workload that Members in this House are complaining about. The confusion will affect compensation for land in preparation for implementation of national government programmes. I wish to defend NLC because I know the confusion is one of the contributors to their not being able to execute their mandate as they ought to. Additionally, because they are not allocated ample budget, they have a problem and they are not able to meet the expectations of Kenyans, especially when it comes to decentralisation of their services.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. This Petition stands committed to the Public Petitions Committee. The Committee should report back to the House and the Petitioner within 60 days.
Next Order.

PAPERS

Hon. Speaker: The Leader of the Majority Party.

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

1. Reports of the Auditor-General and financial statements of Kenya Universities and Colleges Central Placement Services Staff Mortgage and Car Loan Scheme for the years ended 30th June 2017 and 30th June 2022 and the certificates therein.
2. Reports of the Auditor-General and financial statements of Kitambo Vocational Training Centre for the years ended 30th June 2021 and 30th June 2022 and the certificates therein.
3. Reports of the Auditor-General and financial statements of Ahero Vocational Training Centre for the years ended 30th June 2021 and 30th June 2022 and the certificates therein.
4. Reports of the Auditor-General and financial statements in respect of the following institutions for the year ended 30th June 2022 and the certificates therein:
 - (a) Archbishop Okoth Vocational Training Centre;
 - (b) Kadongo Vocational Training Centre;
 - (c) Wachara Vocational Training Centre;
 - (d) Seme Vocational Training Centre;
 - (e) Navakholo Technical and Vocational College;
 - (f) Kipipiri Technical and Vocational College;
 - (g) Molo Technical and Vocational College;
 - (h) Mochongoi Technical and Vocational College;
 - (i) Dr Daniel Murende Wako Technical and Vocational College;

- (j) Naivasha Technical and Vocational College;
 - (k) Mwala Technical and Vocational College;
 - (l) Kajiado East Technical and Vocational College;
 - (m) Kajiado West Technical and Vocational College;
 - (n) Kadenge Technical and Vocational Training College;
 - (o) St. Paul's Kibabii Diploma Teachers' Training College;
 - (p) Lugari Diploma Teachers' Training College;
 - (q) Masinga Technical and Vocational Training College;
 - (r) Nuu Technical and Vocational College;
 - (s) Moi Teachers College, Baringo;
 - (t) Sot Technical Training Institute;
 - (u) Bondo Technical Training Institute;
 - (v) PC Kinyanjui Technical Training College Institute;
 - (w) Machakos Technical Institute for the Blind;
 - (x) Simlaw Seeds (Uganda) Limited;
 - (y) Kenya National Assurance Company (2001) Limited; and
 - (z) Kenya Wildlife Services.
5. Performance Audit Report of the Auditor-General on deficit financing operations by the National Treasury for July 2023.
 6. Reports of the Auditor-General on forensic review of procurement and management of power purchase agreements by Kenya Power and Lighting Company PLC.

Thank you, Hon. Speaker.

Hon. Speaker: Chairperson of the Committee on Delegated Legislation, Hon. Chepkonga.

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

Report of the Committee on Delegated Legislation on its consideration of the Excise Duty (Amendment) Regulations, 2023 (Legal Notice No.40 of 2023).

Hon. Speaker: Hon. Members, before we go to the next order, allow me to acknowledge the following schools in both the Public and Speaker's Galleries: Endao Solai Primary School, Subukia, Nakuru County; Central Primary School, Saboti, Trans Nzoia County; Nzalai Secondary School, Mwingi West, Kitui County; Chwele Academy, Kabuchai, Bungoma County; and Ngenia Primary School, Laikipia North, Laikipia County.

Hon. Members, on your and my own behalf, I welcome the teachers and students of the schools to Parliament. The Member for Kabuchai has requested one minute so that he can welcome the students from his constituency and the other schools to Parliament on his and on behalf of other Members.

Hon. Majimbo Kalasinga (Kabuchai, FORD-K): Thank you very much, Hon. Speaker, for allowing me to welcome all these very good schools to this House. I also take this opportunity to thank you because it was during your tenure, as the Member for Sirisia and the Minister for Foreign Affairs, when this very good school, Chwele Academy, was initiated. It was through your guidance that the school was initiated. So, thank you very much for giving us these good friends in our constituency of Kabuchai.

I also welcome all the other schools present in the House. The performance of Chwele Academy is exemplary, just like yourself. This school was third in the entire former Western Province, hammering 388 marks as a mean score. This school is situated in my constituency and I am delighted to welcome them to this House. They can now witness how I speak English on the Floor of the House.

Thank you very much, Hon. Speaker.

(Laughter)

Hon. Speaker: Thank you. Next Order.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON THE EXCISE DUTY (AMENDMENT) REGULATIONS (LEGAL NOTICE NO.40 OF 2023)

Hon. Speaker: Hon. Chepkonga.

Hon. Samuel Chepkonga (Ainabkoi, UDA): Hon. Speaker, I have two Notices of Motions to give.

I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Excise Duty (Amendment) Regulations, 2023, laid on the Table of the House on Tuesday, 1st August 2023, and approves the Excise Duty (Amendment) Regulations published as Legal Notice No.40 of 2023.

Hon. Speaker, can I give the next Notice of Motion?

Hon. Speaker: Yes.

EXTENSION OF TIME FOR CONSIDERATION OF CERTAIN STATUTORY INSTRUMENTS

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

THAT, pursuant to the provisions of Section 15(3) of the Statutory Instruments Act, 2013 relating to extension of period of handling of a Statutory Instrument by the National Assembly, this House resolves to extend the period for consideration of the following Statutory Instruments by a period of 21 days:

1. The National Cereals and Produce Board (National Strategic Reserve) Regulations, 2023 (Legal Notice No. 25 of 2023) with effect from 1st August 2023;
2. The Universities Regulations, 2023 (Legal Notice No.56 of 2023) with effect from 17th August 2023;
3. Access to Information (General) Regulations, 2023 (Legal Notice No.57 of 2023) with effect from 17th August 2023.

I thank you, Hon. Speaker.

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

STATEMENT

RECOGNITION OF THE BUNGE GOLF TEAM

Hon. Speaker: Hon. Rindikiri Mugambi, Captain of the Bunge Golf Team.

Hon. Mugambi Rindikiri (Buuri, UDA): Hon. Speaker, pursuant to Standing Order 43(1), I wish to make a Statement on the participation of the Bunge Golf Team in the Uganda-Kenya Bilateral Golf Tournament hosted by the Parliament of Uganda Golf Team.

The Parliament of Kenya has, through the Parliamentary Service Commission, incorporated sports as one of the activities aimed at enhancing wellness among Members and staff, while also entrenching institutional teamwork, unity and collaboration. Sports play vital roles in fostering unity, discipline and healthy competition, not only within our region but also among Members of Parliament and staff in the East African Community (EAC). To this end, our Parliament embraced sporting activities as one of the avenues for promoting parliamentary diplomacy and deepening co-operation among the EAC partner States.

Further, in line with promotion of parliamentary diplomacy and regional integration through sports, I am honoured to report to this House that the Bunge Golf Team participated in a friendly Golf Tournament in Entebbe, Uganda from 21st to 27th May 2023 under the auspices of Parliament of Uganda Golf Team. The team gallantly staged a strong challenge and emerged runners-up in the prestigious tournament and produced the best female and male golfers. Indeed, our sportsmen and sportswomen demonstrated a true spirit of resilience and determination that serves as an inspiration to others to emulate in pursuing excellence. As the Bunge Golf Team captain, I am proud of our golfers for their commitment to the game and dedication that brought glory to our institution.

The outstanding achievement by the team would not have been possible without your unwavering support, as a passionate sports enthusiast, to its endeavours. With your indulgence, I invite Members to join me in commending the Bunge Golf Team for its exemplary performance.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Rindikiri. On behalf of the House, I congratulate the team for the exemplary performance. Indeed, you presented the big cup that you won in Kampala to Hon. Speaker. The victory and pride are not only for the team but also for the entire Parliament. Well done.

REQUEST FOR STATEMENT

HUMAN WILDLIFE CONFLICT

Hon. Speaker: Member for Ganze, Hon. Tungule Kenneth Kazungu. Give him the microphone. He is over there.

Hon. Kenneth Tungule (Ganze, PAA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife regarding the serious human wildlife conflicts currently being experienced in parts of Ganze Constituency.

In the recent past, Mitangani, Bamba, Bandari, Ndigiria, Mrima wa Ndege and Mwahera locations in Ganze Constituency are experiencing an influx of unprecedented large herds of elephants invading farms and residential areas. The said areas received rains after a debilitating drought that lasted for seven consecutive seasons.

The matter was reported to Kenya Wildlife Service (KWS) officers stationed in Gede in Malindi whose response has been lethargic. As a result, for the last three months, elephants have been roaming freely in residential and agricultural areas with no meaningful interventions by KWS. School attendance has dropped almost by half in schools like Migujini, Midoina, Jira, Rimarapera, Mitangani and Managoni owing to this menace, as it is too risky for students to walk to school. Even for those who attend school, classes start late in the morning and close early to enable students to be at home before dusk.

A number of lives have also been lost as a result of this menace. Two persons, namely Safari Luganje Kaviha of identification card No.20902603 from Makalongoni Village, Mwangea Sub-location, Mwaera Location; and Kalume Tambo Karisa of identification card

No.28611788 from Kadziweni Village, Maryango Sub-location, Bamba Location, were killed by stray elephants on 27th and 28th July this year, respectively.

It is against this backdrop that I seek a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife on the following:

1. Could the Chairperson state the measures that the Ministry is taking to ensure that the herds of elephants are returned back to Tsavo East or other conservation areas?
2. Could the Chairperson state how soon KWS will compensate all those whose farms and crops were destroyed and families who lost their loved ones?

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Next Order.

REPORT ON UNITED NATIONS CONVENTION AGAINST CORRUPTION
(UNCAC) AND GLOBAL PARLIAMENTARIANS AGAINST
CORRUPTION (GOPAC) MEETING

Hon. Speaker: Leader of delegation, Hon. Shakeel Shabbir, you may proceed to move your Motion.

Hon. Shakeel Shabbir (Kisumu East, Independent): Hon. Speaker, I beg to move the Motion under Order 8 that this House notes the Report of the Kenya Delegation to the Parliamentary Dialogue on United Nations Convention Against Corruption (UNCAC) and Global Parliamentarians Against Corruption (GOPAC) Annual General Meeting, held in Doha, Qatar from 8th to 9th March 2023, laid on the Table of the House on Wednesday, 26th April 2023.

Hon. Speaker: No. I beg to move the following Motion. Read the Motion as it is and tell the House what it is all about.

Hon. Shakeel Shabbir (Kisumu East, Independent): I beg to move this Motion as it is.

Hon. Speaker: No. Read the Motion as it is on the Order Paper. Give him the microphone.

Hon. Shakeel Shabbir (Kisumu East, Independent): Hon. Speaker, I beg to move the following Motion:

THAT, this House notes the Report of the Kenya Delegation to the Parliamentary Dialogue on United Nations Convention Against Corruption (UNCAC) and Global Parliamentarians Against Corruption (GOPAC) Annual General Meeting, held in Doha, Qatar from 8th March 2023, laid on the Table of the House on Wednesday, 26th April 2023.

Hon. Speaker: Excellent. Now proceed to elucidate your facts.

Hon. Shakeel Shabbir (Kisumu East, Independent): Thank you, Hon. Speaker I should have known better. Apologies.

The world over, the cancer of corruption has spread exponentially, especially in developing countries with devastating socio-economic and governance consequences. It persists in developing countries despite the proliferation of legal, institutional and other measures that have been put in place to fight corruption. In mitigation, The United Nations Convention Against Corruption (UNCAC) was initiated in 2003 and has since been recognised as a reference framework for the fight against corruption. Kenya was one of the first countries who signed this Convention.

The UNCAC implementation requires the participation of political stakeholders such as the GOPAC and the African Parliamentarians' Network Against Corruption (APNAC). It reflects the conviction of the States Parties that anti-corruption measures should be embedded in coordinated policies instead of being carried out in isolation or an ad hoc manner.

It is against this background that the 2023 Doha Dialogue was organised to address the underlining issues of Parliament and parliamentarians' engagement with UNCAC.

The event drew a strong focus on implementing good practices to address corruption by GOPAC and APNAC parliamentarians made the following observations:

1. The Implementation of UNCAC provisions is weak.
2. International cooperation is not at its best especially with regard to money laundering, asset recovery, asset declaration, and beneficial ownership is also weak.
3. The funding of major anti-corruption activities in developing countries is weak and inconsistent.
4. Restrictions on the participation of Civil Society Organizations (CSOs) and the media are increasing.
5. APNAC Kenya was applauded for the pace setting activities carried out to strengthen the capacity of Kenyan parliamentarians and executive institutions to prevent and combat corruption. In this regard, the Hon. Speaker of the Kenya National Assembly was congratulated with a prestigious award in honour of his efforts to unite Kenyan legislators against corruption. APNAC is one of the oldest caucuses in Parliament since 1999. We have a number of parliamentarians who are members. We feel strongly that every parliamentarian has a desire to fight corruption and we welcome their initiatives.

The Kenyan delegation to the 2023 UNCAC Convention, therefore, makes the following recommendations:

1. It is time for the international community to seriously explore the idea of establishing a Permanent Anti-Corruption Council similar to the Human Rights Council at the United Nations level to regulate anti-corruption efforts and facilitate peer to peer learning.
2. The leadership of Kenya is urged to strengthen initiatives and activities that promote ethical values, integrity, transparency, good governance and patriotism reinforcing them in the education framework to develop the mind-set and attitudes of Kenyans, especially school going children and the youth.
3. Adopting the Republic of Rwanda model, Kenyan Members of Parliament should be capacity enhanced through regular training sessions on new forms of corruption and how to prevent and fight the same, in collaboration with Ombudsman Office, the Kenya Anti-Corruption Authority, Transparency International and the Office of the Public Prosecutor.
4. Members of APNAC-K should be facilitated to promote transparency, accountability and good governance amongst parliamentarians, national and community leaders and the general public.
5. APNAC-K Chapter should engage as many MPs as possible in APNAC-K activities in order to help change the mind-set of the general public in support of anti-corruption.
6. APNAC-K should expand its activities to include promotion of cultural and Christian and Muslim values, reinforcing them in the mind-set and attitudes of the people especially the young generation.
7. Parliamentary leadership (the Office of the Hon. Speaker) should promote the role of Parliamentarians and other legislative bodies in the management of public finances and ensure their capacity to exercise effective budget oversight.
8. There is need to work harder to demonstrate that parliamentary oversight is needed during and outside of emergency crises. The Kenya Parliament was applauded for the work it has done in APNAC.

The Members who attended the workshop and represented Parliament so well were:

1. Hon. Shakeel Shabbir - Leader of the Delegation
2. Hon. Benard Kitur Kibor.
3. Hon. Rael Chepkemoi Kasiwai.

The APNAC is a strong caucus of Parliament. We plead with all Members of Parliament to support us in all our activities. I ask Hon. (Dr) James Nyikal to second this Motion.

Hon. Speaker: Let us have Hon. (Dr) James Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Speaker for this opportunity. I rise to support that the House notes the Report of this delegation.

Hon. Speaker: For purposes of record, you rise to second the Motion not support.

Hon. (Dr) James Nyikal (Seme, ODM): I stand corrected. I rise to second this Motion, that the House notes the Report of this delegation.

