



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. IV NO. 59

THE HANSARD

Thursday, 26th June 2025

The House met at 2.30 p.m.

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

PRAYERS

Hon. Speaker: Members, we have quorum to transact business. Clerk-at-the-Table.

(Hon. Richard Yegon and several Members walked into the Chamber)

COMMUNICATION FROM THE CHAIR

DISBURSEMENT OF PRESIDENTIAL SECONDARY SCHOOL BURSARY FUND FOR FY 2024/2025

Hon. Speaker: Hon. Richard Yegon and Members walking in, take the nearest seats.

Hon. Members, I have a short Communication on the Disbursement of Presidential Secondary School Bursary Fund for the Financial Year 2024/2025. I wish to inform you that I have received correspondence from the Ministry of Gender, Culture and Children's Services regarding the disbursement of the Presidential Secondary School Bursary Fund for the Financial Year 2024/2025.

As you may be aware, the Presidential Secondary School Bursary Fund is a Vision 2030 flagship project which seeks to reduce illiteracy by increasing access to education and improving transition rates from primary to secondary schools. The bursary scheme was allocated an initial amount of Ksh400 million in the Financial Year 2013/2014 and has received the same, since. The bursary is disbursed to counties on a quarterly or half-yearly basis, with each of the 290 constituencies allocated an equal amount of Ksh1,379,310 to cater for an average of 45 students per constituency.

Notably, Hon. Members, the Ministry of Gender, Culture and Children's Services conveys that the total amount allocated to the scheme was reduced to Ksh325 million in the Financial Year 2024/2025. As such, Ksh199,999,950 was disbursed to counties in the first half of the same Financial Year, and an additional Ksh122,960,000 was disbursed in March 2025. With this in mind, allocations to the counties will inevitably reduce.

Hon. Members, the bursary is administered through a multi-stakeholder committee known as the Presidential Bursary Committee. It consists of the following members who are appointed in each financial year:

1. One representative of the Member of Parliament.
2. One representative of the County Woman Representative.
3. One representative of religious organisations.
4. An education officer.
5. An assistant county commissioner as a chairperson.
6. A children's officer as a secretary.

In this regard, and to ensure smooth operationalisation of the Presidential Bursary Committees, you are required to nominate members to the committees, through your respective offices, and submit names to the Ministry of Gender, Culture and Children's Services on or

before 30th June 2025. The Departmental Committee on Social Protection is hereby instructed to coordinate the collation of names from all Members of this House for purposes of conveyance by the end of Monday, 1st July 2025.

You are accordingly, guided.

Next Order.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Status of disbursement of funds to counties under the Presidential Secondary School Bursary (PSSB) project for the Financial Year 2024/2025.
2. Report of the Auditor-General and financial statements of Karumo Technical Training Institute for the years ended 30th June 2023 and 30th June 2024, and the certificates therein.
3. Reports of the Auditor-General and financial statements for the year ended 30th June 2024 and the certificates therein in respect of the following Technical Training Institutes:
 - (a) Godoma;
 - (b) Matili;
 - (c) Musakasa; and,
 - (d) Michuki.
4. Reports of the Auditor-General and financial statements for the year ended 30th June 2024 and the certificates therein in respect of the following Technical and Vocational Colleges:
 - (a) Fayya;
 - (b) Mumias West;
 - (c) Kongoni;
 - (d) Navakholo;
 - (e) Kerio Valley;
 - (f) Chamasiri;
 - (g) Loima; and,
 - (h) Lodwar.
5. Reports of the Auditor-General and financial statements for the year ended 30th June 2024 and the certificates therein in respect of the following Schools:
 - (a) Lamu Girls Secondary School;
 - (b) Garbatulla High School;
 - (c) Nanyuki High School;
 - (d) AIC Chebisaas Boys High School;
 - (e) Moi Girls High School – Marsabit;
 - (f) Maralal High School;
 - (g) St. Joseph Boys High School; and,
 - (h) Lodwar.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Chairperson, Departmental Committee on Administration and Internal Security, Hon. Tongoyo.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Administration and Internal Security on its attendance to the Sixty-Eighth Session of the Commission on Narcotic Drugs held from 10th to 14th March 2025 in Vienna, Austria.

Hon. Speaker: Thank you. Chairperson, Departmental Committee on Transport and Infrastructure.

Hon. George Kariuki (Ndia, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

Reports of the Departmental Committee on Transport and Infrastructure on its consideration of:

1. The Kenya Roads (Amendment) Bill, (National Assembly Bill No.31 of 2024)
2. The Kenya Roads (Amendment) (No.2) Bill, (National Assembly Bill No. 16 of 2025)

Thank you.

Hon. Speaker: Chairperson, Departmental Committee on Regional Development, Hon. Lochakapong.

Hon. Peter Lochakapong (Sigor, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Regional Development on its consideration of the Intergovernmental Relations (Amendment) Bill, (Senate Bill No.12 of 2024).

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Next is the Chairperson, Departmental Committee on Justice and Legal Affairs.

Hon. George Murugara (Tharaka, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Budget Implementation Monitoring for agencies under the governance, justice, law and order sector for the Financial Year 2023/2024.

Thank you very much, Hon. Speaker.

Hon. Speaker: Next Order.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON BUDGET IMPLEMENTATION MONITORING FOR AGENCIES UNDER GOVERNANCE, JUSTICE, LAW AND ORDER SECTOR FOR FY 2023/2024

Hon. Speaker: Hon. Murugara, Chairperson of the Departmental Committee on Justice and Legal Affairs.

Hon. George Murugara (Tharaka, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the Budget Implementation Monitoring for agencies under the governance, justice, law and order sector for the Financial Year 2023/2024, laid on the Table of the House today, Thursday, 26th June 2025.

Thank you, Hon. Speaker.

Hon. Speaker: Leader of the Majority Party, kindly give notice of the Motion.

Hon. Kimani Ichung'wah (Kikuyu, UDA): It is for Leader of the Minority Party.

Hon. Speaker: Leader of the Minority Party, Hon. Junet.

LAWLESSNESS AND VANDALISM OF PUBLIC AND PRIVATE
PROPERTIES DURING 25TH JUNE DEMONSTRATIONS

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, appreciating that Article 37 of the Constitution guarantees the right to assemble, demonstrate and present petitions to public authorities peacefully; further appreciating that on Wednesday, 25th June 2025, sections of the population participated in public demonstrations and protests in various parts of the country; deeply disturbed that, in exercise of this great constitutional right, there were numerous cases of violence, arson, invasion into both private and public premises, attacks on innocent wananchi and security officials and, more so, police officers and; further, deeply disturbed that demonstrators destroyed and vandalised both public and private properties and infrastructure, including courts, administration offices, shops/business premises, homes and supermarkets in various places in the country, including Nairobi, Kikuyu and Ol Kalou, among other places; alarmed by attempts by demonstrators to enter girls' schools, including the State House Girls, Nairobi; now THEREFORE, this House –

CONDEMNS in the strongest terms possible the deliberate destruction of public and private property and infrastructure during the demonstrations, including court records;

EXPRESSES GRAVE CONCERN over the repeated incidents of violence targeting civilians and public officers, including security personnel;

AFFIRMS AND ACKNOWLEDGES the right of every citizen to demonstrate, protest and express dissent, while emphasising the need to protect life, livelihoods and property; and,

CALLS UPON the Inspector-General of Police and the Directorate of Criminal Investigations to immediately and expeditiously investigate the acts of lawlessness and bring to justice those found culpable, including current and former politicians, who were involved in the planning, mobilisation, financing and incitement of mobs, goons and criminals.

Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Before we prosecute Order No.7, may the Leader of the Majority Party, the Leader of the Minority Party and Hon. Otiende Amollo approach the Speaker for some consultations?

*(Hon. Kimani Ichung'wah, Hon. Junet Mohamed and
Hon. (Dr) Otiende Amollo consulted with the Speaker)*

Hon. Members, I hope you have all seen the Supplementary Order Paper. We have a Supplementary Order Paper in circulation. On Statements, I will allow the four requests, as well as the Thursday Statement from the Leader of the Majority Party. The responses to the statements will come later. After that, we shall consider a Procedural Motion under Order 9, which will be moved by the Leader of the Majority Party. It should be concluded in no time.

Thereafter, we shall proceed to the Motion of which the Leader of the Minority Party has given notice. I will allocate one and a half hours to that Motion. Within that period - and I

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am sure each one of you has something to contribute - I shall allow the Leader of the Majority Party and the Leader of the Minority Party 10 minutes each. The remaining Members shall each be allocated two minutes, so that many of you may speak.

If you feel that two minutes is too much, we can reduce it. If it is too little, we can increase it. However, I believe we can manage with two minutes. Can we not? Two minutes each. Let us proceed with two minutes.

(Hon. Yusuf Hassan spoke off the record)

Member for Kamukunji, what is the issue?

Hon. Yusuf Hassan (Kamukunji, JP): I was going to suggest maybe five minutes, but three minutes would be okay.

Hon. Speaker: Okay. Let us compromise to three minutes each. After we finish the Motion by the Leaders of the Majority and Minority parties, we will then go back to Order No.7 and take responses to requests for statements, and then go to the constitutional Bill. Clerk-at-the-Table, call out Order No.7.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

Hon. Speaker: Member for Turkana Central, Hon. Joseph Emathe Namuar, go ahead.

DEVELOPMENT AND SUSTAINABLE EXPLOITATION OF LAKE TURKANA RESOURCES

Hon. Joseph Emathe (Turkana Central, UDA): Hon. Speaker, I rise to request for a statement regarding the lack of development and non-exploitation of Lake Turkana Resources ...

Hon. Speaker: Hon. Namuar, speak with vigour! I cannot hear you.

Hon. Joseph Emathe (Turkana Central, UDA): There is noise all over, Hon. Speaker.

Hon. Speaker: Order, Hon. Members. Go ahead, Hon. Namuar.

Hon. Joseph Emathe (Turkana Central, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a statement from the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation, regarding the lack of coordinated development and sustainable exploitation of Lake Turkana resources.

Lake Turkana is the largest desert lake in the world and a designated United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage Site. It spans Turkana and Marsabit counties and supports livelihoods for thousands of fisher folk, fish traders and local communities. The lake hosts a variety of fish species and is home to unique bio-diversity, including numerous bird species as well as Nile crocodiles and hippopotamuses. It also holds significant archaeological and anthropological value, most notably, for the discovery of the Turkana Boy. Despite its vast potential and cultural significance, Lake Turkana remains under-developed, and opportunities for eco-tourism and cultural tourism like the Tobong'u Lore Festival, remain largely untapped. Fisher folk and Beach Management Units (BMUs) continue to face major challenges, including limited road access, lack of cold storage facilities, inadequate fishing gear and poor access to reliable markets. While development partners such as the Norwegian Agency for Development Co-operation (NORAD) have supported initiatives in the region, their impact has been limited due to the absence of a coordinated development framework and strategic leadership. Lake Turkana holds the potential

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to contribute to regional economic development by strengthening blue economy value chains and improving linkages to nearby cross-border markets. Indeed, the theme of the 2025 Madaraka Day Celebrations, 'Promotion of a Sustainable Blue Economy for National Development', underscored the importance of unlocking such potential. It is, therefore, essential that Lake Turkana be prioritised for inclusive, equitable and sustainable development by the Government.

It is against this background that I request for a statement from the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation on the following:

1. Plans to establish the Lake Turkana Development Authority, including the expected timelines for its establishment
2. Strategies that are being put in place to develop the blue economy of Lake Turkana, particularly in fisheries, aquaculture and regional trade
3. Infrastructure projects currently underway to support economic activities around the Lake, including roads, cold storage facilities and fish landing sites
4. Support being provided to fisher folk and Beach Management Units (BMUs) to enhance access to equipment, financing, markets and capacity building
5. Measures that are being put in place to protect Lake Turkana from environmental threats, including coordination of conservation efforts and sustainable exploitation of its resources

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Bowen, when can you bring a response?

Hon. Kangogo Bowen (Marakwet East, UDA): I will bring an answer in two weeks after recess, assuming we are going to break for a recess.

Hon. Speaker: No. Bring it during the first week after recess.

Hon. Kangogo Bowen (Marakwet East, UDA): Most obliged.

Hon. Speaker: Hon. Paul Abuor.

STATUS OF RONGO WATER SUPPLY PROJECT

Hon. Paul Abuor (Rongo, ODM): Thank you, 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 Blue Economy, Water and Irrigation regarding the status of the Rongo Water Supply Project.

Access to safe and reliable water is not only essential, but also serves as a catalyst for economic growth and prosperity. Enhanced water infrastructure supports commercial activities, improves livelihoods, and strengthens communities' capacity to adapt to impacts of climate change.

To this end, the Lake Victoria South Water Development Agency initiated the Rongo Water Supply Project in November 2022 to improve access, quality, availability, and sustainability of water supply in Rongo Constituency. Regrettably, the contract made with the initial contractor of the project has since been terminated. Further, the Lake Victoria Water Development Agency has yet to initiate the procurement process to engage a new contractor for the completion of that critical water supply project.

It is against this background that I request for a statement from the Chairperson of the Development Committee on Blue Economy, Water, and Irrigation on the following:

1. The steps that are being taken to ensure that another contractor is procured and engaged to complete the Rongo Water Supply Project, including projected timelines for resumption and completion of the works.
2. A report on the funds disbursed to the initial contractor and the Ksh170 million allocated to the Lake Victoria South Water Development Agency for the project,

and an indication of the remaining balance available for the completion of the project.

3. An update on the progress of the works executed prior to termination, including the percentage of the project completed by the initial contractor.

Hon. Speaker: Hon. Bowen, bring a response at the same time as the one for Hon. Namuar.

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Speaker.

Hon. Speaker: Hon. Beatrice Elachi.

HIGH COST OF TREATMENT FOR DIABETES

Hon. Beatrice Elachi (Dagoretti North, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I request for a statement from the Chairperson of the Departmental Committee on Health regarding the high cost of treatment for diabetes.

There has been a significant rise in diabetes cases in the country, affecting approximately 2.3 million people.

(Loud consultations)

Hon. Speaker: Order, Hon. Members. The conversations are too loud.

Hon. Beatrice Elachi (Dagoretti North, ODM): The World Health Organisation (WHO) reported increased cases of diabetes in the country in 2024, with a significantly low treatment coverage at fewer than four out of 10 diabetic adults receiving glucose-lowering medication. This low coverage has contributed to the high cost of treatment that averages at Ksh750 per insulin injection. That has resulted in low uptake of medication especially in low-income households.

The prevalence of the disease has also been attributed to lack of screening due to limited awareness and availability of diagnostic and monitoring tests. The surge in diabetes and the high cost of accessing medication pose an imminent danger to the healthcare system and is likely to increase mortality rates in the country, if not addressed urgently.

It is against this background that I request for a statement from the Chairperson of the Departmental Committee on Health on the following:

1. A detailed report on the measures being put in place by the Government to reduce the high prevalence of diabetes in the country, including subsidising the cost of treatment.
2. The measures that are being taken to raise awareness and encourage screening among Kenyans, including households in rural and marginalised areas of the country
3. Clarification on whether diabetes treatment is covered under the Social Health Insurance Fund (SHIF). If not, the measures that are being taken by the Government to ensure the provision of diabetes treatment under SHIF.

I, thank you, Hon. Speaker.

Hon. Speaker: Thank you. Chair of the Departmental Committee on Health, when can you bring a response?

Hon. (Dr) James Nyikal (Seme, ODM): I will have an answer in two weeks after we come back from recess.

Hon. Speaker: One week. You are recessing for a month. Committees are not closing.

Hon. (Dr) James Nyikal (Seme, ODM): Okay.

Hon. Speaker: Hon. Samuel Arama.

ATTEMPTED LAND GRABBING IN NAKURU

Hon. Samuel Arama (Nakuru Town West, JP): Thank you, Hon. Speaker.

Pursuant to the provisions of Standing Order 44(2)(c), I rise to request a statement from the Chairperson of the Departmental Committee on Lands regarding the attempted grabbing of land LR No.201546 in Nakuru.

For decades, hardworking *Jua kali* artisans and micro-entrepreneurs have occupied and developed land LR No.201546 in Nakuru for purposes of informal manufacturing and trade.

(Loud consultations)

Hon. Speaker: Order, Hon. Members.

Hon. Samuel Arama (Nakuru Town West, JP): Despite their significant contribution to the local economy and national development, those citizens have continued to operate under conditions of uncertainty, harassment and threats of displacement from the said land. This state of affairs runs contrary to the provisions of Article 40 of the Constitution that guarantee the right to property and protection from arbitrary deprivation.

Article 10 of the Constitution enjoins all public officers and institutions to observe national values and principles of governance, including inclusiveness, protection of the marginalised and sustainable development. The attempted land grabbing threatens to delegitimise the artisans' long-standing occupation of the land and its utilisation for artisanal micro-entrepreneurship. It is, therefore, necessary that administrative actions be taken to regularise the tenure of land that is occupied by *Jua kali* artisans.

It is against this background that I seek for a statement from the Chairperson of the Departmental Committee on Lands on the following:

1. A report on the status of ownership of the land under LR No. 201546 in Nakuru.
2. Specific steps that the National Land Commission has taken to regularise the land occupied by members of the Nakuru Municipality *Jua Kali* Association.
3. Any investigations or site verification taken by the National Lands Commission to establish the historical occupation and use of the land
4. Measures that are being put in place to protect the members of the Nakuru Municipality *Jua Kali* Association and the *Jua kali* artisans from illegal evictions, safeguard their land ownership, and ensure they are issued titles or formal tenure documents, including timelines for resolving the matter.

Hon. Speaker: Thank you. Chair of the Departmental Committee on Lands, Hon. Nyamoko. When can you bring a response?

Hon. Joash Nyamoko (North Mugirango, UDA): In the next three weeks, Hon. Speaker.

Hon. Speaker: We are going on recess. Bring it on the first or second day of resumption.

Hon. Joash Nyamoko (North Mugirango, UDA): Thank you, Hon. Speaker.

Hon. Speaker: Leader of the Majority Party.

STATEMENT

BUSINESS FOR THE WEEK OF 21ST – 25TH JULY 2025

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House

Business Committee, which met on Tuesday, 24th June 2025, to prioritise business for consideration during the week.

As Members will note, while the House resolved to proceed on a short recess today, it is proposed that the House alters its Calendar to hold a Sitting on Tuesday, 1st July 2025, as published in today's Supplementary Order Paper. The House is, thereafter, expected to proceed on recess on Wednesday, 2nd July 2025 and resume regular Sittings on Tuesday, 22nd July 2025. I wish to commend the leadership of this House and Members for the dedication and co-operation that has been exhibited in the Session so far. As Members are aware, during this part of the Session, the House considered and passed various key legislative business, including the following Bills which have been assented to by the President today:

1. The Finance Bill, 2025;
2. The Appropriation Bill, 2025; and,
3. The Supplementary Appropriation (No.3) Bill, 2025.

In addition, the House approved nomination of various persons to public offices, including:

1. Approval of nominees for appointment as Chairperson and Members of the Independent Electoral and Boundaries Commission.
2. Approval of nominees for appointment as Chairperson and Members of the Public Benefit Organisation Dispute Tribunal; and,
3. Approval of nominees to various National Government Constituencies Development Fund Committees.

With regard to business scheduled for Tuesday, 22nd July 2025, the House is expected to consider the Senate amendments to the National Disaster Risk Management Bill, 2023 in the Committee of the whole House. Additionally, debate would be undertaken on the following Motions, some of which, are listed in today's Order Paper:

1. Approval of the Mediated Version of the Gambling Control Bill, 2023;
2. Consideration of Senate Amendments to the National Disaster Risk Management Bill, 2023;
3. Consideration of the Performance Audit Report on the Provision of Services to Persons with Disabilities by the National Council for Persons with Disabilities; and,
4. Consideration of the Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates.

Finally, the House Business Committee will reconvene on Tuesday, 2nd July 2025, to schedule business for the rest of that week. On behalf of the House Business Committee, I wish Members a good weekend.

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

Hon. Speaker: Order, Members. Members on their feet, take your seats. Hon. Members, you will notice that on the Supplementary Order Paper, we have a Motion at Order 9 which seeks to extend our Calendar to go on recess on Tuesday.

The reason we are doing that is because of the business at Order No.12, the Constitution of Kenya (Amendment) Bill on National Government Constituencies Development Fund (NG-CDF), National Government Affirmative Action Fund (NGAAF) and other related matters. There are Members who are persuading me that they have lobbied sufficiently and you may have numbers to vote.

Hon. Members: Yes.

Hon. Speaker: Remember the Speaker will not call a vote unless he is satisfied that you have the numbers. The minimum number expected present for voting is 233.

Hon. Members: Yes.

(Loud consultations)

Hon. Speaker: Hold your horses! Order! A casual count on how many we are at the moment, is giving me an average number of 170. We still have some gaps. I have been given a long list of Members who wish to speak and I am told they are ready to forego their intention to speak. We can achieve the numbers if the Whips can go on an overdrive, not just them but chairpersons of various caucuses. Please reach out to Members and get them here.

Once we finish the Motion at Order No.10, we will still do Order No.9 in two or three minutes. If by the time we finish Order No.10, we will have the numbers, I will order the vacation for the resolution of Order No.9, and then go for a vote. In case we do not have the requisite numbers, the resolution at Order No.9 will stand, and you will be obliged to be back here on Tuesday. Let us go to Order No.9. I hope that is clear to everybody.

(Loud consultations)

Order! Let everybody be a constructive whip and look for your colleagues who are not here. In the event you have the numbers, then I will call the House to a vote by 5.00 p.m.

Hon. Members: By 4.00 p.m..

Hon. Speaker: By 5.00 p.m.! Call the next Order.

BILL

First Reading

THE JUDGES' RETIREMENT BENEFITS BILL
(National Assembly Bill No.27 of 2025)

*(The Bill was read a First Time and
referred to the relevant Committee)*

MOTIONS

Hon. Speaker: Leader of the Majority Party.

ALTERATION OF THE CALENDAR OF THE HOUSE

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

THAT, notwithstanding the Resolutions of the House of 13th February 2025 and 27th May 2025, and pursuant to the provisions of Standing Orders 28(4) (Calendar of the Assembly), this House resolves to further alter its Calendar to:

1. Commence its short recess on Wednesday, 2nd July 2025;
2. Hold a Sitting on Tuesday, 1st July 2025, commencing at 2.30 p.m.; and,
3. Resume its Regular Sitzings for the Second Part of the Fourth Session on Tuesday, 22nd July 2025.

Hon. Speaker, I do not need to say anything. You have already said the intent of this Motion. I beg to move and request the Leader of the Minority Party, Hon. Junet Mohamed, to second.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I stand to second.

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(Several Members stood in their places)

Hon. Speaker: Order. Members on their feet! Take the nearest seats.

(Question proposed)

Hon. Members: Put the Question!

Hon. Speaker: Do I put the Question?

Hon. Members: Yes.

(Question put and agreed to)

Hon. Speaker: Hon. Members, as I had said, if we do not garner the numbers, we will have a Sitting on Tuesday. The consequence is that I am going to direct the Immigration Department that anybody who has plans to travel this weekend will not be allowed to leave the jurisdiction until we finish this matter on Tuesday.

(Applause)

If you had planned to travel, and we do not garner the numbers now, go and reschedule your travel arrangements. You will not be allowed to leave until after Tuesday.

Next Order.

MOTION

ACTS OF LAWLESSNESS, DESTRUCTION OF PROPERTY AND INFRASTRUCTURE DURING DEMONSTRATIONS

Hon. Speaker: Leader of the Minority Party.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I rise to move the following Motion:

THAT, appreciating that Article 37 of the Constitution guarantees the right to assemble, demonstrate and present petitions to public authorities peacefully; further appreciating that on Wednesday, 25th June 2025, sections of the population participated in public demonstrations and protests in various parts of the country; deeply disturbed that in exercise of this great constitutional right, there were numerous cases of violence...

Hon. Millie Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Speaker.

(Several Members walked out of the Chamber)

Hon. Speaker: Members walking out of the Chamber, order. Yes, Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker.

I actually rise in relation to Members who are walking out of the Chamber. They may have misunderstood what you have said. As soon as we get quorum, we proceed. We will not proceed if there is no quorum. I, therefore, request Members wherever they are, to please come back into the Chamber. We only need 20 Members.

Hon. Speaker: In fact, if you get quorum, I will curtail the debate on this Motion, you vote, and then we carry on. Hon. Junet. Start afresh. Read the Motion as per the Order Paper.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, when Members come to the House, they really want to sit on the chairs. However, when they finally get the opportunity to sit on them, their buttocks cannot hold. They just want to run out. I do not know what they are looking for.

MOTION

ACTS OF LAWLESSNESS, DESTRUCTION OF PROPERTY AND INFRASTRUCTURE DURING DEMONSTRATIONS

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CONDEMNS in the strongest terms possible the deliberate destruction of public and private property and infrastructure during the demonstrations, including court records;

EXPRESSES GRAVE CONCERN over the repeated incidents of violence targeting civilians and public officers, including security personnel;

AFFIRMS AND ACKNOWLEDGES the right of every citizen to demonstrate, protest and express dissent, while emphasising the need to protect life, livelihoods and property; and,

CALLS UPON the Inspector-General of Police and the Directorate of Criminal Investigations to immediately and expeditiously investigate the acts of lawlessness and bring to justice those found culpable, including current and former politicians, who were involved in the planning, mobilisation, financing and incitement of mobs, goons and criminals.

Hon. Speaker, the country is fully aware of what happened yesterday.

(Loud consultations)

Hon. Speaker: Order, Members.

(Hon. Victor Koech spoke off the record)

Order, Hon. *Mandazi*. Hon. Members, what happened yesterday should be a concern to all of you. You are either affected or know somebody who is affected. I expect you to listen in silence and make a contribution that helps us move forward as a country. The manner in which you are loudly conversing and holding illegal *Kamkunjis* on the Floor is unacceptable.

(Hon. Mugambi Rindikiri consulted loudly)

Hon. Rindikiri, that *Kamukunji* is illegal. For Kenyans to understand and appreciate your leadership, you need to speak soberly and exercise some restraint in your conversations. If something is pressing and you want to talk about it, I have made rooms for you out there, to do so. I, therefore, beg you to give time to those who want to pay attention and listen, including your Speaker.

Hon. Junet, go ahead.

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

I have moved a Motion concerning what happened yesterday in our beloved country. We were all in the country, yesterday. We had a Sitting in the Morning, where we passed very important business of the country. As explicitly written in the Motion, Kenyans have a right to demonstrate.

Under Article 37 of the Constitution, every Kenyan has a right to demonstrate. One of the things we have given ourselves in the Constitution is the strongest Bill of Rights in the world.

Secondly, I sympathise with the people who lost their lives in demonstrations that were held yesterday, and the previous ones. It is not good for Kenyans to lose their lives in that manner. We sympathise and want justice for them so that anybody who might have committed any crime, is brought to book.

What happened yesterday in our country was not the normal demonstrations. It was not a Gen. Z demonstration. It was a political event that was meant to overthrow the Constitution and the existing Government of this country. You could see the way people had been mobilised. We have been demonstrating since Independence, especially people like me who belong to the Orange Democratic Movement (ODM) Party. When you want to demonstrate nationally, you allow everyone to demonstrate in their respective counties and sub-counties. You do not move people from one county to come to Nairobi to demonstrate. The kind of ethnic mobilisation we saw yesterday was something else. It was not a demonstration. Why do you carry people all the way from Kiambu, Thika Road, Thika, Murang'a and Juja to bring them to Nairobi to demonstrate, as though there are no people who live in Nairobi? What happens if I was to bring people from Migori and Homa Bay to demonstrate here? What happened yesterday was ethnic mobilisation to fight and overthrow the Constitution of the Republic of Kenya.

(Applause)

Kenyans are being lied to. They are being told it was a Gen. Z demonstration. I want to prove to Kenyans that there were no Gen. Z demonstrations. Our colleagues were used to mobilise people to come and demonstrate in Nairobi. We know of Hon. Gakuya, Hon. Mejjadonk and Hon. Maanzo who mobilised goons and people to come to Nairobi to cause problems in the country.

(Loud consultations)

Let me have my say; you will have yours. This is what happened. Newspapers and other media outlets in this country will not tell you the truth.

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Hon. Robert Mbui (Kathiani, WDM): Hon. Speaker, Members cannot be named without a substantive Motion. He has named my Senator. He must withdraw that!

Hon. Speaker: Order, Hon. Robert Mbui, take your seat. That is not how to make your point. Take your seat.

