

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 14th March 2018

The House met at 2.30 p.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR

DELEGATION FROM THE PARLIAMENT OF UGANDA IN THE SPEAKER'S ROW

Hon. Speaker: Hon. Members, I wish to introduce to you a delegation from the Parliament of Uganda. The delegation, seated at the Speaker's Row, comprises of Members and staff from the Committee on Commissions, Statutory Authorities and State Enterprises as follows:

1. Hon. Medard Sseggon Lubega, MP - Leader of the Delegation;
2. Hon. Florence Namayanja, MP;
3. Hon. Francis Takirwa, MP;
4. Hon. Agnes Ameede, MP;
5. Hon. Abigaba C. Mirembe, MP; and
6. Ms. Justine Namubiru - Parliamentary Officer.

Hon. Members, the delegation has been in the country since 11th March 2018 to interact with our watchdog committees and other Government accountability offices. On behalf of the House and my own behalf, I wish to welcome them to the National Assembly and wish them fruitful engagements during their stay in the country.

I thank you.

PAPERS LAID

Hon. Speaker: Let us have the Chair of the Budget and Appropriations Committee to table his Report on the Division of Revenue Bill, which I have already approved.

Hon. Ichung'wah: Hon. Speaker, I beg to lay the following Paper on the Table of the House today, Wednesday 14th March 2018:

Report of the Budget and Appropriations Committee on the Division of Revenue Bill for the Financial Year 2018/2019.

Thank you.

Hon. Speaker: Next Order!

STATEMENTS

Hon. Speaker: Hon. Members, I hope everybody is in possession of a Supplementary Order Paper. There is a Supplementary Order Paper necessitated by the need to put Questions on two Motions.

BILL

Second Reading

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO. 3) BILL

(Hon. Washiali on 13.3.2018)

(Debate concluded on 13.3.2018)

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

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)

HOJA

KUANZISHA HOSPITALI YA RUFAA YA KITAIFA
KATIKA KAUNTI YA MOMBASA

KWAMBA, tukifahamu Kifungu cha 43 cha Katiba ya Kenya kimeweka wazi kwamba kila Mkenya ana haki ya kuwa na kiwango bora cha afya kinachojumuisha afya bora ya uzazi; aidha, katika utaratibu wa ajenda ya maendeleo ya baada ya Mwaka wa 2015, dunia imewajibikia afya kwa wote na kutimiza Lengo Endelevu la Maendeleo la tatu (SDG-3) kuhakikisha na kuendeleza maisha na afya bora kwa wote; tukiafiki, uwekezaji katika sekta bora ya afya ni muhimu kuhakikisha kila mtu anapata huduma za kimsingi za afya bila kuzingatia eneo analotoka au hali yake ya kiuchumi; tukitambua, asilimia 80 hutegemea huduma ya afya ya umma ilihali kuna hospitali mbili pekee za rufaa nchini ambazo ni Hospitali ya Kitaifa ya Kenyatta - Nairobi na Hospitali ya Rufaa na Mafunzo ya Moi - Eldoret; tukizingatia, Kifungu cha ishirini na tano (25) kikiambatanishwa na Mpangilio wa Kwanza wa Sheria ya Afya, 2017, kinasema kutakuwa na hospitali ya kitaifa ya rufaa katika kila gatuji (Level 6); Bunge hili linahimiza Serikali kuharakisha kuwepo Hospitali ya Rufaa ya Kitaifa katika Kaunti ya Mombasa ili kufanikisha huduma zote za afya zinazohitajika eneo hilo zitumiazio teknolojia pevu na wataalamu wa hali ya juu pamoja na kutoa mafunzo kwa wahudumu wa afya kabla na baada ya kuhitimu.

(Hon. Mohamed Ali on 14.3.2018)

(Debate concluded on 14.3.2018 – Morning Sitting)

Hon. Speaker: Hon. Members, you recall that yesterday I allowed the Member for Nyali to move his Motion in Kiswahili. Those of you who were in the Chamber in the morning recall that there was very lively debate on this Motion, including some Members like the Leader of the Minority Party who was making efforts to contribute in Kiswahili.

I therefore put the Question.

(Laughter)

Hon. Members, I began my Communication in English but I must read the Motion in the language that it is in. It is not my Communication. I have to read the Motion as stated.

(Question put and agreed to)

Hon. Members, these are the challenges that the Member for Nyali has brought to us. He had a popular programme called *Jicho Pevu*, and now he is even bringing *pevu* in the Motion. Nevertheless, congratulations, Hon. Mohamed Ali.

Next Order.

What is your point of order, Hon. Gikaria?

Hon. Gikaria: Thank you, Hon. Speaker. I was made to believe that the Departmental Committee on Energy will give a Statement this afternoon, under Standing Order No.127(5) regarding the progress, and also to ask for an extension because two Bills were committed to the Committee. We were supposed to take only 21 days, which has become impossible.

Hon. Speaker: It is advisable that whenever it is proposed on what to do, my office should be approached in advance to be aware. Nevertheless, you may go ahead, give the report and make the request.

PROGRESS REPORTS ON BILLS BEFORE DEPARTMENTAL COMMITTEES

THE ENERGY BILL, 2017

THE PETROLEUM (EXPLORATION, DEVELOPMENT AND PRODUCTION) BILL, 2017

Hon. Gikaria: Thank you, Hon. Speaker, for your indulgence.

Pursuant to Standing Order No.127(5), I stand here to give a progress report on the Committee's deliberation of the Energy Bill, 2017 and the Petroleum (Exploration, Development and Production) Bill 2017.

Pursuant to the provisions of Standing Order No. 127(1), the Energy Bill 2017 and the Petroleum (Exploration, Development and Production) Bill 2017 were read the First Time in this House on Wednesday, 14th February 2018 and thereafter they were committed to the Departmental Committee on Energy for consideration.

The Petroleum (Exploration, Development and Production) Bill, 2017 proposes to rebuild the Petroleum, Exploration and Production Chapter 308 of the Laws of Kenya. Secondly, the Energy Bill, 207 proposes to repeal the Energy Act (No.12 of 2006) and the Geothermal Resource Act (No. 12 of 1982) of the Laws of Kenya.

The Committee, in line with Article 118 (1) (b) of the Constitution 2010 on public participation, invited views from the public as stakeholders through an advert in the two main dailies on 22nd February 2018. At the close of the date meant to receive written memoranda, the Committee had received a total of 22 written submissions, among them from the Council of Governors, Kenya Private Sector Alliance (KEPSA), Kenya Oil and Gas Association (KOGA) and Turkana County Assembly.

Due to the emotive nature of the two Bills, especially the Petroleum (Exploration, Development and Production) Bill 2017, the Committee resolved to as much as it would be practical undertake exhaustive public participation over and above considering the written memoranda that the Committee had received from the public.

The Committee resolved to undertake public hearing in six counties, namely; Turkana, Marsabit, Lamu, Kitui, Nakuru and Narok. This decision was guided by the fact that these counties are hosting critical power and petroleum installation. Therefore, it is critical for the Committee to hear the views of the *mwananchi* residing in those areas. Consequently, the Committee has in the past one week undertaken successive public hearings in Turkana County that is in Turkana East Constituency, Turkana South Constituency and Turkana Central Constituency. In Nakuru County we visited Nakuru Town East Constituency and Naivasha Constituency. In Narok County we visited Narok East Constituency in Suswa. Additionally, the Committee shall hold public hearings in Nairobi County tomorrow, Thursday, 15th March 2018, followed by hearings in Kitui County and Lamu County over the weekend.

Arising from the aforementioned, the Committee seeks approval from the House for extension of period for consideration of the two Bills by a further 21 days to allow the Committee to undertake and exhaustively conclude the public hearings as envisaged under Article 118 (1) (b) of the Constitution of Kenya as well as Standing Order No. 127 (30) of the National Assembly. Therefore, we wish to request the House Business Committee to consider scheduling the Second Reading of the Petroleum (Exploration, Development and Production) Bill, 2017 and the Energy Bill, 2017 on or after 27th March, 2018.