In this country, the two biggest enemies that we have are corruption and nepotism. In common parlance, we always refer to it as tribalism.

(Loud consultations)

Hon. Speaker: Order! Hon. Members, the conversations are far too loud. We can barely hear what the distinguished Hon. (Dr) James Nyikal is saying.

Hon. (Dr) James Nyikal (Seme, ODM): If we can conquer corruption and nepotism this country can fly in all terms; economic development and all types of growth. That we have a group of Parliamentarians that have come as a caucus to fight this is commendable. From the workshop, we noted that corruption is increasing, the implementation of the international conventions is weak, the international cooperation against corruption is weak and is not supported in areas such as money laundering, asset recovery, asset declaration and beneficial ownership, which are extremely important in fighting corruption. It does not matter that people are taken to court and charged. If the proceeds of corruption and money laundering are not dealt with, we will not go far.

It was noted in this workshop that the activities of civil society on corruption are weak. This is interesting if you look at how active the civil societies are when they are talking about human rights and intransigence of Government.

The workshop noted that the Kenyan Parliament has done a lot, particularly under your leadership, Hon. Speaker, to strengthen this caucus of parliamentarians. With all that, one would expect that we will be leading in fighting corruption. We should not only note the contents of this Report, we should move, work and bring Motions to strengthen this. I support the recommendations that all the activities we have in Parliament starting from the budget, audit and, even in our Committees, can fight corruption.

It is time we also pushed internationally that corruption is fought in the same way human rights violations are fought. We should even have an international court dedicated to corruption. We can mention Rwanda, which is one of our East African States, as an example. What stops us from emulating what is happening there and fighting corruption?

I support this Report. As Members of Parliament, it behoves us to put most of our effort to fight corruption, which is one of the ills in this country. With that, I second.

Hon. Speaker: Thank you, Hon. Nyikal. Order, Hon. Members.

(Question proposed)

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Ichung'wah.

POINT OF ORDER

DISHONOURABLE CONDUCT BY MEMBERS

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker. I am sorry to raise this now. You noticed when you were up on your feet, there were Members who were standing and canvassing very loudly. I also noticed that last week.

We are now making the National Assembly look like a village market place. Not even a market place because there are some markets that have very decent people who are also quiet. When Members stand to speak, there are Members who have made it a habit of heckling, shouting and never allowing other Members to speak. What worries me is that you are on your feet and there is a group of Members canvassing in vernacular behind here. Another group at the corner there are also canvassing very loudly and we can hardly hear you.

I just want to ask you and the chairpersons who sit on your seat when you are not there to exercise firmness in how we transact business on the Floor of the House. If you noticed last week on Thursday when we had the Adjournment Motion, Hon. Rozaah Buyu rose from her seat where Hon. Caroli Omondi is seated today, and walked to the front menacingly. Fortunately, I am not Hon. Sabina Chege, I could not stop saying what I was saying. There are Members who will not have the courage to continue speaking.

When people shout at you when you are speaking, people tend to lose their train of thought and Members get derailed from being able to debate. We must make this House a House of debate. It is very embarrassing when you cut out your name in this House, that the best thing you can do is open your mouth, shout and heckle others. It is an embarrassment to the people who have elected you, that they elected you to come to a debating House to debate and they chose you amongst many other Kenyans who were vying for that position.

I do not want to name names but they are known. Those who have made it a habit of heckling and shouting. There are those who hold that trophy in this House. It is also unfortunate that some of our new Members are learning from veterans of the House who have been here for a long time. I struggled, Hon. Speaker, when Members on this side — and you will bear me witness — attempted to shout down the Leader of the Minority Party. I told them to allow him to say what he had to say.

I just want to beg that you help us to restore the dignity of this House because every day it is sinking to new lows. It is sad when it is Members who are making us look like we are in a market place. It worries me now that it began with when Members are speaking, now even when the Hon. Speaker is on his feet, Members are still standing, walking around and canvassing. It is not fair, not to you but to the dignity and honour of this House.

I just want to beg that you also implore on the Members of the Speaker's Panel to be firm. There is no reason why Members should rise from their place to go and attempt to stop Hon. Opiyo Wandayi from criticising the Government. He is the Leader of the Minority Party and that is his work. He has no other work. The same with me. I have no other work but to push Government Business on the Floor of this House. Whether you like my voice, looks or what I am saying, hold your horses. You do not have to like me, what I am saying or what Hon. Opiyo Wandayi is saying. I particularly never like anything Hon. Robert Mbui says, but I allow him to say it and I will have the time to respond.

Hon. Speaker, I just want to beg that we restore the dignity and honour of the people who have elected us to come and represent them. I do not think there is any Kenyan who elected a Member of Parliament to come to the House to heckle other Members. There are places to heckle in markets and bars. If you want to moan, you can go moan in funerals and not here.

With those few remarks, I beg that you guide the House and the Chairpersons of the Speaker's Panel not to tolerate such behaviour. I liked the action you took against a number of Members on the incident between Hon. Sabina Chege and a few Members. I would beg that becomes the norm not the exception, so that we restore the dignity and respect for each other and also respect for the House.

Thank you.

Hon. Speaker: Hon. Members, that should not elicit debate. I just want to echo what the Leader of the Majority Party has said. For the first time, last week, I sat in my Chamber and watched with horror as a Member, whom I had given the privilege to move a Motion of Adjournment, literally, made it impossible for Members to debate her own Motion. That is a very strange happening.

I have also noted, regrettably, Members who just walk across the aisle and those who stand time on end conversing loudly as if they do not know the Standing Orders. Under our Constitution, there are two official languages: English and Kiswahili. When you enter this Chamber, you cease being a Member representing your ethnic community, and in turn, become a Member of the National Assembly of Kenya. It is your duty, therefore, to correspond in this House using English and Kiswahili languages only. That is why you see your Hon. Speaker, who is acknowledged to be a good speaker of English, praying using the Kiswahili language in this House. That in itself demonstrates our alternative language.

In the olden days, in our African societies, errant behaviour was largely a preserve for men. Regrettably, in this House errant behaviour is a preserve of our good lady Members, and that is very embarrassing. I do not want to mention any names but I sat in horror to see Members standing from where they sit and rushing to the Dispatch Box and to the Clerks-at-the-Table and menacing other Members. I liked how the Leader of the Minority Party responded to one of the Members. He said, 'Your menacing behaviour will not stop me from making my point.' He made his point and it went down very well.

Hon. Members, you carry the dignity of the people who elected you. Even if you do not respect yourself, respect those who elected you. They gave you an opportunity to carry a title, Honourable. If, indeed, you are honourable and still behave in a dishonourable manner, then, you do not deserve the opportunity you have been given by the good people of this country. Your right to speak must correspond with your duty to listen. That is what debate is all about. Moving forward, I request the Leader of the Majority Party and the Leader of the Minority Party to rein in on their troops. I know that politics sometimes makes people take leave of their senses depending on certain situations. However, that should be a rare exception in your life. You can imagine those children in the galleries seeing you who is old enough to be their mother, father, brother or sister behaving in a manner that is so erratic that nobody expects such behaviour from you. Let us keep the dignity of this House. Those who want to converse, nobody will stop you from talking in your mother tongue, but there are very many alleys out there where you can go discuss your issues, finish and come back. Let us keep this House in good order.

Thank you.

(Applause)

The Screen is full with requests. I do not know if it is on this Motion. Hon. Victor Koech, proceed. If your name is on my screen and you do not want to speak to this Motion, kindly, surrender the opportunity to somebody else.

Hon. Victor Koech (Chepalungu, CCM): I surrender.

Hon. Speaker: Hon. Wandayi, before you speak allow me to acknowledge students seated in the galleries. In the Speaker's Gallery, we have students from Pleasant View Senior

Girls High School, in Githunguri Constituency, Kiambu County; Mwala Girls High School, Mwala Constituency, Machakos County; and, Maris Stella Girls High School, Naivasha Constituency, Nakuru County.

Hon. Members, on your behalf and mine, I welcome the students and their teachers to the Houses of Parliament. Hon. Wandayi, on behalf of the House, as you start contributing, you can also welcome the schools.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, let me also join you in welcoming the students from the various schools who are seated in the galleries of Parliament. We wish them a fruitful tour of Parliament and hope that they will take home some knowledge at the end of this rare tour that they are making.

I will be contributing shortly to this issue, but I want to agree with you and Hon. Ichung'wah on what you have just said. The need for order in the House can never be over-emphasised, really. On a lighter note, last Thursday, was the first time I saw Members leave the Chamber when the Quorum Bell was rung.

(Hon. Wanami Wamboka consulted with the Hon. Speaker)

Hon. Wamboka, I want the Hon. Speaker to listen to me.

Hon. Speaker, for the first time in the history of me being in this Parliament, when the Quorum Bell was rung, I saw Members troop out of the Chamber instead of coming back in the Chamber. It is something that has never been witnessed in the history of this Parliament for as long as I have been here. The Members trooped out of the Chamber until the benches on the Majority side became totally empty. Of course, it was a way of frustrating the debate on the then Motion. That is something that we need to deal with in future because it is against the Standing Orders.

Let me support the Motion on the Report of the Delegation of Members APNAC that went to this meeting in Doha, Qatar. I must confess that I have been a very active member of APNAC, at least, until this Parliament. I had an occasion in the 11th Parliament to represent APNAC Kenya at a meeting in Chad. One of the things that I must acknowledge is that APNAC, just like other caucuses that deal with the matter of corruption, is a very important entity. I must thank the Chairman, Hon. Shakeel Shabbir, who has chaired it for quite some time.

The fight against corruption requires not only goodwill but demonstrable actions from the leadership of the country. This House comprises people who are at the apex of the leadership of this country and, therefore, if we take up the fight against corruption head on and more seriously, I am sure the whole country can rally behind you. I want APNAC to move from talk to action. The fight against corruption must start with action from ourselves as leadership of the country. We can no longer be talking about the fight against corruption as a pass time. We must demonstrate, not only to the country but to the whole world, that Kenyan parliamentarians, truly, believe in the fight against corruption. I must acknowledge that, at least, for the ten or so months since this Parliament began, we have not heard of any case of any Member being hauled to courtrooms on matters of corruption. In the past, one would argue that corruption charges were being used as a political tool. Be that as it may, whenever Members of Parliament are hauled to courtrooms on charges of corruption, it sends very bad signals to the country that those who should be at the forefront in fighting corruption are the ones who are being accused of being involved in corruption. This House has the capacity and, indeed, the obligation to compel the Executive to take the lead in the fight against corruption. In short, what I am saying is that the APNAC requires support. Even as I support it, I must state that it is important – if possible – for all Members of Parliament to join APNAC as active

members to demonstrate our faith in APNAC and to show the world that Kenyan parliamentarians believe in the fight against corruption.

Corruption remains one of the biggest threats to the existence of this country. It is a cancer that can eat the entire fabric of the nation if it is not tackled. I want to commend the Chairman of APNAC, my good friend Hon. Shakeel Shabbir, the active members of APNAC, and the membership of the GOPAC to which APNAC Kenya belongs. I am told that Hon. Shakeel Shabbir is a member of the Board of GOPAC.

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

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

Madam Speaker, in the 12th Parliament where I was the Chairman of the Public Accounts Committee (PAC), I was also privileged to be the Secretary-General of the African Organisation of Public Accounts Committees (AFROPAC) that has similar objectives as APNAC in the fight against corruption. So, I want to encourage Members of Parliament to enlist themselves in these organisations that deal with corruption in Kenya and the whole world. It will show that Kenyan parliamentarians are serious with the fight against corruption.

As I conclude, for a long time now, corruption has been budgeted in this country. How I wish that that culture of budgeted corruption can come to an end. We have enough resources in this country that can take care of all our needs if we deal with pilferage and wanton misuse of resources by those who are charged with the responsibility of taking care of those resources on behalf of the people of Kenya. Wastage and pilferage are one of the biggest issues that we face as a country. If you are keen enough and you happen to read any Report of the Public Accounts Committee, you will notice that corruption is domiciled in state departments, state agencies and constitutional commissions that deal with matters of project procurement. Corruption follows budget. When you budget for projects and you do not deal with the matter of budget and corruption, you will be breeding corruption. It is quite clear that Government agencies and state departments that have little or no budget for capital projects rarely have cases of corruption. However, where there are projects to be procured, that will be home for corruption. Therefore, I appeal to my colleagues to lead by example on this front.

I support. Thank you.

Hon. Deputy Speaker: Hon. Members, I wish to recognise, in the Public Gallery, students from the following schools: Tom Mboya Secondary School from Mwea Constituency, Kirinyaga County; Fr Kuhn Academy from Chesumei Constituency, Nandi County; Londiani Girls High School from Kipkelion East Constituency, Kericho County; and Made in the Streets Primary School from Kasarani Constituency, Nairobi County. You are welcome to the National Assembly.

The Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Deputy Speaker. Let me begin by thanking Hon. Shakeel Shabbir for tabling this Report and ably moving it for adoption. As the Leader of the Minority Party has noted, Hon. Shakeel has been leading APNAC and GOPAC for a very long time. When I asked him who is seconding his Motion, I was hoping that he had picked one of the new Members. However, he told me he had asked the Hon. Bernard Kitur to second who unfortunately was too busy elsewhere. He was not available. I encourage Hon. Shakeel to enlist more of the new Members to APNAC and GOPAC and to encourage the institutionalisation of both APNAC and GOPAC; the Parliamentary Network on the World Bank and IMF; and Parliamentarians for Global Action.

We should have a bicameral representation as we institutionalise all these associations so that when we attend international conferences, we do not do so as the National Assembly, but as the Parliament of the Republic of Kenya because we are a bicameral Parliament. Whatever resolutions that come out of these associations, whether it is APNAC, GOPAC or the Parliamentary Network on the World Bank and IMF, we should have a bicameral approach to it. If there are legislative interventions to be done, it will be easier for Hon. Shakeel to propose all laws on matters to do with corruption and other issues if there is bicameral representation in all these organisations. As I commend Hon. Shakeel for his work, I want to encourage him to ensure that we institutionalise all these organisations and have a bicameral approach.

If you read through the Report, you will see the various recommendations they have proposed, especially on facilitating APNAC to promote transparency, accountability and good governance amongst parliamentarians both at the national and county levels and with the community leaders. I cannot agree more with the members of these organisations that we must have a clear framework on how, as Parliament, we will promote transparency and accountability. It is in view of such desires that the National Assembly and the Senate, under this administration, reviewed their Standing Orders to allow Cabinet Secretaries to appear before these Houses – as will happen tomorrow, Wednesday afternoon – and be accountable to the people through their elected representatives. You will notice that a few of us actively participate in that process.

I want to take this opportunity to encourage Members, as I did on Thursday during the Statement time on behalf of the House Business Committee, to enlist Questions that will enhance transparency on how Government does its work in the ministries and more importantly to hold the Cabinet Secretaries and those serving in the Executive accountable to all their actions, including the implementation of the budgets that we appropriate and pass here but we leave its implementation to the Executive.