(Loud consultations)

Order, Hon. Members. Hon. Robert Mbui, the Speaker knows what the Standing Orders say. In fact, I drafted them. I do not need you to raise your voice and bang tables for me to enforce them. He was in the middle of a Statement and I was going to stop him. So far, he had not

(Hon. Robert Mbui spoke off record)

Order! I need no assistance from any one of you. Hon. Robert Mbui, you have a point, but you can prosecute it honourably and decently. All you needed to do was rise on a point of order and say what you are saying, without belligerence and banging tables. You are behaving like you are going to go physical with your colleague. That is not you.

Hon. Junet, you can only mention your colleagues adversely after you have brought a substantive Motion to the House. Saying that Members were involved, is sufficient. Go ahead.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, why do I say so? The media of this country tells us that the demonstrations were organised by Gaucho and by Matakwei. They also tell us that the demonstrations were organised by Hon. Sakaja. They do not tell us the real culprits; the people who organised the demonstrations. So, it is incumbent upon us, as the people who have to discuss matters of national importance, to tell Kenyans the truth. What happened yesterday was very clear. It was not a Generation-Zoomers (Gen. Z) demonstration. It was a demonstration that was organised politically in this country, and we saw what happened. It took place in Nyeri, where Hon. Rigathi Gachagua comes from and in Mathira. It also took place in Kisii. The standard that has been set by Hon. Rigathi Gachagua in this country is that if one wants to qualify to become a presidential candidate in his so-called opposition alliance, one must do as much demonstrations as they can. He has given a benchmark that for anyone to qualify to become a presidential candidate in their team, one must cause anarchy, do demonstrations and destroy property. That is how one qualifies.

This ethnic mobilisation must end. Demonstrations must be for all Kenyans. Why do you destroy the property and the livelihoods of your own community, Hon. Rigathi Gachagua? We can see the kind of planning and money that was put into this matter. We must call a spade a spade if we are to save this country.

My second point ...

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

Hon. Speaker: Order. Yes, Hon. Wanjiku Muhia. What is it?

Hon. Wanjiku Muhia (Kipipiri, UDA): Hon. Speaker, you have just ruled a few minutes ago that Hon. Junet should substantiate when he is mentioning names of persons on this Floor. Was Hon. Rigathi in Homa Bay, Mombasa, Kakamega and everywhere?

(Loud consultations)

Hon. Speaker: Order, Hon. Wanjiku. Go on, Hon. Junet Mohamed.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I want to tell Hon. Muhia that there was no destruction of property in Homa Bay, Kisumu and Kisii. However, there was destruction of property in Nyeri, Nyandarua, Kikuyu and Nyamakima. That tells us who the

chief goon is. The chief goon is Hon. Rigathi Gachagua. Today, we must call a spade a spade. We can see that this is one man who is holding his community hostage. He has decided to use his community in destroying their property and in impoverishing them in this country. This is the lord of poverty. This is the man who wants to make the community from Mount Kenya to become poor so that he can rule them.

Hon. Speaker: Order, Members. Listen to yourselves.

Hon. Junet Mohamed (Suna East, ODM): I want to say that this country has a Constitution and a Government. The Government of the Republic of Kenya and the Constitution must ensure that every citizen's life and property is protected. We have an election in 2027 and not before then. If one wants to remove the Government, they should not do so by force, demonstrations nor through burning and destroying peoples' property. They have to wait for the elections.

My second point on this matter is on the media of this country. I support the freedom of the media. Yesterday, I was sad when the live coverage was banned. But, the freedom of the media must also come with responsibility. The media must make sure that they report accurately and factually. For example, is what is happening with the *Standard Newspaper* and the Kenya Television Network (KTN)? This is a media house that is hell-bent on creating genocide in this country. As a House, we have to interrogate the issue of politicians owning media houses in this country. I am aware that one Hon. Gideon Moi is the owner of *Standard Newspaper* and KTN. He cannot use his media house to settle political scores, unless or otherwise, he wants to become like Felicien Kabuga of Rwanda, who has caused genocide. The Felicien Kabuga of this country is Hon. Gideon Moi because he is using his media house, like the way Radio Television Libre des Mille Collines was used in Rwanda to cause genocide where 800,000 people lost their lives. We must call a spade a spade.

The media must enjoy their freedom, be allowed to do their work and exercise their constitutional rights. But media owned by politicians, who use it to settle political scores, Hon. Speaker, must be called out by us here, because they may cause genocide in this country. I am told Gideon Moi is the one who used to keep Felicien Kabuga in Kenya when his father was the President. He was hiding here and, maybe, he learned those bad manners from Felicien Kabuga.

Hon. Kaguchia John (Mukurweini, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Kaguchia, what is it?

Hon. Kaguchia John (Mukurweini, UDA): Hon. Speaker, is it in order for the Hon. Member to continue mentioning the names of Hon. Members, either present or who have been in this House before, adversely in this House, without a proper Motion?

Hon. Speaker: Order, Hon. Kaguchia. Take your seat. Hon. Kaguchia, you have been a Speaker of a County Assembly before! Take your seat.

(Hon. Kaguchia John continued standing in his place)

The Standing Orders that we wrote for this House are applicable where you were a Speaker. When he mentioned Sitting Members of Parliament and Hon. Robert Mbui protested, I stopped him. Hon. Kaguchia, as a First-Time Member of Parliament, if you think you will gain traction by being sent out of the House, I will not send you out. Just take your seat, be calm and participate in debate. If you want to speak, I will give you an opportunity. But do not be rowdy. Former Members of this House do not enjoy the privileges Sitting Members do. Read your Standing Orders properly.

Go on, Hon. Junet.

Hon. Junet Mohamed (Suna East, ODM): Hon Speaker, Hon. Kaguchia was the Speaker for Nyeri County Assembly. This is the National Assembly of Kenya. It is a different arena and place.

There are people in this country who are hell-bent to take this country to anarchy, just because we impeached them and just because they lost a job. They lost their job because of their bad manners of creating division of telling some Kenyans that they have shares and others that they do not have shares. That is why he was impeached. He was impeached and lost his job. He now wants to take this country to anarchy and impoverish people. We will not allow that.

Yesterday, we were told we were commemorating the Gen. Zs deaths. Are Hon. Kalonzo Musyoka, Hon. Eugene Wamalwa, Rigathi Gachagua, Mr Jimmy Wanjigi, Former Chief Justice Maraga of all the people Gen. Zs? No!

(Loud consultations)

We saw old men who are supposed to be retired running around for political office. When Baby Pendo was killed in Kisumu, Hon. Eugene Wamalwa was a Cabinet Minister of the Republic of Kenya. When we passed the draconian security laws in this House, Hon. Justin Muturi was the Speaker. When the independent office of the Inspector-General of Police was mutilated in the law, Hon. Justin Muturi was the Speaker. Hon. Justin Muturi now says he wants to be the Chair of some justice commission. That commission must start by investigating Hon. Muturi himself. He is the one who caused high atrocities in this country when he occupied the office of the Speaker. All the atrocities are on record. We are not going to keep quiet anymore. They want to take our country to the dogs. They want to make Kenya a 'banana republic'.

Hon. Speaker: Give him a minute.

Hon. Junet Mohammed (Suna East, ODM): If you want to remove William Ruto from being the President of the Republic of Kenya, wait for 2027. There will be an election on 10th August 2027. Kenya is a constitutional democracy. Let people not hide under the guise of Gen. Zs to cause anarchy in our country. There is a deliberate attempt to silence all institutions in this country. They want to silence Parliament and everyone who speaks for the people, so that the only people who can speak are the civil society, LSK and such kinds of people.

Look at the LSK Chair, who is my friend. Her mandate has expanded from legal issues to political issues. We should elect the LSK president through universal suffrage. She is doing politics all the time, which is good for the country, but she should limit her work to advocacy of rights of the people. What happened yesterday was an attempt to take over power unconstitutionally through a coup. As ODM, we lost an election and disputed the results. We went to the Supreme Court and it told us we had lost the election. We abided by the decision of the Supreme Court. We never attempted to overthrow the Government. What the hell can this Hon. Rigathi Gachagua do to take power through unorthodox means? He must be arrested as early as tomorrow morning.

Thank you.

(Applause)

Hon. Speaker: Say: "I beg to move."

Hon. Junet Mohamed: I beg to move, Hon. Speaker. I request the Leader of the Majority Party, His Eminence, His Highness, the Kingpin of Mount Kenya, Hon. Kimani Ichung'wah, to second the Motion.

(Applause)

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I beg to second this Motion. As I second this Motion, it is important for us to be clear on what the Motion is asking us to do. One, is to affirm and acknowledge that every citizen in the Republic of Kenya has the right to demonstrate, protest and express dissent in accordance with the Constitution, but do so peaceably and unarmed. The other thing this Motion is asking us to do is to condemn, in the strongest terms possible, the wanton destruction of property that we witnessed yesterday. I dare say, that wanton destruction, as the Mover of the Motion has said, was visited largely on businesses owned by the people of the Mount Kenya region, where I come from, whether in OTC or Nyamakima. I was under attack myself.

I watched a clip by a young lady praying to the Almighty God, saying: "You God, who has provided me with resources to stock my shop that was looted today, I pray that you restore my business and double everything that I have lost". I assure that lady that we will support you as we support other people who lost lives and livelihoods. Let me express my regret and my condolences for those who lost their lives, not just yesterday but even last year. We must have a way to mourn and memorise those we have lost. We do not need to lose more lives to memorise those we lost last year.

The other thing this Motion is asking us to do as a House is to call upon the Inspector-General of Police and the DCI to immediately and expeditiously investigate the acts of lawlessness and bring to justice those found culpable, including current and former politicians, who were involved in the planning, mobilisation, financing and incitement of mobs, goons and criminals. That, for me, is cardinal. We let the unfortunate incidents that happened on 25th June 2024 to pass. Two sitting Members of this House, who were being investigated by the DCI, rushed to court and obtained orders to stop their arrest. The DCI had information that the two Members were involved in the mobilisation of goons that looted from the people of Mount Kenya in Nairobi, including the burning down and deaths of Kenyans at the Sunbeam Building along Kimathi Street. They continue to be protected by the Judiciary through that court order. Court orders through anticipatory bails cannot be in perpetuity. We are breeding impunity through conservatory and pre-emptive orders. The same characters were involved in the mobilisation, financing and looting that we saw yesterday. The Kikuyu Law Courts were all razed down, including court records, and everything was looted, including titles and other securities deposited in the courts and criminal records.

As the first part of this Motion says, those are not acts that just happen. They are deliberate, mobilised and financed by somebody or a group of people, who then rush to court to get protection.

Allow me to speak to the Judiciary today. There is a saying that says: When they went for the Gentiles, I kept quiet because I was not a Gentile. When they went for who, I kept quiet because I was not who. When they came for me, there was nobody left to speak for me. The impunity that we started breeding last year is what is destroying the fabric of the country we call Kenya. It is not just the law courts that were destroyed in Kikuyu. The Office of the Deputy County Commissioner (DCC) was also razed down. Sub-county and county offices were destroyed. Graders and machinery that is used by the County Government of Kiambu to maintain roads were destroyed. County records, including our own property records, were destroyed.

The people who did this - and this is my greatest concern and why we are calling upon the DCI and Inspector-General to conduct investigations - were being ferried from Limuru and Dagoretti to Kikuyu. Some were ferried from as far as Kiambaa and Juja to come and visit the wanton destruction that we saw yesterday. I am growing old, but I am not older than my father. My father is 105 years old and his wife, Mary Mumbi, who is my mother, is 85 years old. They

worked hard to bring us up and to establish businesses that have supported our family. Yesterday, there was an attempt to kill my 105 and 85 year-old parents

Hon. Members: Shame!

Hon. Kimani Ichung'wah (Kikuyu, UDA): This was all in the name of my position as the Leader of the Majority Party in this House, and for doing my work to the best of my ability as helped by God. I swore by the Bible that I would execute my duties without fear or favour, and to the best of my ability. I will continue to do that and no one should doubt that.

Hon. Junet Mohamed has mentioned names. During the impeachment process of the former Deputy President last year, I said that he is a dark man with a very black heart. I dare say today in this House, Hon. Rigathi Gachagua, is the one who directed goons, whom he had mobilised, to go and murder my parents, and destroy my property and that of the people of Kikuyu, in the name of revenge. We cannot build a country that way. That is why we are asking the Inspector-General of Police to take action. It cannot rest at this. Nobody – not Kimani Ichung'wah, Rigathi Gachagua or any sitting Member of Parliament – is above the law. He and some two Senators are responsible for that carnage. As Hon. Junet Mohamed has said, if you look at the trajectory of violence and destruction that was witnessed, you can associate it with a particular politician and the area they come from.

As we condemn those actions, let us call on the Inspector-General of Police and the Director of Criminal Investigations to take action against anybody involved in this criminality, whether it is Kimani Ichung'wah, Junet Mohamed, Rigathi Gachagua, Jayne Kihara, Peter Kaluma, Onesmus Ngogoyo, Mejjadonk, John Gakuya or Senator Methu. Each and every one of them should be investigated without fear or favour. Whoever is culpable should be brought to book.

(Applause)

We cannot have a country of lawlessness and one of...

Hon. Speaker: Give him one more minute.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I want to finish by saying that we cannot have a country where I purport to speak for my people and yet, I mobilise others to destroy their property and kill them in order to earn political capital. As political leaders in this country, we must desist from using our people as political pawns in order to earn political capital. I condemn the lawlessness and violence. I congratulate the people of Mombasa who demonstrated peacefully. What happened in Nairobi and other areas of Central Kenya were riots, disorder and anarchy. The owner of that anarchy is known and must be apprehended.

Allow me to commend the police for the restraint they exercised yesterday, and for their hard work. It was despicable to witness a police lady being brutalised by grown men who beat her up.

(Applause)

It was despicable to see grown men stepping on her head. Criminals attempted to get into State House Girls' High School. William Ruto's children do not go to that school, neither do mine. Why would anyone mobilise criminals to attack young school girls while they are in school? I commend the police for protecting State House Girls' High School and other lives and property. I also call on them to take action against the financiers, mobilisers and criminals who want to drive our country into anarchy. As a House, we resoundingly tell them that we shall not allow our country to be driven into anarchy by blood-thirsty politicians who have no agenda or vision for Kenya. They only hang on to the Gen. Zs – a generation that they are neither a part of nor do they have children who are Gen. Zs. I have two Gen. Zs in my house and I know what they

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want. Those hanging on to the Gen. Zs and riding on their wave are only trying to take advantage of a desperate generation of young Kenyans. Let us desist from doing that.

I beg to second.

(Several Members stood up in their places)

Hon. Speaker: Order, Hon. Members. Members on their feet, take your seats.

(Loud consultations)

Order, Members

(Hon. Martin Owino consulted loudly with other Members)

Order, Hon. Martin. During the induction, we told you that however pressed you are, you should maintain studious silence when the Speaker is on his feet,.

(Question proposed)

Hon. Members, the screen is too small to accommodate all your names. Therefore, I will use a show of hands to pick those to speak. Hon. Millie Odhiambo.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker, for giving me this opportunity.

Hon. Speaker: Remember everybody has three minutes to contribute.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Speaker, let me first offer my condolences to the families who lost their loved ones yesterday, in 2024, 2023 as well as in 2022. I have noticed that the media has forgotten that we also lost our loved ones in Kisumu. Maybe, they do not matter because they come from Kisumu. I offer my condolences to every family that has lost a loved one.

Article 37 of the Constitution guarantees every citizen the right to demonstrate peaceably and unharmed. I am one of the people who pushed for that Article in the Constitution. I will defend it with my life. That is why it was very sad to see what happened yesterday. The Orange Democratic Movement (ODM) and Azimio la Umoja – One Kenya Coalition Party are the experts in demonstrations. When we were doing that, we were called anarchists.

Hon. Speaker: Bear fidelity to history.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Exactly.

Hon. Speaker: Yours truly here was with you in Coalition for Reforms and Democracy (CORD) and National Super Alliance (NASA).

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Yes, Hon. Speaker.

Hon. Speaker: So, it is not just ODM.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): No! I have mentioned ODM, Azimio la Umoja – One Kenya Coalition Party, NASA and CORD. However, the constant one is ODM. I cannot cheat you. I thank God because I am resting.

I do not think people understand what it means to go to the streets. I understand when Generation Zs are writing letters to their parents saying they may not go back. I used to tell my husband that because I did not know whether I would go back and so, let us be. You called us names. You said we were anarchists, but who is God? He creates balance. You called us names when we were fighting for the same rights you are fighting for. You are telling us that Baba is eating and observing table manners.

Hon. Speaker, give me a minute or two because I was interrupted. It is difficult to be Baba. You are damned if you do, and damned if you do not. We are only learning from the best. You have observed table manners since Independence. Let people from the lake also observe table manners for once and take over.

(Applause)

I have heard people saying that in terms of demonstrations, you have overtaken Baba and you have been lying. I am glad to note that you have overtaken us. Please do it excellently. Allow me to say one thing. As a women's rights activist, yesterday I left my house not caring for my life. I went to State House Girls High School when I saw on social media that it was under attack.

Hon. Speaker: Give her a minute.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. I did not care for likes. I condemned when the policewoman was under attack. We cannot allow such things where we attack women. I saw something very disturbing this morning in the WhatsApp Group of Federation of Women Lawyers (FIDA). Women were being removed from motorcycles and gang-raped. Even in our time, with our excellence, when we were infiltrated, that has never happened. I said this and people condemned me as a Christian. Come and let us reason together. It is not about who is winning. This country belongs to all of us.

Thank you.

(Applause)

Hon. Speaker: Hon. George Murugara. Seeing the interest in this Motion, I will reduce the time for each speaker to two minutes. Go ahead.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Speaker. Allow me to empathise with the families and persons who suffered fatalities yesterday, and those whose properties were damaged. This is abhorrent. It has nothing to do with Generation Z because we know for sure those youngsters were out to express themselves. However, some hooligans, hired by unscrupulous persons, invaded them and decided to take things south.

We must always be the role models or examples. We have been told that ODM Members here like Hon. Junet Mohammed and Hon. Millie Odhiambo are examples of how we should demonstrate. I watched the leaders who went to the streets, including former Chief Justice of the Republic of Kenya. For once, I asked myself whether this is how he should do it. I saw former Vice President of the country, Hon. Kalonzo Musyoka, carrying a wreath to go and lay on behalf of those who had lost their lives. There is nothing wrong with that whatsoever, but you do not lay wreaths on the streets to remember those who passed on.

(Hon. Jessica Mbalu spoke off the record)

Hon. Speaker: Order, Hon. Jessica Mbalu.

Hon. George Murugara (Tharaka, UDA): You lay wreaths on the graves of those who passed on, but not in the streets. I wondered what Hon. Stephen Kalonzo Musyoka was doing, especially to our young people who should learn from him and emulate him on how to do things properly. As leaders, we are role models. We are not here to incite, misdirect or mislead young people. We are here to tutor them to rights and paths of righteousness. While the Generation Z were right, our politicians were not. This is the time they should be called upon to account.

Thank you very much, Hon. Speaker.

Hon. Speaker: Hon. Robert Mbui.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Speaker. I also condemn, in the strongest terms possible, the destruction of property and infrastructure. However, we must be careful. When you look at the way this Motion is worded, we seem more concerned about damaged property. We are not talking about the 10 people who lost their lives yesterday. We are not talking about the 60 people who lost their lives last year, right here in Parliament.

Hon. Speaker: Order, Hon. Robert Mbui. Take your seat. Save his time. Hon. Robert Mbui, I am seated here and I am listening. Let us bear fidelity to facts. Hon. Millie Odhiambo, who is seated next to you, has eulogised all the dead up to 20 years back. Your neighbour there who moved the Motion talked about the same thing. Hon. Kimani Ichung'wah did the same. The Motion is not only about what is written, but also what is recorded in the *Hansard*.

Go ahead. Your time was saved so you have not lost it.

Hon. Robert Mbui (Kathiani, WDM): Hon. Speaker, the Motion is very clear. It does not talk about 60 people who were killed last year, and 10 people who were killed yesterday. It only talks about the destruction of property. It is very important to be careful about this issue.

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

Hon. Speaker: Yes, Hon. Junet.

Hon. Junet Mohamed (Suna East, ODM): Is my Deputy, who is not behaving very well, in order to mislead the House that during demonstrations, we only lost 10 or 60 people, when he knows very well that we were with him with *sufurias* on our heads and we lost over 100 people on the roads? He was part of us that time. Why is he not talking about those people? Is it because they were Luos and their lives do not matter? Do Luos lives matter in this country?

(Loud consultations)

Hon. Robert Mbui (Kathiani, WDM): Hon. Speaker, the Leader of the Minority Party knows we also lost people from our region during those demonstrations. This is not about tribe. We have to be careful not to trivialise a serious issue. My concern is that this regime curtails rights that are enshrined in Chapter 4 of the Constitution.

The first one is the freedom to demonstrate under Article 37 of the Constitution. Yesterday, the police officers tried to stop the youth from demonstrating, which is unconstitutional. Under the right to life in Article 26 of the Constitution, police bullets have taken many lives. The Leader of the Minority Party has talked about the freedom of movement. People were coming from other places, which is a right under Article 39 of the Constitution. The freedom of the media under Article 34 of the Constitution must also be respected. Those rights are being trampled upon.

More importantly, the reason behind yesterday's function was to lay wreaths. Hon. Speaker gave us permission. We laid wreaths, even with Members of this House, outside Parliament, with your permission. I had informed you that my leaders would come to lay wreaths, but you did not refuse.

Hon. Speaker: I told you that they were not welcome in the precincts of Parliament.

Hon. Robert Mbui (Kathiani, WDM): You said they should not come to Parliament.

Hon. Speaker: Yes.

Hon. Robert Mbui (Kathiani, WDM): We laid the wreaths at the fence, on the barbed wire that barricades Parliament. How does a Member then wake up and say that it is wrong for my party leader to commemorate and mourn those who were killed across the country? Let us not trivialise this issue. I have seen there are attempts to malign certain individuals on yesterday's activities. What happened was spontaneous and was done across the country. I condemn the destruction, looting and killings, but we must do it fairly. Let us not make it partisan, individual or even tribal issue.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Deputy Speaker, proceed. Everybody has two minutes.

Hon. Gladys Boss (Uasin Gishu County, UDA): Thank you, Hon. Speaker, for giving me the opportunity. I must begin by offering my condolences to the families who lost their loved ones. I also extend my sympathies to the police officers who were injured. I also congratulate the police for their efforts to keep peace in our country.

What happened yesterday was not a demonstration – it was not peaceful. Those were acts of hooliganism carried out by criminals who destroyed peoples' property. Today, many Kenyans in Nairobi and other parts of the country are facing bankruptcy. Some people will not take their children to school or even provide food for their families because they have lost everything - all their investments. This is all in the name of someone claiming to exercise their constitutional right to demonstrate. Yes, one may exercise their right to demonstrate. But that right must not infringe on the rights of others. It is completely unacceptable to destroy other peoples' property or livelihoods under the guise of exercising constitutional freedoms. Rights end where another person's rights begin. We must protect our country from descending into anarchy. We must take firm action against those who attacked police stations. CCTV footage is available. Let them be arrested and charged. Even if they are our children, they are not permitted to destroy peoples' property, burn police stations, Government vehicles or courthouses.

And I must say: Shame on you former Chief Justice Maraga. You are currently on a pension paid by the Government. Your vehicle is fueled by taxpayers. Your gardener and cook are paid by public funds and yet you go to the streets to demonstrate and mislead our children into destroying public and private property. Shame on you former Chief Justice Maraga...

(Hon. Gladys Boss spoke off the record)

Hon. Speaker: Hon. Farah Maalim.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, I also begin by sending my condolences to all those who have lost loved ones in the incidents that have taken place in this country over time. Some countries are autocratic and others despotic. There are even countries that are ruled by dictators, but it is better to be ruled by a despot than to fall into the chaos of anarchy and dissolution.

The cardinal rule of the Executive is to protect the country...

(Loud consultations)

Hon. Speaker, protect me from all this.

Hon. Speaker: Order, Members. Let us listen to one another. Go on.

Hon. Farah Maalim (Dadaab, WDM): My message goes to two categories of people. First, anyone who is a retired public officer and is drawing a pension, whether a former speaker, judge, president or prime minister, must be held to a higher standard. If they take part in activities that threaten the State, we must legislate to ensure that they forfeit those benefits. I have respected former Chief Justice Maraga until now. I now see him as nothing more than a chaotic anarchist, juvenile and many other bad attributes.

They have taken up my time. I request a minute to conclude. The most protected place in the world is not the Pentagon. It is the White House...

(Hon. Farah Maalim spoke off the record)

Hon. Speaker: Give him a minute.

Hon. Farah Maalim (Dadaab, WDM): If you attempt to scale the fence at 1600 Pennsylvania Avenue, you will be shot in the head immediately. There are snipers positioned to prevent any intrusion. If anyone has ambitions to occupy the State House through lawless means, after storming Parliament, burning courtrooms and attacking institutions, then that is anarchy and chaos. The Executive must protect institutions and citizens. There is only one remedy for lawlessness: A firm application of the law. We must not allow liberalism to undermine the national order. Hon. Gachagua should be recording a statement at a police station. He should be in prison and so should all those others

Hon. Speaker: Hon. Mary Emaase.

Hon. Mary Emaase (Teso South, UDA): Thank you, Hon. Speaker. I also wish to extend my condolences to the families who lost their loved ones. I wish a quick recovery to all those who were injured, including our police officers, who put their lives on the line to protect Kenyans and their property. What happened yesterday was disgusting and despicable. It was an organised insurrection against the State. We cannot allow this trend to continue. We have seen demonstrations before in this country, but the recent ones have taken a new and dangerous dimension. Why are they targeting protected areas such as Parliament and the State House? I support the Members who have called for thorough investigations into this matter. All those who were involved must be brought to book. We cannot watch Kenya descend into lawlessness and anarchy. We have no other country. This is our home.

In conclusion, I propose that this House bring forth an amendment to designate specific areas for picketing. Let there be formal spaces set aside for demonstrations. It should not be everywhere disturbing peace, destroying property and destabilising businesses. That is unacceptable.

Hon. Speaker: Yes, Hon. Kibagendi.

Hon. Ken Chonga (Kilifi South, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: What is your point of order? Hon. Kibagendi, hold your horses.

Hon. Ken Chonga (Kilifi South, ODM): Mhe. Spika, hapo awali tukianza kikao hiki, ulisema kuwa iwapo Wabunge watajisi wa kutosha, utasitisha mjadala ili turudi kupiga kura kwenye ule Mswada wa NG-CDF.

(Loud consultations)

Hon. Speaker: Let him finish.

Hon. Ken Chonga (Kilifi South, ODM): Ngojeni kidogo, tafadhali. Wasiwasi ambao umefanya nisimame ni kwamba nimeona Chumba hiki kilikuwa kimejaa. Wengine huenda wakawa na shughuli ambazo zinawafanya wanatoka. Utafika wakati wa kujadili Mswada huo tuwe hatuna idadi inayohitajika ya watu. Nakuomba Mhe. Spika, kwa taadhima, usitishe mjadala huu ili tujadili na tuupigie kura ule Mswada mwingine.

Hon. Speaker: Thank you. Hon. Chonga. From where I sit, I can see all of you and tell how many you are. Since I made the pronouncement, the highest number recorded has been 193. That is not 233. The moment you reach 233, I will stop the clock on this Motion and we will vote. If we do not reach that threshold, the Motion we passed stands.

Hon. Kibagendi.

Hon. Antoney Kibagendi (Kitutu Chache South, ODM): Thank you, Hon. Speaker. I appreciate the opportunity. It is the first time you have given me a chance to speak in this House, if not for asking a Question or Statement. I appreciate.

I also align myself with the concerns raised by my colleagues, especially on the destruction of property, loss of life, and the unfortunate events of yesterday. However, I must also caution that we should pay attention to the issues that have been raised by the Gen. Zs.

Hon. Fatuma Mohammed (Migori County, Independent): On a point of order, Hon. Speaker.

Hon. Speaker: Hold on, Hon. Kibagendi. Hold his time. Give it to Mama Migori.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Speaker, for giving me the opportunity. Hon. Kibagendi has just stated that this is the first time you have given him an opportunity to speak in this House. Maybe you did not notice.

Hon. Antony Kibagendi (Kitutu Chache South, ODM): Yes.