Hon. Speaker: Your request is that an extension be given until on or... Is it after 27th?

Hon. Gikaria: After the 27th because we will table our report on the 26th of this month on the Petroleum (Exploration, Development and Production) Bill and the Energy Bill. I have just explained that we have further public hearings in Lamu and Kilifi because of coal which is a very significant part. We will also go to Mwingi in Kitui so that we can hear what the public has to say. Of course, we will be through with the memorandum tomorrow in the evening but we still have this weekend to visit Lamu and Murang'a. In Murang'a, there are some tea farmers who would want to produce their own power and that has also been envisaged in the Bill. They also wanted us to visit Embu and Murang'a and go further to Mwingi in Kitui where there is coal. After that, the Committee will retreat to write a report which will be tabled before the House for deliberation.

Hon. Speaker: Do you not expect to be through before 27th March 2018?

Hon. Gikaria: We will table our report by Thursday, 29th March at the latest. Those were the dates. I cannot remember because we had agreed that by Thursday, 29th March, we will have tabled our report. Thereafter, because the HBC sits on Tuesday, they can schedule the two Bills for debate after 29th.

Hon. Speaker: Let us have the Leader of the Majority Party.

Hon. A.B. Duale: Hon. Speaker, I agree with the Chair, these two Bills were dealt with by the 11th Parliament. I really want the Chairs of Committees and every Member of this House

to have the Calendar of the Assembly stuck somewhere in his or her office so that as you program things, you know what to do.

If you are talking of the 27th and the 29th, then that means this Bill will only be dealt with for Second Reading after the recess which will be sometime in May. We have a new Ministry of Petroleum and Mining which needs to use this law. I urge the Chair to at times have no need to travel. The stakeholders can present their memoranda to Parliament. The Standing Orders are very specific that from the day the Bill is read for the First Time, there is a period stipulated during which the report is supposed to be tabled. From the way we are moving now, we will have no business for the plenary.

The Chairs must also give an opportunity to the Vice-Chairs. If the Chair and Vice-Chair are away, the Committee Members can elect one of their own to chair and table a report. As we move on, the Chair must be conscious of the Calendar of the House, the users of those Bills and the workload that the HBC can allocate. If we continue this way, then we might as well say that we have no business. The -Cybercrimes Bill is ready but the Chair is in Malaysia. The Irrigation Bill is ready but the Chair is away. You are the Chair for the Departmental Committee on Administration and National Security, unless you have forgotten. The Irrigation Bill is under the Departmental Committee on Agriculture and Livestock. I have introduced about 10 Bills in this House and nothing has come back.

I hope the Chair of Departmental Committee on Transport, Public Works and Housing will table the report on the Nairobi Metropolitan Area Transport Authority Bill tomorrow so that we have some work to do tomorrow or on Tuesday next week. I hope the Chair of the Budget and Appropriations Committee is ready for us to deal with all the stages of the Division of Revenue Bill tomorrow afternoon. We must all of us together look at the Calendar of the House. We do not just say that we want to go to Lamu, Kitui or Garissa. There were even memoranda given by those people in the 11th Parliament. I am sure it is on HANSARD. It can be used.

Hon. Speaker: Hon. Members, the Chair requested that the Bill be considered after 29th March, 2018. Fortunately, I have the Calendar in my head. We will be sitting up to that date. We will go on a short Easter recess of 10 days and resume on Tuesday, 10th April, 2018. You can check your calendars. That is what it says. I would expect that, therefore, Hon. Gikaria, your two Bills should be ready at least for debate not later than 10th April, 2018. If you can table the reports on 26th or 27th March, it is possible that debate can even commence so that you can also tell us what it is you have picked from the stakeholders.

Let us have Hon. Wamalwa.

Hon. Wakhungu: Thank you, Hon. Speaker. The Leader of the Majority Party has said something of concern. If you are Chair of a Committee you do not have to be everywhere. You can have subcommittees. We have said this before. You do not have to go to Nakuru, Murang'a or Lamu. You need to divide your Committee into subcommittees. This can be done parallel within one week so that we can have business to consider. A lot of business is generated by those Committees. In case the Chairs are not competent, they should be replaced with time so that we can have those who are competent. The other day we did not have business. Most of the Bills were stepped down because we never had reports. This is because of the new rule that stipulates that unless a report is tabled in the House, a Bill cannot go to the Second Reading.

Hon. Speaker, inform the Chairpersons of Committees that business is not as usual as was the case in the 11th Parliament. So, they need to pull up their socks, including the Vice-Chairpersons. They should be up to the task. Indeed, the workload is much. With the Opposition

side now co-operating with the Government side, we can work together and have some Chairpersons of Committees from the Orange Democratic Movement Party (ODM) to help.

Thank you.

Hon. Speaker: Hon. Makali Mulu.

Hon. Mulu: Thank you, Hon. Speaker. I agree with the Leader of the Majority Party in terms of the time it has taken for the two Bills to be finalised.

I want to comment on the issue of public participation. We all agree that public participation is a very important component of the whole process. I have heard Hon. Gikaria say that they will be visiting Kitui County which happens to be my county. I am wondering to what extent they have mobilised the local leaders. I chair the parliamentary forum for that county, but I am not aware of the visit. I wonder whether they have done leadership mobilisation. Otherwise, public participation will not be effective.

Thank you.

Hon. Speaker: Hon. Gikaria.

Hon. Gikaria: First, I agree with the Leader of the Majority Party. What he said is true. We have done exactly what Hon. Chris Wamalwa has said. We have divided ourselves into four teams of four persons each. Unfortunately, Members of one of the teams have travelled to attend a conference on woman status in New York. So, the team was unable to do anything because it is only one Member who remained. That is why we did not do much.

Regarding the other issue he raised, I would like to inform him that the Chairman does not want to chair every meeting. We had agreed to split ourselves into four groups and each would have brought their views.

Remember last week the Commonwealth Parliamentary Association Post-Election Seminar in Mombasa took one full week from us. We had intended to visit Lamu and Kilifi but we were unable to do that because of logistical problems in the Clerk's Office. We were unable to visit those places immediately after the seminar in Mombasa.

Regarding mobilisation of Members of Parliament, we have exactly done that. It is only unfortunate that Members do not check their mail in the pigeon holes. We were in Turkana and we had all Members of Parliament from that region attending except one. We also went to Nakuru and we had a number of Members of Parliament of the area attending. Some did not attend because their constituencies are not involved. A good example is Kuresoi. So, most of them did not attend.

Basically, we do a lot of mobilisation, but true as you have said, we have also encountered problems in public participation. Whenever we go for public partition, you find a crowd that does not know the reason of your going there. It is only the leaders who have knowledge. That has become a challenge and we will be looking at public participation from a different perspective so that if it is for a Bill then we would be required to improve on mobilisation.

Thank you.

Hon. Speaker: Hon. Gikaria, what your Committee is doing is commendable, but unfortunately I can only sympathise with you because as you have correctly pointed out, last week the post-election seminar took place and your Committee could not sit. Then starting Monday this week there is the conference on the status of women taking place in New York and several of our colleagues are enjoying themselves there. I hope when they return they will present to us a report to tell us the status of women. Over the years, in the month of March there is always that conference on the status of women in the world. Those women we sent from our

Parliament never tell us what the status is. But, of course, this is to encourage those who travel to write reports. When the conference ends on 25th of this month, we expect a report showing the status of women in the world and specifically in our country. If they went to know the status of women in New York, they will also come and tell us so that we see whether it is the same as we know it locally.

Member for Kikuyu.