That being so, we cannot just be talking about corruption. I am happy that we now have an administration that does not only speak about corruption, but acts on any incidence of corruption. Kenyans will bear us witness that the President has been very resolute to speak less and act more on issues to do with corruption. That is how to deal with corruption. I remember when 200 members of the Cabinet and civil servants were asked to step aside on suspicion of corruption during the State of the Nation Address in 2017 or 2018. Of the 200 public officers who were asked to step aside, not a single officer was ever charged in court over corruption. That is because we had a regime that believed in speaking about corruption, but never acting on it. It is no coincidence that when you find people speaking too much about corruption, many times they are the most corrupt. Those who shout the loudest about fighting corruption are usually the most corrupt. Due to the activities of the last regime, Kenyans will bear witness to the fact that the highest form of corruption is State capture. I know Hon. Caroli Omondi has a Motion on the establishment of a State Capture Commission. I encourage him to aggressively pursue it so that we have that commission in place. That will be the beginning of dealing with corruption.

We talk about corruption when we see police officers collecting bribes on the roads or county government officers walking around estates collecting bribes, but we forget that the fish starts rotting from the head. That is the problem in Kenya. The country started rotting from the head when we normalised State capture. It became the norm that one, two, or three people, and their families could capture the state and ensure that public procurement, implementation of Government projects, and formulation of Government policy are geared towards private business interests, and not the greater public good. That is where we must begin.

This is not a problem that is unique to Kenya; it happens all over the world. Even in the most developed countries, states are captured by those in power. However, we have a duty and a responsibility as parliamentarians to support such organisations to ensure that we do not normalise corruption by normalising State capture. That is why I said that I must commend President William Ruto because he has shown by actions how you deal with corruption. You do not issue ultimatums, threaten people, or bang tables. You just need to act on corruption and the message will be sent to public officers that there is zero tolerance for corruption.

Therefore, as I encourage Hon. Shakeel Shabbir and the Members of this caucus, I also ask them to lead from the front, right from our committees in Parliament. Hon. Shakeel has been here with me long enough to know that Members of Parliament serving in committees are quite often accused of rent-seeking. We must also ensure that we enlist as many Members as possible into this organisation so that when we talk about the fight against corruption, we are not just talking. It should be something that we are practising even within our ranks, right from our constituencies to our parliamentary committees, and even in the manner in which we oversee the Government and those in the Executive.

Hon. Speaker, with those very many remarks, I beg to support the Motion. In conclusion, let me re-emphasise the need to institutionalise all these organisations and make sure that there is a bicameral approach in the Constitution. We also need to ensure that Hon. Shakeel does not lead all these organisations. It is time to encourage the likes of Hon. Kitur to take up leadership of one organisation, and encourage one of the young senators in the Senate to take up leadership of another. Those organisations must also allow democracy to thrive so that we do not get “Mugabes” leading them. We have to allow the election of Members and the leadership of all those organisations and caucuses.

Hon. Deputy Speaker: Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Deputy Speaker. I am a member of APNAC, the organisation of parliamentarians against corruption. I have had basic training in China. I have had experience with Kenya's situation. When we talk about corruption, we are not talking about stealing money. We are also talking about systems and procedures that are applied by people who practise corruption. We must admit that one of our shortcomings is that we focus on the national Government and quasi-Government institutions when we talk about corruption in this country. We have left out county governments from the areas of focus as APNAC. I ask our Chairperson and the Committee to take this institution to the county assemblies. In that way, we will address corruption at the national level, and also at the county level.

We cannot pretend that corruption only occurs within Government institutions. That is far from the truth. There is a lot of corruption even in the private sector. However, because of democracy and limitations of boundaries, it becomes very difficult for us as Parliament to aggressively focus on private enterprises that participate in corruption. In every Government institution where tendering and businesses are done, you always find a private practitioner such as an engineer, a lawyer, an accountant, a supplier, and many others.

Corruption is a serious demon. It even operates within church organisations and that is why Shakahola happened. As a fighter against corruption, I agree with the views of the majority that we need to take this institution to a higher level. I am the President of Democracy and Good Governance of the 12 Great Lake countries. You will find that all of the problems that we are experiencing are as a result of corruption at the international level, which is being executed by international operators who sell firearms and try to interfere with the democracies of African countries. We are dealing with a very big animal. I believe that Parliament has the capacity to advocate for serious policies that will help buttress our institutions against corruption.

Therefore, I support the Report. However, tabling a report in Parliament is not the best solution to the problem. The best solution is implementation of the Report. I join my colleagues who have said that senior Shakeel has done great work for the many years that he has been heading that organisation. We ask him to start implementing a succession plan so that others can have the opportunity to move this issue forward. Perhaps our speed of moving is not like that of these young people. They can and they should be given an opportunity.

I thank you, Hon. Shakeel and Hon. Deputy Speaker. I support this Report. However, implementation is the key thing.

Hon. Deputy Speaker: Hon. Member for Kanduyi, Hon. John Makali. Then we will come to you, Hon. Beatrice Elachi.

Hon. John Makali (Kanduyi, FORD – K): Thank you for giving me this opportunity to contribute to the Report brought by our senior parliamentarian, Hon. Shakeel Shabbir. Before I make my remarks on this Motion, permit me to congratulate you for turning up in my constituency to encourage learners and parents during our education day. They actually mandated me to thank and welcome you again.

I must thank the APNAC Committee for the Report. We must all agree that corruption is a vice that has destroyed economies, families and countries. There must be concerted effort to fight it from all fronts. It is clear from the Report that APNAC constitutes parliamentarians. As we all know, Hon. Deputy Speaker, parliamentarians are the representatives of the people. They exercise delegated power. They have a good forum in which to champion the fight against corruption.

I have looked at the recommendations of the Report. It is heartening that the Report congratulates this House, through its Speaker, for being at the front line in the fight against corruption. However, as we speak, we are not sure about the legal framework under which APNAC operates. I know it is African parliamentarians against corruption. We need to come up with a legislative framework borrowed from APNAC that will champion the fight against corruption from our end.

As a new Member in this House, I will take the gauntlet thrown at our feet. I will enrol into this particular Committee immediately after this so that we champion the fight against corruption. As indicated, there is a lot of corruption devolved from the national level to counties. We need also to have similar organisations in counties to fight corruption there. We realise a lot of corruption networks are undertaken at the county level, specifically through procurement schemes.

Equally, we must partner with other key players, specifically the civil society. It requires a multi-faceted approach. The civil society plays a very critical role in spreading awareness and sensitisation of our people on the wars of corruption. This House can play a pioneering role in ensuring we sensitise our people. Equally, there is facilitation and funding; I am very sure that this Committee would not have gone to Doha if this honourable House had not facilitated it or funds set aside for its activities. This fight requires all of us. We require funding and facilitation in this fight to explore all new forms of corruption coming up and mutating in various forms.

We also need to look at the structures we have put in place, specifically the EACC. Its efforts are towards investigation and prosecution. We need to indicate another area that has not been critically emphasised. This is the area of ethics and values. As we push legislation in this House, we need to strengthen institutions that are there to fight corruption. We should split it up to our institutions of learning, specifically our schools. That is so that we inculcate ethics in our learners.

With those remarks, Hon. Deputy Speaker, I wish to support the Report.

Hon. Deputy Speaker: Hon. Member for Dagoretti North, Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Deputy Speaker. I also rise to support the Report and appreciate Hon. Shabbir.

Today I see young people running all over to register for World Coin. When I saw the line, I asked myself what all the young Kenyans were doing. Even if we are talking about corruption today, one of the forms of corruption we should be talking about is how people manipulate, influence, and lie to steal from our people in terms of different projects. You even wonder how this started. How were they given approvals to start such things? In the end, Kenyans will start crying again the way I am seeing them crying in the USA. An agency decided to take them there. Today they are homeless. They are on the streets in the USA and Canada. When talking about corruption in Kenya, the first thing we should be asking ourselves is how they get approvals. Look at how we are. Forget about even the things we are saying like they are in budget. It is in our minds. How we think. How we do our stuff. How we just start the designing of that paper. It tells you where the paper is headed and how it is going to affect us yet we continue.

It is not enough as much as we are talking about it in Parliament, as much as we have this group and open governments' partnerships. I really thank Principal Secretary, Dr Abraham Sing'oei. He has been very steadfast on open governments' partnerships. I really call upon counties in open government partnerships like Nandi and Elgeyo/Marakwet. Let us join him in pushing this agenda of looking at open governments' partnerships for governments. How transparently governments must work.

Having said that, the easiest thing to do in this country is to take anything belonging to Government. I always say it is not about how you run the ministry. It is not about the Cabinet Secretary or the Principal Secretary. Corruption starts when you do not start with the officers who design projects that are to be done by Government. Corruption will not end until the day we accept that we need to come up with a law in this House. That is so that lobbyists doing these projects are given a percentage, either five per cent or ten per cent of the project. I think ten per cent will be very high. Five or 2.5 per cent can be very good to be paid to everyone who runs around with a project so that it becomes something very open. This will stop people asking what is in it for them. Before you even start a project, someone is asking for 10 per cent and you wonder how the project will move forward. Will the project commence or even last?

Look at our airport, Hon. Deputy Speaker. It was turned into tents when it burnt. The tents are still there and yet it is an international airport. The money spent to do tents is more than Ksh2 billion! Just to make a tent! The only thing we can do now is to plead with the Cabinet Secretary, Hon. Murkomen, to save us from the grey thing we always see when we enter our airport. It was done very wrongly. A lot of money was spent on it. That money would have done a good building. You ask yourself why we cannot just build something to last, say, fifty years then do maintenance if we must have all this eating. We, as Kenyans, cannot be bench-marking all over the world yet unable to do the right thing. I plead with this House to push those doing projects in this country using huge sums of money to do something that will last for generations to come.

With those few remarks, I beg to support.

Hon. Deputy Speaker: Hon. Member for Marakwet West, Hon. Timothy Toroitich.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you Hon. Deputy Speaker for giving me this opportunity to contribute on this substantive Motion, the Report on UNCAC and GOPAC) Annual General Meeting.

Corruption, in this country, is a menace. For this country to progress, we must find a decisive way of dealing with corruption. I thank the Mover, my friend, Hon. Shakeel, for bringing this Motion before the Floor of the House.

I wish to bring to the attention of this House that on the 28th day of July 2023 Prof. Nickson Sifuna, sitting as a judge at the Anti-Corruption and Economic Crimes Division of the

High Court, made a substantive ruling against corruption that should not escape the attention of this House. Justice Sifuna, pursuant to Section 92 of the Proceeds of Crime and Anti-Money Laundering Act of 2009, made a substantive and an unprecedented ruling to the effect that money that has been obtained out of the proceeds of crime that initially was deposited in the Assets Recovery Agency Fund bank accounts shall be deposited in the Consolidated Fund Account.

The substance of that ruling is that any amount of money that has been forfeited by a court of law and initially was deposited in the Assets Recovery Agency Fund account shall now be deposited in the Consolidated Fund Account. In my opinion, this is a good ruling because initially there was a misconception or there is a belief that money deposited to this Agency's account has been misappropriated. I call upon the National Treasury and Economic Planning, because we have the substantive Act but lack the regulations, to submit regulations to operationalise the Criminal Recovery Fund so that once that Fund has been created by this House, money that has been forfeited by a court of law, being proceeds of corruption, shall be deposited to that Recovery Fund. As we speak, the money that is recovered out of the proceeds of crime is deposited in a bank account opened by the Agency. As to how that money is managed, it is not very clear. I call upon the National Treasury and the Committee on Delegated Legislation to make sure that Regulations are brought to this House so that we have an asset recovery fund account created so that money that is forfeited by a court of law being proceeds of crime is deposited into that account. In my opinion, if that fund account is created, then money that has been forfeited by a court of law shall not be misappropriated by that Agency.

Hon. Deputy Speaker, I beg to submit. I fully support this Motion particularly on the creation of that fund account. Thank you.

Hon. Deputy Speaker: I wish to recognise the presence, in the Speaker's Gallery, of students from Garrison Secondary School, Gilgil Constituency, Nakuru County. I also wish to recognise, in the Public Gallery, students from Londiani Township Secondary School in Kipkelion East Constituency, Kericho County; Londiani Girls' High School, Kipkelion East Constituency, Kericho County and Mahindu Primary and Junior Secondary schools, Kipipiri Constituency, Nyandarua County.

On that note, I call upon Hon. Cherorot Joseph, Member for Kipkelion East.

Hon. Joseph Cherorot (Kipkelion East, UDA): Thank you, Hon. Deputy Speaker for giving me this chance to welcome all the students who have managed to attend our Parliament today. I encourage them to learn the functions of Parliament. They are most welcome anytime. I also welcome students from Londiani Girls' Secondary School and Londiani Township who come from my constituency. They are welcome here in Nairobi. I want congratulate Londiani Girls Secondary School because they led in last year's examinations in my constituency with 6.68 points. Londiani Township also performed well.

I want to tell all students who have come here that education is an equaliser. It brings children from poor families and those from dynasties to sit together in class and perform. It is life-changing. It can change and improve the life of a person.

Thank you very much Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Member for Elgeyo Marakwet County, Hon. Ng'elechei.

Hon. Caroline Ng'elechei (Elgeyo Marakwet County, Independent): Thank you Hon. Deputy Speaker. I rise to support the Report by Hon. Shakeel.

At times in this country we need such bold leaders to speak out and participate in issues that really affect us. Many a times in this country, we struggle a lot in vain in many areas because the more steps we make forward, corruption takes us back double that number of steps. At times we do not even need to talk too much but we just need to kill the monster that is called corruption. We do a lot and work extra hard to fight corruption, but we need to work a little smarter until we achieve our objectives. I urge Hon. Shakeel to encourage more Members to

join his caucus. When we have many leaders leading in the fight against corruption, it is better than having a few that participate in the same.

There is a lot of wastage in this country as a result of corruption. Nowadays corrupt people rush to the courts of law to bar anti-corruption agencies from investigating them. As a result, you find that many projects even those being done by Members of Parliament through the NG-CDF and other funds stall and money is wasted. For example, we have a project in Marakwet West Constituency that has been lying idle now for several years pending investigations. Were it not for corruption issues, that project could have benefitted thousands of children and the people of Elgeyo Marakwet at large.

So, I stand to support the Report by Hon. Shakeel. I urge other Members of this House to support him and make sure that they also participate in the same. They should be part of Members of Parliament who are on record for fighting corruption.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Member for Endebess, Hon. Robert Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Deputy Speaker, for allowing me to contribute to this Motion. From the outset, I want to declare that I am a Member of APNAC, which is not only an organisation of sitting Members of Parliament, but also former Members of Parliament like Hon. Musikari Kombo, whom I want to recognise. I also want to thank my Chairman, Hon. Shakeel Shabbir, for the good work he has been doing in APNAC. He is a long-time serving Chairman of APNAC since the 11th Parliament when I knew him. In the 12th Parliament and now the 13th Parliament, he is still our Chairman. Hon. Shakeel has steered this Caucus very well. We can credibly say APNAC is a very resourceful organisation and Members of this House can get capacity building in terms of providing better oversight to various institutions.

We are not just talking about corruption in terms of stealing. There is also corruption in terms of how various organisations are run. There is moral corruption in terms of how we organise our parties. There is moral corruption on how we engage with each other. I support the President in the efforts he is putting up in fighting corruption; beginning today, the President has said that all M-Pesa agents should only go to one M-Pesa account which is monitored by the National Treasury. That implies that all other M-Pesa accounts giving Government services cease from today and we will only have one. That is a very big effort in the right direction.

This morning in State House, the President made a commitment when Cabinet Secretaries were signing performance contracts. We expect they will be able to live and deliver on those services. These are services that Kenya Kwanza promised *wananchi* during campaigns. They gave them commitments. This is not just a commitment between the President and Cabinet Secretaries. It is between the Government of William Ruto and Kenyans. With the efforts that the Government has put in place, we can now see that inflation is coming down. Yesterday, I was in Chepchoina in my constituency in Trans Nzoia County and there are a lot of crops such as maize that *wananchi* have grown based on the fertiliser subsidy of Ksh3,500 that the Government gave. We expect the subsidy to come down so that the price of fertiliser will be Ksh2,500.