Hon. Fatuma Mohammed (Migori County, Independent): I want him to know that you do not pull people from their seats to speak. One must raise their voice and demonstrate their interest. I, therefore, request that he withdraws that statement. You do not work in partiality. You are very considerate. He is never in the House and yet, he is blaming you. You do not point them from their houses to contribute. That is wrong, Hon. Kibagendi.

Thank you.

Hon. Speaker: Hon. Fatuma, thank you for defending me. That is why I ignored it. Go on with your contribution, Hon. Kibagendi.

Hon. Antony Kibagendi (Kitutu Chache South, ODM): That is extremely irresponsible of my fellow Member.

My point is that we must stop trivialising the concerns of the young people of this country. We must stop trying to make it seem like it is a ‘Gachagua thing’. Kenyans demonstrated across the country because of their concerns. We must all rise up and support those young people. Hon. Maraga did not come to the streets just because he wanted to. He came because of the concerns of the young people. I am perturbed by what Hon. Farah Maalim, the Deputy Speaker, and other contributors are saying about Hon. Maraga. Those who have spoken about the former Deputy President disturb me. It is irresponsible.

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

Hon. Speaker: Hon. Junet, what is your point of order?

Hon. Junet Mohamed (Suna East, ODM): Hon. Kibagendi says this was a Gen. Zs demonstration. Could he share with the House his experience in organising the one in Kisii County? He was the supervisor and organiser of that.

Hon. Antony Kibagendi (Kitutu Chache South, ODM): Hon. Speaker, I hope you will add me time. You realise that Members have interjected throughout.

Hon. Speaker: Go ahead with your point.

Hon. Antony Kibagendi (Kitutu Chache South, ODM): With all due respect to Hon. Junet and all the leaders who have spoken before me, we need to be more concerned about the issues that are being raised by the young people in this country, rather than trivialise this to what Hon. Gachagua has done to this country. Hon. Gachagua is such a small person. Did he organise demonstrations in Mombasa, Kisii and Kericho? Why can you not arrest him? Deal with Hon. Gachagua in accordance with the law.

Finally, we want to advise...

Hon. Speaker: Next is Mwafrika. You have two minutes. Avoid side shows and just contribute.

Hon. Kamande Mwafrika (Roysambu, UDA): Thank you, Hon. Speaker. I do not want to repeat what other Members have said. However, I have an issue with how security was selectively deployed yesterday. I would like to give an example of Githurai.

(Loud consultations)

Hon. Speaker: Order. Let us listen to Mwafrika.

Hon. Kamande Mwafrika (Roysambu, UDA): I have an issue with how selectively the security was deployed yesterday. I would like to give an example of Githurai. The Co-

operative Bank Githurai Branch was broken into. We have Kassmatt Supermarket next to the Githurai Branch. It is a jumbo mega supermarket. It was also broken into. Across the road at the Githurai Roundabout, goons took three hours to break into Kassmatt Supermarket.

I wondered why no single police officer was at Githurai to offer basic or minimum security services of crime prevention. Security was deployed selectively. I will request for a statement for the police to explain to us where they were when goons took three hours to break into Kassmatt Supermarket in Githurai.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Otiende Amollo.

Hon. (Dr) Otiende Amollo (Rarieda, ODM): Hon. Speaker, as a veteran demonstrator, I empathise and condole with the families that lost their loved ones.

Article 37 is very clear on the right to demonstrate peaceably and unarmed. But that right does not extend to an attempt to establish a government other than by law. Article 3(2) is very clear and I read, “Any attempt to establish a government otherwise than in accordance with this Constitution is unlawful”.

We must be very clear on the difference between demonstrations and anarchy. What we saw in Mombasa were demonstrations. What we saw in all those other places mentioned in the Motion was anarchy. It cannot be tolerated.

Hon. Speaker, we condemn the hiring of goons. We condemn the torching of courts, police stations and houses. We condemn the extreme provocation of the police. I also condemn the Communications Authority of Kenya (CAK) for stopping the live coverage. The CAK cannot do that in the face of a very clear judgment by the court.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you for giving me this opportunity to air my views.

(Hon. Joyce Kamene spoke off the record)

Hon. Speaker: Order, Mama Machakos. Yes, Hon. Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): I have not lived for long in this planet Earth. It is just nearly about four decades. I have lived in the Mount Kenya region for about three quarters of that time.

What I saw yesterday in Mount Kenya has never been seen before. I will be very specific on Mount Kenya because that is where I grew up. The looting and destruction of property that I saw has never been witnessed before. We call it by its name. I will speak to three things.

First, we need to review police laws. We need to find a way to guard our police officers from the anarchists emanating from all over. We really must review that.

(Hon. Joyce Kamene spoke off the record)

Kindly protect me, Hon. Speaker.

Hon. Speaker: Order. Hon. Kamene, you have the right to converse with your neighbours, but not to shout as you are doing. Please, keep your cool.

Hon. Silvanus Osoro (South Mugirango, UDA): First, we need to review police laws to protect our police officers.

Secondly, we need to look into the question of pension for retired officers. Hon. Muturi earns more than a million shillings from the taxpayers. Hon. Kalonzo Musyoka and Hon.

Maraga earn much money. That law must be reviewed. They should not earn when they are actively involved in such things.

Third, is a question to the former Deputy President. You claim to speak for the Mount Kenya region. Now, speak about the destruction of property and the loss of jobs. Talk about Naivas Supermarket that was looted in Nyeri. Talk about the young people who lost jobs in Nyeri.

Hon. Speaker: Next is Hon. Elachi. Okay, give Osoro a minute.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you very much, Hon. Speaker.

Hon. Gachagua, talk about the lives that were lost. Talk about the Kikuyu Law Court that was burnt down. Talk about the people who suffered returning home after doing their business. They were stopped by goons and asked for money before they passed. That person claims to speak for Mount Kenya people. Now we want to hear about the people who lost businesses in town. They have suffered.

There is no question about it. Hon. Rigathi Gachagua and all the politicians who work under him must be arrested and investigated. We saw some of them moving around claiming to support this movement called Gen Z, which is a lie. There is no movement called Gen Z. Those are criminals. There is nothing like that. Those are people who are hiding behind a generation to loot and bring anarchy in this country.

Hon. Speaker: Hon. Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. Indeed, it is very unfortunate for us leaders to see our country go. Indeed, it is sad to be in this House and think that the things happening outside there will not find us at the doorstep. I do not think you remember what happened in 2007. It started as a joke and we ended up losing lives. It is sad for parents to lose their children because of political scores.

Today we are here discussing anarchy in Nairobi. First, I thank all the constituencies in Nairobi that ensured they restrained themselves from destroying property. The rape cases that happened along Thika Road have never happened before.

As I finalise, I want to speak to the Gen. Zs. They are a young generation that can shape the future of this country. They are innovative and digitally savvy. I want to tell them that in a world that conflict has grown, they will be overwhelmed and people will take advantage of them. However, we must bring a law to this House that will give them an incentive to start businesses without paying taxes, so that they can create jobs. There are no jobs for their generation. Everything has gone digital. They will never be employed. We must think and tell those who think that they can use the Gen Zs to get power ...

Hon. Speaker: Hon. Mathenge. Before Hon. Mathenge takes the floor, I acknowledge students of Ararat Shinnars School in Ainabkoi, Uasin Gishu County in the Public Gallery. On my behalf and on behalf of the House, I welcome them to the House of Parliament.

(Applause)

Hon. Mathenge.

Hon. Duncan Mathenge (Nyeri Town, UDA): Thank you, Hon. Speaker. I want to add my voice by saying *pole* to the families that lost their loved ones because of the demonstrations yesterday. Yesterday was a sad day for Nyeri. This nation must have its leadership and citizens rising up to the occasion to save this country. We have to be the conscience of our nation. We cannot solve our grievances by destroying what we have. Time has come for a candid conversation. Our young people are speaking, but they must know that for this country to be where it is today, it took painstaking building. It is important that we appeal to them that the country belongs to them. They cannot live in a country that is ruined. I pray for moderation across the board, including those of us who are sitting in this House, who have made statements

that can only serve to inflame passions and emotions. It is important that we realise that we are standing at a very crucial point in our country. Our country is at crossroads. We must save our country. I plead with all of us to rise up to the occasion and do what has to be done. Our country cannot be destroyed in our hands during our time.

Hon. Speaker: Hon. Mwashako. No, that is not Mwashako. The Member from Kisii, my friend Hon. Barongo. Give him the microphone.

Hon. Nolfason Barongo (Bomachoge Borabu, ODM): Thank you, Hon. Speaker, for giving me the opportunity to also contribute on what we witnessed yesterday. From the mood of most of the Members, I can tell that we are giving a blanket condemnation of what happened yesterday. However, that is not the first time this has happened. It was the second time. For sure, next year, the Gen. Zs will rise up again to continue to press all of us to address the issues that are very important to them. So, as much as we are condemning everything that went wrong yesterday, we must laud them for pushing us to be better versions of ourselves so that we can bequeath them with a better future going forward.

Hon. Speaker: Hon. Didmus.

Hon. Didmus Barasa (Kimilili, UDA): Thank you, Hon. Speaker. What we witnessed yesterday was not a demonstration. What we witnessed yesterday was a group of criminals who were mobilised by an individual who wants to use the tears of Kenyans who are losing their businesses and the blood that the young people are shedding to resurrect his already stifled political career. The person who masterminded and funded those activities is well known. The police must arrest the impeached former Deputy President of the Republic of Kenya, Hon. Rigathi Gachagua. As a country, we cannot continue to watch a tribal individual mobilising members of his community to engage in hooliganism. The blood of the people who lost their lives and the tears of those whose businesses were broken into will cry for revenge on the life of Hon. Rigathi Gachagua. He cannot mobilise members of his community to maim people and destroy properties of Kenyans and yet, he is busy looking for tenders for his own children. The law must be applied equitably and equally regardless of whether a criminal is a rich person living in a castle or a poor person living in a shack. Hon. Rigathi Gachagua must be arrested, prosecuted and taken to jail.

Hon. Speaker: Hon. Bensuda.

Hon. Atieno Bensuda (Homa Bay County, ODM): Thank you, Hon. Speaker. I rise to make my contribution on this Motion. As Parliament, we have to condemn with the strongest possible terms what happened yesterday. One, we must rise and be a Parliament and a nation that solves problems. We must not allow some people to settle political scores because we are a little bit relaxed in giving justice. I am talking about justice to the families that lost their children. We need to organise for national prayers and give them compensation and shame the devil in broad day light.

Two, the police tried. Yesterday they exercised restraint. They must be beefed up in terms of their numbers even if that will require additional resources. I came to Parliament yesterday and saw the work that they were doing. I want to applaud them. However, they need to be beefed up in numbers so that we do not have a situation where when things get out of hand, we ask the General Service Unit (GSU) to come in. I witnessed next to Parliament the people who hide behind Gen. Zs. When the Gen. Zs were walking to Parliament, they found police men who were of their age and they allowed them to walk with them and all of them clapped. The people who exercise hooliganism are not Gen. Zs.

Three, besides the women who were raped, the highest number of people who lost property yesterday were women. The majority of the people who confessed on television were the women folks.

Hon. Speaker: Hon. Benjamin.

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you, Hon. Speaker. I want to join my colleagues in condoling with the families that lost their children.

Hon. Speaker: I have reduced the contribution time to one minute now. Go on.

Hon. Benjamin Lang'at (Ainamoi, UDA): Hon. Speaker, there is a wealth of information. I have heard Members talk. I was in the 11th Parliament and I am aware that we passed a law on the deputy president and other State officers' retirement. In that Act, a retired deputy president, chief justice and speaker are given salaries and vehicles. The Act also says that as long as they do not engage in political activities, they will enjoy their pension. I ask the Executive to withdraw vehicles and salaries of the former Vice-President Kalonzo Musyoka and the retired Chief Justice. They are engaging in politics and anarchy. The law is there; we only need to execute it. We make sure they either enjoy their retirement or play politics.

Thank you.

Hon. Speaker: Hon. Makau.

Hon. Patrick Makau (Mavoko, WDM): Thank you, Hon. Speaker, I too empathise with the families of the children who lost their lives and the policemen who were hurt during the demonstrations. As a House, it is high time we listen to ourselves and the young people, and ask ourselves: What is the bigger question? How do we engage those young people? I agree, there could be people who are inciting them, but the bigger picture is how we engage them. Parliament is viewed as though we do not fight for them. I want us to rise to the occasion and engage the young people of this nation.

Again, I want the policemen to be careful when they are out there and controlling those crowds. Yesterday, two people were shot in Matuu and Wote. They were killed compared to Nairobi and other places. I urge even the...

Hon. Speaker: Hon. Saney.

Hon. Ibrahim Saney (Wajir North, UDA): Hon. Speaker, the right to demonstration is enshrined in our Constitution. Looting supermarkets, robbing *mama mbogas*, burning police stations, and personal properties are not within the realm of that right. Protests are mainly political, from what I have observed. We elect leaders through the ballot, and we have a legitimately elected President. Marching to the State House is tantamount to a coup, which is unacceptable.

I look forward to a time when somebody from Northern Kenya, Nyanza, Western or Coastal people can be a president peacefully. We cannot have a monopoly on leadership just because you disagree with somebody. That does not mean one cannot be president. I entirely do not approve that....

Hon. Speaker: Hon. Chonga.

Hon. Ken Chonga (Kilifi South, ODM): Ahsante Mhe. Spika. Mimi nimekuwa mmoja kati ya ambao washawahi kuwekwa ndani kwa sababu ya maandamano. Najiuliza mbona kila wakati kuna maandamano kuna wizi, ubakaji na tunapoteza maisha. Tukiwa Wabunge wenye kutengeneza sheria, tutakaa na kuangalia hii hali mpaka lini? Mbona hatusikii maandamano Rwanda, Tanzania ama kwa majirani?

Mara ambayo tumeandamana, hakuna faida tumepata. Imekuwa hasara zaidi ya hasara. Nataka kizazi ambacho kinakuja kitukumbuke kama Bunge ambalo lilisimama kidete na kuja na suluhisho la kusitisha na kutafuta mbinu mbadala za kuweza kuwasilisha...

Hon. Speaker: Hon. Rindikiri.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker. I empathise with those who lost their lives and properties at the hands of a blood-thirsty personality, a vampire of our generation; the man who cares less and who feels nothing. As Members of Parliament, we have come across the wrath of this man. I had tasted his wrath on Sunday. He came to my constituency and insulted everybody, and finally, he brought this to Nairobi. It is a shame to

the organisers and those people who came and encouraged our people to rape women. It is so bad. It is a shame.

Hon. Speaker: Member for Isiolo. Is it North or South? Hon. Bidu.

Hon. Bidu Mohamed (Isiolo South, JP): Yes, sir. Thank you, Hon. Speaker, for giving me the opportunity to contribute. We all condemn what happened yesterday. Goons cannot rule a country; they will only destroy a country. Whatever happened, and if anybody has any issues, we do not condone goonism. They are in every form. Even in my county, there were some goons. The County Assembly could not sit because goons were employed by the Governor. He was preventing the Members of the County Assembly (MCAs) from sitting. We should condemn goons in all forms, so that we are safe in Kenya.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Tongoyo, the Chairman of the Departmental Committee on Administration and Internal Security. I will give you two minutes, by virtue of your position.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Speaker. I want to join my colleagues in condemning what happened yesterday. I also want to pass my condolences to the families who lost their loved ones in yesterday's demonstrations. From the start, what happened yesterday was not demonstrations; they were riots. As much as Article 37 outlines clearly the rights of Kenyans to demonstrate, picket, and assemble, it also outlines the conditions under which it should take place. It says that it has to be peaceful, and the demonstrators have to be unarmed. What we saw yesterday was the opposite. The demonstrators were armed, and their intentions were very clear. Surprisingly, when you keenly look at the places they burned, the police stations, National Government Administrative Officers (NGAO) offices, and supermarkets, you wonder what their intentions were. I am sorry to say that, in one instance in Kikuyu, people raided the police station and ran away with an ammunition box full of bullets. You wonder what they were up to. You conclude that these are people who are out for a civilian coup to overturn a legitimately elected Government....

Hon. Speaker: Hon. Edith Nyenze.

(Hon. Gabriel Tongoyo spoke off the record)

You have done your two minutes.

Hon. Edith Nyenze (Kitui West, WDM): Thank you, Hon. Speaker, for giving me this opportunity...

Hon. Speaker: Hon. Edith, just hold. Hon. Tongoyo, wind up what you were saying.

Hon. Gabriel Tongoyo (Narok West, UDA): As I finalise, I want to commend the work that was done by our police officers. There are very patriotic and dedicated officers who went beyond the call of duty to protect this country. It is time we have a candid conversation, come to our senses and protect this country. We do not have another country to run to. We only have Kenya, and we must safeguard it. If this means we look at our security laws, let us do that.

I support.

Hon. Speaker: Hon. Edith Nyenze.

Hon. Edith Nyenze (Kitui West, WDM): Thank you, Hon. Speaker. Let me take this opportunity to empathise with the families who lost their loved ones and also those who lost property and their livelihoods. As we condemn and claim that some people organised the riots, let us also recognise that there is a problem in our country. How can our youths be as daring as to the extent of wanting to lose their lives? That means that there is a lot of hopelessness and desperation. We should be addressing the question of how we can help our young people. We should not continue condemning other people who do not have the instruments of power. We cannot keep on blaming other people who have no power, like we keep...

Hon. Speaker: Member for Kwanza.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Hon. Speaker, the demonstrations we saw yesterday were not demonstrations; it was anarchy. As Parliament, if you could listen to me, let us find a solution. As it is, we are just talking. I want us to sit as a House and demonstrate to Kenyans that this is what we are going to do, case by case. There are even leaders of this country who were involved. We saw that. I suggest that this House form a team to look at this and see how far we can go to condemn those demonstrations.

Hon. Speaker: Wakili Muriu.

Hon. Wakili Edward Muriu (Gatanga, UDA): Thank you, Hon. Speaker, for giving me the opportunity. I extend my sympathy to those who lost their lives and property. As we discuss the riots and looting of yesterday, we must ask ourselves why the country is angry. The anger stems from the lack of jobs for the youth, excessive taxation and the Government's refusal to listen to them. The other day, you blamed such kind of situation on Hon. Raila. Today, you attribute it to Hon. Gachagua. Unless we address the core issues affecting the country such as the mismanagement of the economy...

Hon. Speaker: Please give Hon. Nyakundi the microphone.

Hon. Japheth Nyakundi (Kitutu Chache North, UDA): Thank you, Hon. Speaker, for giving me this opportunity. What we witnessed yesterday was pure anarchy, looting and terrorism. It was instigated by an individual who is seeking to bring chaos to the country. As this House and the citizens of Kenya, we cannot accept being led into chaos by someone who faced impeachment due to misconduct. We sympathise with those who lost their loved ones and property. Nevertheless, we must sit as a House and come up with solutions to this problem.

Thank you.

Hon. Speaker: Next is Hon. Odanga Makokha.

Hon. Godfrey Odanga (Matayos, ODM): Thank you, Hon. Speaker. I extend my condolences to the families who lost their loved ones and pray for the swift recovery of those who were injured. We need to have an open conversation about this matter. The young people are speaking out, and they are doing so repeatedly. We must listen to them, as dialogue is essential during this time.

Thank you.

Hon. Speaker: Hon. Zaheer. Can someone locate Hon. Junet?

Hon. Zaheer Jhanda (Nyaribari Chache, UDA): Thank you, Hon. Speaker. I express my condolences to the families of those who lost their lives yesterday. I rise to support this Motion and totally condemn the acts of lawlessness, destruction and vandalism that was witnessed in this Republic yesterday. This country upholds the right to peaceful assembly. However, what we saw were not generic demonstrations but rather, a coordinated assault on the foundations of our Republic, resembling a coup attempt or a terrorist attack by the lord of impunity, Mr Rigathi Gachagua. It is insufficient to merely condemn those actions. I request that through you...

Hon. Speaker: Mama Nairobi County.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Speaker. I extend my condolences to all the families who lost their loved ones and wish those in the hospital a quick recovery. I would like to address the Law Society of Kenya (LSK) regarding their necessary actions. The Penal Code 137 discusses any person who improperly interferes with or shows indignity to a deceased human body. The Computer Misuse and Cybercrimes Act also states that sharing an intimate or obscene image of another person constitutes an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand shillings or imprisonment for a term not exceeding two years, or both. We are witnessing a troubling trend where videos and images of the deceased are taken and shared online without the knowledge or consent of their families. This is a breach of the law. We must respect the

deceased. Even if videos are taken, they should be shared directly with the families rather than online.

Hon. Speaker: Hon. Lelmengit.

Hon. Josses Lelmengit (Emgwen, UDA): Thank you, Hon. Speaker. My heart goes to those families who lost their loved ones. I also condemn the events of yesterday. Those involved were not Gen. Zs. We are misusing the term Gen. Z. They were organised political or criminal gangs—bitter, vengeful, and desperate individuals who view death and bloodshed as Christmas celebrations. The public must understand that the organisers of those demonstrations are power-hungry and resentful. I also urge the police to exercise their authority in accordance with the Constitution. I condemn them for the restraint they exercised yesterday.

Hon. Speaker: Condemn or commend?

Hon. Josses Lelmengit (Emgwen, UDA): Commend, Hon. Speaker.

Hon. Speaker: Next is Hon. TJ Kajwang’.

Hon. TJ Kajwang’ (Ruaraka, ODM): Hon. Speaker, you need a State to enjoy your rights. We need a unified State to enjoy those rights. Rights cannot be enjoyed in a state of turmoil or under a military regime. We are gradually becoming a military state. Those who cannot secure power through the ballot box are steering us toward military dictatorship. The shortest time it takes for a country to recover from a military dictatorship is 20 years. In fact, it may require the elimination of an entire generation...

Hon. Speaker: Give him a minute.

Hon. TJ Kajwang’ (Ruaraka, ODM): You will need to wipe out a whole generation to return to democracy. Do not take this lightly. If you desire power, speak to your people from Mount Kenya and earn their votes on the ballot. We will not accept a military dictatorship. Even when we protested daily, it was solely to enjoy our democratic rights. We did not aim to establish a military state. We need a nation governed by the rule of law. I am ashamed that two former Chief Justices – and I consider myself a better Chief Justice than they are.

(Applause)

Hon. Speaker: Hon. Kahangara.

Hon. Kahangara Mburu (Lari, UDA): Thank you, Hon. Speaker, for giving me the opportunity. I also extend my condolences to the families of those who lost their lives last year and this year. Kenya is a democracy and holds elections every five years, giving people the chance to elect the government they desire. We will not permit a government to come in through the back door.

Our police have demonstrated restraint. We cannot progress as a nation if we expect the police to protect property from armed protesters and yet refrain from acting. This is our opportunity, as a House, to amend our laws, ensuring the police have the authority to arrest and disperse demonstrations.

Hon. Speaker: Thank you. I call upon the Mover to reply. We had one and a half hours for this debate, and we have exceeded it by five minutes. Mover, you have ten minutes to respond, and you may donate some of that time.

Hon. Junet Mohamed (Suna East, ODM): I donate a minute to Hon. (Dr) Gogo, Hon. Cherorot and the Member for Ol Kalou.

(Loud consultations)

Hon. Speaker: Very well. Hon. (Dr) Lillian Gogo.

Hon. (Dr) Lillian Gogo (Rangwe, ODM): Thank you very much, Hon. Speaker. I do not know whether I should thank you or my Leader of the Minority Party because I raised my hand throughout and you refused to see me.

Hon. Speaker: Just thank the Speaker because I can disallow his donation.

Hon. (Dr) Lillian Gogo (Rangwe, ODM): Thank you, Hon. Speaker. As I condole with the families who lost their loved ones, the mothers who lost their children, and the business people who lost their businesses, my question is: Were the rioters heading to State House or State House Girls? What interest did they have in State House Girls High School? Finally, they burnt police stations. It has been said that Hon. Gachagua should be arrested. He should be arrested and put in a police station. I will personally go and set that police station in flames so that it is destroyed forever. Then after that...

Hon. Speaker: Who else did you give? Hon. Cherorot.

Hon. Joseph Cherorot (Kipkelion East, UDA): Thank you, Hon. Speaker. I extend my message of condolences to the families who lost their dear ones. Secondly, I condemn the anarchy that we witnessed yesterday in our streets. My message is that the sponsors who led the demonstrations - and Gen. Zs who claim to be leaderless - were joined by former leaders yesterday. Those leaders should be punished.

Another matter is that, what is the role of the National Cohesion and Integration Commission (NCIC) in the country currently? We have seen and heard a lot of hate speech and yet, the NCIC remains silent. They are supposed to come out and take action. Additionally, the Independent Policing Oversight Authority (IPOA) must not be used by criminals as a...

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Speaker. Allow me to send a message of condolence to the families who lost their loved ones, especially Mama Brian Ndung'u from Ol Kalou. Having said that, this House must recognise what happened yesterday as a ticking time bomb. There is a clear disconnect between Gen Z and the country's leadership, and we cannot pretend that we are unaware. We know about the issues of unemployment, abductions, and the ongoing killing of their peers. That is why Gen Zs came out.

Gen. Zs are normally very peaceful, until they are brutally provoked by Government-sponsored goons. Hon. Sakaja's plan failed. Yesterday, Gen Zs concluded their demonstrations at 4.00 p.m., after which organised goons came into the streets to loot. We cannot refer to Gen. Zs as looters or goons. Those were individuals sponsored by the Government.

Hon. Speaker: Yes, Hon. Masara.

Hon. Peter Masara (Suna West, ODM): Thank you, Hon. Speaker. Migori has always been the headquarters of demonstrations, but I thank the people of Migori because yesterday, it remained very quiet. We only have one country. For those who think they can burn it, where will they go once the country is burnt? I urge every citizen that it is time to sit down and acknowledge that power was here just the other day. It has only been less than two years since it shifted hands, and already, they are burning their own property.

Moving forward, we should not blame Gen. Zs. We must talk to our young people. Some of us, like myself and Hon. Junet, are products of civil society. I rose from a councillor, to mayor, and now Member of Parliament, and soon, I am going to be the next governor of Migori. To the youth, do not allow yourselves to be misused. Do not be led astray. You have a future. This country belongs to you after we have left...

Hon. Speaker: Hon. Junet.

Hon. Junet Mohamed (Suna East, ODM): Thank you, Hon. Speaker. First and foremost, I wish to thank Members of this House for taking their time to contribute to this important Motion. In accordance with the Constitution, it is only this House that can address matters of concern to the people. What happened yesterday must concern the people of Kenya. I have listened keenly to the contributions of every Member, and all have reiterated that this

country must not descend into anarchy. We must have a country that we are proud of, one that serves us all equally, irrespective of religion, race, community, tribe and colour.

One thing I have noted from Members' contributions is that the demonstrations yesterday were not by Gen. Zs. They were political demonstrations, organised by power-hungry politicians, some of whom have been impeached, who now seek to return to power through the back door and take this country to the dogs. I wish to speak to the young people of our country, wherever they may be, in my constituency or other places, that your good intentions of rectifying the state of the nation and addressing the powers that be have been hijacked by selfish, inward-looking, self-serving and power-hungry politicians, led by one man called Rigathi Gachagua.

A Member has claimed that Hon. Sakaja brought goons. But was Sakaja in Ol Kalou? Was he in Kikuyu? Was he in Nyeri? In Kiambu? In Murang'a? In Mathira? In Kieni? Hon. Sakaja was in Nairobi. Yet, the destruction and looting that occurred in Mount Kenya is what we now call ethnic mobilisation. Someone has chosen to mobilise their ethnic group, believing they can storm the State House and seize power through a coup. Power can only be acquired through the ballot by campaigning, talking to the people, selling policies, presenting manifestos and, in turn, they can elect you and you can now rule the country. Any other shortcut to power will not be entertained by any citizen nor any country.

Kenya is a beautiful country. The Constitution that we enjoy is more progressive than those of many developed nations. Few countries, even in the West, have a Bill of Rights as strong as ours. No African country enjoys what we have. But there are those who are hell-bent to mutilate and discard this Constitution for their own selfish reasons.

One of the most shocking things I have heard this afternoon, which sent shivers down my spine, is when the Leader of the Majority Party stood and said that his home was invaded, with the aim of killing his 105-year-old father and 85-year-old mother. What do his parents have to do with the policies of this country? He has even told me privately that one man had to be shot so that the thugs could flee. It has been confirmed, and I state on the Floor of this House that, those thugs were organised and supervised by one man called Rigathi Gachagua.