Hon. Ichung'wah: Thank you, Hon. Speaker. I rise on a point of order in relation to the question of public participation. I listened to the Chairman of Departmental Committee on Energy. He pointed a number of areas where the Committee had an opportunity to conduct public participation. Public participation, Hon. Speaker, you can remember in the 11th Parliament, created a lot of problems for the then Budget and Appropriations Committee. I am careful not to land in the same shoes my predecessor did. I do not know whether it will be right for us to have some sort of framework on public participation.

I listened to the Chairman of the Departmental Committee on Energy and the first constituency he mentioned they visited is Nakuru Town East Constituency, which is his. The second constituency he mentioned they visited is Narok East Constituency represented by Hon. Aramat who is also a Member of the Committee.

Hon. Speaker, I want your guidance. As we embark on public participation, is there a criterion this House can adopt and use such that when Members of a Committee serve, we do so in the national interest and not our own? We all have constituencies and communities' interests, but the overriding principle should be that of national interest. Therefore, I would have expected the Departmental Committee on Energy to spend much more time in, say, Loiyangalani, Garissa and Marsabit where there is wind power. There is also the Lake Turkana power project that is almost collapsing. There are areas in Kikuyu in Nachu where there is huge renewable energy potential. There is also Limuru which Hon. Peter Mwathi represents. There is actually an area they have christened *Mwanya wa Ruhuhu* which translates to a valley of wind. Those who have flown across Suswa Valley in choppers or in light aircraft can tell how strong the wind is around Limuru, specifically the Kikuyu Escarpment towards Suswa.

The Chairman has clearly articulated that the people they went to meet, for instance in Nakuru Town East, or in Suswa, had no idea on what public participation is. Had they come to Kikuyu and Limuru where there is *Mwanya wa Ruhuhu* they would have met people who have knowledge about wind energy.

Hon. Speaker, I would like you to give guidance to the Committees so that when we go out to conduct public participation we restrict ourselves to that which is in the public interest and for the national good and not to take our Committees to our constituencies and end up wasting this House's and national resources by going to engage with people who have no idea what public participation is all about. I am saying that on the basis of what the Chairman of the Departmental Committee on Energy has said.

Thank you.

Hon. Speaker: It looks like we are back to Question Time. I remember even Question Time was never business. Hon. Gikaria you have heard the Member for Kikuyu Constituency speak in an advisory way.

(Hon. Agwenyi spoke off record)

Hon. Jimmy Agwenyi is whispering that he wants to defend Hon. Gikaria and yet Hon. Gikaria is here. It is not possible. We are not in a court of law where you engage a lawyer to defend you and you can choose to remain silent as your lawyer speaks or rumbles on and on.

Hon. Gikaria, respond to that matter.

Hon. Gikaria: Thank you, Hon. Speaker. This is just to tell my brother, Hon. Ichung'wah to read the Bill. The revenue share will go to the county and the sub-county. Nakuru Town East is not a sub-county. It was written Nakuru Town East but we went to Nakuru County Assembly which is situated in Nakuru Town West. That is where we went.

Secondly, as to whether people know about the Bill, we went to these places and so many people gave us brilliant ideas. Maybe the people on the ground were mobilised by few people like the commissioners. You can see from the presentation that was given that the public knows and understands the contents of the Bill and most importantly the local content that is indicated under Section 234 of the two Bills. We decided to go where geothermal power is generated and that is Naivasha and Narok. In Nakuru, we went to the county assembly to get its views on matters of revenue sharing.

I agree with what Hon. Ichung'wah is saying. We need to have a formula on how we handle public participation. Who mobilises the people? We are finding it very difficult. We went to Turkana and the people were so many. They gave us brilliant ideas from the villages but again you feel that either the Member of Parliament is burdened by mobilisation or someone else is. We need to define public participation in a way that we do not burden a few people who are supposed to mobilise people for public participation.

Hon. Speaker: Of course, as a House, you also have the duty and obligation to provide that framework, whether you put it in form of our Standing Orders or indeed on standalone legislation. You as Members have the power to give that framework so that nobody sees things like villagers being ferried in donkeys. He threatened to go Kitui. I can see Hon. Makali Mulu saying he is not aware. If you make him aware the day you will be there, you will find a lot of people.

Hon. Ekomwa: On a point of order, Hon. Speaker.

Hon. Speaker: There is nothing out of order. You are making this a debate. It is not a debate.

Hon. Ekomwa: *(Inaudible)*

Hon. Speaker: You are now out of order. It is out of order for you to rise in your place and start addressing yourself because you are not addressing the House. That is not the proper way. This is not a debate. Hon. Gikaria requested for extension of time which I accede to because we appreciate the interest that the two pieces of legislation, particularly the Petroleum (Exploration, Development and Production) Bill and the Energy Bill have attracted in the country as a whole. It is only fair that you get that time to hear as much as possible from the communities because it is the element of revenue sharing between communities, counties, and the national Government. It is only fair that you have sufficient time so that when you bring your report, you also capture those views and give us your observations and the conclusions that you will have arrived at after those hearings. Hon. Gikaria, the request is acceded to.

Hon. Members, before we proceed, allow me to recognise the presence, in the Speaker's Gallery, of students from St. Andrews Secondary, Gilgil Constituency, Nakuru County and staff from Turkana County Assembly; and in the Public Gallery, pupils from Lower Kabete Primary School, Westlands Constituency, Nairobi County; Gatunyu Primary School, Gatanga

Constituency, Murang'a County; and Gacatha Secondary School, Gichugu Constituency, Kirinyaga County. They all welcome to observe the proceedings in the National Assembly. Next Order.

SPECIAL MOTION

APPROVAL OF NOMINEE FOR APPOINTMENT TO THE OFFICE OF SOLICITOR GENERAL

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

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the Vetting of the Nominee for Appointment as the Solicitor General, laid on the Table of the House on Tuesday, 13th March, 2018, and pursuant to the provisions of Section 9(1) of the Office of the Attorney-General Act, 2012 approves the appointment of Mr. Kennedy Nyabuti Ogeto to the Office of the Solicitor-General.

In exercise of powers conferred by Section 9(1) of the Office of the Attorney General Act, 2012 and pursuant to provisions of Sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, the President forwarded to the National Assembly a notification of nomination of Mr. Kennedy Nyabuti Ogeto as a nominee for the appointment to the position of the Solicitor General. Pursuant to the provisions of Standing Order No. 42(1), you conveyed to the House the Message from the President. Effectively, therefore, that was committed to the Departmental Committee on Justice and Legal Affairs for the vetting of the nominee.

As required under Article 118(1)(b) of the Constitution and Section 6(9) of Public Appointments (Parliamentary Approval) Act, 2011, the public was invited through newspapers to submit memoranda on the suitability of the nominee to the office. The nominee appeared before the Committee on 2nd March 2018. It is important for this House to note that in the vetting of the nominee, we were guided by the provisions of Section 7 of the Public Appointments (Parliamentary Approval) Act, 2011 that states:

“The issues for consideration by the relevant House of Parliament in relation to an approval shall be –

- (a) the procedure used to arrive at the nominee;
- (b) any constitutional or statutory requirements relating to the office in question; and
- (c) the suitability of the nominee for appointment proposed having regard to whether the nominee's abilities, experience and qualities meet the need of the body to which the nomination is made.”

I will be able to capture those three areas because they are very important.

On the procedure, Section 9(2) of the Office of the Attorney General Act, 2012 says that the President shall nominate a person for appointment as a Solicitor General from among persons recommended by the Public Service Commission. The Departmental Committee on Justice and Legal Affairs was satisfied that, that procedure envisaged in Section 9(1) and (2) of the Act was fulfilled in arriving at the nominee.