This year, farmers in Trans Nzoia expect a bumper harvest. They told me that they do not expect other people to start demanding that they sell their produce at a throw away price. We want to sell at a good market price. We have never asked our brothers from other regions, especially from Nyanza Region, who fish, to sell us fish at a throw away price. We have never carried *sufurias* on our heads to demand that fish prices go down. They should not carry *sufurias* on their heads to demand that the price of maize goes down.

With those few remarks, I support.

Hon. Deputy Speaker: Hon. Mayaka, Nominated Member of Parliament.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Deputy Speaker. I also stand to support this Report, but before I do that, through you, I want to tell the Hon. Member who just spoke that carrying of *sufurias* is usually a figurative demonstration. It does not mean that when we carry *sufurias*, then food comes. It is an expression of a complaint that people have.

First, I want to support one recommendation that the Report and this delegation has given on the need for us to have a permanent anti-corruption council that is akin to the Human Rights Council that is globally acceptable. This is a very good recommendation. I would urge the senior Member to go ahead and come up with policies to ensure that this is in place.

Corruption goes hand-in-hand with bribery. Bribery begins in our homes; for example, when your young children refuse to eat, you tell them that if they do, then you will buy them sweets. That is already injecting corruption and bribery into those young people. I want to urge this Council, and I hope it is open to membership of more Members, that we must start this conversation right from our schools. We have school children that are always coming to Parliament. This conversation needs to begin down there so that it is engraved within our society that corruption is not a good thing. In our society, especially on social media, people celebrate when others make quick money out of gains that do not have paper trail. Those are fruits of corruption. Right now, the society over-sensationalises whenever there is a corruption act or scandal but nothing really comes out of it. We should start putting our money, tax and actions where we want them to make gains.

Today, the President presided over the signing of performance contracts by Cabinet Secretaries and State Department heads. I just want to urge the Government to ensure that these performance contracts are easily accessible to the general public. We want to see how our Cabinet Secretaries are performing. In each portfolio and department, we want to see where there are corruption issues and how the people who have been involved in such cases are prosecuted. Even at the level of the office of the Director of Public Prosecutions, issues and cases of corruption should be handled faster. They should be fast-tracked more than other issues. The moment a scandal comes into light, we are so quick to discuss it. As a public, we demand that these people pay for what they have done but because of the slow nature of the process of cases going through the judiciary, these issues are not prosecuted as fast as possible.

Proactive engagement of the society is very important. As this Caucus does its job, even as they go ahead and consult with other countries both in Africa and the rest of the world, we also need to show an example right here at home. Among recommendations, they talked about the Rwandan example and how they have been able to facilitate learning, training, and enabling Members to know the issues they should be able to follow up. Right now, most of the transactions in our country are paperless. However, we do not undertake forensic audit of our paperless transactions. Who has ever done a forensic audit and brought it here for us to scrutinise? For example: how the Integrated Financial Management Information System (IFMIS) is being utilised; if the process is being followed to the letter, especially for those engaged in public institutions; and how they are able to do this.

With those few remarks, I want to support the Report. Thank you.

Hon. Deputy Speaker: Member of Parliament for Garissa Township, Hon. Dekow.

Hon. Dekow Mohamed (Garissa Township, UDA): Thank you, Hon. Deputy Speaker. I also rise to put my views on the Report by Hon. Shabbir. I support the adoption of the Report on the table. We all know corruption is a cancer in this country and we all agree that we have a serious problem with corruption issues. For the last 15 or 20 minutes, we have been talking about this issue. But the leadership and the people of this country are not honest about the fight against corruption. We are a society that has decided to destroy itself through this cancer. If you look at this House today, many Members came, checked in, and walked out. That is corruption. Corruption does not have to be about money. We walk in, sign and disappear. That

in itself sets a very bad precedent for this country. The security lapses we have in this country are as a result of youth being recruited through bribery. In fact, the Head of the Public Service, in a meeting today, admitted that our young people have to part with between Ksh200,000 and Ksh400,000 before being recruited to our security organs.

Hon. Wanjiku Muhia (Kipipiri, UDA): On a point of order.

Hon. Deputy Speaker: What is your point of order, Member for Kipipiri?

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Deputy Speaker. Is the Member in order to say that Members clocked in and left if he cannot substantiate that claim? Members have many engagements in ministries, constituencies and committees. Some Members are still within the premises. I think he is not in order. You should direct him to substantiate.

Hon. Dekow Mohamed (Garissa Township, UDA): Thank you, Hon. Deputy Speaker. I am sure the Member can see what is going on. She is a senior Member of this House. I do not have to talk about the issue every now and then.

As I was saying, corruption is not just about procurement and money issues.

Hon. Gitonga Mukunji (Manyatta, UDA): On a point of order.

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

Hon. Gitonga Mukunji (Manyatta, UDA): Hon. Deputy Speaker, I think the Member is ignoring the fact that Members have businesses to transact within the precincts of Parliament. Some Members are moving around; some are in the Table Office while others are lining up at the Speaker's office. Please, guide the Member accordingly on the issues he has raised.

Hon. Deputy Speaker: Hon Member, please, proceed, but you may withdraw your remarks.

Hon. Dekow Mohamed (Garissa Township, UDA): Thank you. That was just an example I was giving. I do not want to go back to it. As I was saying, corruption is not just about procurement processes or anything related to financial transactions. Our country is a society that has embraced corruption. Even if we form a council or whatever name you call it, it will be another level of entertaining corruption in this country. We have to be honest with ourselves. We cannot be talking about corruption and yet those who talk the loudest are just trying to justify their cut in the corrupt deals they have seen. They have not been included in such deals, which is what they are targeting. They want to up their stakes in the particular deal they are talking about. This country is facing a serious problem. The only way we can get out of it is if every week more than 10 people in leadership positions are convicted and either hanged or sentenced to life imprisonment. That is the only way this country can take a different direction on the issue of corruption.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: The Member for Manyatta, Hon. John Gitonga.

(Hon. Raphael Wanjala spoke off the record)

Hon. Deputy Speaker: You are actually No.15 on the queue.

(Hon. Raphael Wanjala spoke off the record)

(Laughter)

Hon. Deputy Speaker: Hon. Wanjala, you are out of order.

Hon. Gitonga Mukunji (Manyatta, UDA): Hon. Deputy Speaker, defend me from Hon. Wanjala.

(Hon. Raphael Wanjala stood in his place and spoke off the record)

Hon. Deputy Speaker: Hon. Wanjala, you are out of order. You cannot stand in your place and shout. Please, sit down. You will get an opportunity. Like I have told you, you are No.15 on the list. Hon. Irene Mayaka, who was seated right in front of you, has just spoken.

Please, proceed.

Hon. Gitonga Mukunji (Manyatta, UDA): Thank you, Hon Deputy Speaker for this opportunity.

(Hon. Raphael Wanjala spoke off the record)

Hon. Deputy Speaker: Hon. Wanjala, you are out of order. I will send you out of the House.

Hon. Gitonga Mukunji (Manyatta, UDA): Corruption is a very emotive issue when it is spoken about in this country. Among the things that this Parliament should be able to solve for the prosperity of this county and for the good of the people is to ensure that there are no cases that are left without being dealt with. Corruption has been used in politics and is one of the issues impeding development of this country. There are too many corruption cases that have never been closed. We have the issue of COVID billionaires, who took money when Kenyans had problematic diseases and the country basically closed businesses. This House has a role to play in ensuring that there are no corruption cases going unsolved. One of the roles this House has is to ensure that the Ksh3.6 trillion Budget is used transparently and efficiently.

The former President disclosed that the country loses close to Ksh2 billion a day to corruption. I am very happy to report from the word go that our President has clearly pronounced himself on issues corruption. One of the things he has said is that he will not condone or forgive anybody who is found stealing money that belongs to the public. I welcome that move, but it should be accompanied with serious repercussions for anyone mentioned in corruption cases.

Today I was happy to see Cabinet Secretaries signing performance contracts, which involve issues of ethics that are well enshrined in the Constitution. It involves usage of our hard-earned resources in the right way. It is always very painful to see citizens struggling with increase in the cost of living whereas there are corruption wolves in Government. I call upon this House to be vigilant by taking all corruption cases brought to this Floor with the seriousness they deserve.

Hon. Deputy Speaker, I want to promise the people of Manyatta that I will not allow, in my own right, any amount of money to be lost when I can help for it to be saved. If we do that, we can achieve development that has never been thought of. It is very easy for the budget that we always read in this House to cover all the things that we are supposed to do and reduce borrowing, so that we can move in the right direction. Loss of money has made corruption an issue that...

(Hon. Raphael Wanjala spoke off the record)

Hon. Deputy Speaker: I am getting to you. Member for Busia County, Hon. Catherine Omanyo.

Hon. Catherine Omanyo (Busia County, ODM): Thank you, Hon. Deputy Speaker. I really applaud this Motion. It is upon all of us to be responsible and take care of what those who elected us have bestowed unto us. It has reached the end of the tether in this word called corruption. It is normally a theory. People and leaders talk about it. They come and go.

We have heard of people getting billions of shillings in this nation and they hide it. Some videos of a Member of Parliament counting dollars in sacks hidden in the house have gone viral. If a Member has money and he knows he made it in clean ways, it is better to keep it in the bank. Why should people dig holes in their houses or have sacks and suitcases stashed with a lot of cash? We hear people talking of either grace, luck or being in the Government side and saying it is their time to eat, as if it is a joke, until somebody wrote a book about it. Corruption has been normalised. It is high time we stopped just talking about the word “corruption” and seal the gaps that are there for corruption to take place.

As a new Member of Parliament, I know that corruption is already in the system. You are told, “If you do not do this, we will not pass this. If you do not part with this amount, we will raise an audit query.” So, we have three or four stages. In every stage, you must part with something or else you will be framed. You realise this is what has been happening since time immemorial. You find that your work is derailed and nothing moves because you have not parted with something.

Let us give an example of the recruitment of police officers that is coming soon and other dockets that have come before. Somebody must bribe to get a job. A child born in a peasant’s home or a family which hardly makes a dollar a day cannot part with that money.

Hon. Ruku GK (Mbeere North, DP): On a point of order, Hon. Deputy Speaker.

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

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Deputy Speaker. Is it in order for the Member to impute that this House is corrupt? Is she in order to suggest that corruption takes place at different stages of legislation? Is it in order for her to impute so?

Secondly, is it in order for the Member to also impute that the upcoming military recruitment process is already corrupt? It is completely out of order for her to do so without proper documentation to substantiate her claim.

Hon. Deputy Speaker: Member for Busia County.

(Hon. Catherine Omanyu spoke off the record)

Yes, you do. Hon. Member, you cannot cast aspersions on a ministry or individuals, if you do not have the facts. You can speak generally and withdraw that.

Hon. Catherine Omanyu (Busia County, ODM): Thank you. It is also not good to cover up things. He imagines that it does not happen but it does. If we have some loyal and honest people who really want to uproot corruption so that the real *mwananchi* from the grassroot can get something, then we should not imagine that it does not happen. We have evidence. If you want it, I can bring from top to bottom because I do not know what will happen if I bring it from bottom-up. He actually interfered with me. I was on track to condemn that we can talk about corruption in Qatar and other parts of the worlds, but it is here with us.

We have to start in our local villages all the way to see how we can best save every dime that we have been allocated to serve *wananchi* properly. In every project that has been given to us to oversee, we should not have people expecting 10 per cent for anything to start off. These are basic examples that I am using. We have people who are very good at choreographing everything, so that they can gain from every single shilling that *wananchi* have been taxed to help them.

If you go to some hospitals today, you will be told to go with gloves, syringe and medicine because they are not there. People text us every day. Members of Parliament here know the truth. People keep on texting us to help them with money for registration and medicines. From the time you enter the hospital to the time you see the doctor, you part with money, but you are still sick. We need a way of sealing the gaps and making sure that we protect every resource that has been bestowed upon us.

Hon. Deputy Speaker: Member for Mbeere North.

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Deputy Speaker. I rise to support the Motion.

Corruption is one of the greatest threats to any economic and human development in any country in the world. Any legislative house in the world - whether it is our Kenyan Parliament, the Pan African Parliament (PAP) or the East Africa Legislative Assembly (EALA) - must come up with pieces of law or conventional treaties which can be used to tame corruption for the purpose of posterity of our society. This House has a big responsibility to ensure that we give our judicial system or justice administrative system pieces of law which are not vague and ambiguous, or leave grey areas. This will ensure that anybody or institution which is corrupt is taken care of in the most efficient and effective way. It will also ensure that public resources that are committed to some of these institutions are used properly.

Hon. Deputy Speaker, we have the Anti-Corruption and Economic Crimes Act of 2003, which is 20 years old. It is time for this piece of law to be reviewed, so that we can assess the successes it has achieved. It was enacted before the promulgation of the Constitution of Kenya, 2010. Therefore, you realise that there are sections of that Act of Parliament, as well as some definitions, which are not present - which can be the guiding pillars to our justice administration in fighting corruption.

Hon. Deputy Speaker, we must make the consequence of partaking in this vice very painful to deter any person from getting involved in it. It must be made very painful. That is why today we are happy that the President of the Republic of Kenya is committed to fighting corruption. However, we have to give the President, the Government and the judicial system pieces of law which will help in the fight against corruption. Any effort, whether it is coming from the United Nations Convention Against Corruption or from this House, so long as that piece of law is aimed at fighting corruption, must be tailored in a manner that is going to make corruption a very painful undertaking. As we say, for those who will be corrupt in this Government, we will encourage those in authority to hang them on the tallest tree at Uhuru Park.

With those remarks, I support the Motion.

Hon. Deputy Speaker: Hon. Members, I would like to recognise students from various schools seated in the Speaker's Gallery. We have students and teachers of Moody Awori Primary School from Funyula Constituency, Busia County; and Mbitini Girls Secondary, Kitui Rural Constituency from Kitui County; and St. Teresa of the Child of Jesus Olokirikirai Primary School from Narok North Constituency, Narok County.

You are all welcome to observe the proceedings of the National Assembly.

(Applause)

Next is the Member for Emurua Dikir, Hon. Johanna N'geno.

Hon. Johana Kipyegon (Emurua Dikirr, UDA): Thank you, Hon. Deputy Speaker, for giving me this opportunity to also weigh in on this particular issue of corruption and the Report by the team concerned with finding ways and means of killing corruption in this country. I want to laud my friend, who is a senior Member of this House, for the great Report.

Corruption has been the biggest cancer worldwide. It has eaten the fabric of the human society in terms of all the issues that governments try to do. Corruption has always been a plunder. It has always been plundering whatever the Government tries to do.

One very unique thing is that corruption is embedded mostly in the public sector. When we look at the private sector, whether in banks, private companies, private entities, or even in your own personal home or private firm, corruption is almost zero. However, when it comes to

public institutions and Government ministries - everywhere that has anything to do with the public, there is a culture where people believe that this is money for free.