What kind of inhumanity is that? That one would attack a politician's parents because they dislike that politician. If that man can contemplate killing the Leader of the Majority Party's parents, what will he do in 2027? It is no wonder that he once claimed that 2007 would be a Christmas party. The Member for Othaya Constituency has just informed me that he lost one of his constituents yesterday, a close campaigner of his. Why are we allowing this anarchy to perpetuate in this country, using the name of Gen. Zs, to cause mayhem, injure women and kill people?

When I moved the Motion, I asked that if you wish to demonstrate nationally, you can do so wherever you are. There is no need to transport people from Kiambu, Murang'a, Nyeri, and Laikipia to Nairobi. What happens if the Member for Narok East decides to bring the Maasai to Nairobi, Hon. Millie Odhiambo brings Subas from Suba, and Hon. Wanyonyi brings people from Trans Nzoia, and everyone meets in the City? What kind of country will that be? We saw those same people walking through the wards at Kenyatta National Hospital (KNH) today, claiming to be visiting young people they themselves led to the streets, only for them to be injured or killed for no reason. The young people of this country have good intentions. They want our country to be safe. They do not want what Gachagua is planning. They want a safe country, a country they can be proud of when they get old. And that is what we are going to do. All of us in this House were elected by Gen. Zs. We never came here by ourselves. We were voted for by Gen Zs, women, the elderly—by every person. And we know what our constituents want.

With those few remarks, I beg to reply.

(Question put and agreed to)

Hon. Speaker: Hon. Members, as we go to the next Order, I thank you for exhibiting maturity, decorum and decency in debating a rather emotive issue. The events of yesterday should alarm all of you and all of us Kenyans. We need to speak to each other and make our country safe. This morning, the leadership of this House joined ‘yours truly’ to meet a delegation from Nigeria, led by the Majority Leader of their Parliament. They have come to Kenya to learn from us on how we engineered our new Constitution. They have come to learn from us on how we are nurturing our democracy.

What we saw yesterday is an anti-thesis of democracy. I urge all of us, everybody in the management of the affairs of the country and, more so, we the political class, it is wrong, unlawful, unconstitutional and unacceptable to take advantage of the poverty of our people to hire them and herd them to the streets to suffer untold harm. There was looting and burning of property in Dagoretti up to 8.00 p.m. last night. In Rongai, the same thing happened. Assuming the demonstrations have a timeline. You start in the morning at 10.00 a.m. and end by 5.00 p.m. or 6.00 p.m. I urge you, Hon. Members, and the legal team that advises the Speaker, to think seriously about a law that governs and protects demonstrations and demonstrators against infiltrations by wrong people who are hell-bent on doing wrong things.

Next Order!

QUESTIONS AND STATEMENTS

STATEMENTS

Hon. Speaker: We will go back to receiving Statements. There is a response to a request by Hon. Charles Ngusya. Is the Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation in the House? He is not. Hon. Ngusya, we will push your response to Tuesday. Response to the request by Hon. Martha Wangari to be made by the Departmental Committee on Finance and National Planning. Both Hon. Martha Wangari and the Chairperson of the Committee are not in. The response is pushed to next Tuesday. There is a response by the Departmental Committee on Labour to a request by Hon. Cynthia Muge. Hon. (Maj.) Dekow Mohamed, do you have a response? Then there is a response to request by Hon. Daniel Nanok from the Committee on Regional Development. Is the Chairperson of the Committee in the House? Hon. Lochakapong, go ahead.

IMPLEMENTATION OF SHIRIKA PLAN FOR REFUGEES AND HOST COMMUNITIES

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Chair. This is a Statement regarding the implementation of...

Hon. Speaker: Order, Hon. Lochakapong. Are you addressing the Speaker or the Chair? Which Chair?

Hon. Peter Lochakapong (Sigor, UDA): Sorry, did I say Hon. Chair?

Hon. Speaker: Yes.

Hon. Peter Lochakapong (Sigor, UDA): Apologies, Hon. Speaker.

Hon. Speaker: Go ahead and respond.

Hon. Peter Lochakapong (Sigor, UDA): Hon. Speaker. This is a Statement regarding the implementation of Shirika Plan for refugees and host communities that was submitted to our Committee. This is a response to a question that was asked by the Member for Turkana West, Hon. Epuyo Nanok.

Kenya has hosted refugees and asylum seekers from the Great Lakes region, East Africa and the whole of Africa for over three decades. The country remains the 5th largest refugee-hosting country in Africa and the 13th largest asylum country in the world. The Government of Kenya, in collaboration with partners, has been taking concrete steps to improve the conditions of host communities and refugees. In line with the Global Compact on Refugees (GCR) 2018 and its Comprehensive Refugee Response Framework, Shirika Plan builds on the success of past and ongoing programmes.

In 2022, the Government pronounced its intention to strengthen integration through socio-economic inclusion of host communities and refugees through a strategy called Marshall Plan, which was later renamed Shirika Plan. Shirika is a multi-year plan that aims to enhance socio-economic inclusion for host communities and refugees for them to be self-reliant and resilient. The Plan is in line with the Constitution of Kenya, the Refugees Act, 2021, Sustainable Development Goals (SDGs), Vision 2030, the Medium-Term Plan IV and the Bottom-up Economic Transformation Agenda (BETA). The Plan builds on the success of Kalobeyi Integrated Socio-Economic Development Plan, Phases I and II, and Garissa Integrated Socio-Economic Plan.

Shirika Plan was officially launched on 28th March 2025 by His Excellency President William Ruto. It is an initiative to turn the country's two refugee camps in Dadaab and Kakuma into self-reliant, integrated settlements, allowing refugees and host communities to live and work side-by-side and access donor and Government services alike. This comes on the back of a commitment made through the GCR 2018, to which Kenya is a party. Shirika Plan has been lauded as a major step forward in securing durable solutions for Kenya's over 800,000 refugees and asylum seekers. Finding solutions to forced displacement, many of the refugees having lived in Kenya since the 1990s, has become even more pressing in the wake of the recent US aid cuts, which threaten the livelihoods of refugees receiving material assistance from donors.

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

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

Therefore, Shirika plan will transform how we respond to refugee crises from a series of annual care and maintenance programmes into a sustainable Government-led comprehensive refugee response.

Hon. Deputy Speaker, the objectives of the Shirika Plan are:

1. Facilitate the transition to Government-led development oriented and integrated services.
2. Strengthen the capacity of Government institutions to serve refugees and host communities.
3. Enhance resource mobilisation in support of integration in the spirit of burden-sharing.
4. Promote socio-economic inclusion of host communities and refugees to enhance self-reliance and resilience.

Hon. Deputy Speaker, the following are the pillars of the Shirika Plan. They include:

1. Systems building and enabling policy frameworks to strengthen national institutions' capacities to ensure equity, equality and inclusion.
2. Integrated service delivery focusing on the equitable access to all services. These include education, health, adequate housing, electricity, social protection, energy *et cetera*.

3. Human capital and skills development for community-led market driven development, including market-based Technical Vocational Education Training (TVET) market development financial inclusion and services.
4. Sustainable natural resource management, including climate change aimed at sustainable environmental management.
5. Sustainable economic development focusing on rural and urban business development, economic infrastructure, technological development and others.
6. Durable solutions and complementary pathways. This focuses on voluntary return, re-settlement to third countries, socio-economic inclusion, complementary pathways, advocacy, coordinated assessments and cross-border initiative.

Hon. Deputy Speaker, I know come to the questions that were raised by Hon. Epuyo Nanok, Member for Turkana West.

The first question was to report on whether the national Government has conducted public participation and sensitisation on the Shirika Plan, including evidence of the activity and the extent to which it complies with Articles 10(2)(a) and 232(1)(d) of the Constitution on the involvement of the people in policy making.

Hon. Deputy Speaker, the Ministry of Interior and National Administration through the State Department for Immigration and Citizen Services and the Department of Refugees Services held consultative meetings and public participation forums across major refugees hosting counties which include Turkana, Garissa, Mombasa, Kilifi, Nairobi, Nakuru, Uasin Gishu, Kiambu and Kajiado. In line with Articles 10(2)(a) and 232(1)(d) of the Constitution of Kenya, at its inception, consultative meetings were held in 2023 and 2024, which was followed by on-boarding of a consultant to best capture the views by the public. In 2025 between January and March, public participation forums were held where participants were taken through the draft Shirika document. Between 2023 and 2025, a total of 75 public engagement meetings were held. The categories of groups engaged included host communities, refugees, Members of Parliament, governors, members of county assemblies, UN agencies, development partners, international and national governments, national non-governmental organisations, counties, departments and agencies, both levels of governments, private sector, business communities, community based organisations (CBOs), refugee-led organisations and civil society. The public participation and sensitisation forums were conducted in a participatory approach where all participants were allowed to give their recommendations and input in the document. The views collected during the public participation, consultations and sensitisation forums helped shape the document that was launched by His Excellency the President on 28th of March 2025. The Shirika Plan is a living document and can be reviewed on a need basis.

The second question is about measures that have been put in place to ensure that the Shirika Plan does not overstretch the existing community resources, specifically with respect to infrastructure such as schools, health facilities, water supply and sanitation, and strategies that have been put in place to fund projects that enhance the socio-economic facilities of host communities.

Refugees and asylum seekers have been within our community since Kenya gained Independence. The numbers increased significantly in 1992 during the fall of the then Somali Government. Kenya has since witnessed rising numbers with the current population standing at 849,625, where 431,216 are hosted in Dadaab, 305,421 in Kakuma and 112,988 in urban areas, Nairobi, Mombasa, Nakuru and Eldoret. Our refugee situation being protracted for over 35 years calls for the need for sustainable solutions as the current status depicts a picture of over-reliance on humanitarian aid, which is unsustainable. Existing infrastructure is also over-stretched due to high population as well as challenges of duplication of service, parallel delivery systems and inequalities in certain areas of service delivery. Through the Shirika Plan,

the Government aims to address those challenges as highlighted in Pillar Two on integrated service delivery.

The Shirika Plan adopts a development-oriented approach and aims to expand existing infrastructure in refugee hosting areas including in education, health, shelter and housing, water and sanitation, roads, energy and electricity and social protection. Currently, Kakuma has 14 boreholes, 27 schools, 8 secondary schools and 8 health facilities, one being Level 4. Dadaab on the other hand has 29 boreholes, 24 primary schools, 6 secondary schools, four Level 3 hospitals and 8 health posts.

The Government is working with stakeholders such as the World Bank to expand those facilities and enhance services to refugees and host communities. Under the World Bank's window for host communities and refugees, the following programmes are being implemented in the refugee camps:

1. Kenya Primary Education Equity in Learning Phase II with US\$60 million from 2022 to 2026. This aims to reduce regional disparities in learning outcomes, improve the retention of girls in upper primary education and strengthen systems for delivering equitable education outcomes.
2. Kenya Secondary Education Equity and Quality Improvement Programme at US\$50 million aimed at reducing regional disparities in access and learning outcomes in junior secondary schools by expanding access to quality education, improving teaching quality and strengthening systems for equal access to education.
3. Kenya Urban Support Programme Phase II at US\$50 million from 2023 to 2028. This one aims to improve the delivery and resilience of urban infrastructure and services, enhance the private sector engagement in urban planning and support the transition of refugee camps into integrated host community and refugee settlements.
4. National Youth Opportunities Towards Advancement (NYOTA) at US\$20 million between 2023 and 2028. It aims to increase employment, earnings and promote savings for targeted youth.
5. Building resilient and responsive health systems at US\$40 million between 2024 and 2029. This one aims to improve the utilisation and quality of primary health care services and strengthen institutional capacity for service delivery.
6. Kenya Water Sanitation and Hygiene Programme (KWASH) US\$50 million from 2024 to 2030. It aims to have better access to quality affordable water and improved sanitation of toilets and disposal of waste.

Funding for implementation of the Shirika Plan is expected to be from different sources including the international community. The Shirika Plan seeks to leverage partnerships, including bilateral and multilateral and private-public partnerships to fund ambitions under the Shirika Plan for refugees and host communities. A robust financing strategy is under development to ensure predictable and sustainable funding.

The third question by the Hon. Member is steps being taken to strengthen security, promote peaceful coexistence and empower host communities through the implementation of the Plan.

Peace and security are at the core of any meaningful development. Cognisant of this, the Government has deployed additional security officers to address security matters in refugee hosting areas due to high population. Through peace and security committees, the Government is leveraging on community structures like Nyumba Kumi and faith-based organisations to promote peaceful coexistence. The Shirika Plan primarily seeks to ensure equitable sharing of resources to address potential conflicts that may arise between refugees and host communities or indeed, different groups internally within both refugee and host communities. The systems

building pillar of the Shirika Plan places deliberate emphasis on community-based protection mechanisms, security screening, regional collaboration and security and empowering community-based security approaches, alongside strengthening security agencies and structures to ensure peaceful co-existence between refugees and the host communities.

The fourth question is clarification on terms used as integration of refugees and host communities and details on support mechanisms available to help refugees to become self-reliant, including how job opportunities are being structured to ensure equitable competition between host community members and refugees. Local integration is one of the three durable solutions outlined in the 1951 Convention relating to status of refugees in which Kenya is a signatory to. The other two are voluntary repatriation and resettlement to third countries.

The Refugee Act 2021 defines local integration as the gradual process through which refugees are incorporated into the society through a process that ensures refugees attain broader rights, have improved standards of living and positively contribute to the social life of the host community. Under the Shirika Plan, integration refers to social-economic inclusion, that is, inclusion into service delivery systems.

It should be clear that refugees will not enjoy civic and political rights, including the right to vote, neither will they be granted Kenyan citizenship under the Plan. Refugees who want to be Kenyan citizens will have to meet the requirements established in the Kenyan Citizenship and Immigration Act of 2011. The State Department will continue to conduct public awareness, sensitisation and information sharing to ensure that both refugees and host communities understand the terminologies and components of the Plan.

On jobs and livelihoods, the Shirika Plan seeks to develop human capital and skills and create an enabling environment for self-reliance and access to livelihood opportunities for both host communities and refugees. Under the Shirika Plan, all socio-economic opportunities will be shared equally between host communities and refugees. The Shirika Plan will leverage on public-private partnerships to provide economic opportunities, including access to finance, market development and strengthening rural and urban businesses. Currently, a number of initiatives are in place, such as the International Finance Corporation and the Equity Bank Partnership of Ksh2 billion risk-sharing facility that aims to enhance financial inclusion in such regions, including host communities and refugees.

The fifth question is on the measures that have been put in place to transition refugees under the Shirika Plan, including the specific roles and contributions of key stakeholders, such as the United Nations High Commissioner for Refugees (UNHCR). To achieve the objective of the Plan, the implementation is to be done in phases. The Plan has laid out the process of transitioning to integrated settlements in which both refugees and members of host communities would benefit from inclusion in national services and from programmes aimed at facilitating self-reliance, community-led economic development and peaceful co-existence. The Shirika Plan will ensure that host communities are at the centre of targeted programmes and will address the disparities that have existed previously by ensuring equitable access to services. The Shirika Plan adopts a bottom-up approach where the needs of the communities will be captured in sector work plans.

The implementation shall be in three phases:

1. Transition phase from 2025 to 2028.
2. Stabilisation phase from 2029 to 2032.
3. Resilience phase from 2033 to 2036.

In order to ensure a successful transition for refugees, a number of issues will need to be addressed. Key among them is harmonising legal and policy frameworks, development of a Government-led refugee management system, that is database, enhancing access to documentation and recognition of refugee identity cards (IDs) by service providers, expanding infrastructure to cater for both host communities and refugees' livelihood programmes.

Roles and responsibilities of partners. Implementation of the Shirika Plan adopts a Whole-of-Government and Society Approach, including national and county governments. United Nations agencies, donors, development partners, private sector, non-governmental organisations, community-based organisations, (CBOs), refugee-led organisations, host communities and refugees. Below are roles and responsibilities of various actors.

Government of Kenya. The role of the Government is protection of refugees under the 1951 Refugee Convention. Further, Government will be responsible for data management, security coordination, and coordinating all stakeholders and executing its mandate as per the Refugee Act of 2021.

County governments. Their role is to ensure the inclusion of host communities and refugees in county-integrated development plans and promote evolution of refugee-related services through the implementation of projects at the county level that support socio-economic integration of refugees and host communities. National and county assemblies provide oversight on the use of resources under the Shirika Plan.

UN agencies led by UNHCR. Their work is to support the Government by offering technical expertise, funding and international policy guidance in refugee protection, humanitarian and development assistance, and the transition towards sustainable development-orientated solutions. The role of development partners is to provide financial resources, technical assistance, and strategic support to facilitate the implementation of the Shirika Plan.

Non-Governmental Organisations. (NGOs) are to implement select programmes and services that support refugees and host communities, welfare and advocacy, and contribute to capacity building and community resilience.

The private sector will catalyse economic growth by investing in local enterprises, creating employment opportunities and supporting innovation and entrepreneurship among refugees and host communities.

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

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) took the Chair]

Hon. Temporary Speaker, cognisant of the importance of community engagement and participation in development and implementation of refugee programmes, including those under the Shirika Plan, the Government intends to continue sensitising and engaging host communities and refugees throughout the implementation phase.

As part of next steps, the State Department for Immigration and Citizen Services, through their technical committees, is developing a cost implementation matrix from which sectors at the camp and municipal level will develop their annual sector work plans.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order Hon. Lochakapong. The response has taken quite a long time. In the interest of time, please summarise. You can pick the salient issues that the Member asked for, so that we can conclude and move to the next response.

Hon. Peter Lochakapong (Sigor, UDA)] Thank you, Hon. Temporary Speaker.

In conclusion, the State Department will continue conducting sensitisation forums on the Shirika Plan in the major refugee-hosting counties. There shall be a wide consultative process with the leadership in refugee-hosting counties, both at the national and county assemblies, to ensure successful implementation.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Nanok, is the response satisfactory?

Hon. Daniel Nanok (Turkana West, UDA): Thank you, Hon. Temporary Speaker. Let me take the opportunity to thank the Chairman of the Committee for the response. However, I have not received answers to the questions I raised in my request. I am seeking for concrete steps that the Government of Kenya is taking to bring on board the Shirika Plan to the hosting communities. A lot of what has been given as answers are things we have been hearing. We have engaged with the State Department, UNHCR and those partners that are enumerated in the Statement.

When we met in Mombasa with the Department of Refugee Services in 2023, we dissected the six pillars of the Shirika Plan and asked the Department to re-do that plan and bring it back to us so that we could explain it to the host communities after understanding it. That was never done. That is the answer here. The meetings that were undertaken by the Department with various stakeholders were cosmetic. I can tell you for a fact. Ask any person in Kakuma, Turkana West or Turkana County, for that matter, whether they want the Shirika Plan to take off and they will tell you a definite no. It is because they have not been sensitised effectively. What has been happening, in terms of public participation, is just a matter of ticking boxes. You cannot introduce a plan like this, which is largely refugee-driven, and say that host communities will accept. We want real solutions to the challenges of hosting refugees. The host communities do not feel understood in this plan in terms of their hosting of refugees. So, this discussion needs to be re-done.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Nanok, I think you have made your point that the response is not satisfactory.

Hon. Daniel Nanok (Turkana West, UDA): Then I need a concrete way forward on the question. The response is not as I had anticipated. Therefore, I need your guidance, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. I send it back to the Chairman.

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Temporary Speaker. I hear Hon. Nanok, the Member for Turkana West. As a Committee, we had an opportunity to visit Kakuma and Dadaab. Indeed, what the Member is saying is true. But going by the Statement that I have just read, I have indicated that the State Department has had about 75 public engagements with stakeholders. What Hon. Nanok is saying is that the engagements may not have been adequate and there may be need for more public awareness, sensitisation and engagements on the Shirika Plan. We have shared this with the State Department. One challenge they have is that they are not adequately resourced to carry out many of the activities that we are asking of them. So, I request this House to increase the allocation to the Department for Revenue Services so that they can undertake more public engagements, sensitisation and information dissemination on the Shirika Plan, including bringing all Members from the host communities on board so that we can move together. Otherwise, they think they have already done enough which, in the view of the Members representing the people, is not. It is clear that not many members of the host community have been properly sensitised.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Clearly, from what the Member has said about the response to that Statement and what you have said, you both seem to agree that the salient issues were not responded to adequately. So, you will bring a further response to the issues that he has raised. You better send back the Statement to the Ministry so that they can respond to it adequately. I would like you to give us timelines on when you will bring that response.

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Temporary Speaker. If I understood the Member, this response does not address his concerns. He is saying that the host communities were not adequately sensitised on the Shirika Plan. I fear that even if we take back

this request to the State Department, they will still bring the same response, because that is what is in their record. They even brought to us files of the meetings they have held, including the people who signed to have participated in the meetings. Going forward, we will ask them to further engage the communities on this issue. And we will give them a timeline. They should also have the Members on board.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I would like the direct involvement of Hon. Nanok in this matter. Otherwise, we will lose the purpose of requests for statements in this House. That is why I am asking that the specific issues he raised in his request be responded to. Unless you are telling me that the request was not clear.

I would like to give a chance to you, Hon. Nanok, Member for Turkana West. Take one minute, please.

Hon. Daniel Nanok (Turkana West, UDA): Thank you, Hon. Temporary Speaker. The guidance you have given to the Chairman is what I expected. Chairman, let us engage on this matter. You have just read a Statement from the State Department. You are neither an expert nor the Department. So, we need to engage with the Department. I would rather the Committee invite me when meeting with the Department so that I can engage them. I am the shoe wearer and I know where the shoe pinches.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I already have a decision on the way forward. But before I make it, I want to give a chance to the Chairman of the Departmental Committee on Blue Economy, Water and Irrigation. Do you have something to add on this, Hon. Kangogo?

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Temporary Speaker, I just wanted to help my two colleagues. The Chairman, Hon. Lochakapong, got the Statement from the State Department. According to the Statement, the State Department visited the place and they have a register of people who attended the 75 meetings. But how did the State Department visit the constituency of Hon. Nanok without the Member himself? The Chairman of the Committee on Regional Development should engage the State Department together with Hon. Nanok, so that if there is a second engagement with the community on the Shirika Plan, Hon. Nanok and Members of Parliament from Turkana County should be part of the delegation and participation.

That is my input, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Rachael Nyamai): Thank you, Hon. Members. I would like to close this because I see many of you come from areas where refugee camps are based and you would like to get involved. However, for the purpose of progress, I direct that the Committee holds a meeting, invites the relevant Cabinet Secretary, Principal Secretary and all other stakeholders on this subject matter. On that day, invite Hon. Nanok so that you can have a one-on-one engagement. I believe that in that meeting, he will be engaged and the Committee will know what other steps to take so that this Shirika Plan is implemented properly in the community. That is the direction that I give.

Next will be the response by the Departmental Committee on Blue Economy, Water and Irrigation. The question was asked by Hon. Charles Nguna Ngusya, who is in the House. Please proceed, Hon. Chairman.

DELAYED EXECUTION OF A CONTRACT IN KENYA FISHERIES SERVICE

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Temporary Speaker. Hon. Charles Nguna Ngusya, on 17th April 2025, requested for a Statement regarding:

1. The circumstance surrounding the failure to execute the renewal of the contract of Mr Daniel Mungai who is the Director-General of Kenya Fisheries Service

(KFS), despite the fact that there was the approval of the Board on 12th July 2024, and justification for award of six months extension of tenure.

2. The steps being taken to confirm that Mr Daniel Mungai as a substantive Director-General of Kenya Fisheries Service so as to ensure operational continuity of the service, including the timelines.

Hon. Temporary Speaker, the answers I have here, which were submitted by the Cabinet Secretary, are not satisfactory. I can say as the Chair of the Committee that I am not even convinced that the answer that was submitted to this House is satisfactory.

The question was very easy. Mr Daniel Mungai was appointed as the Director-General of the Kenya Fisheries on 6th October 2020 for a term of four years. After four years, the last year according to the Act, the Director-General was supposed to apply for a renewal of a second term. The Board of Management for KFS sat and agreed to extend the term of Mr Mungai for a second term and the minutes are there. The Chairman of the Board wrote to the Cabinet Secretary asking for concurrence or no objection to the Board resolution. The Cabinet Secretary then, Hon. Mvurya, wrote back directly to Mr Mungai that his term was not going to be extended. Remember, it is the Board who wrote the letter to the Cabinet Secretary conveying the resolutions of the Board. However, the Cabinet Secretary chose not to write to the Chair of the Board, but wrote directly to Mr Mungai declining the extension.

In between, His Excellency the President dissolved the Cabinet and the Prime Cabinet Secretary, Hon. Musalia Mudavadi, took over as the Ag. Cabinet Secretary for all the institutions, including the Ministry of Mining, Blue Economy and Maritime affairs. At that time, the Board again wrote a letter to the Prime Cabinet Secretary giving them the resolutions of the Board. The Prime Cabinet Secretary, Hon. Musalia Mudavadi, after looking at the Board resolution, approved Mr Mungai to serve for a second term of four years.

Hon. Temporary Speaker, two weeks after that...

The Temporary Speaker (Hon. Rachael Nyamai): Order, Hon. Kangogo. Hon. Charles Ngusya Nguna has asked for a Statement, of course from the Cabinet Secretary. You are responding to this Statement. As far as you are concerned, your first statement is that even you, as the Chair, you are not convinced. That is how you started. Now you are going ahead to explain what happened.

Hon. Kangogo Bowen (Marakwet East, UDA): I am just giving you an overview. I am finishing, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Rachael Nyamai): You are giving us as it is from the Cabinet Secretary.

Hon. Kangogo Bowen (Marakwet East, UDA): Yes, but when she submitted this...

The Temporary Speaker (Hon. Rachael Nyamai): It is just confusing that you started by saying that even you, you are not convinced.

Hon. Kangogo Bowen (Marakwet East, UDA): Yes, and I invited the Hon. Member. When the Prime Cabinet Secretary approved Mr Mungai for a second term, two weeks later, His Excellency the President constituted again the Cabinet and Hon. Hassan Joho was appointed the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs. When the Cabinet Secretary took over, instead of giving Mr Mungai his letter of appointment, he gave him an extension of six months against what the Prime Cabinet Secretary had given. When Hon. Hassan Joho brought this report before us, we did not accept it.

So, we decided to call again the State Corporation. The State Corporation appeared before us this morning. They said that the Board followed the procedure of reappointing the Director-General. What we are asking is the Office of Attorney-General to give us an independent legal opinion on the same.

Lastly, to have also the Office of the Prime Cabinet Secretary appear before us. We are waiting for the two offices to appear before us, probably next week on Tuesday. Once we have their opinion, we will bring a comprehensive report and answer to Hon. Charles Nguna.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Rachael Nyamai): Thank you. Hon. Charles Nguna, is the answer satisfactory? Are you comfortable with the process that the Hon. Chairman is taking?

Hon. Charles Nguna (Mwingi West, WDM): Thank you, Hon. Chair. I would like to appreciate the Chairman of the Departmental Committee on Blue Economy and Irrigation and the Committee members for actually helping us in this matter. I appeared before the Committee. The answer which was given by the current Cabinet Secretary was not sufficient. So, we decided to involve more stakeholders. We are still waiting for the conclusion of this matter. You can see that we need responses from the Attorney-General and also the other stakeholders. At this moment, the answer is not satisfactory. Let us wait until we conclude this matter. The answers we have received are way far below the expectations. I would like to seek your guidance, Hon. Chair, on this matter so that it can be expeditiously dealt with. Justice for the current CEO must be served fully. So, the answer is not satisfactory.

Thank you.

The Temporary Speaker (Hon. Rachael Nyamai): I think what you are saying is that you are happy with the progress.

Hon. Charles Nguna (Mwingi West, WDM): I am happy with the progress, Hon. Temporary Speaker. Still, I need you to guide the Chairman and the Committee that this matter has taken too long. It needs to come to a conclusion so that justice for the current CEO can be served.

Thank you.

Hon. Suleka Harun (Nominated, UDM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Rachael Nyamai): Before we conclude, I would like to hear a point of order.

(A Member spoke off the record)

I heard a female Member. It was not you. I will come to you but first, I would like hear a point of order. It is Hon. Suleka Harun, Nominated Member.

Hon. Suleka Harun (Nominated, UDM): Thank you, Hon. Temporary Speaker. I just wanted to correct the Hon. Member that you are not the Chair but the Speaker.

Thank you.

The Temporary Speaker (Hon. Rachael Nyamai): Hon. Charles Nguna, when I sit on this seat, I am the Speaker, not the Chair. So, Hon. Suleka, you are quite in order to correct Hon. Charles Nguna.

Hon. Joshua Kimilu (Kaiti, WDM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order, the Hon. Member for Kaiti?