Hon. Speaker, the third item is constitutional or statutory requirements relating to the office in question. There are a number of qualifications required under the law to be held by the person to hold the Office of the Solicitor General. A person shall be qualified for appointment to the Office of the Solicitor General if the person is qualified to hold the office of a judge of a

superior court under the Constitution; and, meets the requirements of Chapter Six of the Constitution.

I wish to confirm to the House again that those provisions as to the qualifications required are, indeed, held by the nominee. He holds a law degree, he has the experience necessary and a high moral character, integrity and impartiality as required in the Constitution.

The third item is on leadership and integrity. While determining the suitability of the nominee for appointment, the Committee took into account the provisions on leadership and integrity as provided for by Chapter Six of our Constitution. Most importantly, the Committee took into account the provisions of Article 173, 75(1), 77 and 78. The Committee undertook due diligence on the nominee to establish his leadership and integrity record. We are satisfied as a Committee that the nominee had the relevant experience. He also was cleared by the Ethics and Anti-Corruption Commission (EACC), the Kenya Revenue Authority (KRA) and all other agencies required to clear a nominee.

On memoranda from the public, this is also very important. We have just discussed about public participation. We are impressed that there was no memorandum objecting to the nomination of this person for appointment as the Solicitor General.

The functions of the Office of the Solicitor General prove it is a very important office in our country. We looked at various items on his academic qualifications, employment record, professional affiliation, potential conflict of interest, knowledge of the relevant subjects, and overall suitability to the position, integrity, vision in leadership and expectations and key priority issues. Allow me just to refer to only two areas which we were able to observe during the vetting process. This nominee holds a Bachelor of Laws Degree and a Master's Degree. He has practised law for the last 27 years. He is currently the managing partner at the law firm of M/s Ogeto Otachi & Company Advocates.

He also was a defence counsel in the United Nations International Criminal Tribunal for Rwanda (UN-ICTR) in 2007/2008. He was also a defence counsel at the United Nations Special Court for Sierra Leone. He has also been a defence counsel at the International Criminal Court (ICC). These are very important contributions of this nominee. One of the challenges we have and this is important for Members because, as we stand, we have a serious challenge in this country, we have an outstanding amount worth Kshs88 billion in terms of judgments against the Government. This is an amount relating to judgments issued by our courts against the Government. Our concern as a Committee was how this nominee will be able to deal with this issue. We are satisfied that he has the necessary skills. He is going to come up with certain strategies; he was able to explain to the Committee and we were satisfied that he has the requisite commitment to serve in this position.

As I conclude, allow me to refer to the observations of the Committee regarding this nominee. On his academic credentials, professional training and experience are in compliance with the qualifications for appointment as required under Section 9(3) of the Office of the Attorney General Act, 2012. His experience in public and private sector will add value to the Office of the Solicitor General. There were no memoranda received on contesting his nomination and suitability. He satisfied Article 78(1) of the Constitution because he is a Kenyan citizen, and he does not hold dual citizenship. He also satisfied Article 78(2) of the Constitution. There would be no potential conflict of interest, as stipulated in Article 75(1) of the Constitution. He has never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution. He satisfies the requirements of Chapter Six of the Constitution on leadership and integrity. He has never been charged with a criminal offence in a court of law.

He had not been adversely mentioned in an investigative Report of Parliament or any other commission of inquiry in the past three years. He has satisfied the requirements of Article 77(2) of the Constitution because he does not hold office in a political party. He has never been dismissed from office under Article 75 of the Constitution. He exhibited knowledge and understanding of the mandate and other pertinent issues relating to the Office of the Solicitor General.

In view of those observations, as a Committee, we are satisfied that all the requirements or things to be fulfilled for this office were met by the nominee. Therefore, the Committee recommends to this House that pursuant to Section 9(1) of the Office of the Attorney General Act, the House approves the appointment of Mr. Kennedy Nyabuti Ogeto as the Solicitor General by His Excellency the President.

Hon. Speaker, I beg to move and request the Leader of the Majority Party to second.

Hon. Speaker: Hon. Duale.

Hon. A.B. Duale: Thank you, Hon. Speaker. I will take not more than two minutes.

Kennedy Nyabuti Ogeto is a very refined, decent and seasoned lawyer. I have engaged with him when we were at the ICC. He was representing our leaders at the ICC. I know him personally, both in public and in private. Kennedy Ogeto will turn the State Law Office into an effective and efficient institution. Of late, the Government has been losing cases. Mr. Ken Ogeto must fix that problem. Where an appeal is needed, he must appeal. He must respect the committee and the House. When every person, be it a Cabinet Secretary, Principal Secretary, Solicitor General, Attorney-General or Director of Public Prosecutions appears before the House, they are so humble, they are very good, they kneel down and present their CVs. The moment this House approves their names, there are Cabinet Secretaries, Principal Secretaries and other State office holders who tell Members of Parliament to leave their phones outside the office. The only time we are not supposed to carry our phones is when we are meeting the President, the Deputy President and the Right Hon. Raila Odinga in person. Those three!

(Laughter)

Only those three people in this country called Kenya. If you have a chat with the President, the Deputy President and the Right Hon. Raila Odinga, you are under obligation not to enter that room with your phone. Anybody else... I want to urge Members not to be intimidated by the people we vet and the people we appropriate money to. They must respect the House. Hon. Speaker if you allow me, there are colleagues who had issues with the Cabinet Secretary for Health. I know all of them are listening. If you do not fall in the category of the three eminent persons I have said, you cannot tell a Member of Parliament to switch off his phone or to leave it outside. So, Ken Ogeto, I know you are up to the task; you must transform the State Law Office. We are looking at you and the nominee for the position of the Attorney-General, a refined distinguished Judge Kihara, because you are the link between the Legislature and the Executive in terms of Government Bills. You are the one who deals with the Office of the Speaker, the Office of the Clerk and the Office of the Leader of the Majority Party. So, we expect Ken Ogeto to have good relationships with the Departmental Committee on Justice and Legal Affairs. You know we have serious business to discuss this afternoon. If you check your 411 an invitation has already been given to Hon. Uhuru Kenyatta, whether he will accept it or not, I do not know. He is in Cuba. Other leaders have seen the light which Hon. Raila Odinga saw and now they want to meet the President. This is the Kenya we want to build. So, Hon.

King'ola and Hon. Omboko Milemba come and meet me. All of us should meet somewhere to build Kenya.

I beg to second.

(Question proposed)

Hon. Members: Put the Question.

Hon. Speaker: Order Members! It looks like there is some form of unanimity that I put the Question. Can I get the answer to the question that I put the Question.

Hon. Members: Put the Question.

Hon. Speaker: Hon. Members, pursuant to your own approval that I put the Question, I hereby do.

*(Hon. Momanyi stood in his place when
Hon. Speaker was putting the Question)*

Hon. Speaker: What is wrong with this Member?

Hon. Members: A whole Commissioner!

Hon. Speaker: You see now, this is a problem. Hon. Momanyi, because I have read your CV, please, just go and read your Standing Orders again.

I repeat to put the Question.

(Question put and agreed to)

MOTIONS

REPORT ON THE NATIONAL CONSTRUCTION AUTHORITY (AMENDMENT) REGULATIONS 2017

Hon. Speaker: Chairperson of the Committee on Delegated Legislation? Do we have a vice chair?

Hon. (Ms.) Fatuma Ali: Yes.

Hon. Speaker: Are you ready to move the Report.

Hon. (Ms.) Fatuma Ali: Thank you, Hon. Speaker. I wish to move the Motion to annul the National Construction Authority (Amendment) Regulations, 2017. The mandate of this Committee is...

Hon. Speaker: The sense I get in the House is that you move the Motion then you can explain. I am sure the House knows the mandate of the Committee. Just go to the Motion, essentially what is it you are asking the House to do.

You do not have the Report?

Hon. (Ms.) Fatuma Ali: I have it: The Report of the Committee on Delegated Legislation on the National Construction Authority (Amendment) Regulations, 2017.