I remember we used to have some fields which were owned by the Government. We used to call them “county grounds” where you could graze your livestock without payments. So, there is the mentality that public funds are just there to be wasted. It is time we addressed this issue very seriously. As a House, sometimes we speak to the Executive without speaking to ourselves. You know this House has the greatest responsibility to legislate on how to curb corruption. This House has the mandate to oversee all the corrupt people in the Executive, the Judiciary and even this House itself. We have the capacity. We have the requisite laws in place to help us curb corruption. Therefore, as much as we might be speaking to people in other arms of the Government, we need to speak to ourselves. We need to begin with ourselves, because a Government is corrupt when the people who are supposed to oversee those in Government sleep on the job. A Government becomes corrupt when the legislature or even the Judiciary is completely broken down. While the legislature can identify areas where corruption is, the Judiciary is supposed to deal with that menace. However, if the Legislature and the Judiciary have been compromised, those in the Executive can do whatever they want. It is upon this House to wake up and stop whining about corruption in the Government. It is ourselves, the Members of this House, who can bring corruption to zero in this country.

I do not know when we will also understand that we have the capacity even as committees - especially the Public Accounts Committee (PAC) and the Public Investment Committee (PIC) - to ensure that there is totally no corruption in the country. In fact, we should be waiting for those committees to bring their reports on corrupt cases in every Government ministry and parastatal instead of Members coming here to say that such ministry is corrupt. It is the work of PIC and PAC to ensure that there is zero corruption in this country.

Apart from corruption, there is too much wastage in the Government. Government ministry officials operate too many vehicles. You find all sorts of Government employees using very expensive vehicles that consume a lot of fuel. It is also time for us to help the Government curb corruption.

Hon. Deputy Speaker: Let us have the Member for Siaya County, Hon. Christine Ombaka. Since she is not here, let us have the Member for Marsabit County, Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Deputy Speaker, for allowing me to add my voice to the debate on this very important Report against corruption.

We know very well that in the entire world, corruption has affected the growth of every country, especially our own. If it were not for corruption, Kenya would be very far in terms of development and growth. However, because of the corruption that has been practiced by different leaders who have been in office at different levels, we are where we are today.

Any report or action against corruption needs our total attention. I support this Report because I am one person who really advocates for a country without corruption, because that is where our delivery and success is. If you want to rescue this country from the challenges that we have had for many years, you should think of ways of overcoming this big animal called “corruption.”

Corruption has been institutionalised in our country today. Wherever you go, corruption is practised. If you want to take your child to a good high school, you are forced to give money to get an admission letter. If you are looking for employment, you are forced to dish out money so that you can be lucky to be employed. This is what the Kenya Kwanza Government is up against today. This malpractice has been with us for far too long. Today, I want to congratulate the President, who is our leader, because he has confirmed and openly declared war against corruption in our country. I thank him because he has taken serious steps - he has put measures in place - to ensure that corruption is controlled in our country.

As I support this Report, I pray that all corrupt leaders, at a point in time, be in for it and pay back what they have stolen from the nation. It is unfortunate that even some religious institutions and everywhere we visit, people say that corruption is eating up our country - that, it has stunted the growth of this country.

If, as the National Assembly, today we act against corruption and make sure that all corrupt people, right from the people in security sector like the watchmen who stand at the gate, to the lift operators and those concerned with files at the Lands offices and all those other places... If today Members of Parliament stand up and say that they are all against corruption and are fighting it fully, I am sure the President will win the war against corruption. That is why as one of the leaders, today, I identify myself with this Report. I will give my total support for Kenya to grow and prosper, and for our people to enjoy the dignity that God has given them. I also support the Report for any person born and brought up in this country to have equal opportunity without corrupting his or her way into any opportunity that arises.

With those few remarks, I support the Report and pray that very soon, Kenya will be free of corruption.

Hon. Deputy Speaker: Member for Bumula, you are next.

Hon. Wanami Wamboka (Bumula, DAP-K): Thank you, Hon. Deputy Speaker. I rise to support this Motion by the Member who also happens to be my brother-in-law. He has married from where I come from.

Corruption is a menace that must be dealt with conclusively. We are where we are as a country because of corruption. If you remember, in one of his media interviews with the Fourth Estate, the former President, Uhuru Kenyatta, told us that the Government was losing almost Ksh2 billion every day. If the current administration can just focus on tightening the loopholes that aid corruption, we do not need to increase the taxes in order to sustainably pay our debts.

It pains me when I find that some people cannot even afford healthcare. Some public hospitals do not even have medicines. The last scene we had was that of the Kenya Medical Supplies Authority (KEMSA), where billions of shillings from donors were lost to an extent that the Government had to return some money to the donors, just because of corruption. I think as a country and Government, if we nail it, we will succeed. It was not enough to only sack the Principal Secretary. It was not enough. We know that it takes two to tango. For instance, in the KEMSA scenario, you must have the giver in corruption, and you must have the person receiving. So, if the Principal Secretary was the person receiving, who was the person giving?

(Hon. Raphael Wanjala spoke off the record)

A small bird whispered to me that it was the high and mighty. Hon. Wanjala is trying to guide my contribution by saying it was Gachagua's son. I did not say that, Hon. Wanjala, please. He is trying to guide my contribution. A small bird whispered to me that it was the high and the mighty. Why are we sacrificing the poor Principal Secretary, if the bigger people who are controlling corruption are walking scot-free? They are still hawking around funny stories of shareholding in this country while as a country, we are supposed to head to a direction that is very definite.

Hon. Kwenya Thuku (Kinangop, JP): On a point of order, Hon. Temporary Speaker.

Hon. Wanami Wamboka (Bumula, DAP-K): Hon. Deputy Speaker, corruption has really affected us...

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

Hon. Kwenya Thuku (Kinangop, JP): Hon. Deputy Speaker, you know, mischievously, the Member on the Floor has mentioned the name of a person who is not in this House. For the record, I plead that you ask the Member to retract his remarks. It is not in order

to impute improper motive on the son of the Deputy President, who is not here to defend himself.

Hon. Wanami Wamboka (Bumula, DAP-K): Hon. Deputy Speaker, I have a lot of respect for my brother...

Hon. Deputy Speaker: Hon. Member, when I heard the first name mentioned, it was actually shouted out by Hon. Wanjala. Hon. Wanjala, I just want to bring to your attention Standing Order 107, which talks about disorderly conduct. It says a Member commits an act of gross disorderly conduct if the Member creates actual disorder, knowingly raises a false point of order, unnecessarily interrupts the proceedings, *et cetera*. It goes on to say that the Speaker may call a Member whose conduct is disorderly to order and caution the Member or order the Member to withdraw from the precincts of the Assembly for a maximum of four days.

Hon. Wanjala, you are hereby duly cautioned in accordance with Standing Order 107(2)(a). This is the last warning.

Hon. Wanami Wamboka (Bumula, DAP-K): Thank you, Hon. Deputy Speaker.

Corruption is really killing this country. A consignment of sugar is brought into the country, it is condemned at the Port of Mombasa, then we are told that the same sugar found its way into the market and Kenyans are consuming it. Perhaps we are all moving corpses. This Government must be serious.

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

[The Temporary Speaker (Hon. Martha Wangari) took the Chair]

By now, people managing the sugar industry right from the Cabinet Secretary to the Principal Secretary, the Chief Executive Officer (CEO) of the Kenya Bureau of Standards (KEBS) and the officer who authorised this to happen, should be answering questions. As a country, we must be serious about corruption. As a House, we must support the Government to put measures in place and fight these high and mighty people. We must do that as Parliament. We must do it fearlessly because even our own factories and industries are dying.

Most of us are products of sugarcane. We have gone through school because we planted sugarcane. As I speak, because of corruption, most sugar companies are dead. For example, sugar factories that were once vibrant like the Nzoia Sugar Company, which has 24,000 acres of land, and Mumias Sugar Company, which is a giant sugar company, have collapsed. The people who were appointed as managing directors fleeced those companies. As I speak, some of them are rich. Some of them are even in this Government. Some of them are even pretending that they want to be chief administrative secretaries. They want to be employed by President William Ruto.

Hon. Ruto, if you want us to also support you, please, eliminate the culprits who fleeced Nzoia Sugar Company, and Mumias Sugar Company and are hanging out with you.

With those remarks, I support.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Member for Bumula. Next is the Member for Molo Constituency.

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to the Motion.

At the outset, I would like to congratulate Hon. Shakeel Shabbir - one of the most experienced legislators of this august House who keeps on being elected by the great people of Kisumu. I think he is now doing his fourth or fifth term. Coming from that area, and being elected as an Independent Member, is indicative of a big win and the high confidence the people have in him.

Sometimes I ask myself whether we really hate corruption or it is just that we miss out on opportunity to practise it. Some of the actions that we condemn, even on the Floor of this House, would be angelic if some people were given opportunity to serve. We need to have a sober national conversation about the value of hard work. As a country, we need to start rewarding hard work and meticulousness. People plunder public funds and others become corrupt even in the private sector when they feel that meticulousness and hard work do not pay. Those who embezzle more are celebrated more in the society, and they do worse things when given another opportunity.

Hon. Temporary Speaker, someone mentioned corruption even in our homesteads. The best example of this is how parents treat their children. When children visit during Christmas, the one who drives the biggest car and the one who is perceived to be the richest gets the best part of the meat. On the other hand, the uncle or aunt who spends the whole year taking care of the old parents is dismissed and does not have a seat in any family gathering conversation. We are all in agreement that there is nothing wrong with being wealthy or having a lot of resources, but we must also agree that all of us cannot accumulate an equal amount of resources. Therefore, we should not sideline those whose mere contribution is taking care of our old parents. The money we send at the end of the month might not take care of our old parents.

Even our young people feel us, taking pictures in big cars and posting them on social media. We celebrate when one posts a photo of oneself in a big car, but we do not appreciate the time when they used to use motorcycles. Celebrating wealth and not hard work thus runs into the culture that we see in our society. How do we then address the issue over and above having a generational conversation on hard work? We can only do that by ensuring that Government systems work.

The Members of the Departmental Committee on Finance and National Planning has taken upon themselves to move our accounting system from cash to accrued accounting, which is a good thing. What we see happening in the last month of every financial year, and when we approach a general election, is urgency by MDAs to spend all the money they have in their accounts because if any money remains unspent by 30th June, it will be returned to the National Treasury. This gives opportunity to Government officers to steal. The shift to the accrued accounting system has enabled the MDAs to continue with implementation of all programmes that have been budgeted for beyond 30th June. This is a policy direction that will help us end corruption in this country.

The Temporary Speaker (Hon. Martha Wangari): Hon. Pauline Lenguris, the Member for Samburu County.

Hon. Pauline Lenguris (Samburu County, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to add my voice to this discussion.

Corruption is a great disease in this country and in the world. Corruption has taken us back many years. We have seen many of our people suffering due to the effects of corruption. We have many resources in this country. If these resources were put into good use, we would not be where we are today. We are not saying that corruption only happens with money. A lot of processes are corrupted in this country. Our graduates are not getting jobs because they have to know someone in certain offices. We have also witnessed corruption in the private sector - in businesses - and even in churches. Corruption is all around us. This calls for collective responsibility. People are pointing fingers at the Government yet we all form the Government. In one way or the other, we are all concerned with what is happening in the country. It is our responsibility to ensure that we do not involve ourselves in any kind of corruption.

Corruption has taken us back in terms of development. A lot of money has been plundered in different levels of Government through corruption. A good example is the money sent to county governments. There are places in this country where women still fetch water 20 kilometres away from their homesteads. There are places where women carry water with

donkeys yet so much money has been sent to the county governments to provide for such services. Other places are without proper healthcare facilities. There are places where people have to take traditional herbs for even treatable diseases because they cannot access hospitals. Other places in this country do not have road networks. People living in such areas have lagged behind in terms of development and business. Corruption has really hurt us.

I thank the Committee for bringing this Report to the House. If we are all committed to this course, with what we have today, we might not even need to take loans. If we put our revenue into the right use, at the right time, by the right people and to the right programmes, we will serve our country well and our people will be happy. Our people are missing out on many opportunities because of corruption. You may be the most qualified candidate for a job in this country, but you still have to know someone for you to get the job. This applies even to the private sector. Unless you know someone, or you give a bribe, you cannot access some opportunities. This problem calls on all of us as Kenyans and Members of Parliament to correct it.

I support the Committee and thank them for the good work they have done. I hope this Report has shed some light on the way forward as far as the fight against corruption in this country is concerned. If we succeed in fighting corruption, we will use our resources on the right actions and programmes. We need to see the face of Kenya everywhere in employment, businesses, procurement and the private sector.

With those remarks, I support the Motion.

The Temporary Speaker (Hon. Martha Wangari): Hon. Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): Thank you, Hon. Temporary Speaker for giving me an opportunity to support the Report by my friend, Hon. Shakeel Shabir.

In my view, corruption requires preventive measures as well as punitive interventions after it has occurred. I recommend that we focus on managing public authority in processes that lead to contractual engagements. In particular, the key to preventing corruption lies in proper procurement systems that foster transparency and accountability. In respect to this, I encourage greater automation of our procurement system so that there is a clear documentation of the processes and traceability of the actions that precede awarding of any Government contract. Also, the exercise of Government authority should be clearly recorded, documented and preserved.

The use of artificial intelligence in our procurement process will greatly help fight this menace called corruption. Tied to that is effective investigations. Big investigations have been the greatest challenge to fighting corruption in this country. This is quite clear if you look at the cases that have been decided on. As regards cases that have had transnational character, whenever we have had mutual legal assistance in terms of investigation and prosecution, the culprits have been more or less convicted.

There was a case between the National Cereals and Produce Board (NCPB) and Erad, the South African Company. In this case, we had clear mutual assistance from South Africa. It is the evidence from South Africa that was used to convict the culprits in that particular matter. We also had the Smith Wilsman case of the Independent Electoral and Boundaries Commission (IEBC), which was given mutual legal assistance that helped, among many other cases.

I would, therefore, urge the Ethics and Anti-Corruption Commission (EACC) to make robust co-operation arrangements or arrange for exchange programmes with investigative agencies from other jurisdictions that could help us solve this particular menace because corruption has had great trans-boundary and international character.

There is an element of State capture that was mentioned by the Leader of the Majority Party, which I have been trying to push a Motion on. This is where Government's policy decisions on award of contracts and law making are influenced by personal interest. This is the

biggest threat to most of our democracies today. The international character of State capture, especially on big infrastructure projects, generally tend to create a debt crisis as we see in Kenya today and in other jurisdictions like Sri-Lanka.

Going forward, I would recommend new mandatory core subjects like Mathematics and English to be taught right from lower classes up to the university level in our curriculum to deal with ethics, nationalism, entrepreneurship and community of international interests.

Finally, the focus of the Report in the fight against corruption in Kenya is more on the public sector. The legal tools used in investigations are geared more towards the public sector yet rampant corruption is more experienced in the private sector. Corruption is engineered more by people from the private sector. It is time we also shed light on what goes on in the private sector in our efforts to fight corruption.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Next is the Member for Sotik Constituency.

Hon. Francis Sigei (Sotik, UDA): Thank you, Madam Temporary Speaker for giving me an opportunity to participate in the prosecution of this very important Motion.

At the outset, I would like to thank the Mover of this Motion, our senior, Hon. Shakeel Shabbir. I want him to go ahead and bring some legislative agenda so that we can tighten the law against corruption.

First of all, I want to thank the President of this country for taking some bold steps to fight corruption. If you were following the news, today he turned away some members of his Cabinet who arrived at his meeting late. That is a very good gesture. That the President can turn away his team is one way geared towards the fight against corruption. Stealing time by being late is part of being corrupt. It is gloomy in this country. I, therefore, applaud the President for his boldness. I also want to thank him for making a number of changes like digitisation of Government services, which is meant to eliminate the human contact in some operations. That is the way to go.