Hon. Joshua Kimilu (Kaiti, WDM): Thank you, Hon. Temporary Speaker. The face of Hon. Nguna looks...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order?

Hon. Joshua Kimilu (Kaiti, WDM): Hon. Temporary Speaker, once we request for a statement or file questions for the cabinet secretaries and principal secretaries to respond to, we do not have to wait for centuries for the answers. We need to get answers in two weeks' time if we agree on two weeks. We also need to get a good report. My friend, the Hon.

Chairman, is struggling to give the feedback. He is also in darkness. We need to get clear information and reports so that we can be satisfied because we are serving Kenyans.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, in terms of being prompt in responding to questions, it has taken so long. Hon. Charles Nguna asked the question and the matter was brought to this House and now the House owns it. Therefore, other Members will be interested in how it will be concluded. So, the Chairman of the Departmental Committee on Blue Economy, Water and Irrigation, is the first week, okay?

Hon. Kangogo Bowen (Marakwet East, UDA): I am much obliged Hon. Temporary Speaker. I want to inform my friend from Kaiti that I am not struggling to give answers. I read out the answers as they are. Even though the response is from a Cabinet Secretary, as the Chairman of the Committee, I must be satisfied that what I am reading in this House is a convincing answer. I started by saying that I was not convinced by the answer given. I am just tabling this as an interim report from the Cabinet Secretary. I said that I am going to conclude by next Tuesday. I will meet the Office of the Attorney General and the Office of the Prime Cabinet Secretary before giving a substantive report to this House.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Chairman. I would like to congratulate you for reading the response in advance. If it does not convince you, then it will not convince the person who requested for the statement. That was very well.

Hon. Members, the other two statements had already been stood down by the Speaker.

REQUEST FOR STATEMENT

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Dekow, please, proceed with your request for statement.

NON-IMPLEMENTATION OF COURT JUDGEMENT REGARDING MR ABDULLAHI DIIS BARE

Hon. Dekow Mohamed (Garissa Township, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I request for a statement from the Chairman of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding non-implementation of a court judgement in a compensation case of the late Mr Abdullahi Diis Bare.

Mr Abdullahi Bare Diis, a Kenyan citizen, was fatally shot by Kenya Defence Forces (KDF) officers in Garissa Township on 19th November 2012, succumbing to his injuries two days later. Despite the judgement by both the Magistrate Court and the High Court finding the KDF liable and awarding compensation to the family, the State has failed to honour the court judgement.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order. Sorry! I have disturbed you because I have seen a point of order from Hon. Francis Sigei, Member for Sotik. What is out of order?

Hon. Francis Sigei (Sotik, UDA): Hon. Temporary Speaker, I wanted to raise an issue on a statement which I sought back in February.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Ok. I will you give you a chance. Let him finish first.

Hon. Dekow Mohamed (Garissa Township, UDA): Thank you, once again, Hon. Temporary Speaker.

On 10th June 2021, the High Court delivered and affirmed the State's responsibility to compensate the family. Thirteen years after Mr Diis' death, the family is yet to receive

compensation, notwithstanding the repeated correspondence to the Ministry of Defence and the Office of the Attorney General.

It is against this background that I request for a statement from the Chairman of the Departmental Committee on Defence, Intelligence and Foreign Relations on the following:

1. A report on the actions taken by the Ministry of Defence and the Office of the Attorney General to comply with the High Court judgement awarding compensation to the family of Mr. Abdullahi Bare Diis.
2. To comply with the High Court judgement awarding compensation to the family of Mr. Abdullahi Bare Diss.
3. A report on administrative or disciplinary measures taken against the KDF officers who were involved in the unlawful killing, and to ensure a definite and time-bound resolution of this matter, including the compensation of the affected families.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. What is out of order, Hon. Suleka Harun, Nominated Member? You may remove your card. Hon. Beatrice Elachi, is anything out of order? Nothing is out of order. I cannot see the Chairman in the House, but I can see that the Vice-Chairman is here. Vice-Chairman, Departmental Committee on Defence, Intelligence and Foreign Relations, when will you bring a response to the statement?

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Temporary Speaker. Now that we are going for recess from Tuesday next week, we will give a comprehensive response two days after we return from recess.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. That will be Thursday in the week that we resume. Hon. Members, before we move to Order No.12, the Member for Sotik had raised a point of order. What is out of order, Member for Sotik?

Hon. Francis Sigei (Sotik, UDA): Hon. Temporary Speaker, I wanted to raise an issue on a statement I sought from the Departmental Committee on Trade, Industry and Co-operatives concerning the upgrading of the New Kenya Co-operative Creameries (New KCC), Sotik Factory. Thankfully, you were in the Chair on that day, and you are in the Chair today. I raised my objection to the answers which were given that day, and you directed that the Committee visit Kenya Co-operative Creameries, Sotik. That was two weeks after the last recess, and we are going for another recess and yet, nothing has happened. I would like to request for your direction so that this matter can be concluded once we resume.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): That must have been directed to the Chairperson of the Departmental Committee on Trade, Industry and Co-operatives. I remember that they were supposed to visit New KCC, Sotik. The Chairman is not in the House. In his absence, I will not place the burden on the Whip. I was in the seat, and we agreed that in two weeks' time, they would visit. So, I direct that two weeks after the House resumes, they shall table a report to this House concerning New KCC, Sotik. The questions raised were very clear. The response to that statement was not satisfactory. Thus, a decision was made and it must be implemented.

Let us go back to Order No.12.

BILL

Second Reading

THE CONSTITUTION OF KENYA (AMENDMENT) BILL

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(National Assembly Bill No.4 of 2025)

(Moved by Hon. (Dr) Otiende Amollo on 26.6.2025 —Morning Sitting)

(Resumption of debate interrupted on 26.6.2025 — Morning Sitting)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, this is a resumption of debate on the Constitution of Kenya (Amendment) Bill, (National Assembly Bill No.4 of 2025). The last person to speak was Hon. Ferdinand Wanyonyi. He is not in the House. Therefore, any Member who is interested may proceed to debate. Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Mr Speaker. I rise to support the constitutional...Madam Speaker...

Hon. Kuria Kimani (Molo, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order, Hon. Chairman of the Departmental Committee on Finance and National Planning.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I have been sitting here this afternoon. I am wondering when you turned from Madam Speaker to Mr Speaker, as alleged by the Member for Dagoretti North. So, I would like him to substantiate whether you are a Mr or a Mrs.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. You know, in good English, we say Chairman. It does not matter whether you are a man or a woman. It is the same.

The Temporary Speaker (Hon. Rachael Nyamai): Normally, she is very eloquent. I can tell you for sure that I heard her say 'Mr', but I allow her to proceed.

Hon. Beatrice Elachi (Dagoretti North, ODM): My apologies, Hon. Temporary Speaker, for that. You are, indeed, Madam Speaker.

Having said that, allow me to support the Constitution of Kenya (Amendment) Bill, 2025 on the National Government-Constituency Development Fund (NG-CDF). This is one Fund which has proved that devolving funds are critical, and can bring about change and transformation that no one has ever seen. It has also established that devolution can work. Many people can give their testimonies on this Fund. There are judges, magistrates, doctors, lawyers, teachers and engineers whose education was supported by NG-CDF. I know that the Elgeyo Marakwet County Attorney was a beneficiary of NG-CDF.

Every now and then, we find ourselves in court on this Fund, but we do not understand the conflict. Sometimes, the children of the persons who take the NG-CDF to court do not go to public schools. So, they cannot understand that this Fund supports vulnerable Kenyan children. It is my prayer that we find a judge who will look at NG-CDF in depth. The public have firmly said they want the Fund to continue. This is the Fund whose work they have seen. Then who are the Kenyans who bring cases and say that NG-CDF cannot work?

We have 290 constituencies. The Fund receives a percentage of the national Government resources, and not from devolution funds. The money is used for national Government functions such as security, education and social support. The national Government has been unable to implement some of those functions. For example, look at the classrooms that the Ministry of Education constructed recently. It is sad because, in a few years' time, we will be repairing the same classrooms.

We have amended the law and done everything on NG-CDF. We removed ourselves from its management. Our role is to monitor and evaluate the proposals. Still, people fight the Fund. They do not fight because it is a bad Fund. They fight it to silence this House. They know that whenever we go to the ground and talk about the NG-CDF, we continue giving power to this House. So, the problem out there is a struggle for power.

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Hon. Temporary Speaker, even when people say we remove the Fund, we find organisations that say they take children to school and build classrooms. So, if we are looking for money from the donor world to do this, why do we not let the Government thrive and do the right thing?

The saddest part of all this is we also need to sit down and create awareness in the Judiciary. We might be blaming them but it is because they have never understood how the Fund runs. We had proposed that we must have a magistrate court in a sub-county. The Judiciary is also suffering from lack of adequate resources. Perhaps, the courts that were burnt yesterday did not have secure safes to ensure that critical documents are not destroyed. I know title deed of our parents and serious documents might have been burnt.

We also need to talk to ourselves here. I will be frank today. I know our lawyers might feel disappointed. Sometimes, when you have your own case, it is good to step aside and give it to an external person to execute it on your behalf. You can be there, but in the background to give information and serve as the technical team to give advice. I plead with our lawyers, the House and our Speaker. Is it possible for us to get two external lawyers who can be part of our team? They can be the ones to prosecute for us this matter so that we do not go to court ourselves. Ethically, one may wonder how we prosecute what we are already spending. We are talking about a Government resource. I plead that we have two external lawyers to be part of our team and we leave them to prosecute the case on our behalf. We can support and give them more information and we see how it works. Maybe, the Judiciary will look at it externally and see the difference.

Even as we debate this constitutional amendment Bill, we know very well that it is long term. But we still have to ask ourselves if we can go back to court. The Court of Appeal – and I am not discussing it – has said that we proceed with the case. Can we try to do that and see the results? If the results are the same, we can revert to our legal teams to continue fighting for us. If we get different results, that will be the best. I plead with all Members that if there is a time we must stand united, it is now. United, committed and dedicated, we will get this matter go through. That is the critical thing for us.

Lastly, I am still pleading with the Judiciary. We are removing the Fund when we are just about to start the new Competence Based Curriculum system. This morning, students were sent a platform to start organising themselves on how to join senior secondary schools. This is the time they need serious framework support.

It cannot be that just as we enter a new dispensation in our education system, we want to kill the only Fund that focuses on education. I am pleading that we look at this matter soberly. Without the political egos that we sometimes carry, let us consider it objectively. I am pleading with the Judiciary to look at this in a very impartial manner. Help us, because our children are about to transition into this new system, and they will need a lot of support. There is need for many laboratories – not just science labs, but also equipment for music, catering and other things. It is important for us to support this amendment.

I support, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Next is the Member for Kaiti, Hon. Joshua Kimilu.

Hon. Joshua Kimilu (Kaiti, WDM): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this important Motion. I want to congratulate the Member or the team that brought this Motion, which touches on a critical issue in our country. When I speak of the NG-CDF, I recall that during public participation, the entire country spoke in one voice. The importance of the NG-CDF is not just about us as Members of Parliament. When you go to the constituencies - and I say this time and again - you can see the tangible progress that has been brought about by the CDF and what it can do.

As a country, we are going through financial challenges. However, if you visit our schools, you will find new, very beautiful classrooms and dining halls. As my colleague has mentioned, we are now implementing the CBC. There is now need for laboratories, even in primary schools. The NG-CDF is supporting the roll-out of such laboratories. With just one Fund, you can see its impact across the entire country. In my constituency, I have implemented several projects such as dining halls, each costing over Ksh6 million. Getting parents to raise such amounts is not easy. Therefore, this Fund is important. Entrenching the NG-CDF into law is vital.

In our constituencies, some of our chiefs operate in very poor conditions. Using NG-CDF funds to construct decent offices for our chiefs, who play a vital role in serving our people, is significant. The same applies to the assistant chiefs and their offices. Consider bursaries. In my constituency, every financial year, more than 280 students receive full scholarships. That support helps the less fortunate, especially orphans. With the help of the NG-CDF, some of them now hold degrees. It is important to acknowledge the work the NG-CDF is doing.

In our areas, I even say this regarding the national budget, if we could distribute it the way the NG-CDF is distributed, directly to all constituencies, the impact would be transformative. Imagine if we had road funds distributed equally among all constituencies. Those in marginalised areas would see development. But because that would require a referendum, I will just say this: I support the NG-CDF, and I request all my colleagues in this Parliament to support it, give their input and ask Kenyans to know that it is not about Members of Parliament but them.

Thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Next is Hon. Dekow Mohamed, Member for Garissa Township Constituency.

Hon. Dekow Mohamed (Garissa Township, UDA): Thank you, Hon. Temporary Speaker. I wish to add my voice to this important debate on entrenching the NG-CDF into the Constitution. This Bill has been brought about by the fact that many people do not understand the importance of this Fund, especially to those in rural areas. As a region which has been marginalised for a long time, the decentralisation of this Fund to the constituencies was very important. Students are now able to get the same kind of learning environment as those in other parts of the country, including schools like Lenana and Alliance High.

This is a very important Fund. Those challenging this Fund do not understand or appreciate it. They do not know its impact on the people in rural areas. If I may quote one elder from my region during public participation, he said: “*Mkitoa NG-CDF, ni kama mmetukata makende*”, meaning that we are not able to fund our needs as poor people on the ground. Our children will not be able to go to school and the learning environment for our young people will not be conducive.

(Laughter)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Dekow, what did you say?

Hon. Dekow Mohamed (Garissa Township, UDA): I said I want to quote one old man from my region. I did not say...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Did you say something unparliamentary in Kiswahili?

Hon. Dekow Mohamed (Garissa Township, UDA): It was not necessarily unparliamentary. I was quoting an elder who made a statement during public participation. It was in the public domain and on social media.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Even if it was spoken elsewhere, it is clearly not parliamentary.

Hon. Dekow Mohamed (Garissa Township, UDA): Hon. Temporary Speaker, in that case, I withdraw. While I respect your decision...

Hon. Kuria Kimani (Molo, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order, Chairman of the Departmental Committee on Finance and National Planning?

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I want you to rule the Hon. Member out of order. If the organs he is referring to were for the opposite gender, you can imagine the reaction that would have been in this House. In the fairness of both genders, he has to withdraw that “ma” word. If it had been the other word, there would have been trouble in this House. It is only fair that we treat both genders equally.

Hon. Dekow Mohamed (Garissa Township, UDA): Hon. Temporary Speaker, I might withdraw in the interest of time so that we do not waste it.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Since we come from all sorts of cultures and this is a House of records, I would like you to go back to what you said. Kindly withdraw. That is unparliamentary.

Hon. Dekow Mohamed (Garissa Township, UDA): Hon. Temporary Speaker, I withdraw. However, I do not think the other organ would have been mentioned anyway by whoever was speaking about it. I am only trying to raise the importance the old man attached to the NG-CDF.

Where I come from and represent, before NG-CDF came into existence, I only had two...

(Hon. (Prof) Guyo Jaldesa consulted loudly)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Hon. Jaldesa. I know you are a gynaecologist, but you are not allowed to say what you are saying. I can hear you even though you are not on record. I know you are a gynaecologist, but I will not allow you to be heard.

Please, proceed.

Hon. Dekow Mohamed (Garissa Township, UDA): Before NG-CDF, we only had three secondary schools in Garissa Township Constituency. Today, we have 12 schools, and the number is growing. Within my tenure as Member of Parliament, I intend to construct two more secondary schools using the NG-CDF allocation. You can tell the kind of development that is going on in such constituencies.

During the 2022 general elections, I had an opportunity to contest for governor of Garissa County. I had the opportunity to travel across all towns within Garissa County. There is absolutely no impact from the county allocations. In fact, the residents told us that not a single project had been carried out by the county government. Even within my constituency, not a single dispensary was constructed using county funds under the devolved health function. However, three or four dispensaries and Level 4 hospitals were constructed using the NG-CDF before the county governments were established.

This is a very important Fund. We want to entrench it in the Constitution to protect it from those who oppose it without any valid reason. Some believe that Members of Parliament control those funds. It is clear that we have no role other than normal supervision and oversight, just as we do with all national Government functions.

Members of Parliament and Kenyans in general should support and protect this Fund. It is very important. If I had an additional Ksh200 million, or if this Fund was increased from 2.5 per cent to 5 per cent of the national Government revenue share, we could do much more

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with it such as building health centres, providing clean water and responding to emergencies in our communities. All that could be done with just a 5 per cent share of the national revenue.

Kenyans must know that many Members of this House have benefited from the NG-CDF bursaries. As one Member said earlier, she knows magistrates and judges who have benefited from this Fund. Yet, today, some of them want to deny poor people in rural areas the same support just because they no longer need it and can afford private education for their children.

We must stand up for what is right as a country. The NG-CDF is right. It is important. People on the ground truly need it. I will not repeat the words of the elder who spoke earlier but many people, including him, have said that 98.5 per cent of Kenyans believe this is a very important Fund. They do not want these funds to be handed over to the county governments because some governors wrongly assume that if the Fund is removed from the national Government, it will automatically become part of their county allocations. We must protect this Fund.

With those few remarks, I support the Bill.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Joseph Makilap, Member for Baringo North.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Temporary Speaker. I rise to support this constitutional amendment Bill to entrench the NG-CDF into the supreme law of our country.

Let me, briefly, take you through our history as a country. Where have we come from? In the 1980s, the Government introduced the Focus for Rural Development Programme. What was its purpose? It aimed to equitably develop Kenya regardless of political affiliations. That programme had its challenges. We improved it after we realised that regimes could isolate parts of the country based on how people voted.

Great men of this country - including Eng Karue and the former President, the late Hon. Mwai Kibaki - entrenched NG-CDF as a mode of developing the country equitably, regardless of how you voted in an election. Today, it remains the single Fund that is enjoyed by Kenyans across the board. This House of Parliament, before I came in, found it necessary not to involve Members of Parliament. Those people who imagine that Members of Parliament run NG-CDF should go and look for the Kenya Gazette. Who are gazetted at the constituency level, to run and manage NG-CDF? It is not Members of Parliament. The Gazette Notice is available for Kenyans. You will never find my name, my chairman's name or the name of any Member of Parliament.

It means the decisions on projects to be funded under NG-CDF are made at the grassroots level. As enshrined in Article 1 of the Constitution, all sovereign power belongs to the people of Kenya. They make the final decision on the kind of projects to be funded under NG-CDF through an elaborate public participation that is done in our sub-locations. That is why when we see people litigating against NG-CDF, we wonder whether they are products who went through school or their education using NG-CDF.

Therefore, we want this House to rise and join the 98.5 per cent of Kenyans who endorse NG-CDF, NGAAF and the Senate Oversight Fund, so that they can be entrenched in the Constitution. There is nothing in the Constitution which is unconstitutional. Once these Funds are entrenched in the Constitution, there is nothing that will be referred to as unconstitutional by the courts. Whatever is in the Constitution cannot be unconstitutional.

Let us go down memory lane. When NG-CDF started in 2003, taxpayers got a sigh of relief from fundraisers that Kenyans were doing. Members of Parliament, members of county councils and other leaders in this country attended fundraisers every weekend to build schools and chiefs' offices. We, as Kenyans, got a sigh of relief because there was a Fund to construct

schools, pay fees for children from vulnerable families, construct chiefs' offices and fund security matters. Many other projects are financed by NG-CDF.

Hon. Temporary Speaker, if there was no NG-CDF, the constituencies could not have supported education the way they have done so far. Can you imagine a situation where a taxpayer, *mama mboga*, *boda-boda* rider, teacher, soldier and politician pay all the taxes, and then the Government follows what remains and asks them to build schools, chiefs' offices and educate children? Then it negates the spirit of taxation to render services to Kenyans.

Since I took over as a Member of Parliament, and many other constituents of my colleagues here, I have never heard of a single fundraiser to build a school, dormitory, classroom or chief's office. Hon. Members, people at home, pastoralists and farmers included, heaved a sigh of relief because nobody would follow them again to contribute what had remained after taxation to fund Government programmes. The NG-CDF is very effective. Today, every constituency disburses bursaries in the tune of more than Ksh60 million to pay school fees for children who could otherwise not access education. This is a serious Fund for the people of Kenya. That is why 98.5 per cent of Kenyans endorsed it as being practical to develop Kenya regardless of the President of the day or one's loyalty or commitment. This Fund will change Kenya.

In fact, there is need to enhance NG-CDF and NGAAF so that more people can go to school as more affirmative action projects are supported. We also need to bring electricity, water and critical services that are offered in Kenya under NG-CDF, and increase its percentage to 10 per cent. That will change Kenya.

I am a student of mathematics. My County of Baringo receives Ksh7 billion annually. Assume 70 per cent of that money goes to recurrent expenditure like salaries and such like expenses and 30 per cent goes to development. What is 30 per cent of Ksh7 billion? It is Ksh2.1 billion. Each constituency should have Ksh350 million if you divide this across the six constituencies of Baringo County. That is two times higher than the allocation to NG-CDF.

What do county governments have to show? Early Childhood Development Education (ECDE) facilities are not taking off. Water programmes are not taking off. The agricultural sector is collapsing in rural areas. The projects that are funded by NG-CDF and the Kenya Rural Roads Authority (KeRRA) are what is noticeable today everywhere in Baringo County and the greater Kenya. Only those entities give Kenyans value for money.

Baringo County gets Ksh170 million per constituency for NG-CDF. Each constituency should get Ksh350 million from the county government. What are county governments doing with the money? You can see a multi-purpose dormitory, a dining hall at Moi High School Kabartonjo, and other projects, that have been put up through NG-CDF without a penny being lost. What do county government funds do? That is a question for another day.

I request all Members of Parliament from the 290 constituencies and the 47 county MPs to be here on Tuesday to stand in solidarity with the Kenyans who endorsed NG-CDF. They are not for the people of Kenya if they are not here on Tuesday. Let us turn up on Tuesday so that we make a constitutional decision that will live for generations.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Next is the Member for Molo, who is Chair of the Departmental Committee on Finance and National Planning.

Hon. Kuria Kimani (Molo, UDA): Thank you very much for giving me this opportunity.

I begin by supporting this amendment to our Constitution to enshrine NG-CDF in the Constitution of the Republic of Kenya. I have been on record on the Floor of this House stating that I am a product of NG-CDF. I finished Class VIII in 2001 as the best student in Molo Constituency. My grandparents could not afford to take me to the school I was admitted to join.

I had to go to a mixed day secondary school to study for my secondary education. That was Kieni Secondary School in a place called Kirengero in Subukia Constituency, which is

now led by Hon. Gachobe. School fees was Ksh3,000 for first term, Ksh2,000 for second term, and Ksh1,000 for third term.

Hon. Temporary Speaker, that money was too much for my late grandfather and my late grandmother. It took the intervention of the then Member of Parliament for Molo Constituency, Hon. Wakili Mukiri, whom I still hold in very high esteem. Through one of his members of staff called Karanja Wageshi, my neighbour from Mwitima in Mukinyai, my name was brought to the NG-CDF. For the four years of my high school, I was educated through NG-CDF, led by the patron then, Hon. Wakili Mukiri. I completed my Form IV in 2005, scored an A in my KCSE, and was admitted to Kenyatta University. Still, that was a mirage in the dream of my community because school fees per year then, from 2007, was Ksh2,000 per year, excluding accommodation or upkeep. It was still a very long dream for my grandparents. Again, it took the intervention of the Member of Parliament then for me to apply for bursaries. I must also explain to this House. I also cheated in my bursary applications. As a student leader at the university, I used to apply for NG-CDF bursaries from all the constituencies I was affiliated with. Being a member of Molo, I applied there. Having attended high school in Subukia, I also applied for bursary in Subukia. Having a girlfriend from Gatundu South, I applied from her constituency too. That is how I survived through my four years.

I speak before this House as a beneficiary of NG-CDF. Were it not for NG-CDF, I do not know where I would be. I would have been a wasted talent in the village. I would never have stepped into a high school classroom or university lecture hall. I speak from experience as someone who almost despaired. I remember when my admission letter for high school came, I had a discussion with my late grandfather. I showed him the proposed school fees, and he told me that he could not afford it. Even if they sold all the maize that was harvested that financial year, they still could not educate me. After that, I went to bed crying, knowing that my dream of becoming someone in the Republic of Kenya had been shattered.

Enshrining NG-CDF in our Constitution means we are going to support dreams, support talents, and ensure that people who never had a vision of ever going to school, university, or earning a decent household income can now achieve it. I have listened to Members contribute to this discussion. If you go around our counties, the truth is, the most reasonably priced projects you will find are those that are funded by NG-CDF. Although NG-CDF is not directly supervised by Members of Parliament, there seems to be a close relationship between how the funds are spent and our roles. Before we even oversee national public funds, for example, allocated to the Ministry of Water, Energy, or Transport, our first instinct is to start with the funds allocated to NG-CDF. As a result, NG-CDF remains the most overseen fund by both Houses of Parliament. As a result, you will find substantial projects delivered through this Fund.

It is a no-brainer. You go to a constituency, and there is a school starting from PP1, PP2, through primary and high school. You will find that a classroom constructed by a county government might cost Ksh1.6 million, while a similar classroom next to it funded by NG-CDF would cost between Ksh800,000 and Ksh1 million. You then wonder where the extra half a million shillings went to.

If there is one thing I must support and encourage this House to do, and I echo the voice of Hon. Makilap; is that next Tuesday, we must all turn up in numbers to ensure that NG-CDF is enshrined in the Constitution of the Republic of Kenya. This will safeguard against the risks we have faced. One day, a judge wakes up and declares it unconstitutional, citing one reason or the other. The following day, they give yet another reason. We must ensure that this Fund is constitutionally protected.

This matter has been brought forward because of fundamental concerns that have been raised adequately, honestly and accurately by litigators in our courts of law. They have questioned Article 1 of the Constitution on the sovereignty of the Republic of Kenya. They

have questioned Articles 92, 93, 94 and 206 regarding the principle of separation of powers amongst the three arms of Government. To all the litigators who have raised those concerns, I want to give this assurance: Members of the National Assembly are mandated to oversee all national Government projects.

The electrification projects undertaken through the Rural Electrification and Renewable Energy Corporation (REREC) and the Last-Mile connectivity projects that are carried out by Kenya Power are both appropriated and overseen by Members of this House. Due to the political nature of our operations, when such a project is initiated in my constituency, I will be the first one on the ground to witness that, indeed, it has arrived for the benefit of my people in Mukinyai, Borop, Soin, Kiamberiria and Molo in general. I will be the first to confirm that electricity poles have been delivered, that a transformer has arrived, and that our people are now being connected to the national grid. That does not, in any way, remove my power of oversight over the use of those funds. As a representative of my people, I am the first witness to a project that is brought into my constituency.

When a road is constructed through the Kenya Rural Roads Authority (KERRA), the Kenya National Highways Authority (KeNHA) or the Kenya Urban Roads Authority (KURA), I will be the first person in the constituency to confirm that such a road is being built. In the same way, I will be the first to verify that the projects appropriated by the National Assembly and allocated by the NG-CDF Committee have indeed been delivered to the intended schools or institutions. That does not take away my oversight role over that particular fund. Therefore, there is no conflict of interest in a Member of Parliament being present to verify and witness that projects meant for their constituencies have been implemented, while still retaining their constitutional role as an overseer.

To safeguard this public fund of national interest, which has made many of us who we are today, we must entrench it in the Constitution of the Republic of Kenya.

With those remarks, I beg to support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Member for Molo. Hon. Jaldesa, Member for Moyale.

Hon. (Prof.) Guyo Jaldesa (Moyale, UPIA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this Bill. The people of Kenya have spoken. A whooping 98.4 per cent of Kenyans support the entrenchment of NG-CDF, NGAAF and Senate Oversight Fund (SOF) in the Constitution of Kenya.

Speaking from the experience of my constituency, NG-CDF has been instrumental in uplifting educational standards and giving hope to students who would otherwise have dropped out. It has helped bring the education levels of Moyale to parity with other parts of the country.

As the Member for Molo has rightly said, this Fund has given life to students who had lost hope. The number of students enrolling in secondary schools has increased significantly. Because of the bursary support they receive, many do not experience the financial pressure that once drove them out of school. As a result, in last year's examinations, over 90 per cent of the students from Moyale Constituency scored C+ and above, qualifying them for further education. More than 60 per cent attained the minimum grade required for university entry.