(Hon. (Ms.) Fatuma Ali received documents from several Members)

Hon. Speaker: I thought induction courses were conducted for all committees: How to move a Motion for adoption of a Report of your own committee. You can even read the way it is on the Order Paper. People who are around do not appear to understand because they are giving you all manner of papers.

Hon. (Ms.) Fatuma Ali: Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Committee on Delegated Legislation on the National Construction Authority (Amendment) Regulations, 2017, laid on the Table of the House on Tuesday, 13th March 2018, and pursuant to the provisions of Section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b) annuls in entirety the said regulations.

I beg to move.

Hon. Speaker: Anybody seconding you.

Hon. (Ms.) Fatuma Ali: Sir George.

Hon. Speaker: Sir? That is a new title in this House.

(Laughter)

Hon. Speaker: Hon. Gitonga Murugara, I did not know that you have been knighted by your committee?

Hon. Murugara: Thank you, Hon. Speaker. It is interesting and fantastic to be knighted so that I take a new title and possibly the House will move to the House of Lords, that is where you find Sirs sitting.

Hon. Speaker, I beg to second the Motion. The Committee, having considered the National Construction Authority (Amendment) (NCA) Regulations, is of the opinion that those regulations have not been made *intra vires* the statute which is the Statutory Instruments Act. There was no public participation, and if any, it is said to have been very limited. There are other observations contained in the Report which make it almost mandatory for this Committee to recommend to this House that those regulations be allowed.

I beg to second.

Hon. Speaker: Order Members!

*(An Hon. Member walked into the Chamber
while the Speaker was upstanding)*

Hon. Members: Freeze! Freeze!

Hon. Speaker: Order Members! Not that way! We have a problem in this House. It is also fair to appreciate that any regulation-making authority in this country is required under the Statutory Instruments Act to gazette any proposed regulations and statutory instruments and within seven days table them before the relevant House of Parliaments. However, anything done on the authority of those regulations, until annulled by any House of Parliament, remains in force. Nothing done by those authorities is deemed to be in contravention of the law. This Committee makes this proposal which I hereby do to the House.

(Question proposed)

(Question put and agreed to)

Next Order.

BIPARTISAN RESOLVE TO SUPPORT THE INITIATIVE ON “BUILDING BRIDGES”

Hon. Ng’ongo: Hon. Speaker, I beg to move the following Motion:

THAT, acknowledging that the meeting between His Excellency, The President, The Hon. Uhuru Kenyatta and the distinguished Leader of the NASA Coalition, The Right Hon. Raila Odinga of Friday, 9th March 2018 putting aside political differences through building bridges marked an important and historic moment for the country; Aware that this extraordinary opportunity will enable Kenyans to face and address the challenges currently faced, and openly and honestly discuss successes and failures and finally formulate and implement the necessary corrective measures for the country to move forward; Cognizant that, ahead of and immediately after the 2017 general elections, Kenya witnessed a number of political upheavals including and not limited to the demonstrations and hate speech which threatened to polarise the country along political and ethnic differences; Recognising that, the Initiative by His Excellency the President and the Leader of the NASA Coalition made on 9th March, 2018 on ‘Building Bridges to a new Kenyan Nation’ and aimed at ensuring an all inclusive and cohesive Nation will require facilitation and support from all arms of government and relevant institutions; Committed to the determination of all Kenyans to live in peace as one indivisible sovereign nation; Further recognising that there is need to roll out and implement programmes on shared objectives in a bipartisan manner as was agreed by the two distinguished Leaders-

NOW THEREFORE-

(a) the thanks of this House be recorded in commending the H. E The President, The Hon. Uhuru Kenyatta and The Right Hon. Raila Odinga for providing leadership in the patriotic task of promoting unity, peace and harmony in the country and initiating the move towards ‘Building Bridges to a new Kenyan Nation’; and

(b) this House commits itself to support and advance, within its mandate, the aims and objectives of the initiative of ‘Building Bridges to a new Kenyan Nation’.

Hon. Speaker, as the dust settles on the events that shaped the 2017 General Election and the grueling politics of our country, from the outset, as the Leader of the Minority Party, I support the unity pact reached on Friday 9th March 2018 between our leader, His Excellency Raila Odinga and His Excellency President Uhuru Kenyatta. This extraordinary opportunity will enable Kenyans to face and address the challenges currently faced and openly and honestly discuss successes and failures and finally formulate and implement the necessary corrective measures for the country to move forward.

Hon. Speaker, certainty, peace, love and unity and the best interest of Kenyans are the values that we have in mind in this endeavor. As a minority party or a coalition of parties, it has always been our feeling that in the delicate socio-economic and political environment in which this country found itself, we need to advance a process of peaceful dialogue. The much sought after national healing and reconciliation process would not have come at a better time. This is what we had in mind.

Hon. Speaker, I want to briefly give a background of where we are today. Allow me to briefly give a synopsis of the journey we have walked. With this, I want us to take ourselves down the memory lane and remind us or this House of some history that has shaped our country. It is said that a people without the knowledge of their past history, origin and culture is like a tree without roots. It is not in doubt, and I am sure that this House will appreciate that Hon. Raila

Amolo Odinga has always participated and has been in the forefront in shaping the politics of this country and setting the political agenda.

We are all aware of the hotly contested General Election of 2007, 2013 and the most recent one of 2017 and their resultant outcomes. However, I do not want to dwell much into what has happened in those elections because we all know and probably, it may not be appropriate to revive them at this point and time. In 2002, when the Opposition united under the former President His Excellency Mwai Kibaki to gain power from the then ruling party, Kenya African National Unity (KANU) - and Hon. Speaker, I am sure you were part of KANU - the country was actually very optimistic of a rebirth. Indeed, the victory of National Rainbow Coalition (NARC) in that year set the country back to recovery path which saw the economy resuscitated. Investor confidence was very high in 2003 and Kenya was actually rated the most optimistic country in that particular year. However, this has been dipping every election year in which we have been having challenges.

Hon. Speaker, the stable political transition in 2002 generated considerable goodwill from the international community. By the end of 2008, the international donors had signaled their intention to resume normal flows to Kenya which had been stopped. Economic growth rose in that particular year of 2003 to 1.4 per cent from a meagre 1.1 per cent of the Gross Domestic Product (GDP). However, under the Economic Recovery Strategy (ERS) which was launched in June 2003, economic policy was re-oriented to stimulate growth. This saw the Gross Domestic Product (GDP) rise steadily in growth from a rate of 1.4 per cent as I have just mentioned in 2003 to 6.9 per cent four years later in 2007. After the disputed general elections in 2007, again the GDP dropped drastically to only 0.2 per cent in 2008. We want to take the nation back on the track of prosperity. This is what we had in mind.

Hon. Speaker, I also want to mention that when the Grand Coalition Government was formed in 2008 and with the promulgation of a new Constitution in 2010, there was renewed hope among Kenyans. The GDP rate in 2010 was the highest so far recorded in the history of this country at 8.4 per cent. With political uncertainty which has caused anxiety among Kenyans over the last few years resulting into a poor business environment, the GDP has been dropping steadily and by the end of 2017, the GDP growth rate had dropped to 5 per cent. In the first quarter of this year 2018, it now stands at around 4.4 to 4.5 per cent. This trend should torment us as lawmakers who approve taxation. We want to address the worrying trend that now bothers all Kenyans irrespective of political or ethnic background. This is what we have in mind.