I have been in Government for a long time. Corruption has been fought for too long by previous Governments with no success. Where is the problem? It is clear that we have very good laws in this country. We want to see the reason why we cannot eradicate corruption. I am happy that the fight is now from the top. The political goodwill is there, starting with the President himself. I know we are heading somewhere in the fight against corruption.

I also want to applaud those who have been in this country for some time. I also want to applaud the EACC for doing some good work. The EACC has achieved a lot because they have been posting their achievements. I also want to applaud the President for appointing Bishop David Oginde the Chairman of the EACC. With his religious intervention, I am sure this country will move forward.

I support the Members who have said that we must make corruption expensive. This is by making sure that those who engage in corruption are made to pay for it dearly. It is the way to go. I am very happy that our Government is moving towards that direction even though the fight is far from over.

I want to applaud and support the Members who have said that we have to put in place prevention measures on corruption. One of the areas we need to look into is education, starting from the lower levels of our school system to the highest level. Let our children and the public be educated on matters to do with corruption so that we can move on. We want a mass movement in the fight against corruption in this country.

I also want to thank the Mover of this Motion, *Mheshimiwa* Shakeel Shabbir. We will support you in making better laws than the ones we currently have.

I support the Motion.

The Temporary Speaker (Hon. Martha Wangari): Thank you. The Member for Kipipiri Constituency is next.

Hon. Wanjiru Muhia (Kipipiri, UDA) Thank you, Hon. Temporary Speaker. I support this Motion.

I echo the voices of those who have spoken before me, particularly on adding new subjects to the school curriculum to educate our children on the dangers of engaging in corruption. Corruption has become part of us. It is there in families, involving young children and the entire country. It is, therefore, my considered view that we introduce this matter in the school curriculum and start teaching our children at a very early age. That way, we will build their morals against corruption.

In the 11th Parliament, I was seated on the same seat I am seated today when a Motion on some serious measures to be taken against corruption was debated in this House. The Motion proposed punitive measures like what happens in China, where those found guilty of corruption are hanged. I remember Hon. Irungu Kang'ata, the current Governor of Murang'a, and myself; were the only Members who supported the Motion. Members started thinking, "hanging?"

(Laughter)

I do not know what went on in their minds and what they felt. The Bible says that: "For all have sinned and fallen short of the glory of God." I want to consider that Members then may have considered themselves to have been directly or indirectly affected and, therefore, if we were to go the Chinese way, every Member would lose someone somehow. However, despite that, some serious measures have to be taken to address this menace. This is a problem this House must find a solution.

We send too much money to the counties and we agree that the re-current expenditures are big. However, if you go to hospitals, you cannot even find Panadol. There are no repair works happening on roads that are supposed to be maintained by the county governments. We need solutions in all sectors. We need to improve the education system, and also make laws without mercy. I urge Members of the 13th Parliament to go the Chinese way when it comes to dealing with corruption.

Hon. Temporary Speaker, it is bad for a country when investors do not want to invest because of corruption. I once met an investor from Israel who wanted to invest in one of our counties. I do not want to mention the county because I do not want to substantiate my statement, but since it was I who met him, I will say it. The investor was asked to part with a lot of money. Believe you me or not, he went to our neighbouring country, Tanzania, and established an institution that employed close to 3,000 people. Look at what we are losing as a country. We lose taxes, employment opportunities and the good reputation of our beautiful country.

I want to debate more on this Motion, but because I am waiting for my Motion, which is next in line, I would like to second all the Members who have spoken before me, and who said that we are this country's solution because we are the lawmakers. However, we should also put emphasis on implementation of the existing laws.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Dr John Mutunga, Member for Tigania West.

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you, Hon. Temporary Speaker. I desisted from coming to your desk because I thought it would be interpreted as corruption. I did not want to come and ask you what happened because I was fourth on the list, and I have seen many other Members speak before me. Thank you for giving me the opportunity.

We are discussing a subject that is extremely important to this country at this point in time. We are discussing this subject as if we are not Kenyans. We need to contextualise this subject to where we are right now. We may say that there is no corruption, but it has taken

centre-stage in many decisions that have been made in this country. We need a culture change. We need some forced process of re-culturalization.

Corruption has also developed its own language. People know how to speak it without even necessarily uttering a word. Corruption has been used to punish the innocent. We are live to the examples of what happened some years back when some senior individuals in Government were involved in very direct corruption cases. Those who were supposed to be witnesses were taken to court because the others had to be redeemed. Corruption cases are terrible. Currently, there are people who have been suffering for the last seven or eight years, answering to cases on matters in which they were not involved because their bosses had to be redeemed.

The entrenchment of corruption is dangerous. It has taken the form of influence, and lack of integrity and ethics. I remember during my A-Levels, we used to be taught social ethics. During those lessons, we used to be guided on the right thing to do, how to approach certain processes, and when to know that you are being compromised. Today, compromises happen every day. People are bypassed in queues, and others lose opportunities every day because of corruption.

We cannot sit in this House and keep lamenting about corruption. What should we do about it? I want to make a few proposals. We need to unlearn corruption. We need to focus on the younger generations even as we deal outrightly and non-compromisingly with those who are corrupt today. We need to teach our children how to look at corruption. When a senior Member of Parliament like the Leader of the Minority Party stands in this House and says that corruption is budgeted for, we are misleading the nation. How do we budget for corruption? That is an issue that needs to be revisited. How can somebody say that corruption is budgeted for? We need information on what exactly the Member meant by saying that corruption is budgeted for. The Members of this House are involved in the budgeting process, and we engage the MDAs in that particular process. We do not allocate money for influencing or for causing some change in direction in whichever way.

Our children also need to undergo proper orientation on the subject of corruption. They need to be guided on what choices to make in life. At some point in this country, children would choose to study procurement in universities. Why did they choose to do procurement until it became over-flooded with students? It is because we had cases of people who, in one evening, had zero shillings in their accounts and in the following day, they had Ksh59 million. They probably thought that if they studied procurement, they would easily get money. We need to train our people to have integrity so that they can stop looking for quick, easy money, which has messed up our economy.

Where is there no corruption? Whenever we queue at the border of a foreign country, waiting to get our passports stamped, nobody jumps the queue. If you have to jump the queue, there must be a good reason. Why would somebody jump the queue at any time and in any way until those who came early in the morning leave in the evening without being served yet you say that we are not corrupt? Corruption is entrenched in this country and we need to do something about it. We need to start now by having a culture change.

Finally, there is the issue of the proper definition of the word “corruption”. Are we talking about influence or nepotism? What exactly are we talking about? Are we talking about payments? Are we talking about stealing? What exactly do we mean by “corruption”? We need to properly define it so that we can guide our children on what it is that we are trying to fight against.

I support the Motion.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, despite the interest in this Motion, our Standing Orders show that the time for its consideration is up. We will call upon the Mover to reply. You have 10 minutes.

Hon. Shakeel Shabbir (Kisumu East, Independent): Thank you very much, Hon. Temporary Speaker. Before I reply, may I kindly donate two minutes to Hon. Wanjala and two minutes to Hon. Saney, with your approval?

The Temporary Speaker (Hon. Martha Wangari): Mover, put the names in order. You have donated two minutes to Hon. Wanjala. Who is the other Member?

Hon. Shakeel Shabbir (Kisumu East, Independent): Hon. Saney of Wajir North.

The Temporary Speaker (Hon. Martha Wangari): Two minutes to Hon. Saney.

Hon. Shakeel Shabbir (Kisumu East, Independent): I would like to donate two minutes to the Member there.

The Temporary Speaker (Hon. Martha Wangari): Those are six minutes.

Hon. Shakeel Shabbir (Kisumu East, Independent): Two minutes to Hon. Fatuma. That is eight minutes. I will wind up in two minutes.

The Temporary Speaker (Hon. Martha Wangari): Alright. We will have Hon. Wanjala for two minutes, Hon. Saney for two minutes, Hon. Kirima for two minutes and Hon. Fatuma for two minutes. You will then conclude in two minutes.

Hon. Shakeel Shabbir (Kisumu East, Independent): Yes, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Temporary Speaker. Corruption in every Government starts immediately after that Government is inaugurated. It starts by calling elected Members to parliamentary group meetings where they are told that they are in the Government and that the other Members are in the opposition and, therefore, they must defend the Government. The functions of Parliament, both for the Minority and Majority parties, include legislation, representation, and oversight. Some people should not feel that because they are in the Government, they should not criticise it. They are supposed to critic the Government.

Corruption starts with blackmail. When the leadership wants to start engaging in corruption, it blackmails church leaders. Church leaders cannot condemn anybody's behaviour because the decision to condemn anyone's behaviour is from God. Corruption starts when the Government of the day appoints a church leader or a bishop to preside over the anti-corruption institution.

Before they were in leadership, the current Government told us that the money that was lost in the Kimwarer and Aror Dams projects was only Ksh7 billion. They are currently in leadership and they have not recovered that Ksh7 billion. They complained about KEMSA, but the newspaper was awash with news that somebody's son was there.

Hon. Kwenya Thuku (Kinangop, JP): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Kwenya, what is out of order?

Hon. Kwenya Thuku (Kinangop, JP): Hon. Temporary Speaker, Hon. Wanjala is completely out of order in the sense that whatever he is talking about is a Motion that was passed by this House. He is insinuating that this House acted in vain. We know that Parliament does not act in vain. Therefore, I plead with you to declare Hon. Wanjala completely out of order.

The Temporary Speaker (Hon. Martha Wangari): Hon. Wanjala, I know your time is over, but from what Hon. Kwenya is saying, I do not think you are really out of order. Wind up.

Hon. Raphael Wanjala (Budalangi, ODM): Give to Caesar what belongs to Caesar and to God what belongs to God. Why do we go and bring men of God, already appointed by God, to what Caesar is doing? That is where corruption is entrenched.

Hon. Temporary Speaker, this country belongs to all of us.

Hon. Naomi Waqo (Marsabit County, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Marsabit, what is out of order? Hold on, Hon. Wanjala.

(Hon. Raphael Wanjala stood in his place)

Hon. Wanjala, take your seat.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Temporary Speaker, is the Member in order to blame the men and women of God, who are not here to defend themselves, of participating in corruption?

The Temporary Speaker (Hon. Martha Wangari): Hon. Waqo, I think Hon. Wanjala has made a general comment on leadership of the church. We have bishops in this House who can defend themselves. So, I will ask you, Hon. Wanjala, to wind up.

Hon. Raphael Wanjala (Budalangi, ODM): I was saying that even the President's backyard is the biggest scam on scholarship. How long does it take a whole President...

The Temporary Speaker (Hon. Martha Wangari): Your time is up. Hon. Saney.

Hon. Ibrahim Saney (Wajir North, UDA): Thank you, Hon. Temporary Speaker. I appreciate the generosity of my senior, Hon. Shakeel Shabbir. I wish to make reference to my colleague, Hon. Wanjala, in trying to indicate that the Government is not serious about the fight against corruption. We have just come from a Government that was so ugly, shameless, and one that tried to fleece COVID-19 funds. The worst form of corruption since Independence happened in the last Parliament. I believe the current Government has taken up the work of fighting corruption seriously. The leadership has severally indicated this Government will not tolerate corruption.

Greed cannot be taught in school. No curriculum can deal with matters of greed and corruption. This requires straightening the culture in which we bring up our children. What kind of values do we imbibe on the youngsters? It is about tightening our laws and having effective wealth declaration and lifestyle audits. We have been doing lifestyle audits and they have become very conventional and formal, but not effective. Is the Ethics and Anti-Corruption Commission seriously up to the task? I believe they are rotten to the core that they cannot hold anybody responsible for corruption cases.

On performance and accountability on the duty bearers, accounting officers of the various MDAs must be serious on matters of accountability.

Lastly, whistle blowing and public shaming are the...

The Temporary Speaker (Hon. Martha Wangari): Your time is up. Member for Central Imenti.

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Temporary Speaker. First of all, I thank my Chairman for donating two minutes to me.

Corruption in Kenya is inherent in us. We need a proper definition of corruption because it is deeply rooted in the society. When the Constitution was promulgated in 2010 to introduce devolution, corruption was devolved from the national Government to the county governments. You will not achieve whatever you want unless you have something to exchange under the table. It is very interesting that even if you work for people innocently, at the end of the day, they will bring you something to appreciate your work. I believe this is a type of corruption. We should have a good definition of corruption. We should also come up with strong laws to deal with the culprits of corruption.

If you go to China, Singapore and other oriental countries, it is interesting that when one is found to be corrupt, the law is not lenient on them. However, in Kenya, if one is corrupt and has a lot of money, they are given very light sentence. At the end of the day, this encourages even small children to be corrupt. Is it possible to have a curriculum to teach students in primary and secondary schools that corruption is bad so that it can be inherent in them?

The Temporary Speaker (Hon. Martha Wangari): Thank you. Hon. Fatuma.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I also thank my brother, *Mheshimiwa*, for donating two minutes to me.

I think Kenyans are pretenders. We speak very well here, but what we say is not what we practise. I remember just after we came to Parliament, the President came here and talked about how he will deal with corruption. However, I was shocked to see that among the first people who were pardoned by the President was someone who was convicted by a Kenyan court for being corrupt. How will Kenyans trust that he is going to deal with corruption? People who stole chicken were not pardoned, but a known thief who went through a court process and was found guilty was pardoned by the President. Does he really mean what he says?

What is the meaning of corruption? It is actually bribing someone. The youths were bribed with money and were called sweet names such as ‘‘hustlers’’. They were also promised nice things, but they are yet to see any of those. That is also corruption. So, corruption does not just mean taking money and putting it in your pocket.

The churches, just as the mosques, are also corrupt. They lie to *wananchi*. When a church tells you to give out Ksh10, and pray for you to turn it into Ksh100, that is corruption. We need to be honest, especially the Government. The Executive should not tell us that they will fight corruption and the President pardons a corrupt person. May Allah watch over you. I lack words.

The Temporary Speaker (Hon. Martha Wangari): Mover, Hon. Shakeel, you have two minutes.

Hon. Shakeel Shabbir (Kisumu East, Independent): Thank you, Hon. Temporary Speaker. I am very happy to hear the support by the Members of Parliament. I am really proud of you all. The fight against corruption is sometimes a lonely battle and not very helpful. It is a great encouragement when I have moral support of the Members of Parliament. We also need support from the Executive. In this moment and time, I want to plead with the President of this country to lead us in the fight against corruption or State capture.

Corruption is theft of time, opportunities and other things. One person cannot fight corruption. Everybody must play their part. It must have the concurrence of all leaders - from the President all the way down. As it has been severally mentioned, it is true that China is very strict on corruption. We have been to China and it is the Communist Party that executes corrupt officials. Somebody here asked about the definition of corruption. I want to state that corruption is theft. It has been there since time immemorial. Our job is to make sure that the Parliament of Kenya is a member of the APNAC, where all Members can fight corruption.

I have been asked why I have been there for a long time. We have a new Executive Committee and every single Member is new, except me. I was voted in yet I did not even want to vie. I was told that I must lead the new Executive Committee.

The APNAC is a registered organisation, under a guarantee, and is institutional. Let us, therefore, work for this and let us fight against corruption as APNAC Kenya, that is, the National Assembly and the Senate.