Hon. Temporary Speaker, NG-CDF and NGAAF address poverty and education inequality in this country. In some constituencies, like where I come from, schools do not have classrooms. Between two walls, there are two classes and a third class is learning outside. If you go to such places, you will feel very pathetic. You will sympathise with the situations the people live in. There are schools that do not have teachers' quarters or rental houses in the area. Teachers place their mattresses in classrooms at night to sleep. When students come in the morning, they find teachers sleeping in classrooms and they wake them up. That is the kind of life we are living.

I have not seen what county government funds do in our constituencies. What NG-CDF has done in the last 20 years is quite visible, the development is quite palpable and people appreciate it. That is why people can talk with a lot of energy and emotions. As my brother from Garissa Town has said, people are so passionate about NG-CDF that they cannot imagine a world without it. The NG-CDF is not managed by Members of Parliament. Because of our oversight role, people come to complain to us or tell us what they want and we facilitate them through public participation at the village level, to get what they want; be it a classroom, a laboratory or security facilities. Some of us come from areas that are prone to conflicts. That is where the construction of chiefs' camps come in. Thereafter, we may be asked to put up an administrative police post to enhance security. Some of us come from regions where there is a lot of indulgence in drugs. If funding of sports was not taken away from NG-CDF, we would have engaged the youth in sports. Unfortunately, sports is a devolved function. Every time people ask us to support them in sporting activities, we cannot help because it is not under the mandate of NG-CDF. Sports helps people to develop their future.

I personally support the entrenchment of these funds in the Constitution. But 2 per cent is not good enough. If I had my way, we would make it 5 per cent. It is the only devolved fund that is available to the people. Now that we are changing the law, we should not restrict ourselves to 2 per cent. It should be improved to 5 per cent or even 10 per cent, so that it can help the poor people in our communities.

With those few remarks, I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Next is Nominated Member Hon. Suleka Harun.

Hon. Suleka Harun (Nominated, UDM): Thank you, Hon. Temporary Speaker. I rise to also support the Bill to entrench NGCF, NGAAF and SOF in the Constitution.

As we witnessed in the last public participation, it was overwhelmingly supported by Kenyan citizens. Its public participation was the most participated by citizens in the recent past. That shows that the NG-CDF is one of the most important funds that we have for constituencies. Some of the rural constituencies have nothing but the NG-CDF.

I am a beneficiary of the NG-CDF. I managed to get my third-year and fourth-year college fees through the NG-CDF. I became a beneficiary after I lost my dad. So, it is a very instrumental Fund that is important for the vulnerable and the poor in our communities. In the pastoral communities, it is a luxury to take a girl to school. The NG-CDF and the NGAAF have helped us to bridge that gap. They have played a big role in terms of educating the girl child. The girl child would have been forgotten if it were not for those funds.

I can comfortably say that the NG-CDF is the real definition of devolution in this country. It has been devolved to the furthest end in the country and to the most rural constituencies in the country. County governments are not devolved like the NG-CDF. The NG-CDF and the NGAAF are devolved in terms of reaching to the people. The NGAAF has been crucial in targeting the most vulnerable people in the community. Women empowerment has been at its best since the introduction of the NGAAF. Many women have ventured into business. The persons with disabilities have been accommodated in many of the environment programmes. We have seen that the youth are very active in those programmes.

The other issue is that our people at the constituency level have more trust in the NG-CDF than any other fund that the Government offers to constituencies. They believe in their Members of Parliament as their representative and they trust them with all their development programmes. So, as we support the Bill, let us also think of a way of increasing the Fund. 2 per cent is not enough. We need to have more so that we can meet the needs of communities.

On security, where I come from, there is a security problem. It is an insecurity prone area and the NG-CDF has played a big role in terms of protecting the chiefs who did not have offices in the administration sector. As we know, the budget is not felt in many constituencies

in the hardship areas. The Members of Parliament from hardship areas work hard so that they meet such needs. I support the Bill. Let us fight for its increment alongside its entrenchment in the Constitution.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Next is the Member for Migori County, Hon. Fatuma Mohammed.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker for giving me an opportunity to also add my voice to this debate. The NG-CDF, the NGAAF and the Senate Oversight Fund are very important funds for the growth of this country. If I was to speak, only as a County Woman Representative, I would tell you that NGAAF has changed the lives of many people in this country. There are many of our women, persons with disabilities and the youth who could not do any job. They needed means to start businesses because there are no job opportunities in Kenya and everywhere else in the world, so to speak. The NGAAF has really helped in many ways. Nowadays, you find youth groups with small businesses that sustain them instead of looking for jobs. NGAAF has created job opportunities and supports education the same way NG-CDF does. NGAAF has a little money which it gives in the form of bursaries, but it makes a lot of change in the society. Equally, NG-CDF bursary is not much. If a student gets a little money from NG-CDF and NGAAF, it can sustain the child in school. Both NGAAF and NG-CDF have created business opportunities for the women and youth groups. They tender to supply goods and services.

Healthcare is also taken care of using the NG-CDF. The Fund is used to renovate and construct small dispensaries in constituencies. If we were to wait for the National Government to do all this, we are sure it cannot happen at the right time. For example, if the President knew all the problems in Nyatike Sub-County, where I come from, it can take him more than 10 years to solve them. This is because...

Hon. Japheth Nyakundi (Kitutu Chache North, ODM): I want to inform my sister from...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I have not given you a chance. Would you like to be informed by Hon. Nyakundi, Member for Kitutu Chache North?

Hon. Fatuma Mohammed (Migori County, Independent): Yes, information is power.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Okay. Hon. Japheth, you may proceed.

Hon. Japheth Nyakundi (Kitutu Chache North, ODM): I want to inform my sister from Migori, Hon. Fatuma, that we do not renovate hospitals or dispensaries using the NG-CDF. This is the mandate of county governments.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Yes, Hon. Fatuma.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you. There are instances where I have seen signboards showing renovations were done using the NG-CDF. I do not know how that happened? Then, I am wrong.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Do you appreciate the information that you have been given?

Hon. Fatuma Mohammed (Migori County, Independent): Yes, I appreciate it.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I believe that must have been before devolution.

Hon. Fatuma Mohammed (Migori County, Independent): Before 2015? Well, if it did at that time, it was a good idea. As we continue...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Fatuma, do not worry. You will gain all the minutes you have lost. Chairman of the Departmental Committee on Finance and National Planning, is it a point of order or information?

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Temporary Speaker. I want to inform my sister, Hon. Fatuma Mohammed and the Member who has raised the point of information. That, you can apply to the NG-CDF Board, if there was a project in your constituency that was started before the enactment of the NG-CDF Act like an Early Childhood Development and Education (ECDE) program or a Level 1 or 2 hospital. You have to justify that it is a priority project, then the Board can grant that exception. As recent as this year or last year, what Hon. Fatuma is referring to could have happened. So, as long as you apply for the exemption, prove that is a priority project. Then it is possible to get that approval.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you for the...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Fatuma, you may proceed. I want to add that before 2015, I was in this House together with others who came in 2013 and we built some dispensaries. Members of the National Assembly stopped building after receiving a letter stating that they cannot continue building dispensaries. So you are in order and you may continue. You still have a few minutes remaining.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker, and all the Members who have given me more information on this. I appreciate and do not take it for granted. NGAAF takes care of the disabled who cannot reach the national Government to air their problems.

Women representatives have a designated amount for those with physical disabilities. We provide them with funds to start businesses and offer training. If you were to remove the NGAAF funds, how would those individuals survive? For instance, how would a mother in the village, who never had a chance to go to school but is a capable *mama mboga* businesswoman, find capital to start her own business? How would she manage without the NGAAF?

If you were to walk through Migori County today and ask the residents whom they prefer to see arrive first among their visitors, they will undoubtedly say they want their woman representative. They feel a close connection with us. We understand their struggles, engage with them, and provide support. But we cannot do this from our own pockets. We rely on the NG-CDF and NGAAF.

Currently, senators are touring their counties to fulfil their responsibilities, but they are doing so on limited salaries, which are insufficient for running county affairs. If we enshrine this in the Constitution, it will enable them to perform their duties more effectively and timely; ultimately allowing us to support them to the satisfaction of our constituents. Without NGAAF and NG-CDF, there would be little purpose for having this Parliament. The projects we undertake back home are what make our presence felt. Beyond oversight and representation, this aspect is vital for the people at home. In fact, they often question what we are doing in Nairobi, as they elected us to be present in the community and engage in local affairs.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Well, Hon. Fatuma, I have a point of order from Hon. Julius Taitumu, Member for Igembe North.

Hon. Julius M'Anaiba (Igembe North, UDA): Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order?

Hon. Julius M'anaiba (Igembe North, UDA): Is it in order for the Hon. Member to make a repetitive statement suggesting they give money? Is she insinuating that Members control those funds when we know that both the NG-CDF and NGAAF funds are managed by their respective boards? Our role is only to oversee and ensure proper usage of those funds as the representatives of the people. I believe the Hon. Member should withdraw the assertion that they control the distribution of funds.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Fatuma, you may respond to that.

Hon. Fatuma Mohammed (Migori County, ODM): As a woman representative, I do distribute women empowerment funds. Although, I do not sign the cheques myself, I present

them to the women's groups, youth groups or other organisations directly. Therefore, I affirm that we provide funds in the form of cheques, which are Government affirmative cheques signed by the district accounting officer but presented by me. All 47 women representatives do the same.

While I may not fully understand how NG-CDF operates, when I speak about women's empowerment, I will not pretend that my role is solely supervisory. I actively engage with the groups and assist in writing proposals. When a proposal is approved, I personally take the cheque back home and distribute it and dance with them under a tree. Hon. Member, I will not shy away from the truth. My constituents need to know that my actions are neither unconstitutional nor illegal. That is why they elected me. The Committee in Nairobi that decides which groups will receive funding does not know those groups personally. It is I who refer the groups to them for consideration. There is nothing wrong with my statement, and I will not withdraw it. If I had said that NG-CDF gives money, I would have been willing to withdraw. But I did not say that. I am referring to NG-CDF, NGAAF, and the Senate Fund in total. The money we provide comes from the women representatives' office.

I urge Members of Parliament to attend the Session on Tuesday to pass this Bill. To our constituents back home, if your Member of Parliament is absent today, please take note, as we should have passed this Bill today. If they fail to attend again on Tuesday, please remember that your Member of Parliament or woman representative does not support your growth. I believe we will all be here. If you are a Member of Parliament from my County, Migori, and happen to miss the voting, I will take the message home to your electorates because they need these Funds. They participated and were positive about these three Funds.

Hon. Temporary Speaker, I support. I thank you for your time and all the Members who helped me put my points across.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Member for Migori County. Hon. Feisal Bader, Member for Msambweni. Sorry you have been waiting for a very long time. I was not seeing your card. You have been seated there for very long and yet, I was not seeing your card on the screen.

Hon. Feisal Bader (Msambweni, UDA): Ahsante sana, Mhe. Spika wa Muda kwa kunipatia nafasi niongeze sauti kwa mjadala wa Mswada huu muhimu wa marekebisho ya Katiba.

Mswada huu ni muhimu sana. Hii ni kwa sababu tukikumbuka shule nyingi za msingi na za upili katika sehemu zetu zilijengwa kupitia harambee na michango midogo midogo ambayo wananchi walijitolea. Nilipojiunga katika shule ya upili, niliweza kutozwa pesa ya kununua basi la shule. Lakini, kwa bahati mbaya ama nzuri, nilisomea katika shule hiyo miaka minne na nilivyo toka baada ya kumaliza Kidato cha Nne, bado basi lilikuwa halijafika shuleni. Lakini leo hii Hazina hiyo imeweza kuwatolea Wakenya mzigo mkubwa waliokuwa nayo. Ni kwa sababu hii walijitokeza kwa wingi kuunga mkono Mswada huu katika *public participation*.

Jambo la pili ni hili: Hazina hii pia imeweza kusaidia watoto wengi kutimiza ndoto zao za kimaisha. Tumeskia ushuhuda kutoka kwa Mhe. Kimani Kuria. Leo tukisema wale watoto wote waliofaulu ama waliosaidika kupitia Hazina ya NG-CDF wajitokeze, basi nina imani wakipiga foleni, wanaweza kutoka hapa mpaka Mombasa na kupindukia.

Hazina hii inashughulikia maendeleo katika eneo bunge ambayo ni majukumu ya Serikali kuu pekee kama vile maswala ya elimu, usalama na mazingira. Hazina hii imetolewa katika ule mgao wa Serikali kuu pekee. Kwa hivyo, ninawaambia wale wanaosema kuwa ipelekwe katika serikali za ugatuzi kwamba haitaweza kupelekwa kule kwa sababu inashughulikia maswala yanayohusu Serikali kuu. Ninataka kuwaimiza Waheshimiwa wa Bunge wanaokaa katika Bunge hili kuwa, Jumanne, kwa uwezo wa Mwenyezi Mungu, tujitokeze kwa wingi ili tuhakikishe tunatilia mkazo yale matakwa ya Wakenya ambao

walijitokeza kwenye *public participation*. Tuje tupitisha Mswada huu ili Hazina hizi ziweze kuwekwa katika Katiba yetu ya Kenya.

Mwisho kabisa, tulikuwa kule Mswambweni Law Courts na Jaji Mkuu alipokwenda kuzindua *local area network*. Katika *speech* yake, aliwauliza Waheshimiwa wa Bunge wasaidie idara ya mahakama ili waweze kujenga mahakama ndogo ndogo katika kila eneo bunge la taifa la Kenya. Hii ni kwa sababu mgao idara ya mahakama wanaopata ni mchache na hauwezi kufanya hivyo. Hii inamaanisha kuwa Hazina hii inaweza kuleta mabadiliko na imeweza kufika sehemu nyingi katika taifa letu la Kenya.

Mhe. Spika wa Muda, ninaunga mkono Mswada huu. Ningeomba wenzangu wajitokeze kwa wingi Jumanne ili tuweze kuupitisha.

Ahsante sana.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Ahsante, Mhe. Feisal. Hon. Nyakundi, Member for Kitutu Chache North.

Hon. Japheth Nyakundi (Kitutu Chache North, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to comment on the NG-CDF. As you are aware, we went for public participation and the support from the public was overwhelming. This is because, first, these Funds are among those that are prudently used. Secondly, they have changed the lives of people through the bursaries that are given to young men and women in our various constituencies to support their education at secondary school or university level. These Funds have played a critical role. In my constituency, there are children who would not have gone to school or continued with their education because of lack of fees. When I came into office, I granted full sponsorship to some of them. One case is that of a child at Starehe Boys' Centre, who was brought up by his grandmother and could not have continued with schooling without my support through the NG-CDF.

This Fund should be enshrined in the Constitution. I believe the allocation should be increased from 2.5 per cent to about 5 per cent because it has proven to be effective. A good example is the classrooms that have been built. In the past, we used to call for *harambees* to raise money for classroom construction. However, since the inception of this Fund, we no longer need to do that. The NG-CDF has helped in the construction of classrooms. For instance, last year, when there were no classrooms for Junior Secondary School (JSS), the NG-CDF was able to partner with the Ministry of Education and build them. Within a short period, all students transitioning to Grade Nine had enough classes to learn in. The classes that are built through NG-CDF are cost efficient and effective. This is because we use little money and bureaucracy is minimal, as the Fund operates with very few employees.

In my view, we should allocate more money to NG-CDF to support more children, build classrooms and construct offices for chiefs and assistant chiefs, many of whom lack offices to operate from. This would provide a clean environment to serve the *mwananchi* at home. These funds have done magnificent and visible works that cannot be compared to other funds, such as those allocated to the counties.

During public participation in Elgeyo Marakwet, almost everyone present spoke about the work that has been done by the NG-CDF. They said they saw the projects funded by NG-CDF but, when one moves around, it is difficult to see projects that are done by the county government. We must support these Funds. As Members of Parliament, let us turn out in full on Tuesday and ensure that our people back home get the services they require through these Funds. Recently, our young people got employment through the ICT hubs that we are building. Those hubs have been built within a very short period of time. We have built and equipped so many ICT hubs within the constituencies across the country. Currently, young people are benefiting from these Funds. They are making a living out of the ICT hubs that we have built.

I remember we also used to sponsor sports activities. Nowadays, ever since we removed sports from NG-CDF, the whole country is quiet. The funds that were allocated for the young

people to nurture and showcase their talents in sports were withdrawn. We used to get very good athletes and sportsmen and women as they showcased their talents. This helped to take them to another level. But since the allocation was withdrawn, the sports activities are so quiet. We need to increase allocation to NG-CDF so that we can return the sports activities to support the young men and women back at home.

I fully support this Bill because the people of Kenya are waiting and yearning to see what this House does with it. So let us support it. All of us should be here on Tuesday to ensure that this Bill is entrenched in the Constitution.

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

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Nyakundi. Hon. Danson Mwashako, Member for Wundanyi.

Hon. Danson Mwashako (Wundanyi, WDM): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute to this important Bill that seeks to entrench the NGCF, NGAAF and the Senate Oversight Fund into the Kenyan Constitution. The debate on this Bill is timely because there has been a lot of misinformation and misunderstanding around the decentralised funds in this country.

First and foremost, I declare that I am speaking from a point of information because I have done research in this area. I did my Master's Degree in Public Policy and Management at Strathmore University. In my dissertation, I delved into critical appraisal of the National Government Constituencies Development Fund Act (Cap. 414A). In that research, I looked at the emerging issues around implementation, policy options and best practices around the world on matters decentralised funds like NG-CDF.

Therefore, I must declare that I am in support of this constitutional amendment that seeks to entrench the NGCF, NGAAF and Senate Oversight Fund into the Constitution. When I did that research, I wanted to understand the reasoning behind the many litigants who run to court every time to challenge the NG-CDF, including governors and senators, who support such kind of litigation. During the research process, I interviewed so many people, including the National Treasury mandarins who disburse that money to the constituencies. I also sat with the NG-CDF management and board officials in a bid to understand the thinking around our fund managers and the chairmen of the NG-CDF committees.

I sometimes get confused about how judges and people who go to court reason. This is because - and the truth be told - when we got a new Constitution in 2010, Kenyans wanted devolution. However, it is also important to differentiate between devolved and decentralised Funds. Devolved Funds go to the county governments. The National Government has the power to decentralise Funds that are controlled by the Executive. That is why the NG-CDF and NGAAF are decentralised Funds and not devolved Funds.

Every interviewee I spoke to during my research asked us to enshrine those Funds in the Constitution, so that we can assure Kenyans, who are the beneficiaries of those Funds, that they will remain sustainable. I will always speak for the beneficiaries of those Funds.

It has been alleged that Members of Parliament play a big role in running that Fund. Truth be told, we only oversee it. That is why it is the NG-CDF. It is very difficult to disabuse people of the notion that their Member of Parliament is involved. It is not wrong for a Member of Parliament to know what is happening with the NG-CDF. Therefore, we must tell Kenyans the truth. Kenyans engaged in public participation and gave their views, which were overwhelmingly in support of the constitutional amendment. Around 99.9 per cent of the people who were interviewed in my constituency supported this amendment.

Even as we enshrine the NG-CDF, NGAAF and Senate Oversight Fund into the Constitution, we need to put more emphasis on the principle of good governance. We must ensure that public participation is correctly done and accountability in the management of these Funds. We must also ensure total transparency in the administration of the NG-CDF, NGAAF

and Senate Oversight Fund. The principle of good governance should be the cornerstone in ensuring that the Funds reach the targeted beneficiaries. That, we eliminate misappropriation, corruption and leakages. Truth be told, Kenyans out there want the NG-CDF to remain.

I am worried because there was a pronouncement by the courts that by midnight on 30th June 2026, the NG-CDF, NGAAF and Senate Oversight Fund will cease to exist. However, there are students in Form 2 who are fully sponsored by the NG-CDF. Others have just started university programmes and are fully funded by the NG-CDF. When a judge says that those Funds should cease to exist by the stroke of midnight on 30th June 2026, those students will have to drop out of school because their funding is solely from the NG-CDF. That is very inconsiderate.

I want to speak for a student from Paranga Village in Wumingu-Kishushe Ward, who is a beneficiary of a full scholarship bursary under the NG-CDF. The Form 2 student in Mwanda-Marungu Village, who is a full beneficiary of the NG-CDF. Also, that student in Sangenyi Village in Werugha Ward, whose education is fully funded by the NG-CDF. Lastly, the Form 2 student from my Mogho Village in Mbale Location, who wants the NG-CDF to continue, so that he or she can achieve his or her academic dreams.

Hon. Temporary Speaker, anyone who loves this country and wants our children to pursue their academic dreams supports NG-CDF. There is no other fund in Kenya that educates many students as NG-CDF. No wonder they like it. For instance, when I came into office in my constituency, many schools were extremely dilapidated. But this has changed through this Fund. My work is to attend public participation meetings and help NG-CDF Committee prioritise projects, even though members of the public know their challenges. Schools have improved today. Some of them have the same standard as those in Nairobi City County. We used to carry water to school to sprinkle on the floor because of the dust so that it could not affect our learning. Today, we have schools in my constituency that are fully tiled and have ceilings. When it is raining, there is no noise and learning continues.

We have also constructed modern police stations to enhance security. We constructed a police patrol base in Lushangonyi where we had security challenges. There is now a standard police station and security has been enhanced in that area. Through NG-CDF and the Last Mile Connectivity project, some constituencies are connected to electricity. Those people never thought they would have access to electricity.

I support this Bill. All of us must be in this House next Tuesday so that we can vote overwhelmingly in support of enshrining the NGCF, NGAAF and the Senate Oversight Fund in the Constitution. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Proceed, Hon. Kaluma.

Hon. Peter Kaluma (Homa Bay Town, ODM): Thank you very much, Hon. Temporary Speaker. I stand to support this constitutional amendment. The biggest benefit out of our Constitution 2010 is devolution. It appears first as a national value under Article 10 of the Constitution, and then again in the various Chapters, mainly to ensure equity in distribution of resources nationally.

A look at the Constitution indicates that Kenyans set the minimum amount of money that shall go towards devolution at 15 per cent. When you look at the Fourth Schedule of the Constitution, functions are shared between the national Government and county governments. When the National Assembly divides revenue under Article 95 of the Constitution, we allocate counties a minimum of 15 per cent, with the National Government remaining with 85 per cent.

Over the years, the national Government always skews the manner in which resources are allocated and distributed across the country. Therefore, the question we are asking through this Bill is this: How do we ensure that some minimal part of 85 per cent of the national revenue that remains with the national Government goes to every corner of this country? This is particularly for national Government functions in areas like education. I have 32 secondary

schools. Only two of them were initiated before NG-CDF was put into place. That means we have 30 secondary schools in every corner and village. We continue to develop them and aim to have more primary schools.

If you look at those schools in terms of infrastructure, they have classrooms, laboratories and libraries. Besides those, all the bursaries that facilitate students to be in those schools are from NG-CDF. Let me clarify to our people that there is no way the NG-CDF can go to the counties. It is money that is being split from the National Government's share of revenue after the division of revenue. There is no way that money will go to counties because, by that time, allocation to the counties has already been done. We are looking at how to secure a share from the national Government.

In this country, some people forget that there was a time when all the national schools were in Kiambu County. There was Alliance Girls High School, Alliance High School, Loreto Convent Limuru, Limuru Girls High School, Mang'u High School, among others. When President Moi came in, there were more national schools. A number of the schools in the Rift Valley did well. We have moved to a situation where schools can be established in each and every part of the country. Which schools did we have in the North Eastern part of the country? Which schools were in Turkana? The other day, there was a video of a pupil looking forward to being a future leader in this country, studying in the open air.

Most of the Kenyans who are talking to the National Government to do away with the money should know that there are areas with disparities. This is largely because we have been sending money to the national Government ministries, but it goes to particular areas. This is especially during the era of Matiang'i, where we sent a lot of money towards school infrastructure. However, he took all infrastructure funding to his region and a bit to the North Rift.

Schools like Kapsabet Boys High School are better than Homa Bay High School because that is where the Principal Secretary and the Cabinet Secretary were coming from. Across in Luo Nyanza, where Matiang'i was coming from, no single institution was getting school infrastructure. When we diverted the NG-CDF after the first challenge to the 2013 Act, we had a big issue. We must establish this Fund to derive from the National Government's share of revenue within the Constitution so that the people who do not know the impact of this important fund to the society can appreciate it.

It has been claimed that Members of Parliament should not be involved at all and we agree. That is why we are bringing this constitutional amendment so that Members of Parliament can do their legislative, representation and oversight role away from this Fund. I am in total agreement with my party leader when he says that Members of Parliament ought not be involved. That is partly what we are doing here. We are establishing this Fund so that Members of Parliament are not involved.

In the NG-CDF Act, 2015, as amended in 2022 and later in 2023, there is no mention of Members of Parliament anywhere. All we do is derived from our powers under Article 95 of the Constitution of Kenya, to oversight those Funds generally. We are enacting this to remove the challenges we constantly have before courts by organisations which do not know the impact this Fund has had.

When I first became a Member of Parliament, you would barely get a graduate in our villages. Due to the NG-CDF and the manner in which it has been applied by the constituency development committees. Back in Homa Bay Town Constituency, my biggest struggle now is where to get jobs for the many graduates. I have a situation where in each and every village and home, there is a graduate. Those are graduates who came from mixed local day schools which were built using this Fund.

This Fund is doing things across the country. So, we are entrenching this as a means of decentralisation, which the Constitution says must be encouraged, and not devolution. This

takes nothing from the governors or counties. It is alive to the fact that under the Fourth Schedule of the Constitution, there are functions which are reserved for the national Government alone. Some people think that the national Government is operating somewhere in the air. That when it wants to execute or implement functions, they have to go through counties. If that were true, then we would not have the Fourth Schedule stating the functions of the national Government and those of the counties.

There are national Government functions which it has to deal with from the national level down to the grassroots. Some people think that devolution means all monies should just go to the counties. Let me disabuse their minds of that. If we are not careful, counties are becoming a centre for centralisation of resources. They are picking own source of revenue from the local people through taxes and also getting the devolved share of revenue from the national Government upon the division of revenue. All those monies are collected there.

That was not the contemplation of the makers of the Constitution. They wanted to ensure equity in resource distribution which Kenya had been fighting for very long. That monies from the national Government must percolate to the counties, deep down to the other levels in the wards and finally, to the local person down there.

Therefore, I support this Bill and pray that it passes quickly. This is because what the courts have been saying is what we are addressing. As we do this, let me remind our young people that what we are doing is for their benefit. We cannot do this in a State that is unstable. There is a movement our young people have started. I was personally wishing that the next thing they can cry for is free secondary education, if our circumstances and finances can allow.

Let me tell our young people that the well-intended movement they started called Generation Zoomers (Gen. Zs) has been captured. They are now a mere envelope for anarchists out to destroy their country. We want them to step back, allow us to stabilise this country by creation of Funds like this and build for them schools so that when we are done, we can step back and hand over to them a stable country, which they will be proud to lead having taken the baton from us.

With those very many remarks, I stand to support. I encourage our religious leaders and the media that lest they forget, Rwanda...

The Temporary Speaker (Hon. Rachael Nyamai): Give him a minute to say that.

Hon. Peter Kaluma (Homa Bay Town, ODM): Yes, this is very important. Hon. Temporary Speaker, people are forgetful in this country. Yesterday, I saw children wearing collars and saying they are bishops. How can we forget that there are religious leaders serving life imprisonment at the Hague, blamed for the Rwanda genocide? By the way, those are Catholic nuns who are said to have lured the Tutsis into the church and called the Hutus to kill them. They were convicted by the International Criminal Court (ICC), a court of very high standards. So, let us not see somebody in a collar and think it makes people religious. Behind that collar could be a very wicked person not looking at your future.

Let me also say that the other institution which was blamed was the media in Rwanda and you know the role it played. Our media should not incite Kenyans to violence. We want to enjoy human rights. We want to create a good country for our young people. You keep inciting people like the ones who had been incited by particular media houses for over four months. In those situations, we must reconcile between the stability of the State and the enjoyment of human rights. I dare say, once you lose the State, you cannot enjoy those rights. So, we want a body like the Communications Authority of Kenya (CAK), whenever there is a threat to the State, to swing into action and not just suspend live coverage, but completely suspend some of those media houses until they realise that, when the State is disturbed, they are also disturbed.

So, we want a united country in which by law, we create a future that is progressive and a strong society for our young people so that we are proud to deliver it back to our young people as we take a back seat.

Thank you, very much, Hon. Temporary Speaker. I support this constitutional amendment.

The Temporary Speaker (Hon. Rachael Nyamai): Thank you, Hon. Kaluma. Hon. Josses Lemengit, Member for Emgwen.