In 2017 we had a hotly contested general election which sowed seeds of discord among Kenyans and for the first time in our history as a country the Presidential election was annulled after a successful petition in the Supreme Court. A fresh Presidential election was called but as the Opposition, we did not trust in the process and called for the irreducible minimum reforms that never happened. I hope this House will remember that we kept on singing: “irreducible minimum”

I have taken this House through this history to understand where we are and where we are heading to, and the reason why it became necessary that we work together as a country. Despite our call for a reformed fresh, free and fair poll, the Independent Electoral and Boundaries Commission (IEBC) went ahead and set a date for the repeat elections. We did not however participate in the repeat elections, a process that resulted into His Excellency Uhuru Kenyatta being declared the President again. The events were characterised with violence, police brutality, massive boycott from NASA strongholds and serious ethnic polarisation that once again reminded us of our tribal affiliations albeit in bad taste.

His Excellency President Uhuru Kenyatta was then sworn in on 28th November 2017, an event that triggered the call from the NASA supporters for H.E Raila Odinga to also be sworn in as the People's President. With all preparations in place, we went ahead as NASA and H.E Raila Odinga also took oath of office as the People's President on 30th January, 2018. These events left our country with a lot of uncertainty, deep ethnic divisions, a really polarised country and worst of all a battered economy. We want to address these fears, political divisions and ethnic hatred now. This is what we had in mind.

Hon. Speaker, in all the instances where our country has experienced sharp political differences, the economy has been on a nosedive as compared to instances where the country has been united. Hon. Speaker, this is what we have in mind when we say we support the initiative by the two distinguished leaders, H.E Raila Odinga and H.E the President, Uhuru Kenyatta. It is without doubt for the common interest of Kenya and Kenyans.

Hon. Speaker, so as we do not miss the point and assume that it is all about Raila Odinga, let me again remind this House that in 2003, the current President H.E Uhuru Kenyatta was the Leader of Official Opposition and the head of the Minority Party then, the Kenya African National Union (KANU). I think there is some luck in being the Hon. Leader of the Minority Party probably... The cooperation he gave the National Rainbow Coalition (NARC) Government that year, led to the formation of a Government of National Unity in 2005, this supported the robust economic growth witnessed between 2003 and 2007.

This is a clear show that when the whole country works together, we prosper. An all-inclusive process of governance has always been beneficial to the people of Kenya. This is what we have in mind, when we urge this House to support the initiative on 'Building Bridges to a new Kenyan Nation'

Hon. Speaker, I wanted to touch briefly on the strategy of NASA before this historic event of last Friday. As the NASA Coalition, we had put in place elaborate strategies that would have seen us finally reach 'Canaan'. We had formed People's Assemblies in most of our counties which would have culminated into the National People's Convention of about 10,000 delegates that would have brought together representatives from all counties including governors, Members of Parliament (MPs), leaders of Majority and Minority parties from the county assemblies, Members of County Assemblies (MCA) and speakers; the civil society, youth, women representatives, religious leaders among other Kenyans.

The main agenda was to discuss 'Project Kenya' or 'Which way Kenya'? The resolutions were to be brought to the National Assembly in form of a Bill and also to the county assemblies, processes that would have led to a referendum on amendment of the Constitution through popular initiative.

However, where we are now I want to confirm today to this House that we have since suspended the People's Assembly to give room to dialogue and in honour of our two leaders H.E the President Uhuru Kenyatta and H.E Raila Odinga by supporting their initiative on 'Building Bridges to a new Kenyan Nation'. I salute the magnanimous statesmanship of the two leaders who have decided to come together to restore unity. The magical handshake on 9th March, 2018 has again renewed hope among Kenyans, and as evident from the political sentiments from both sides of the political divide, Kenya is headed in the right direction.

I want to urge all leaders from all spheres of the society, but particularly the elected leaders and significantly Parliament to embrace this national project of healing and national reconciliation to foster commitment to national development. Hon. Members, our greatest glory

is not in never falling, but in rising every time we fall. Hon. Speaker, this is what we have in mind!

Hon. Speaker, I appreciate that the Memorandum of Understanding (MOU) between H.E the President Uhuru Kenyatta and H.E Raila Odinga is not a merger. I want to be very clear. Neither is it a coalition, but rather cooperation on national healing and development. This cooperation will see Kenyans coming together to look at those areas which have divided this country and come up with solutions which will complement the path that we have walked of reforms and total democracy. Kenyans are used to where when two political groupings come together, they imagine we only come together to share positions. I want to be very clear that this meeting of minds is to talk about the reforms that we have been walking all along, total democracy and development of this country, the progress of this country in terms of economic growth. They have agreed to have certain structures in place to support the growth of the country. As their followers, we await for the proposals to deliberate on and eventually support them.

As the 35th President of the United States, John F. Kennedy once said; “Peace is a daily, a weekly, a monthly process, gradually changing opinions, slowly eroding old barriers, quietly building new structures.” Thus as a House, I call upon all lieutenants from both sides of the political divide, both Jubilee and NASA to tone down our language, calm our emotions, embrace the sign of times and gestures and follow our leaders to the path of prosperity.

Hon. Speaker, it is refreshing to note that the issues that have continued to occupy the minds of Kenyans will be addressed. Some of these issues include but not limited to:

1. Inclusivity and ethnic polarisation.
2. Restoring confidence in our electoral system.
3. Structure of the Executive (whether Presidential, Parliamentary or Hybrid)
4. Independence of the Judiciary.
5. Compensation to victims of violence.
6. Corruption.
7. Addressing the issue of police brutality through conclusive police reforms.
8. Deepening democracy.
9. More support to devolved units of government, and
10. Clear support to the Big Four Agenda of Jubilee Government.

We want to support Jubilee’s agenda of agriculture and food security, promotion of the manufacturing sector, the universal medical care and also support affordable housing; and also recognising that there is need to roll out and implement programmes on shared objectives in a bipartisan manner as was agreed by the two distinguished leaders.

I urge my colleagues to rise to the occasion and support any legislation or structural adjustment to our framework that may come our way, and that is aimed at enhancing the initiative of building bridges to a new Kenyan nation. This is what we have in mind. As the Leader of the Minority Party, I urge my colleague, the Leader of the Majority Party, who is also my friend; that we work hand-in-hand and replicate in the National Assembly, the signal and commitment that has come from the two leaders at the top to ensure that the legislative process with the people’s heart is advanced.

I wish to express my commitment to support the Government’s agenda that will help our economy grow, provide job opportunities for the citizens and enhance the general welfare of our people. Equally, as the Minority Party, we shall request the Majority Party to support our agenda as we strive to propose and sponsor progressive Bills which are going to foster development. Indeed, the legislative agenda of this House, you will agree with me, will be easier, progressive

and inclusive if we toned down on our political rhetoric and differences. Let us indeed, build bridges to a new Kenyan nation. This is what we have in mind.

Just before I finish, I want to say that this is a noble initiative and something which is worth supporting. You will agree with me that this country, from August last year, has been in a position that all of us Kenyans were in agreement; that we needed to change the way we conduct our politics. That is the reason why those two leaders came together. I just want to urge the other leaders to support this initiative, whether in Parliament or outside Parliament. This Parliament will be called upon a number of times to come in and put into practice - through legislation - all the agreements agreed on elsewhere. Let us support the initiative of these two leaders.

My final remarks are to my colleagues, friends and partners in the NASA Coalition. I want to finish my talk as the Chairman of ODM. The ODM is one of the oldest parties in this country. I want to advise my colleagues that we are not ready to accept blackmail. We are committed to this course. No amount of blackmail will get us off the tracks. I see chairs of other parties always constantly attacking my party for no good reason. My party does not have apologies when we make our decisions. Once we make a decision, we stick by it.

Therefore, I just want to urge our partners that this is an important initiative which needs to be supported. I want to repeat, as the Chairman of ODM, that ODM has decided not to take any blackmail again going forward and beginning now. We are not going to accept unnecessary blackmail which we cannot understand – blackmail without any justifiable cause.

Hon. Speaker, I beg to move and request the Leader of the Majority Party to second the Motion.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Duale.

Hon. A.B. Duale: Thank you, Hon. Speaker. I beg to support this very important and timely Motion.