I am very encouraged. Thank you very much for the support that you have given us.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Shakeel.

The debate on this Motion is effectively concluded. Under Standing Order 53(3), the Question will be put the next day.

(Putting of the Question deferred)

Next Order.

ADOPTION OF REPORT ON THE VISIT
TO SEMI-AUTONOMOUS INSTITUTIONS OF THE EAC

The Temporary Speaker (Hon. Martha Wangari): The Chairperson, Select Committee on Regional Integration, Hon. Wanjiku Muhia.

Hon. Wanjiku Muhia (Kipipiri, UDA): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Select Committee on Regional Integration on its visit to Semi-Autonomous Institutions of the East African Community in Arusha, Tanzania from 2nd to 8th April 2023, laid on the Table of this House on Tuesday, 6th June 2023.

The Committee on Regional Integration is a Select Committee established under Standing Order 212. Its main mandate, in summary, is to examine the records of all the relevant debates and resolutions of the meetings of the East African Legislative Assembly (EALA). It also examines the Bills introduced in EALA and the Acts of East African Community (EAC).

The Committee of Regional Integration also examines the records of all relevant debates, resolutions, and the meetings of the Pan African Parliament (PAP), the African Caribbean and the Pacific European Union (ACP-EU) Joint Parliamentary Assembly (JPA) and other regional bodies hand-in-hand with inquiring into and examining any other matters relating to regional integration generally requiring action by the House.

I did not need to read the mandate of this Committee. I, however, feel that one of our key jobs on the table now is to sensitise the citizens of East Africa and Kenya. The citizens of Kenya are represented by the Members of Parliament of this House and the Senate. I feel the need to keep on informing the Members. Recently, we had an issue with the Members who sit in the Pan African Parliament when they wanted to present their report. We read to them that we were supposed to examine this record so that we inform the House well.

The purpose of this inspection was first to familiarise members with the institutions within East Africa, so that as we continue with the journey in the next five years, and now four, they get to understand which institutions are established in East Africa. We also meant to make Members appreciate the operations of the organs that provide services and facilitate EAC integration. Also, to establish a basis of awareness creation in the East African region, and the role of Parliament in the regional integration process.

We intended to get feedback and recommendation from the EAC institutions, organs and areas of policy support and any advocacy. This will continue to create awareness because sensitisation is everything. People cannot deal with matters which they do not understand. It was important for our Members to be aware.

I want to relate it with today's event in State House. This morning, I broke protocol, and I am sure Hon. Felix Kosgei wondered. I denied him eye contact so that he would not rule me out of order in the presence of the President. I carried this with me. I would not give it to the Leader of the Majority Party because he was missing in the event. The Kenya Kwanza Government is not aware of what entails the East African Region. It is not even aware of the East Africa's mandate as a Ministry. Today, the Minister in charge of East African Community signed the contract of Arid and Semi-Arid Lands (ASALs), leaving out the one of regional integration.

The Ministry of East African Community was established some time back when the Summit sat down and found that matters of regional integration were getting lost in the Ministry of Foreign Affairs. They sat as the highest organ in East Africa and resolved that each country shall have a Ministry of EAC, whose core mandate is regional integration matters.

Recently in the Kenya Kwanza Government, our President added the mandate of ASALs to this Ministry. This is an additional mandate which is different from the mandate the

Ministry of East African Community established. It is unfortunate that the people drawing the programme can forget that the East African Region exists and that the Ministry of East African Community deals with ASALs. As written in the programme, the original mandate of the Ministry of Foreign Affairs was diaspora affairs. The original mandate of the Ministry was foreign relations. Diaspora and any other agenda can come after that.

Back to my presentation, the Committee visited semi-autonomous institutions like the Secretariat. It is fully autonomous. They visited the East African Court of Justice (EACJ). They did not have the privilege of visiting the EALA because it was sitting in Bujumbura by then. They, however, visited the East African Community Competition Authority (EACA) and the Eastern and Southern African Management Institute (ESAMI).

They observed several issues, and for the interest of time, I may not go through them because they are captured in the recommendations. During this visit, they found that the Community is constrained financially. The Community is facilitated by partner states. Each partner state contributes approximately US\$8 million annually through the Ministry of EAC, through the Treasury. And time and again, this money does not reach Arusha as expected. For instance, you will find that countries are supposed to remit this money in July. Budget is read on 30th June in all countries within our region so that no nation will say that they have not read their budget and, therefore, cannot remit money. However, time and again, you will find a country like South Sudan that we love and respect and is our brother, does not remit this money year in, year out. They have not remitted US\$30 million. This late remittance delays the implementation of policies or other matters in EAC. The Committee found that there was the challenge of staffing in all these institutions, which has been there since the time I was at EALA. There are always wrangles on staffing.

The Committee also established that there was lack of awareness. For instance, the East African Court of Justice provides very good services to the citizens, but they do not use the court fully because they are unaware of these services.

The Committee also found that the Non-Tariff Barrier (NTB) is the greatest challenge to the growth of this Community. If we refresh our memory, our East African region is established on four pillars. The Common Market focuses on free movement of goods, people, and services. But the non-tariff barriers in this region have limited this protocol from being fully implemented. There are all manner of non-tariff barriers, including roadblocks. This weekend, we had the privilege of one-on-one with the Ministry of Roads and Transport. We also intend to sit with the Ministry of Interior and National Administration. The roadblocks bar trade from happening. After implementing the Customs Union, you go to the One Stop Border Post and find a different mindset in the officers. They do not know that one does not need a visa to cross into our neighbouring countries. The boundaries are currently there, but in essence, and in the spirit of EAC, those boundaries do not exist. That is why we have One Stop Border Post. So, this mindset needs to change. All these are issues to do with non-tariff barriers.

This Committee recommends that EAC, through the Ministry of East African Community, ASALs and Regional Development, should explore alternative financial mechanisms for the Community. It is no longer tenable to ask countries to remit money. We are not able to sanction, though sanction is in the Treaty, those who delay to remit their payments.

The other recommendation is that amendment to the Treaty be fast-tracked. There has been a lot of work towards amending the Treaty. There are issues delaying the process. These are issues like consensus. The EAC now has seven-member states. For every sitting, all seven states must be present.

Further, the seven states have to agree with the issue on the table. In the 21st Century, that is not possible. That is why the EAC is not able to move. How can seven-member states have the same idea and agree on it unanimously? There will always be dissenting voices. So,

there have been suggestions that the Treaty needs to be amended. The amendments need to be fast-tracked, hand in hand with other regulations like the 2017 Non-Tariff Barriers Act. The non-tariff barriers framework is not in place. We should not say that roadblocks should not be there. Instead, how many should be there? For instance, how many roadblocks should there be between Nairobi and Namanga or from Dodoma to Tabora?

Finally, there is need to create awareness. As the Chairperson of this Committee, I have continued to create awareness. That is how I broke protocol at the State House when my Cabinet Secretary was called to create awareness in the country that EAC exists. These are just some of the recommendations. There are quite a number. The key recommendation, which I would like Members who will debate to discuss, is on the East African Court of Justice. We contribute money to the court. The EACJ was established almost two decades ago. To date, it is still an *ad hoc* court. It does not work full-time. What justice do we give EAC citizens if a judge only works for three weeks and retreats back to their country for the rest of the time? To date, the court is still temporary; it is hosted in Arusha, Tanzania, temporarily. It is up to EAC, through the Council of Ministers, to agree that this court will be permanently based in Arusha and that chapter will be closed.

Most importantly, through the Council of Ministers, each partner state must agree that the EACJ must work full-time. Hon. Okiya Omtatah could be headed to EACJ instead of bothering us here in Nairobi. However, he is aware that if he goes to EACJ, the court may not be sitting. Many EAC citizens have matters, but they are unaware of when the court sits or will sit. That is justice being delayed.

With those many remarks, I beg that Members deliberate the EAC matters passionately because this is the way to go. For the information of this House, we just gave views on the political confederation a month ago in Arusha. This means we are already fast-tracking the final pillar of EAC, a political federation. But because we are not yet at a point where we can have one EAC president, the transition is the confederation. This is almost being realised.

Hon. Temporary Speaker, Members need to realize, understand and embrace matters of the East African Community so that when we have a confederation tomorrow, we will not ask how it came about and where it came from. We should guide our citizens by telling them about the opportunities available in EAC and how they can trade. Because they are informed, Uganda and Tanzania trade more in small-scale businesses than us. They continue to inform their citizens through their Parliaments. Let us embrace matters EAC. Let us speak to the citizens about it so that the *mama mboga* in Kenya can be aware when there are no vegetables in Tanzania, but there are onions and carrots, so they can also trade. There is free trade of close to 300,000,000 people. The Democratic Republic of Congo is already on board. Our citizens are not aware of the opportunities that are there. Let us speak and embrace matters EAC.

With those remarks, I beg to move the Motion. Through your approval, I request Hon. Beatrice, a member of the delegation, to second. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Chairperson. Hon. Kemei.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Temporary Speaker, for allowing me to second this Motion on the Report on a Visit to Semi-Autonomous Institutions of the EAC.

I thank our Hon. Chairperson for being passionate about EAC matters. I am aware that when we were allowed to be Members of this Committee, Members felt they could only be there if they did not have another committee because it does not have opportunities. It has so many Members, 22, unlike the other Committees. I confirm that we are doing well under the leadership of Hon. Wanjiku. We have visited several places. I want to talk about the visit to Arusha, where I learned many things.

I support Hon. Chairperson. The EAC is very important to us. We should not forget that when we sing our National Anthem, it is followed by the EAC Anthem. That tells us that the EAC is very important. It consists of 300,000,000 citizens. Twenty two per cent live in urban centres with a land area of 4.8 million square kilometres. According to the statistics in 2019, the Gross Domestic Product (GDP) of EAC is 240 billion. More member states are joining the EAC.

I am happy and appreciate that Kenya is considered a big brother in the EAC. Other member states are the Democratic Republic of Congo, the Republic of Burundi, the Republic of Rwanda, the Republic of South Sudan, the Republic of Uganda, and the United Republic of Tanzania. From what our Chairperson has told us, the EAC has autonomous institutions like the East African Court of Justice and the East African Common Market. I also appreciate the East African Common Market as one of the pillars of EAC. The activities are the issuance of the new international e-passport that came into place in 2019.

Hon. Temporary Speaker, we can move freely within Kenya, Uganda, and Tanzania. Free movement of persons, hawkers, labourers, services, and capital across the East African Community is important to us. The East African Legislative Assembly is key. We have sent Members there to represent us. The many issues, cases and legislations they handle are key. However, we did not find Members because the sittings were being held in Burundi. We visited their beautiful and interesting Assembly. Hopefully, we will find them sitting there or in Kenya next time.

I wish to appreciate the East African Community Secretariat and observe the challenges it is currently facing. There is financial shortage which is occasioned by the delay in remittances by member states, thus slowing down sittings, transactions of business and programmes in the Assembly.

The free movement of East African-originating goods is frustrating. Persistence of Monopolistic Trade Tendencies (MTPs) even after 16 years of implementation is not good for our region.

The trade between the East African countries is low. The intra-East Africa trade is at 10 per cent while international trade accounts for 90 per cent of East African trade. Does it mean we do not trust the products and goods that we have amongst ourselves? Instead, we want to get goods from other countries.

The member countries should pull up their socks. Kenya being the big brother, should always show the way. The Ministry that Hon. Chair has spoken about should work harder and be felt in the East African Community.

(Question proposed)

The Temporary Speaker (Hon. Martha Wangari): Hon. Ferdinand Wanyonyi.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Thank you, Hon. Temporary Speaker. I want to thank the Hon. Chair. I want to remind her that I was a boy during the original East African Community (EAC). We have lost a lot. Her observations are right. I was there and had three of my cousins employed in the East African Community. In fact, my brother-in-law, who married my sister and taught me, was working for the East African Railways. There was also East African Airways. I do not think Hon. Wanjiku Muhia knows that, but I can tell you that before she was born, it was East African...

(Hon. Wanjiku Muhia spoke off the record)

I am not saying anything else. I am just supporting you to say that there have been institutions in East Africa that I think this region has messed up.

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(Hon. Wanjiku Muhia spoke off the record)

I did not say anything about your death. I only talked about the future. Hon. Temporary Speaker, protect me from the Chairlady. I am just trying to say she has done an excellent job. She should be clapping instead of...

The Temporary Speaker (Hon. Martha Wangari): Member for Kwanza, the Chairlady looks very happy.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): She is very happy. Then I am also very happy to remind her that, as a Community, we have missed quite a bit. If we went with the same spirit we had that time, this region would be doing very well.

The Chairlady spoke very well that even inter-trade between the countries has been constrained. I do not know for what reasons. This House should take this Report strongly and encourage the East African countries to revive the idea that we had. Although this was colonial days, we should revive inter-trade, other relations, and even schools.

My brother went to Makerere University. At that time, it was only Makerere University, Dar es Salaam University and the University of Nairobi. The University of Nairobi came much later. Again, we miss that opportunity.

As a country and region, we have missed quite a bit. I travelled recently to Busia, and there were many roadblocks, and you wonder why they are there. The trucks that leave this country to the west go all the way to the East African countries. The Presidents of all the countries in the region should come together and encourage the inter-country trade relationship.

I went to Arusha recently, and again you are searched as if you are a foreigner. At this rate, I will not be surprised if we are asked to acquire visas to visit our neighbouring countries. We should do much better than what we are doing today to be able to revive some of those activities. The population of East Africa is going up every other day, and if we can improve the relationship between the countries, we will be able to have inter-state trade, and we will do much better than we are now.

There are a number of things that we can list, and the Chairlady must have all those things. We need to be serious and even dictate. We even had Ministers from the East African Community. We prefer going to China, Europe, and other places when we have a relationship with a region with everything we need. We can export that kind of thing to these countries and improve the status of our country's economy.

I want to support this Report and hope this Parliament will force the countries. Kenya was the leader of the East African Community. We should even revive that. Hon. Temporary Speaker, do something about it...

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Member. Member for Marsabit County.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for allowing me to add my voice to this very important Report that our very able Chairlady has tabled.

I also want to congratulate the Committee on Regional Integration for working very hard. Lately, this Committee has been one of the best. Congratulations, Madam Chair, because you are so passionate about what you are doing and lead by example. I congratulate you on behalf of the entire Committee because this Report is a result of your hard work and guidance that helped the Committee progress very well. That, Hon. Temporary Speaker, also confirms the leadership of women and affirms that you can move from zero to something. When we started as a Committee, we did not know that we could progress very well until our Hon. Chairlady showed her leadership skills that brought us to this level.

Thank you for allowing me to add my voice to this. Of course, I have already congratulated the Committee, especially the team on this trip. Our Committee was able to visit different places, and one of the things that really encouraged us was the free movement of East African-originated goods and our relationship. We should be proud of being part of the East African Community because we have people, culture, and fertile agricultural land. Our culture is very rich, and we have many good things and resources that God has blessed us with. Unfortunately, sometimes, we do not make good use of the opportunities and the resources that God has given us. This Report will help us understand the current situation to improve on what we already have.

Hon. Temporary Speaker, the Committee made several observations. One of the observations the Committee made is that the intra-East African Committee trade for a number of years has consistently remained low at about 10 per cent, which is unfortunate. We ought to have grown. While we are at 10 per cent, international trade accounts for 90 per cent. In fact, we should aim to grow our economy and see how best we can interact and grow our businesses because that will help East Africa grow in a big way. That is one thing that we need to pick.