Hon. Josses Lemengit (Emgwen, UDA): Thank you, Hon. Temporary Speaker. I also wish to add my voice in support of the entrenchment of the NG-CDF, NGAAF and the Senate Oversight Fund into the Constitution. I am a member of the National Government Constituencies Development Fund Committee in Parliament. We toured many constituencies across the country and witnessed the tremendous projects that have been implemented using NG-CDF not only in Emgwen Constituency, but across the nation.

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) left the Chair]

[The Temporary Speaker (Hon. Peter Kaluma) took the Chair]

There is a misplaced perception against Members of Parliament that these Funds belong to them. However, this is purely a national Government Fund. The NG-CDF is under the national Government administration and is managed by the NG-CDF Board. Therefore, the narrative that Members of Parliament misuse NG-CDF funds should cease. It must be made clear that this is a share of the national Government's resources.

The NG-CDF was a well-thought-out initiative. I wish to echo the appreciation of former Members of Parliament who conceived this idea to assist under-privileged schools that had not been properly constructed and support needy students from humble backgrounds in villages across the country. Personally, I attended a day school that was in a very poor condition. There were only two classrooms; no laboratories, modern kitchens, dining halls and hostels. Thanks to NG-CDF, most of those facilities have now been built in many schools.

I wish to particularly emphasise the importance of day schools. This is because they serve the vulnerable in the society. While NG-CDF covers both boarding and day schools, I focus on day schools because they are primarily attended by students from vulnerable backgrounds. NG-CDF has played a vital role in constructing and developing those institutions. Laboratories in day secondary schools are essential for practical learning and improving student performance. NG-CDF has contributed significantly to the construction of such facilities.

In my constituency, Emgwen, for instance, partial scholarships have been awarded to nearly 6,500 students, while over 100 students are on full scholarships. This would not have been possible without the allocation of those funds by the national Government through the NG-CDF Board. I wish to stress the importance of these Funds. As Members of Parliament, we move around our constituencies and encounter heart-wrenching situations. When engaging with locals, we meet people from extremely humble backgrounds. If NG-CDF was to be abolished, it would be devastating. Many students would miss the opportunity for a well-deserved education.

Therefore, I urge the public, media and Judiciary to consider this matter from the perspective of Members of Parliament, who frequently visit the grassroots and gather first-hand information. Many students from needy backgrounds benefit from those bursaries. Moreover, in terms of transparency and accountability, Members of Parliament provide oversight. We also have the NG-CDF Board and the relevant committees that are responsible for the management and administration of the Fund.

Finally, I wish to clarify a point that has been raised by media houses and other stakeholders, calling for the consolidation of education-related funds into a single pool. Many advocate for a unified education fund to enable free education in the country. However, such

arguments often overlook the figures. At present, the Ministry of Education, through the national Government, has allocated close to KSh702 billion to the education sector.

In terms of bursaries, for example, the amount allocated to NG-CDF to support needy students is close to KSh20 billion. All the 47 county governments allocate a maximum of KSh10 billion. If you add the amounts, it is around KSh30 billion. If you add it to the Ministry of Education kitty, the amount sums to KSh732 billion. How much money do we need to make education free in this country? According to my research, I found out that we need close to KSh1.3 trillion. It does not add much value to say that we can consolidate funds from the Ministry and NG-CDF bursaries to make education free. It is not practical. Therefore, it is necessary to retain these Funds to support education of the most vulnerable in the society. During vetting processes, the public know students who genuinely require support. So, they pick the top needy students to get bursaries.

A number of schools across my constituency have benefited from NG-CDF by building dining halls and laboratories. For example, Chepkumia Secondary School got a dining hall. This ensures transparency and accountability. I have personally automated the bursary application system. The system helps with record keeping, accountability and transparency. The automation also helps during internal or external auditing.

I support the entrenchment of NG-CF, NGAAF and SOF in the Constitution. Right now, MCAs oversee county governments, but governors still report to the Senate to answer queries on their spending of money. It is prudent for Senators to have a little facilitation so that they can go across the county and constituencies to check on county government projects.

I urge all Members of Parliament to come to the House next Tuesday to support the entrenchment of these Funds in the Constitution.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Lilian Siyoi is recognised.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Temporary Speaker. I also support the entrenchment of NG-CF, NGAAF and SOF in the Constitution. These Funds are very special to the people back at home. I want to specifically mention NGAAF. Most of the money is meant to empower women, youths and persons with disabilities.

This Fund has really been of great help to our people, especially small business owners in our community. We support them through value addition, boosting their businesses and by improving what they do. For example, we buy sewing machines, washing machines, car wash machines and a number of things that are very useful to our people. I stand to support because even though the Fund is small, I still feel it is very helpful. We have a Fund that provides bursaries and scholarships especially to orphans and children from very needy families. I believe this Fund is very important to our community.

I also support the NG-CDF Fund. If you go around our constituencies, the most visible projects are those done by Members of Parliament. They can deliver because they are close to the people and understand their needs. Most schools have been built by our Members of Parliament. I feel this Fund should be entrenched in our Constitution so we can continue helping our people back home. I urge all Members of Parliament to come out in large numbers on Tuesday, 1st July 2025 early in the morning, so as to support this amendment and entrench the Funds into the Constitution to continue helping our people.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Mary Maingi, on account of gender considerations.

Hon. Mary Maingi (Mwea, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to add my voice to this very important Bill. I also want to thank the Mover and support the entrenchment of the three Funds into the Constitution.

In the recent rigorous public participation, the most extensive of its kind, Kenyans clearly said they want the NG-CDF to remain. It is only fair that we respect their wishes by entrenching that important Fund into the Constitution. Nelson Mandela once said: “Education is the most powerful tool you can use to change the world.” I have seen many children in my constituency Mwea, who would not have gone to school, make it through college and university, thanks to bursaries from the NG-CDF. If we remove this Fund, it will be prejudicial to many beneficiaries in this country who, without it, will never go to school.

We have billions of shillings going to counties unchecked. If you travel around the country, you will not see many meaningful projects from county governments. It is only fair to increase Senate oversight by enhancing their Senate Oversight Fund. They must be well-resourced to visit all counties, constituencies and wards so as to monitor how county funds are being used.

Then there is NGAAF. Our women representatives are doing a great job empowering the most vulnerable in our communities, and I fully support their work. In fact, if possible, this Fund should be increased. It is said that when you empower a woman, you empower a village. Empowering women comes with a multitude of benefits. We have stronger families and increased economic participation.

Thank you, Hon. Temporary Speaker. I submit.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Fatuma, have you spoken to this? I am being gender-biased because of time. So, if all our Hon. female Members have contributed, I will proceed to the Hon. gentlemen in Parliament. Let us have Hon. Caleb Mule.

Hon. Caleb Mule (Machakos Town, MCCC): Thank you, Hon. Temporary Speaker. I rise to support the Constitution of Kenya (Amendment) Bill, (National Assembly, Bill No. 4 of 2025), to entrench the NG-CDF, NGAAF and the Senate Oversight Fund into the Constitution.

It should be on record that we are only talking about 2.5 per cent of the national Budget going to the NG-CDF. When you subtract 2.5 per cent from 100 per cent, you are left with 97.5 per cent. The 2.5 per cent is the only Fund that is truly felt on the ground. The NG-CDF is properly managed and has the most tangible impact. It is overseen by the Board and the Members of Parliament.

For instance, when I visit my village and stand in any school or attend a funeral, within a radius of five kilometres, I can point out a project that is funded by the NG-CDF. If not a school, I can identify a student who has benefited from a bursary. Compared to what counties receive, the 2.5 per cent of the national cake produces more tangible results.

Machakos County has a budget of about Ksh12 billion. 30 per cent of that, which is about Ksh4 billion, should go to development. The county has eight constituencies. Therefore, when you divide the Ksh4 billion among them, it gives you Ksh500 million per constituency. In contrast, Members of Parliament receive about Ksh150 million to Ksh200 million per year through NG-CDF. When you compare Ksh200 million to Ksh500 million, the impact of NG-CDF is far more visible in the society.

We conducted public participation and 98.5 per cent of Kenyans supported retaining the NG-CDF. On Tuesday, I will come early to vote in support of the amendment to entrench NG-CDF in the Constitution. The NG-CDF is properly structured. For example, under environment, we plant trees in schools. This is development. A certain proportion of the 2.5 per cent allocation to the NG-CDF should go to bursaries. This is because they have given hope to the hopeless, equalising those who have and those who do not have. Many students have benefited from bursaries, who would otherwise not have gone to school.

The NG-CDF states the percentage of funds that should be set aside for development. It clearly states how much the construction of a class should cost. We had emergencies following the previous rainy season in my constituency. Many school toilets sank. Were it not for the emergency fund, we would not have built those toilets. The NG-CDF is doing a great

job in our society and schools. I pray that we re-introduce the sports allocation in the NG-CDF, which used to take care of our youths at home who were not busy. That allocation would keep them busy.

The NG-CDF also supports the administration by enhancing the decency of the environment in which chiefs operate, so that they can be respected in the society. The Fund builds chiefs' offices and equips them. The NG-CDF has also been used to construct laboratories and computer labs. Were it not for the NG-CDF, I wonder what would happen to our schools which are currently under the Competency Based Curriculum (CBC) system and require labs. Some students in rural areas have never seen a bunsen burner or a test tube. Through the NG-CDF, those students have good laboratories and a chance to fairly compete with other students in private schools.

I support the entrenchment of the NG-CDF in the Constitution.

Hon. Kuria Kimani (Molo, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): What is out of order, Chairperson of the Departmental Committee on Finance and National Planning? Give him the microphone. He is not a Member who interrupts business for no reason.

Hon. Kuria Kimani (Molo, UDA): Hon. Temporary Speaker, I am cognisant of the Members who have lined up all afternoon waiting to contribute to this Bill. However, I want to invite your wisdom in making a decision on this matter because if we conclude debate on it...

The Temporary Speaker (Hon. Peter Kaluma): Do not worry about that.

Hon. Kuria Kimani (Molo, UDA): Okay.

The Temporary Speaker (Hon. Peter Kaluma): The presiding Chair knows how to run the House. The debate will not conclude.

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Temporary Speaker. We are here because we lost a very important day yesterday. We came ready to debate matters of national importance. The Virtual Assets Service Providers Bill was coming up for debate in the Second Reading as well as the consideration of the Public Finance Management (County Governments) Regulations, but we were stopped because of the ongoing demonstrations in the country. When I left the House yesterday, I was on call throughout the entire afternoon trying to coordinate and ensure that my home was safe. Goons who were paid by someone very well-known to the people of Molo wanted to set my home ablaze again yesterday. I thank my neighbours and the great people of Molo Constituency.

(Applause)

Hon. Temporary Speaker, people came from as far as Vikingi and Soin to protect my property. What does exercising the constitutional right to protest have to do with attacking my personal home and property? Yesterday, I saw the love of my great people of Molo. What is the cost of those demonstrations? Capital Supermarket, Olelei Butchery, Jubilee Supermarket, Kariu's Supermarket and Mix Electronics in Molo were completely looted. The stock of the ordinary men and women who work very hard in our market, *watu wa soko wa Molo*, was completely stolen. *Gari zetu za kuzima moto na kuokota takataka* and a few other county government's vehicles were also vandalised. Why did it happen?

One Form III student was killed in the process. More than 10 General Service Unit (GSU) officers are still in hospital now. Some of them do not have teeth and legs. We need to change this country. At what cost are we going to allow this to happen in the name of protests? My people are waking up now. They had businesses which they do not have anymore and still have loans to pay. There were people who were employed in all the businesses I have mentioned and many others. They have nowhere to report to now. People in *matatus* were being forced to pay a levy to cross border points that had been set up by armed goons.

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We know the financiers of those demonstrations. For instance, a Member of County Assembly (MCA) in my constituency, who is a failure, was paying people yesterday to demonstrate. Even at the national level, we know the people who funded those demonstrations. It is clear target. Anybody in this Government, especially those who speak my vernacular language and support President Ruto's Administration, were a target. That is why my home, Hon. Kimani Ichung'wah, Hon. Eric Wamumbi and the Member for Mathira homes were targeted. Also, the businesses of Hon. Chege Njuguna, the Member for Kandara, were targeted. At what cost?

If we really want the change, then wait for the ballot. You will have the constitutional right to exercise by voting for the candidate of your choice. All of us had careers before joining politics. There are many people who are not politicians who still have careers. You do not have to threaten and destroy us because of differences in political ideologies.

I call upon the new opposition leader to learn how opposition function is executed. Stop targeting innocent and hardworking young Kenyans. Stop using our sons and daughters to loot properties. I had a discussion today with some Members during the Presidential assent to some Bills this morning. It was an interesting observation. For the first time, demonstrators were coming from Thika Road and Kiambu Road. However, along Lang'ata Road and other usual hotspots where demonstrations used to originate, it was peaceful. The people who have lost the most in all those demonstrations are business owners on River Road and Tom Mboya Street.

I appeal to my people. It does not matter the aggression and grievances they have, but they have a constitutional right to use them at the ballot. What we are doing now is shooting ourselves in the feet. The rest of the country is watching and laughing at us. It is unfortunate.

Hon. Temporary Speaker, in your wisdom in this House, I do not know what you are going to do, but this cannot be allowed to continue. How justifiable is burning down a police station in the name of human rights? It becomes the very same thing you are accusing the police of doing. If the accusation is that the police used excessive force, how then do you turn around and justify burning a public installation? You claim it is within your rights to burn a police station because someone was killed there. But within that police station, officers live with their families - fathers, mothers, brothers and sisters. When the station is set ablaze, are they not affected? Are they not human?

When one comes to burn Parliament, it is not only Members of Parliament who work in this House. There are thousands of innocent and dedicated staff - lawyers, economists, police officers and public servants across all sectors who serve the National Assembly. Now the threat is to burn them as well?

I do not wish to go further than that. I believe this House must stand up for the rule of law, even while protecting the rights of protesters. As citizens exercise their democratic rights, we must not permit supermarkets to be looted, businesses to be destroyed or lives to be lost. It is not fair. Last year, I lost more than 10,000 chickens and three vehicles. My house was vandalised. We lived in fear for weeks. This affected Members across the divide, regardless of how they voted or what position they took. In the name of what? It is becoming extremely painful to fulfil our duties as politicians. Yet, we also have our careers.

Hon. Temporary Speaker, I know you are a respected lawyer. I am a Master's graduate, a PhD student and a Certified Public Accountant. I have a future beyond politics. But if it is going to be this painfully expensive to serve, then where are we heading to as a country?

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Kimani Kuria, I allowed you to speak on that matter because it involved a personal attack. We recall what you went through last year. We are mindful of the service you provide to this House, as the Chairman of the Departmental Committee on Finance and National Planning.

Allow me to reiterate that the substantive Speaker had already issued directions on this matter. In addition to expressing condolences to Kenyans who lost their lives and sympathising with those who lost property or suffered injury, a further directive was issued when you stepped out to attend to other parliamentary duties. It was that we must look at how we can secure the rights under Article 47 of the Constitution, so that it is clear when people can demonstrate, picket, petition or do other things. All those are stipulated in Article 47, but it is not clear when to do what.

Yesterday, we saw mothers walking through the streets holding placards and demanding compensation for their children who were killed. But compensation is a matter to be pursued through proper legal channels, perhaps, through a petition to this House or the courts. You cannot claim compensation through street demonstrations. The substantive Speaker directed that this legal framework should be thought through and brought before the House in due course. Hon. Members will be informed.

Let me also take a moment to thank the police for the restraint they exhibited yesterday, and for the commendable work they continue to do under difficult circumstances. I must also remind them that they can only protect Kenyans if they are secure themselves. I saw some very disturbing videos before coming into the House, of police officers, including female officers, being physically assaulted by members of the public. I saw one being stepped on the head in a manner that was savage and humiliating. Scenes like those send the wrong message to the world that our security infrastructure is weak. That is not the case. I urge our police to continue showing restraint. I also want to remind them that we do not want to see a situation where a police officer is assaulted and yet, he has a gun. The people of Kenya pay for that gun. When it becomes necessary to save your life, remember that it is not a toy. Save yourself so that you can save other Kenyans. I am not advocating excessive use of force from where I sit. The law allows the police to use lethal force when their lives are in danger. Let us not see that situation of a police officer being assaulted when he has a gun hanging on his neck like a toy.

This Parliament will protect you if you do what is right, proportionate and reasonable in the circumstance you find yourself in. You should not fear being penalised when your life is in danger. As a police officer, you need to be alive in order to protect the lives of other Kenyans without being excessive. Be encouraged to secure and stabilise your country.

Hon. Patrick Osero is now recognised to speak.

Hon. Patrick Osero (Borabu, ODM): Thank you for giving me this opportunity. First, I empathise and sympathise with our colleague Member of Parliament, Hon. Kimani Kuria. This was a very sad occasion. We saw it in the newspapers and all the videos. You really wonder where someone's rights begin and where the other's end. You should not be punished for expressing your interest. This goes down to the family unit.

At the outset, I wish we suggest and put into law a place and time where people can petition and picket. In London, there is a place called the Hyde Park that is designated for daily demonstrations. You go to Hyde Park if you feel like screaming, crying or insulting the government of the day. You are allowed to do that there. I think we need to zone and identify places where people are allowed to picket on a daily basis. I think that will sort out some of our problems.

Back to this Bill, I support it 100 per cent. We cannot overstate the role of constituency development. Interestingly, there is a notion that money to counties will increase if NG-CDF is not entrenched. It is still a national government Fund in division of revenue. People are mistaken to think that the money will go to counties once NG-CDF is scrapped. It will never go to the counties. It will still be a national Government function and the Commission on Revenue Allocation will allocate its revenues to the national Government. That is why people are misconstruing the thinking that the monies will be allocated to counties if not given to NG-CDF. That is a fallacy.

Regarding our oversight of NG-CDF, I think I have a small problem with the word ‘constituencies’. It is misconstrued for a national constituency fund. I am sure this hullabaloo will die if the word ‘constituencies’ was removed. This is because most people think constituencies are equals to Members of Parliament and vice versa. People think that the Fund belongs to the Member of Parliament. It is not true. The process should see how to circumvent this and remove the word ‘constituencies’. Maybe, the naysayers out there will realise that we only oversee the Fund that has become a success.

There will be no more *harambees* for institutions and needy children. That was the norm 15 years ago, but we are now breathing a sigh of relief. However, there was an overlap when some functions like water and sports were being devolved. For instance, you can find a borehole that was dug by a Member of Parliament using the NG-CDF, but you cannot buy a pump because that function was devolved. We need to address that problem.

On sports, in Borabu Constituency, I used to do some sporting activities, especially in football. I remember once when I organised a football competition, we had three players who went to join Shabana Football Club. It is one of the best teams that we currently have. In fact, one of them made it to the Harambee Stars because of that competition. So, as we move forward, we should find a way of completing the devolved functions that were hived off from the NG-CDF. The *wananchi* cannot understand why a Member of Parliament did a bore hole that has water using the NG-CDF and it cannot be finished. A governor will not complete such a project because he will not get accolades for it. In any case, it will not be considered done by the county. A governor would rather the project dies so that he digs another borehole next door that he will take credit for. Just because a borehole is a constituency project, a governor will not touch it. As we move forward, we need to see how we can seamlessly overcome the challenge of the projects that were done by the previous administrations when the NG-CDF was performing those functions so that we revive them. I support the Bill. On Tuesday, we will be here very early in the morning to vote for the Constitution of Kenya (Amendment) Bill, (National Assembly Bill No.4 of 2025)

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Timothy Rotich is recognised to contribute.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker. Before I contribute on the Bill, I also wish to sympathise with Hon. Kimani Kuria. I agree with you that, as a House, we must breathe life to Article 37 of the Constitution. When we say that picketing should be done peaceably and unarmed, what do we mean? The Government has a right to protect the lives and properties of its people. However, how do you protect lives and properties of people who are armed? That is a challenge. The police sometimes may not protect lives because of what demonstrators do. As a House, we must convene on this and generate a legal framework that will un-bundle Article 37 of the Constitution to give it life.

I rise to support the letter, intent and spirit of the Constitution of Kenya (Amendment) Bill, (National Assembly Bill No.4 of 2025) for the simple reason that once we entrench the NG-CDF, the NGAFF, and the Senate Oversight Fund in the Constitution, they become part and parcel of our Constitution. The courts cannot declare parts of the Constitution unconstitutional. As a House, we are bound to defend this important Fund. I have heard people arguing that this Fund is controlled by the Members of Parliament. Those who are postulating that school of thought should tell us where it is provided in the current law that a Member of Parliament directly controls that Fund. What we do is oversight alongside other funds that are devolved in this country, like the Women Enterprise Development Fund, the Youth Enterprise Development Fund and the *Uwezo* Fund. Why are they not complaining about those funds? Those funds are at the same level with the NG-CDF.

As a House, we must be very careful. If we lose this Fund for any reason, we will also lose our oversight role as Members of Parliament. The NG-CDF is channelled directly to the constituencies. It gives us power as Members of Parliament to oversee the Fund in our constituencies. If we lose this Fund, it will mean that as Members of Parliament, we have bowed and that we are out to sing the tune of the Executive in order to get development done in our constituencies. That will be unfair. The Members of Parliament will be puppets of the Executive. You would have to approach the President, the Cabinet Secretary for Roads and Transport, and the Cabinet Secretary for Education, so that you get funds to develop a constituency.

Honourable speaker, someone called Bert Lance, who was a close advisor to President Carter, once said that: "If it ain't broken, don't fix it." The National Government Constituencies Development Fund (NG-CDF) was not broken. Some people tried to destroy it. Luckily, it was not broken. It is still working. If you compare what is happening in the counties with what is happening in the constituencies, the NG-CDF is impactful. When we went for public participation, members of the public, 100 per cent, told us that we should not come asking them if the Fund should be entrenched in the Constitution but, rather, we should be asking them how we can improve it by increasing it from 2.5 per cent to 5 per cent. This means that Kenyans have embraced this Fund because it is working. Therefore, as a House, we must support it.

The other argument that has been postulated by certain people in this country is that we have those funds go to the counties. We have a very progressive Constitution that has outlined clearly, under the Fourth Schedule, the functions assigned to the county governments and those that are assigned to the National Government. Even if those funds were not to go to the constituencies for any other reason, the county governments would not benefit from the Fund since they have certain defined functions under the Fourth Schedule and, therefore, they cannot perform functions that were performed by money allocated to constituencies through the NG-CDF.

As a House, we must pass this Bill unanimously on Tuesday so that we have these Funds entrenched in the Constitution. However, I have a reservation. The NG-CDF and NGAAF have proven to work in this country, but including the Senate Oversight Fund... Although I support the Amendment in totality, I would also like to voice my issue on the Senate Oversight Fund. The courts have ruled that the primary oversight role of county governments is with the county assemblies. Therefore, there is no reason why the Senate of the Republic of Kenya should be given the Senate Oversight Fund. It is akin to saying that the National Assembly should also be given the National Assembly Oversight Fund.

We have been elected under various articles of the Constitution to perform oversight of the national Government's functions. The Senate of the Republic of Kenya, under Article 96, constitutionally performs oversight of county governments. It has already been catered for under Article 96 of the Constitution and, therefore, there is no need for them to be given those funds. Hon. Temporary Speaker, I wish to rest my case.

This evening, the one and only Faith Kipyegon will be running in France. Today at 9.15 p.m., Kenyan time, she will be attempting to rewrite history by being the first woman to run under four minutes. As a person who loves sports and believes that we can do the impossible, I know Faith Kipyegon will make Kenya proud. I wish her the very best.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Our best wishes as the National Assembly are for Faith Kipyegon to win. She has always made Kenya proud. I wanted to call on Hon. Eli Letipila, but because of rank, Hon. Eli, allow Hon. Samwel Moroto to be recognised before you.

Hon. Samwel Chumel (Kapenguria, UDA): Thank you, Hon. Temporary Speaker. I will be brief so that this young man can also contribute.

I sincerely thank you and the leadership of this House. I have been here for some time, and during President Moi's era, every Thursday evening, we would line up at State House to receive small handouts to take to our people. When Hon. Kibaki came into power, our colleague in this House, Hon. (Eng) Muriuki, introduced the Constituency Development Fund (CDF). We discussed it here and His Excellency, President Kibaki, accepted and assented to it. Now we are here. We started with Ksh6 million, and things were satisfactory.

In 2010, my friend, Baba, Honourable Raila Odinga, championed what we are now enjoying as devolved units. Hon. Odinga is my friend. He campaigned for me during the by-election. I state this without fear, for God is my only witness.

The current women representative in my county is doing so well, better than her predecessors. We now need to have the National Government Affirmative Action Fund (NGAAF) enshrined in the Constitution, just as we did with devolution in 2010. It is our time to constitutionalise these funds. Many children are benefiting from their education as a result of these funds. I studied under a tree, where the wind would blow away our blackboards, and we used to sing: "*Naskia sauti, sauti ya mama, kwa heri mwalimu.*" This does not happen now because we have built classrooms everywhere.

The Speaker visited my constituency and made significant contributions. He launched a twin laboratory and promised to complete it. This is all we desire. West Pokot was a closed district during the colonial period. Kenyatta and the Kapenguria Six were taken there. You are now my friend. I will one day take you there. Anyway, this is the time to devolve everything. The Late President Kibaki started the then CDF and now we have to ensure it is enshrined in the Constitution. The current President is my friend and enjoyed NG-CDF. He developed his constituency and that is why we support him. I do not want to say much but, as a leadership of this House, we should not condone what happened yesterday. Nonetheless, I ask the leadership of our Government to be open to criticism.

I was a Cabinet Secretary and so was the current President during the late President's Moi regime. President Moi used to get delegations from all over the country. So, we should not condemn Mount Kenya. He was friends with JJ Kamotho and Bishop Okullu from Nyanza. Let us be open to wisdom and advise from old men who have political expertise regardless of their ethnicity, and we will progress. Otherwise, if we do things without involving *wazee*, nothing good will come out.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): Hon. Eli Letipila is now recognised.

Hon. Letipila Eli (Samburu North, UDA): Thank you, Hon. Temporary Speaker. First of all, I would like to associate myself with the sentiments of the Members who have spoken ahead of me in support of entrenching NG-CDF, NGAAF, and the Senate Oversight Fund into the Constitution of Kenya. I also sympathise with the Member for Molo Constituency, and pass my condolences to those who lost their loved ones in the civil unrest. We can do better as a country.

Back to the issue at hand, the NG-CDF Act, 2015 has been one of the most successful legislations that has come out of this august House. It has equalised communities across this country, specifically people from Northern Kenya and the constituency which I represent, Samburu North. Those are constituencies and areas which were legally marginalised by Sessional Paper No. 10, which said that the less productive areas of this country should not get an equal share of the national cake.

The NG-CDF Act, 2015, brought services to our people, and as Hon. Moroto has previously mentioned, those are services one had to travel to places we used to refer as "Kenya" to access basic education, health, and other essential Government services. In my constituency, there are places people cannot access education. Since I got elected - and this is my first term - I have registered 26 new schools in the constituency. I had to build the schools from scratch.

Let me paraphrase: NG-CDF had to build the schools from scratch. There are places in this country where children still study under trees. There are places in this country without chiefs' offices. There are also places in this country where critical and essential services are still beyond the reach of the people. Entrenching NG-CF in the Constitution will protect it and make it a right of the people.

There are people who say that NG-CDF should be scrapped. I do not know which planet they live in. They certainly have not visited some parts of this country. That is like saying places like Parkati, Nteremuka, Barsaloi and Keno in Samburu North, where children have to travel more than 50 kilometres to access basic education, are not part of this country. When you say we scrap a Fund that brings services closer to those people because it is unconstitutional, then I do not know what Constitution that person is talking about. Yes, there are places in this country which have enjoyed education and security infrastructure since Independence, while other parts of this country still live in the 21st century. We must raise our voices. This is a House for the welfare of the society and the just government of the people. This is where the welfare of the people, even those ones who live in far-flung areas of this country, is taken care of and protected.

There are places in this country where NG-CDF is the only development fund that is known. In Samburu County, for example, the first feel that we belong to this country was post-devolution. Post-devolution is when parts of this country feel that they belong to this country. We can get our share of the cake. We are also taxpayers. As Hon. Moroto has said, we are not ready to go back to the times when we had to beg the Executive to remember our people. If NG-CDF is entrenched in the Constitution, it will give decency to our people. It will give them their fair share of resources of the country. NG-CDF is a critical development tool in some parts of this country. It is not an after-thought. It is as critical as water. It is as critical as health. Educating children is a critical need in this country. Children from marginalised parts of the country are very bright. I studied in Baragoi Primary School and children used to be brought by their parents. A child would be brought to Standard One and their parents would leave him or her in school. When the school closed, the child would not go home because the lifestyle we lead as pastoralists is nomadic. When schools closed, home would not be where it used to be. Some children would be in school for the whole year. NG-CDF has given decency to such children. It builds schools close to homes and it brings them light through education. We are building critical infrastructure like chiefs' offices closer to the people, which brings governance closer to the people.