Allow me to begin by referring to the words of one of the most celebrated United States of America (USA) President, John F. Kennedy, who once said: “Let us stand together with renewed confidence in our cause -- united in our heritage of the past and our hopes for the future -- and determined that this land we love shall lead all mankind into new frontiers of peace and abundance.”

These words mark where we are today as a country. We are a country of peace and abundance, a place where Kenyans have agreed to move forward as a united people, with a common good of developing this country. Looking back however, before Friday, 9th March 2018 morning meeting, the phrase “accept and move on” had a different meaning in this country, depending on a person’s political leaning. But, today, through the Motion sponsored by the Leader of the Minority Party, this House seeks to accept the wisdom of His Excellency the President, Uhuru Kenyatta and the Right Hon. Raila Odinga to build bridges and move the country forward in the spirit of reconciliation as one nation.

We, the Jubilee family, are structured like the Catholic Church. When our party leader speaks, Jubilee has spoken. Aden Duale speaks what Jubilee and Uhuru Kenyatta says. I thought, until recently, that when the Right Hon. Raila Odinga speaks, NASA has spoken. Until recently, things have changed. We are coming to this deal with an open hand. It is not a deal about *nusu mkate*. I want to make it very clear. It is not about merger of political parties. The ODM, as one of the largest political parties on the minority side of this House, is up to the task and has the capacity to check the Government. What we are witnessing this evening is on matters of national

interest, growing the economy, peace, stability and killing ethnic mobilisation in our country. We are together.

This country is being torn apart because people are obsessed with the regions, tribes or religions they belong to. We want to build one nation. This is the route that the Right Hon. Raila Amollo Odinga and President Uhuru Kenyatta have shown us. I applaud the decision by our two leaders to come together at this time as statesmen to guide the nation on the path of self-reflection and reformation. The Motion before this House clearly draws from the initiative sponsored by our two eminent leaders. It calls upon this House to support the worthy initiative as the body mandated to deliberate on unresolved issues of concern to the people as required by the provisions of Article 95 of the Constitution.

I commend the Leader of the Minority Party for sponsoring a Motion that will certainly kick-start the process of reconciliation within the walls of the Chamber, the precincts of Parliament and within the rest of the country. The reconciliatory gesture shown by the President and the Rt. Hon. Raila Odinga is a shining example which all Kenyans must look up to. The two leaders have committed themselves to the country. This House must also commit itself, and every Kenyan must note the purpose to keenly support this initiative. Parliament manifests the diversity of the nation, represents the will of the people and exercises the sovereign power of the people.

Being in Government or working with Government on a common agenda for the welfare of the Kenyans does not... I want our colleagues to listen to me. Being in Government or working with Government on a common agenda for the welfare of the Kenyans does not, in itself, bind any Member to silence where they see or feel something is amiss. Article 117 of the Constitution guarantees the freedom of speech and debate in this House. As elected leaders, the first responsibility of a Member of Parliament is to speak as the voice of the people he/she represents in the House. I trust in the calibre and competence of the leaders of this House that the Kenyans have elected to this august House. I believe they are up to the task in offering an effective opposition even as we pursue our bipartisan engagement in the House for the welfare of our people. I am ready to work with my colleagues on the other side and agree with them on a matter that is of the interest of the welfare of the people.

Hon. Speaker, there is a question of what constitutes a majority or minority party? This is immaterial for now. An issue that may arise as we lend support to this noble initiative by our two leaders will be the question of which party or coalition of parties constitute the majority and the minority. This issue may arise from the inclusivity proposed in the initiative to build bridges by our two leaders and the bipartisan resolution that I am certain this House will adopt. Nevertheless, I believe that the question is not one for resolution by the House at the present moment. Reading the mood of the two leaders and the reaction of the initiative, the most pressing issue to Kenya today is the inclusivity, cohesiveness, reconciliation and the assured welfare for posterity as opposed to parochial party politics.

I speak for the Jubilee Party and I have said it that this deal does not and will not be equated to a coalition government. At the moment, the deal is still very young. It is just one page. So, we are yet to see more. I am sure there is excitement out there. There is friction. There are those who say this deal is going to complicate the 2022 succession politics. I want to make it very clear from the outset that those who aspire to be leaders or president in 2022, you do not need to hang from the coats of anybody. The days are gone when you want to become the President of the Republic of Kenya and you need a ladder. Raila Odinga will not be a ladder anymore. For those who used him, yes, he will not be a ladder. On our side, we have no space for

any group that wants to vie for 2022. The ladder is not available on the Jubilee side. We have our succession roadmap. Our candidate is already known. He is the utility player. He is a very expensive player. All that we are doing as the Jubilee Party is to protect that utility player. You know I am a fan of Manchester United and there is a player called Lukaku. When Lukaku plays, we make sure that he does not get injured. For us as the Jubilee Party, our strategy is clear just like day and night. We have no workshops to go and sit. We have no night meetings. Our candidate is one William Samoei arap Ruto. So, if you want to come and join us, you must go for the lower position before that. You can come and ask for a running mate, a Cabinet Secretary, an Attorney-General or Director of Public Prosecutions once the term is over. So, the culture of hanging from the coats is wrong.

I am a happy man because I was inducted into politics by none other than Raila Amolo Odinga. Of course, there are people who are scared of Raila Odinga. Raila Odinga is loved and hated in equal measure in our country. It is because of his history. Raila Odinga went to the Kenya African National Union (KANU) and left with the cream of KANU in 2002. He joined and said “Kibaki *Tosha*” and Raila Odinga left Kibaki in 2009 and forced him to form a Government of National Unity. Today, we have friends in the Wiper Democratic Movement (WDM), the Amani National Congress (ANC) and the Forum for the Restoration of Democracy-Kenya (FORD-Kenya). When they remember the history of Raila Odinga, they do not sleep at night. They say the coalition...

(An Hon. Member interjected)

Hon. Speaker, they will have their time. I am giving the history of a great man. In my opinion, I am sure Raila Odinga has a history, legacy and a rich reform history to protect. So, the question that begs is: What is the opportunity cost for Raila Odinga to be a ladder for somebody in 2022 and destroy his legacy or to say if you want to become a president, the playing field is equal? So, let us not play politics. Today, the people who are asking why President Uhuru met Raila Odinga are themselves saying: “Mr. President Uhuru, we want to meet you.” Barely three days ago, Kalonzo Musyoka wanted to meet Uhuru Kenyatta. Wetangula and Mudavadi wanted to meet Uhuru Kenyatta. It is in public domain. It is on 411. So, why bash Raila Odinga when he met the President?

As the Leader of the Majority Party, I know when I speak in this House, I speak for Jubilee. When Hon. Mbadi speaks, he speaks for NASA and the minority side. Yes, he is the chairman of ODM, but Hon. Mbadi and I draw our powers from Article 108 of the Constitution and Standing Order Nos. 19 and 20 of this House. So, he is not a small man. It is only his letter that will matter. So, I thought on Friday when Uhuru spoke and the Right Honourable Raila Odinga spoke, the whole of Kenya spoke. I do not know what the problem is. Uhuru and Raila speak and Kenya *maneno imekwisha!* They have spoken. I do not want to demean leaders. You know when Isaac Ruto and Munya were made principals, that is the day I realised there is a problem with the definition of a principal in NASA. This principal thing must have some benchmark, shareholding or some threshold. There is no way a principal with 76 members of Parliament in this House can be compared with a principal in the Senate who is the only one and he is the Leader of the Minority Party in the Senate. Then we have another... No! I am not saying it is bad. I looked at the leadership. The ODM has 20 Senators in the Senate. FORD-Kenya has only one. Then I asked myself: “How did this guy get there? What is the magic? What is the calculation? How did this man become the leader and not Hon. James Orengo?” The

problem is that Raila Odinga is a very trusting and good man. He has a good heart and he wants to move the country. So, my advice is that let us all of move together.