The other thing is that the free movement of East African-originated goods is frustrated by the persistence of the Non-Tariff Barriers (NTBs) even after 16 years of implementing Customs Union. All this frustrates the business and trade that happens. There is a need for improvement that can have some positive impact.

I congratulate the Democratic Republic of Congo that joined. It is the newest member of the East African Community. It joined us on 8th April 2022. This shows that we are growing, and there is a lot of strength in our growth. The only thing we need to improve and promote is cohesion and understanding so that we can unite and improve our economy, development, growth, and agricultural practice, and also promote our culture, which is quite rich.

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

The Temporary Speaker (Hon. Martha Wangari): Member for Busia.

Hon. Catherine Omanyo (Busia County, ODM): Thank you, Hon. Temporary Speaker. I congratulate the Committee for coming up with a heavy dossier about the East African Community.

When I was younger, some of my uncles worked in Makerere and some industries in Uganda. They would move and get jobs easily. But along the way, the trade barriers and political instability threatened social cohesion. Also, producing similar products resulted in competition among member states. With that happening, the member states lost the grandiosity of being together and working together as members. By now, most nations do not have teething problems after colonialism. If most of these nations have clear targets and mean well, they can merge to be stronger and seek to come up with a common goal that can attract the international community and ensure that no nation continues to experience instability.

Recently, I heard the president of Tanzania say that the instability in Kenya has made them gain in tourism and more investors. That was a sorry statement. If we mean well for each other, what a member state should do immediately if anything happens to a sister nation is to come in and see how it can help. It should not look like it is celebrating. So, that was unfortunate. We still believe in being together and not breaking away. An example we have seen recently is Brexit, where the United Kingdom (UK) insisted on withdrawing from the European Union (EU). However, what they had not seen was the bigger picture. Most of their professionals had come from the EU Member states. They are now wallowing in not having enough professionals like doctors. They are coming up with less strict methods of getting professionals. When you are together as member states, you can get professionals, expatriates, or somebody who can help when you lack something from other nations. It is scratching each other's back and not competing as seen before. I applaud the Committee for coming up with this Motion.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Hon. Member for Limuru.

Hon. (Eng.) John Kiragu (Limuru, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Report. It is important for us to know why we failed to grow the East African Community. The people who colonized us looked at our Community when it was strong and worked around it to ensure it failed. While doing that, they were putting their house in order in Europe and came up with the EU. This region needs to know that when we try to get together, there are forces that will always work against us. We know that by being together, we will be strong economically, trade amongst ourselves, and remove the barriers in transportation, language, education, and research.

Looking at the East African Community, we must know that we live in a competitive world. The Community is growing by including the new states that have joined. Other nations are applying to come on board. As this happens, we must work to stay together and remove existing barriers. We must consider ourselves as people who can create a regional bloc competing with other regional blocs. We had a very respectable union. The central workshop of the East African Railways was based here in Nairobi. We had research and libraries together in East Africa.

As mentioned in this Report, we can get our act together and formulate how we can fight the rest of the world in this ongoing cruel global economic war. When we talk about shortage of certain food commodity as a country, we will know that our neighbours grow it, which is what we need. In Kenya, we will understand that we manufacture things that our neighbours will require. We need to make sure that we gain from each other and not fight with each other. I pray for a day when the cost of air transport to Mombasa will be more or less like flying to Entebbe or Kigali. We are still making things very difficult for ourselves because we have refused to remove the barriers between our countries. We must remove the barriers between our countries so that people can move freely without burdening themselves with unnecessary additional costs. If you go to Europe, moving from one country to another does not cost much just because you are crossing a border. However, we still maintain those boundaries and restrictions which work against our people.

As we move forward, I pray that we open our borders so that our people can take advantage of our resources. Our biggest resource is the people of East Africa.

I support the Report.

The Temporary Speaker (Hon. Martha Wangari): Thank you.
Member for Tigania West.

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to speak to this Motion. I rise to support the adoption of the Report by the Committee. I wish to thank the Committee for taking time to expose Members to the institutions of the East African Community, especially those in Arusha. The world is becoming bigger. The only way to improve or increase efficiency is to get bigger because the bigger we get, the better we are. Even in terms of machines, the bigger the machine, the more efficient it is.

Opinions abound that we start with a free trade area. There was a time when East Africa was a free trade area. There was free movement of goods and services and reduced tariffs on certain goods. Currently, we speak of being a customs union. The East African Common Market Protocol has been signed. It took time to negotiate because of our inherent issues as a region. We are at different levels of understanding what needs to be done. We suspect each other too much, and we are not ready to cede ground, as it were.

Currently, the European Union has moved towards a common market. They use a common currency where one does not have to think about changing currencies when moving

from one country to another. Prices of commodities are standardized by the currency, and people agree on what to do in their regions.

After establishing an economic union, the next step is a political federation. A political federation is where a region has one president. Those who have achieved this are the United States of America (USA). Otherwise, each state would have been a different country. There is no one else who has achieved that. The USA has enormous power because everyone in the country thinks in unison. They think as a country, develop, and grow as a country. However, they have individual state-specific issues that they deal with.

Exposing the Committee to what happens in Arusha was an excellent idea because knowledge is power. Even as they think through and pursue issues that the Committee needs to do in the next four or five years, it was important for them to go to Arusha to understand exactly what is or is not functioning. They need to be apprised of what investments have been made and how they benefit our countries.

Going the integration route is the only way that Africa can help herself. Two days ago, I saw an African anthem. I heard the words which talked about unity, development, and togetherness. Those words were in Kiswahili, Africa's most widely spoken language today. We may say the most commonly spoken language in Africa today is Kiswahili. However, if you look at Africa, the entire West Africa does not speak Kiswahili. A bit of Central Africa and Eastern Africa has more or less influenced the choice of language. What are we saying? If we could speak the same language, we would have been more advantaged as a region. It is our responsibility to grow and develop Africa. Let no one ever imagine somebody coming from outside and developing Africa. Whatever comes from outside goes back in whichever way it is. It goes back in a bigger way than it came.

What we need as Africans is to think of how we can support each other to grow our regions and therefore grow Africa as it were. If we sat down as Africa, we would identify our areas with whatever potential. Where do we have the potential to develop what? Where do we have the capacity to grow what crop? What raw materials do we have? We would know the kind of industrialization to approach in certain regions and how to share these resources across Africa. As we look at growing Africa as Africans, we must look at how East Africa positions itself to engage the rest of the African regions. That is why knowing or understanding what happens at the East African Community level is very important.

Hon. Temporary Speaker, Africa needs the rest of the world. All right. However, Africa needs to organize herself better to better engage the rest of the world.

The Temporary Speaker (Hon. Martha Wangari): Your time is up. Hon. Fatuma, also known as “Full Network, Member for Migori.”

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker, for knowing my powerful name. Thank you for giving me this opportunity to contribute. First, I want to say a big thank you to the group that put this together through the Hon. Chairlady. Kudos. This was a good job.

Again, the relationship we have with our neighbours is not building-to-building. It is human to human. The people who are likely to spoil this relationship are we, the politicians. We need to be very careful with our statements. An example, I am sorry to say so, is a senior Member of Parliament I saw talking about a neighbouring president who tried to bring peace between two brothers here at home. He talked badly. I am wondering about brothers on the other side. They start thinking we have no brotherhood when they watch such videos. When two brothers are fighting, and a neighbour wants to come in, I think that is the meaning of the East African Community.

Therefore, politicians need to be very sensible and stop being reckless with their statements. It is very important because wananchi will cross the other side of the border to graze their cows.

They will be reminded what a Member of Parliament said, yet they do not even know what that Member said.

Hon. (Dr) John Mutunga (Tigania West, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Tigania, what is out of order?

Hon. (Dr) John Mutunga (Tigania West, UDA): Hon. Temporary Speaker, is the Member in order to assume that the other side should necessarily see it the same way when one side of the divide decides they have issues and should therefore get into an invitation of a Head of State to resolve a problem that is not properly articulated? The Member is out of order. She needs to tell us the exact sitting the two sides agreed to call anyone in to solve a problem and which problem was it.

The Temporary Speaker (Hon. Martha Wangari): You made your point, Hon. Mutunga. Hon. Fatuma, please restrict yourself to the Motion. The attributes of your speech should be a property of this House, not from outside. Restrict yourself to the Motion.

Hon. Fatuma Mohammed (Migori County, Independent): I stand guided.

Hon. Mutunga, I did not blame anyone. I like being honest. I do not like doing politics when sensitive things are happening. I did not talk about any negotiation. I only spoke of a Member who made a statement. I am sorry about that, Hon. Temporary Speaker. I still say that we politicians need to watch our mouths. Honestly, we need to. Tomorrow it might be me who says something that could interfere with our relationship with our neighbour. That is all I was trying to put across.

On the same note, other neighbours have issues in the East African Community. As a big brother in this Community, it is important for us to talk to other brothers and sisters who have similar issues. They could be issues that are worse than ours. Specifically, I will talk about the Democratic Republic of Congo. They have issues. They are our neighbours, and they run to us. Many of them are here in Kenya as refugees. They are flocking to our country. Only sending our troops there is not enough. We could also find a way to help the DRC have peace so that the mothers and children of that country live peacefully and within their rights. We should cooperate in this brotherhood and sisterhood and make the neighbourhood more important to us than anything else. We do business with our neighbours, and if our relationship is encouraged, more intermarriages, businesses, and other things will happen. For example, when Kenya faces drought, our cows are taken to the other side to get water and vice versa. We might take it as simple on paper, but we have the East African Community. We need to go down to *wananchi* and tell them that if they see a neighbour from Uganda, Tanzania, or any other country, they should take them as a sister and a brother. We should also teach our children that the citizens of our neighbouring countries are our brothers and sisters so that we can live in harmony.

Hon. Temporary Speaker, I do not have much more to say. I support this Motion.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Member for Migori. Hon. Shieni wa Kieni.

Hon. Antony Wainaina (Kieni, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. I also would like to thank the Member who came up with this Motion. It is a wonderful Motion that we need to reflect on, particularly at this time when we have an integrated East African Community. We ask our neighbour, Somalia, which has volatile borders and a conflict within itself, to join.

For us and the East African Community to succeed and go beyond, regional leaders must ensure that all member states enjoy peace. But even when integrated, bad ideas and behaviour may come into our country.

Kenya has to refocus on the East African Community. I was in this country when one Kenya Shilling was exchanged at 36 Uganda Shillings. Currently, it is at 16 Uganda Shillings. The Tanzanian Shilling used to trade at 26 Shillings to the Kenya Shilling. The exchange rate has shown that other countries' economies are developing. The Tanzanian currency is exchanged at 15 Shillings to the Kenya Shilling, while the Uganda Shilling is below 20 Uganda Shillings. That means that other African economies are growing, but ours is not.

The late President Kibaki started the newly refurbished East African Community in conjunction with President Yoweri Museveni and President Jakaya Kikwete. The agreement was that for these countries to come to our level of development and trade area, we develop a free trade area where Kenya was to accept all goods from Uganda and Tanzania tax-free, but Kenyan goods going to Uganda and Tanzania were to be taxed. The agreement was for five years. After five years, our goods are still taxed as if there was no window for them to develop their industries, grow their economies, and grow to our level so that free trade could go on. I implore the Committee on Regional Integration to look into the matter so that the same is not extended to others so that when the Democratic Republic of Congo brings us wood and other products duty-free, we can also export our goods.

I thank the Committee that developed this programme, enabling us to see what happens between our good neighbours and us. It is not hidden that our treasure in Kenya is our human resources. I wish Kenya put much effort in exporting skilled labour to the other countries. If our labour is accepted in Europe and America, we can export it to our neighbours and ensure it is paid for. For Kenya to move on, I support the Motion and thank its developers.

Thank you very much.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Member. There being no more interest in this Motion, I call upon the Mover to reply.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Temporary Speaker.

First, I thank all Members who have debated this Report of the Committee on Regional Integration. With them becoming passionate, we are getting a majority because East African matters need to be known. What Members have said is true. There was a time we had East African Airways. The current Kenya Railways was the East African Railways. We had three universities: Makerere University, the University of Dar es Salaam, and the University of Nairobi. The three universities admitted students from East Africa. The University of Dar es Salaam had a specialization in law. Economics was at Makerere University. The University of Nairobi specialized in engineering. We still have the East African Cables. The benefit of being together is immense.

Today, regional integration in the whole world is the way to go. I am happy because East Africa has gone a step higher. We are thinking of a tripartite where we will be coming together with the Common Market for Eastern and Southern Africa (COMESA) and the Southern African Development Community (SADC). This means we can sit as three blocs in one and negotiate. When we are many, we can negotiate if there is any agreement.

The other day the President of our country said how one white man spoke and addressed 55 of them. We have 55-member states in the African Union. We can be more advantageous and benefit more if we negotiate as one. Of course, we, as East Africa, start at home. As Kenya, we have a huge challenge that I throw to the Government and every Member who matters on matters of policy, sensitisation, and such, to try to embrace East Africa.

What an Hon. Member has said here is true. When we joined the 13th Parliament, it was as if the Members sent to the Committee on Regional Integration were dumped there. It did not seem like a Committee that had value. Today, I can report to this House that, through the mandate of Standing Order 212, where we are left to examine records and inquire into any other matter, we engaged the Department of Immigration. We informed them we are custodian of people's movement. People are not moving simply because they do not have passports. They

cried and said it was the budget and all this. We told them, “yes, you speak of the budget, but you take money upfront. A citizen pays Ksh4,500 upfront when they apply for a passport. How come you tell the citizen you do not have money? Define ways and means to leave some money at the source”.

Last week we met with the Director of Immigration and the Principal Secretary. My Committee is pleased because we lobbied knowing that the Departmental Committee on Administration and Internal Affairs is huge. It has very many departments. They have the Kenya Prisons Service, the National Police Service, *et cetera*. It was not so much in their interest to look at immigration. It was purely in our interest to look at immigration because we want people to move with passports. We took this matter upon ourselves and moved it. Today, the National Treasury has agreed to give Ksh1.3 billion. The Department of Immigration normally collects Ksh3 billion on passports only. Out of that, Ksh1.3 billion will remain at the Department of Immigration. This will make them service machines, buy booklets, and make sure there is continuity of work. This demonstrates how this Committee can crosscut in all ministries and make things move.

I can also report that this weekend, Hon. Murkomen confirmed that the Government is communicating with Uganda. We will soon return to the East African Railways because the railway from Naivasha heads to Uganda through Malaba. When we finished the meeting over the weekend, he met with Ministers from Uganda. It indicates to Members that things are happening, but we need to do more. We have to realize that the wealthiest men in Africa, a point in case being Dangote, have always traded within Africa. How come we want to trade with China and India? The European Union is strong because the countries are always moving together. We must be strong. Hon. Temporary Speaker, being part of the leadership of this House, you have to help our Committee make proposals that would benefit the Government because, time and again, even government stakeholders are not aware of the potential and opportunity lying ahead of this country in East Africa.

Once again, I thank all Members who have contributed. We will continue to bring more reports to this House. With that, I beg to reply.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Chair. For the convenience of the House, under Standing Order 53(3) we will defer putting the Question.

(Putting of the Question deferred)

ADJOURNMENT

The Temporary Speaker (Hon. Martha Wangari): Order Members. The time being 7.00 p.m., this House stands adjourned until tomorrow, Wednesday, 2nd August 2023 at 9.30 a.m.

The House rose at 7.00 p.m.

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