Constituencies like Samburu North did not enjoy an inch of the national electricity grid. I see my time is running out. I can talk about the issue for a long time. I fully support this Bill. The public already endorsed it by 95 per cent. The public has confidence in it because their needs are taken care of. They see the executed projects. It is one of the most transparent Funds we have.

Thank you, Hon. Temporary Speaker. I fully support.

The Temporary Speaker (Hon. Peter Kaluma): Are you done or you need more minutes?

(Hon. Letipila Eli spoke off the record)

But you have said you are done.

Hon. Letipila Eli (Samburu North, UDA): It is your discretion, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Under Standing Order 1, you get three minutes because you are talking about real Kenyans' issues concerning this Fund.

Hon. Letipila Eli (Samburu North, UDA): Thank you, Hon. Temporary Speaker. When we go for public participation in Ewaso Rongai in Samburu North, communities tell us that peace in the constituency is a product of education. They say they need classrooms or schools to separate the fighting communities. That is public participation. When funds come and the people see classrooms and schools blossoming, it gives them hope and identity. Eventually, it will give the communities of Samburu North peace. Education is a tool that equalises the children of the poor and the rich. It is the greatest equaliser. In this House, we come from different backgrounds but, because we went to school, we are all equal, and we stand in front of everybody in the whole world.

The people of Samburu North sent me to this House to speak about their issues. One of their biggest issues is development that has been brought by NG-CDF and devolution. We are not ready to let it be removed so that we start going with a begging bowl to the Executive; to the Cabinet Secretary for Education and the Principal Secretary for Education asking them to build classrooms for us. In this political country, we know the Cabinet Secretary will take a lion's share of development money to his people. So, if Samburu North does not have a Principal Secretary or a Cabinet Secretary for Education, the systemic marginalisation is going to continue. NG-CDF is the answer to that systemic marginalisation.

I rest my case, Hon. Temporary Speaker. Thank you very much.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much. Hon. Paul Biego will now speak.

Hon. Paul Biego (Chesumei, UDA): Thank you for giving me this opportunity, Hon. Temporary Speaker. At the outset, I rise to support this Bill but before doing that, let me empathise and sympathise with my Chairman of the Departmental Committee on Finance and National Planning on the way he spoke a few minutes ago about what he and many other Members are undergoing. It is very unfortunate and we say *pole* to a man who has taken a lot of his time and energy to try and ensure that things pertaining finance are okay in this country.

When we are in the Committee, he hardly even gets out. It is a pity that, as much as he struggles, many other people do not see it. He is trying to help Kenyans. He is like a middleman, being in between Kenyans and the Executive. He tries to ensure that proposals from the National Treasury are okay, but people think that he is the one who is imposing taxes. There is a real disconnect of issues.

Nevertheless, we have been speaking about NG-CDF from the time I came into this House. I even wonder why it has taken all this time for us to try to entrench it in the Constitution. For obvious reasons, we all know that the Fund that is very visible in our community and country is NG-CDF. It is really going to be a pity if we lose it. That is why I call upon my colleagues that come Tuesday, 1st July 2025, let us come in numbers so that we can pass this Bill once and for all.

I do not know where people got the misconception that NG-CDF benefits Members of Parliament. The structures of NG-CDF, unlike many other funds, ensure that NG-CDF is very accountable. There is no single coin that passes through the hands of Members of Parliament. The Committee is independent, the Board is independent, even the projects to be done are independent because they are done under public participation and you have ward and constituency reports. Everything that is done is actually from the people.

Nevertheless, why I really support NG-CDF is because it advocates for accountability, of course, through what I have just said: Public participation. It also provides equity. It is divided across the constituency. Again, I like and support NG-CDF because when there are complaints, there are redress mechanisms in place. The management of the Fund is also very good. So, it is actually a Fund that is run very smoothly.

The NG-CDF is open to local primary, secondary and tertiary institutions. It, therefore, accommodates a wide span of education beneficiaries, including post-graduate students. If we lose this Fund, we would have lost an entire population in need of that funding.

I also like the Fund because it addresses historical and systemic wrongs such as regional disparities. In many quarters, the NG-CDF has been praised for incorporating the poverty index, especially in the allocation of a portion of the funds, and it has a significant impact on our society. Every part of this country, from Samburu to Kilifi, Nandi, Busia and Kigumo, enjoys the NG-CDF. As my colleagues have said, I cannot imagine a situation where, when you want to build your constituency, or when your people have asked you for a school, renovations or laboratories during public participation, you would have to queue at the offices of Cabinet Secretaries or even at high-level executive offices for services to be delivered. We would be going back to the old days. Our ranking Member, Hon. Moroto, recalled that during President Moi's tenure, they used to line up every Thursday. Do we really want to go back to those olden days?

Hon. Temporary Speaker, the Kenya National Bureau of Statistics (KNBS) found that Kenya is a nation with huge disparities, especially in service accessibility, quality and efficiency. The NG-CDF, being a public Fund, plays a crucial role in addressing some of those disparities.

I am a member of the Special Funds Account Committee, which oversees around 82 Funds. I can confirm that the structures in NG-CDF cannot be matched by any other Fund. Therefore, I support that we should not lose this kind of Fund. I am also cognisant of the fact that many Members of this House would not be here were it not for the NG-CDF. Many Members and citizens are beneficiaries of those bursaries, and it would be very irresponsible for anyone to try to scrap this particular Fund. I am afraid that if this Fund is scrapped, the dreams of many people, especially parents who expect their children to come and make a difference, may not be realised.

In my constituency, I initiated Chesumei Elimu Bora Initiative, which addresses most of the issues I encountered during my campaign. There were many fundraisers for very small amounts, as low as Ksh15,000, which was the fee charged by day secondary schools. I spoke to principals and we reached a Memorandum of Understanding (MoU). In the Committee's wisdom, we allocated funds such that each parent with a child in a day school only has to pay Ksh1,500 per term. As a result, schools that were experiencing a very low admission rate have experienced an increase in enrolment. We are currently subsidising fees for about 9,500 students whose parents only have to pay Ksh1,500. Where will all those students be placed if bursaries are abolished? It is a pity.

All said and done, because I see time is not on my side, I regret that we are unable to conclusively debate these matters because of the demonstrations.

The Temporary Speaker (Hon. Peter Kaluma): Give Hon. Paul Biego two more minutes.

Hon. Paul Biego (Chesumei, UDA): You are very kind today, Hon. Temporary Speaker. You are always kind. I withdraw that remark. That is, perhaps, why Hon. Sabina Chege came into the Chamber when you were in the Chair.

We would have conclusively deliberated on these matters were it not for the very irresponsible demonstrations. I wonder why somebody would burn a police station or why people should lose their lives. I support the National Police Service. Police officers also have rights. We will get to a time when police officers will be afraid to protect lives. What are we supposed to do when a police officer gets into trouble for doing his job? It was a pity to see children fighting with police officers. The police officers appeared helpless. We must do something.

The right to picket or demonstrate should be exercised in specific places. People should not just strike, picket or demonstrate all over without a formula. We can copy other countries. We can use the Uhuru Gardens or another stadium whenever we want to picket. The business community has lost a lot. They helplessly watched goons steal their properties. Something is wrong and it needs to be addressed. Demonstrations are no longer peaceful.

It is a very big shame, especially for the leaders. What do leaders or former leaders, who continue to receive Government pensions gain when they see Government property and peoples' property being destroyed? We need to come up with a legislation whereby anybody who is found spearheading such demonstrations, yet they are on the Government payroll, is struck off. It was a pity to see the high and mighty, a former Vice President and a former Chief Justice, on the streets. The aftermath of all that is what we see now.

I rest my case. Thank you, Hon. Temporary Speaker, for giving me the additional time. Let us all show up in large numbers on Tuesday so that we can entrench the NG-CDF in the Constitution, once and for all.

The Temporary Speaker (Hon. Peter Kalama): Hon. Daniel Manduku.

Hon. Daniel Manduku (Nyaribari Masaba, ODM): Thank you, Hon. Temporary Speaker. I rise to support this Bill which seeks to amend the Constitution by entrenching NG-CDF, the Senate Oversight Fund and NGAAF in the Constitution by amending Article 204 of the Constitution.

Allow me not to repeat what my colleagues have said or delve into what happened yesterday in Kenya by going straight to my point. Among many advantages of this insertion is that Kenyans will really reap from devolution. It is ironical because devolution was envisioned in the Constitution of Kenya 2010. We thought that by devolving funds to the counties, there would be equity and development. Unfortunately, from where we stand and sit today, and based on the experience we have, the only Fund that seems to have made a real impact to our people is NG-CDF.

I come from Kisii County. I represent Nyaribari Masaba Constituency. When I go round my constituency, I barely identify a single project that has been implemented by the county government. It is a sad state of affair. I guess this is a replication in every other constituency. In as much as I support this Bill, we must re-look at devolution as it is currently constituted. I am bold enough to say that our governors do not deliver. They are busy stealing from morning to evening. I am privileged to have been in the Government for long. Some of those governors wake up in the morning to steal from people. Demonstrations should be happening at the county governments. Nyaribari Masaba Constituency has not benefited from devolution, but it has immensely benefited from NG-CDF.

We must be bold in the actions we take, going forward. I am very sad because our President knows these things, but he does not address them. As long as he sits pretty and quiet, we shall always have disgruntlement and dissatisfaction among our populace. How can a governor who was elected into office 2 years ago and earns a salary of Ksh500,000, Ksh600,000 or Ksh700,000 a month, own 11 houses in Nairobi today? We are pretending. Actually, we are not sincere in what we are doing. Mr President, these are the things that you must face and deal with before you stop those massive demonstrations in this country. You know the facts.

Those governors are your friends because they come to you, you dine with them, you eat with them, and you share with them. This is a problem in this country. Our problem is not the laws we enact. Our problem is implementation and oversight. As much as I support this Motion, I know that the National Government Constituencies Development Fund (NG-CDF) is well entrenched and has safeguards in laws. Let it be that there must be safeguards, checks and balances even as we go forward devolving our funds.

My colleagues have spoken on this matter. I agree with them 100 per cent. However, we must get serious. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Joseph Munyoro, the MP of Kigumo, will now speak.

Hon. Joseph Munyoro (Kigumo, UDA): Thank you, Hon. Temporary Speaker.

At the outset, I rise to support the Bill. One of our challenges in this country is that we have become predominantly a litigious country. We go to courts either with genuine concerns or with nuisance concerns and we become litigants. All those manner of litigants who have constantly been on the case of NG-CDF are doing so from a nuisance point of view.

In this country, I do not think there is anyone who does not recognise the role that the NG-CDF has played. We know from our villages and schools the number of children who have gone to school courtesy of NG-CDF bursaries. The Fund helps even with electrification even though I know we have a matching fund. The NG-CDF committees can set aside some money where they decide they need to light up a particular village. Then, the Rural Electrification and Renewable Energy Corporation (REREC) matches with an equal amount of money to do rural electrification.

If you look at the number of our counties and the money they have got since the enactment of the Constitution of Kenya 2010, you will be hard-put to point out the things that they have accomplished. Conversely, if you ask any member of the public from any corner of this Republic to point to you what NG-CDF has achieved, they will show you what our naked eyes can see. Therefore, we must entrench this Fund in the Constitution. It is not for us; it is for posterity.

I cannot remember the last time the national Government did anything regarding our police stations in my constituency. We know that we keep crying here. We keep bringing petitions and questions regarding the funding of our security vehicles. I am sure we would not be having those problems if such were left to the NG-CDF. They would budget and buy police vehicles where necessary. That development comes from the person who is served by the Government. The public knows what they require. Other than 2.5 per cent, it is important that this Fund be enhanced.

I am also of a very strong opinion that the same should be done to things like roads so that each constituency is assured of getting its fair share of roads revenue. I think waiting for benevolence from the national Government or the person in power to develop your area ended with our last Constitution.

Hon. Temporary Speaker, I also wish to sympathise with my colleague. I served in the Departmental Committee on Finance and National Planning, where Hon. Kuria Kimani was my Chair, and I sympathise with what he has gone through. We must understand the role we play here as Members of Parliament. Some of us have been assigned responsibilities as chairpersons of committees, and we implement what has been resolved elsewhere. However, I also wish to state that if we sit here as a House and convince ourselves that someone orchestrated the crowds we saw yesterday, we are deceiving ourselves.

This is a matter that must be viewed with the seriousness it deserves. We are confronting an existential crisis as a nation and as a Republic. If we merely assign blame and search for a bogeyman for what occurred yesterday, we are not being truthful. We were all present last year when similar events took place. We saw what happened yesterday, and I urge the Government to take this issue with the seriousness it deserves. We must listen to our people. Anyone in this House who has teenagers at home understands that one cannot simply mobilise them to do what they did yesterday. They organise themselves, communicate among themselves, and act on what they believe is right. We cannot blame them simply because of their age.

Therefore, I truly hope that this Government listens, that the people listen, and that we put an end to chest-thumping. Let us genuinely pay attention to the concerns of the people. If

anyone is to be blamed, it should be individuals like Elon Musk and others who facilitate the kind of social media activity we are witnessing. That said, I do not believe we should isolate or scapegoat anyone.

Lastly, concerning the goons who were attacking shops and homes, the Police Act is quite clear. Section 15(1) outlines that the police must obey lawful orders, and Section 15(2) defines the conditions under which police may make an arrest. If a police officer encounters someone vandalising a shop, I do not believe any new law is required for them to take action. The police do not need additional legislation to function effectively. What we witnessed yesterday, the videos I have seen, including one where police simply drove past people who were breaking into a shop and did nothing, must be addressed. We must hold them accountable. They have a duty to make arrests and protect private property.

As for the right to demonstrate, we are all aware of our constitutional history. That right must be safeguarded. We must be allowed to express our grievances when we feel disenfranchised, whether by Parliament, the Government, or any other entity. Article 37 is clear on this matter.

I wish to conclude by saying that for those people...

The Temporary Speaker (Hon. Peter Kaluma): Hon. Munyoro, when you go to London, you will find people picketing and demonstrating near the Parliament of the United Kingdom and yet, no one disrupts anything. Each person takes their turn, demonstrates peacefully, and then leaves. You do not find people jumping all over the place. I do not know what your proposal is regarding the situation in Kenya, where people claim they want to demonstrate, are given their right under Article 37, and then proceed to turn it into a chaotic affair. Look at the situation we are now discussing. If we bring someone like the Leader of the Majority Party, such a brilliant individual, under attack... Suppose that attack had led to his parents being killed, as they were threatened yesterday, or had he himself been harmed, what explanation would be offered?

If we expose someone like Hon. Kimani Kuria to the kind of attack he faced in the previous events and the threats he is now receiving, what kind of society is this one that seems intent on destroying its own?

Hon. Joseph Munyoro (Kigumo, UDA): I thank you, Hon. Speaker.

The Temporary Speaker (Hon. Peter Kaluma): I do not know whether you agree that in as much as we have these rights... If you look at Article 25 of the Constitution, only four rights are not capable of limitation. We can limit these others, including the right to demonstrate in terms of where and what times to demonstrate and whether you demonstrate, picket or petition because they are all different. If you go to a country like Ghana, I believe your time has been frozen, there is something called the Council of Elders. That council is so powerful that it is the organ that even nominates ministers to be appointed. They are so eminent that if you have a crisis within the nation or an issue within the region, they can be sent as ambassadors. The whole nation looks unto them for solutions.

In Kenya, all retired heads of arms of Government enjoy a very good package, 95 per cent of their last pay. There is 80 per cent and 15 per cent of your last gross pay for vehicle maintenance. The vehicles are bought for them. You have over 10 employees, including gardeners and cooks being paid by taxpayers. We are doing that so that when a nation is in crisis, there are some people that the nation can look up to for guidance. How do you feel when a person who is a beneficiary of those facilities and is being packaged to be that eminent is being deported from a neighbouring country for activism or the person is walking with street urchins on the streets? Who do we turn to when such people also become ordinary activists?

Those are the questions we are asking. We are not saying there should be excesses, but we are saying everything that is good should have limitations. We have a very rich Bill of Rights but, my brother, can you enjoy human rights and fundamental freedoms if the State

called Kenya does not exist? You lose all of it. So, how do we enjoy this rich Bill of Rights without exposing the State to either collapsing or detrimental instability? Those are the things we need to weigh. Of course, not to derogate or take away the rights completely.

Hon. Joseph Munyoro (Kigumo, UDA): Thank you, Hon. Temporary Speaker. My point has been, as much as we want to litigate, again the word I used before, the makers of our Constitution had history to go by. I also agree that there are nations that do it differently. However, the current Constitution that we enjoy requires that you inform police officers so that they can give you security when you are picketing or demonstrating.

As much as I do not support any violence, we were all here and we saw what happened last year. My point is that we cannot sit here and pretend that the person who caused this is Hon. Rigathi Gachagua. That cannot be the assumption. We must be honest and true to ourselves. There are people here who are disenfranchised and feeling that they are not being treated the way they should be treated in this Republic. They are our young children. If you do not listen to them, we will be the ones to pay in future because this nation is for all of us. If we do not listen, I think we have a bigger problem. But if we need to look for a bogeyman, if we need someone to blame, it is all well and good. We will blame them, say they caused this-and-that, petition and call for their arrest, but that will not take the fundamental problem away.

I want to be on record as having stated that, in this House, we must be true to ourselves. We have not heard of a single arrest of the goons who were out there with *rungus* and all manner of weapons. Again, if we sit here and pretend that those goons went to a shop, bought those *rungus* and came to vandalise shops, we will be lying to ourselves. There must be people behind this and those people must be brought to book. They must be called out. We must be a nation of law and order. We are a nation that follows the Constitution that we made. We must hold the Government accountable when the Constitution is violated. That is why I spoke about the Police Act. We have an Inspector-General of Police who is working independently of the State. He can investigate and arrest those who caused the mayhem. Those who lost their livelihoods have no one else. Unless we want to become a banana republic, where everyone takes the law into their own hands, where shopkeepers bear weapons to defend themselves, we must act. The onus is on the State. The Government must protect property. The Government must protect life. The Government must protect the livelihoods of the people it serves. That is my point. At no time or point do I support violence, whether against an individual or a leader. If people need to demonstrate, until we make new laws in this House, they will go by what we have in the Constitution. I think that is only fair, because that is what they know.

Let me sit by saying I support this Motion. I hope that on Tuesday, we will be able to entrench NG-CF in the Constitution.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much, Hon. Joseph Munyoro. The most patriotic lady in the House, Hon. Sabina Chege, will now speak.

Hon. Sabina Chege (Nominated, JP): Thank you, Hon. Temporary Speaker. At the outset, I support the Bill as a proud Kenyan. I have been elected twice as a Women Representative. I have seen the proposed amendment to Article 204(c) of the Constitution on inclusion. The affirmative action kitty is very important. As we amend the Constitution to entrench NGAAF, I request this House to ensure allocation of adequate funds. I know you are a champion of women issues and you support women agenda. NGAAF is allocated only Ksh7 million per constituency per year. Women groups and PWDs benefit from this Fund. There are also other kitties. I would propose that we merge *Uwezo* Fund, Women Fund and Youth Fund and the money put into one kitty for woman representatives, who represent all constituencies in a county. They will manage it better. Groups with information apply for NGAAF, *Uwezo* Fund and, if they are youth, the Youth Fund. As a result, only a few benefit while others may not even be aware of how to apply. If we enhance NGAAF, we will see a lot of changes in villages. This is the real bottom-up approach.

No one can ignore the impact of NG-CDF in this country. I saw governors saying they want to issue bursaries. I urge senators, even as they ask for SOF, to define their role clearly. What is their oversight function and what is the Fund for? We went through a rigorous process. I remember Hon. Nyokabi and Hon. Kajuku, who were in this House and helped us to come up with NGAAF. When we talk about SOF, I am lost on how it will be administered. The Bill suggests that there will be legislation from the House. It is important that senators sit down and think about the Fund, so that it may benefit the people. When we say 'oversight,' I do not know whether they will be holding meetings. Right now, and this is my own opinion, the Senate is doing very badly.

Nairobi County, for example, gets almost Ksh18 billion to Ksh20 billion from the national Government. In addition, it collects almost Ksh100 million per day but when we look at development, we do not know what happens in Nairobi. There is raw sewage flowing and streets like Kiambu Road have not had street lights for the last six months. It is dark. One wonders what the Senator of Nairobi City County does. Senators need to oversee counties.

We know there is a lot of money that is lost in counties, but the Senate is busy summoning Cabinet Secretaries from the national Government. Sometimes, I feel the Senate should have been the House of Lords, consisting of people who have served the nation with integrity and experts in various sectors such as finance, agriculture, and professors in education. Such people should be in the Senate so that they can advise this House and the Government without competing with this House. Senators fight governors because they want to become governors.

It is also a pity because we also have people who have been governors for two terms becoming Senators and others becoming Members of Parliament. It is ridiculous. We need to look at this position. When somebody gets to the level of a governor, they should become either a cabinet secretary or a president, but not a senator or a member of the national assembly. It is just good mannerism and for the purpose of neatness.

As I support this Bill, NG-CDF has been managed well and, therefore, it has really helped. We still have schools even today that do not have classes. Members of Parliament from such regions need to prioritise and make sure no child in this day, age and era is in an inconducive classroom or in a school without toilets. Some pupils and students study under trees. As I support, I urge Members of Parliament to make sure that even if there is a fund manager, they be in touch by going to the ground in order to be aware of where the money is spent.

We would have discussed this Bill and maybe passed it yesterday because it is very important. We had to adjourn the House in the afternoon because of the unrest that we had in this town. As I sat in my house - and that is why I am donning the Kenyan flag today- my heart cried for this nation and for our young people. I would like to thank the Gen. Zs who came peacefully, gave their message and left. We cannot bury our heads in the sand because we know there was an organised group also. As politicians, we must take up the blame. We are the financiers. Those people know themselves. We might not mention names, but we have a conscience as we sit in the House. We saw businesses of innocent Kenyans whom some people purport to take to Canaan being vandalised. I saw a lady crying and asking God what she has done wrong because her shop was broken into and everything was stolen. Those small shops owners at River Road, Kamukunji, and Nyamakima are innocent traders who take loans. They then go and get a few things from China or Dubai and come to sell. Some buy from a wholesale shop to go and sell. Then there is somebody who is seated somewhere in a house who actually sleeps knowing they will send goons to vandalise shops. It is a shame. Whether we say it is political or not, but whatever it is, one cannot be so selfish that it is about them. One can even burn this nation because of their selfish interests.

Yesterday at 9.00 p.m, I talked on phone to a young lady who used to work in my office. She went to work in the morning and had to walk for three hours going home because there were no *matatus* and *boda bodas*. She was saved by a whisker by a man who held her hand. There were gangs on Thika Road that were raping women and girls. Many women were raped and many shops were vandalised. When the gangs left town, they went to where they came from. As late as midnight, in Dagoretti Corner, people were breaking into shops and small supermarkets such as Kasmatt. It is a sad affair.

In Nyeri, I watched people shamelessly arrive on motorbikes. It is not very hard for the security agencies to know who hired those motorbikes. Those people wanted to break into Kieni Supermarket, which is owned by one of our own. When the police arrived, they moved to Naivas Supermarket. They were carrying a whole refrigerator on their backs. Seats were tied to motorbikes and stolen. The beauty of social media is that people posted videos. I hope the police will use those videos to get those people. My colleague, the Chairperson of the Departmental Committee on Finance and National Planning, Hon. Kimani, was attacked at his home last year. His house was vandalised and his cows stolen. However, one guy did not know that it was a grade cow that required to be fed in a certain way. He took the cow to his house. He did not know what to do with the cow and, by the time he was discovered, the cow was in his sitting room. He could neither take it outside nor feed it. That is the reality. I thank *Mhe*. Kimani because he forgave them when they were arrested. At some point, you have to say: "God forgive them for they do not know what they are doing."

I was in the Azimio Coalition. When the time came for people to go to the streets, I personally chose peace and refused to participate. However, I have never seen Azimio supporters going to the streets to vandalise property or steal from their own. They may have thrown stones here and there, but I have never seen them raping their mothers.

Hon. Temporary Speaker (Hon. Peter Kaluma): Hon. Sabina Chege, how much more time do you need?

(Hon. Sabina Chege spoke off the record)

Hon. Temporary Speaker (Hon. Peter Kaluma): Add her five minutes.

Hon. Sabina Chege (Nominated, JP): Five minutes are okay, Hon. Temporary Speaker. However, I do not want to be interrupted because that would disrupt my line of thought.

Hon. Temporary Speaker, we have had demonstrations before, but we have never heard of people raping their own mothers and sisters. Yesterday was a sad day for me as a mother. Today, I woke up and decided to don the national flag and pray for my nation.

A time comes when you say: "Come, let us reason together." Our young people, the Gen. Zs, are our children. They may have something they wish to say. We can have a national conversation that starts at the ward level, where the young people can get a forum to express themselves. The same can be done at the constituency level, not necessarily with Members of Parliament, especially if they feel they cannot trust us but, possibly, with professionals available at every village or constituency. I tell our young people: "No pain, no gain." If they do not want to sweat or get tired but choose to sit in the house, a time will come when they will be required to offer themselves.

I come from Kinyona Village in Murang'a County. I came to Nairobi City for the first time after I cleared Form IV. I started off as a house girl because I had picked tea from November to February that year and felt I did not want to pick tea again. I came to Nairobi to seek greener pastures and that is how I became a house girl. From there, I went into acting. I once heard a girl say that nowadays, you knock doors where you are known because that is the only way to get opportunities. I wish to remember the Late Kibwana Onguso, who did not know me. He was Luo, not Kikuyu. I went to the Kenya Broadcasting Corporation and asked

to see those behind the *Tausi* programme. The only experience I had was from my high school acting days, where I was the best actress in Central Kenya. I used to act and sing, and that is how I got my first foot in the media, acting in a local TV programme. From there, I moved into radio, did my first degree in education, then a master's in communications. I now hold a PhD. It has not been easy. We need to tell our children that it is not easy.

To the parents, I understand that we give our children freedom and allow them to venture out, but let us also speak and pray for them because charity begins at home. As I have said, many Gen. Zs showed up, delivered their message and went home. I congratulate them.

(The Temporary Speaker (Hon. Peter Kaluma) spoke off the record)

It is true, Hon. Temporary Speaker.

(The Temporary Speaker (Hon. Peter Kaluma) spoke off the record)

No! People have taken advantage, Hon. Temporary Speaker. They are incited by others. People in those regions you have mentioned were asked by their leaders to stay in and they did so. Unfortunately, truth be told, there is a lot of incitement in our region. Many people are bashing the Government. However, people planned to go to State House Girls High School to rape those girls and yet, President Ruto's daughters do not school there. Our children are in that school.

As people purport to want to rise to power, I want to remind them that God sees everything. It is He who gives authority and it is He who looks at our hearts. You are trying to incite the community against a Government you campaigned for. Those same people also want roads from the Government.

I want to remark about some Members of Parliament who attended a funeral today. They said they want roads and yet, they are fighting the Government that they are asking for roads from. We must teach our children, talk to them and tell them that there is hope. If we do not give our people hope, we will continue in hopelessness.

Hon. Joseph Munyoro (Kigumo, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Joseph Munyoro, what is out of order?

QUORUM

Hon. Joseph Munyoro (Kigumo, UDA): Thank you, Hon. Temporary Speaker. Pursuant to Standing Order 35, I rise to raise the issue of insufficient quorum in the House. I do not believe we currently have sufficient quorum to continue conducting business.

The Temporary Speaker (Hon. Peter Kaluma): I order the Quorum Bell to be rung for 10 minutes.

Hon. Sabina Chege, it is unfortunate but, once an issue of quorum is raised, the Speaker's hands are tied. Ring the Quorum Bell.

(The Quorum Bell was rung)

You cannot leave when the Quorum Bell is being rung.

ADJOURNMENT

The Temporary Speaker (Hon. Peter Kaluma): Be upstanding, Hon. Members. The time being 9.57 p.m., this House stands adjourned until Tuesday, 1st July 2025, at 2.30 p.m.

The House rose at 9.57 p.m.

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