As we move, let us carry along with us Hon. Kalonzo Musyoka, Hon. Martha Karua, Hon. Musalia Mudavadi, Mr. Dida and Sen. Moses Wetangula. This must be very clear. I want to say it: We will not as Jubilee... Our President is the chief campaigner of Hon. William Ruto. *Sisi hatubahatishi!* We are not gambling. If you were gambling and you wanted to use the shares of Hon. Raila Amolo Odinga and he has pulled the carpet under your feet... Hon. Speaker, in football, they advise that you should go and buy new players.

An Hon. Member: Do they have the money?

(Laughter)

Hon. A.B. Duale: I want to thank the Leader of the Minority Party. We await the official launch of the programme by the President and the Right Hon. Raila Odinga. Many Kenyans died after the elections. These friends of ours from the Opposition introduced something called “Resist”. Companies like Bidco and Safaricom have suffered economically. There was tension in the country. We must thank Hon. Raila Odinga and the President for uniting our people. The year 2022 will sort itself out. If you are ready to vie, prepare for Hon. William Ruto. He is a utility player and our striker. As Jubilee, we will make sure he is not injured so that he scores both at home and away. By away, I mean in NASA. We are ready to form a serious coalition with ODM going forward for 2022. It will be in a serious and structured way. If Wiper Democratic Movement agrees to form a coalition with us and they get the running mate, we are ready. We are ready to form a coalition. We are ready for any group that is ready to work with us and take No. 2 position in return. They could also get a Cabinet Secretary position, or the Speaker position, or even the position of the Leader of the Majority Party. I am even going to quit. I am ready to give my seat to ODM. We want Hon. William Ruto to win the next election by more than 3 million votes, so that there will be no *kelele* in Kenya.

I know why there is a lot of upheaval in the NASA backyard. I want to make it very clear. People were squatters in ODM land. Hon. Raila Odinga is a brand, my friend. As Jubilee, we are talking to him. We want him to endorse Hon. William Ruto and say Ruto *tosha* in 2022. We will say it.

(Applause)

We have no arrogance against ODM. As the Government, we want ODM to criticise us when we go wrong. We want ODM and NASA to work with us for the interest of the people of Kenya. This House must introduce a bipartisan way of doing things. The Deputy Leader of the Majority Party, Hon. Jimmy, and I agree with Hon. Mbadi and Hon. Junet. We must build a country. If we want to reform the police or have electoral reforms, let us bring those reforms. Hon. Mbadi has spoken today. Do not allow yourself to be blackmailed and intimidated by people who have very little shareholding. In big companies, you only talk to your partner. I am a pastoralist. In the pastoral community, the decision is made by only the guy who has the largest number of camels. I am finishing, and I want Hon. Mbadi to listen to me. In the pastoralists’ community, decisions are made on the basis of how many camels or cows you own. If you have 10 cows and 10 camels, you wait for the implementation of the decision that will be made by the big shareholding in the community. So, the big shareholding in NASA is ODM. They made a

decision for the sake of the country. They said that Kenya must be peaceful. The economy of this country must grow. We must deal with ethnic mobilisation. We must build one nation. We must reach out to each other.

I beg to support the Motion and ask my colleagues on the other side to put their house in order. Do not depend on Hon. Raila Odinga. Meet us in 2022 for our utility player to score.

Hon. Speaker: Hon. Members, I have to give guidance that debate on this Motion must end not later than 6.00 p.m. today. Do not go beyond 6.00 p.m. Remember the House sits up to 7.00 p.m. The maximum time that the debate will go on is up to 6.00 p.m. Therefore, given that I see quite a number of Members present, any other Member speaking will be limited to a maximum of five minutes. There is no exception.

(Question proposed)

There are so many requests. I will have to follow what is indicated.

Hon. Makali Mulu

Hon. Mulu: Thank you very much, Hon. Speaker, for giving me this chance to contribute. I belong to Wiper Democratic Movement which is a younger brother to ODM. In the African culture, the big brother does not leave the young one. He takes care of him. We get very surprised when we hear Hon. Mbadi, who is our big brother, trying to say that the younger brother does not matter. The younger brother should not be blackmailed. I support dialogue. My party supports dialogue. For your information, this discussion about dialogue is actually a brainchild of the Wiper Democratic Movement – Kenya (WDM-K). It is WDM-K that initiated the discussion about dialogue. Let people not run away with our idea. The idea of dialogue originated from WDM-K.

As a country, we will gain a lot because of this dialogue. It is obvious that the economic environment will improve as a result of this discussion. It is also obvious that investment initiatives will come to this country as a result of this dialogue. That is because the political signals we are now sending out there are that Kenyans are speaking in one voice. That is good for the country. At the same time, these dialogue talks give this House the golden chance to play our role of overseeing the Executive. The Executive has spoken. Hon. Raila Odinga and Hon. Uhuru Kenyatta represent the Executive on both sides. They are now speaking in one voice. To the Leaders of the Majority Party and Minority Party, this is the time for you to take your positions and lead us, as a House, to play our role as an oversight institution. If you do that, you will be helping this country.

Even as we discuss this dialogue, there are things we cannot overlook. We cannot bury our heads in the sand with regard to some issues. The truth of the matter is that people lost lives as a result of what happened. The truth of the matter is that, as Members of Parliament, we lost more than eight months of development because the National Government Constituencies Development Fund (NG-CDF) could not be released. We were all resisting and doing other things. Those are facts. The truth of the matter is that NASA has been pushing the agenda of policy reforms, zero corruption and inclusivity in the governance structure. The truth of the matter is that we have all been pushed to make sure our youth are employed. That being the truth, I hope this dialogue is not for what we call “tumbocracy”, getting positions for individuals or exchanging gifts. I believe that this dialogue is for the public good. If we can achieve that, I assure Kenyans that all of us - including those of us who are in WDM-K - will support this 100

per cent. Let it not be seen that we are against dialogue. We initiated it and we support it, but it must be structured and inclusive. We want to emphasise those words.

This has happened before. People have lost lives. We go to the table and agree, but we forget. In 2008, people lost lives. This time, people have lost lives. The question is: When will we truly sit and agree? Will we make sure that those people come back to life? They will not. We support dialogue, but it must be structured and inclusive.

Hon. Speaker: Let us have Hon. Angwenyi.

Hon. Angwenyi: Thank you, Hon. Speaker for giving me a chance to contribute to this important Motion. I can now see that my student has picked from me. He is a patriot.

I was out of the country when our two leaders met. When I saw the news on the Cable News Network (CNN), I went back to the bar and took a whole bottle of wine to celebrate the fact that our two leaders have, at last, put the interests of the country ahead of their own personal interests. For a second time, Hon. Raila Odinga has demonstrated to this country that when he fights, he does not do so for self-interests. He fights for the national interests although, sometimes, he is misguided. That is why he takes some wrong routes but, now, he has discovered the correct route to serve Kenyans.

Coming from Nyanza, I am a very happy man. Now Nyanza as a bloc will support William Samoei Ruto come 2022. Hon. Mbadi will be very close to our leader to prepare his chance at having a shot as the Deputy President. Mbadi, listen to me. You are my student. If you play ball, for the interests of Kenyans, you can reach there. Those who have been fighting to take over from Raila will be messed up because they cannot beat you. When we vote as Nyanza as a bloc for William Ruto in 2022, we may try to convince him to take you as his deputy. We will try to do that. Play ball with us.

For those other members of NASA who are blaming the Right Hon. Raila for having talked to the President and then when you come back here you tell us you have been seeking dialogue, must dialogue involve all the four principals? Can dialogue not be started by two people? I thought you would be applauding it and asking what part you can play in creating a peaceful and prosperous country.

This Parliament will make history. We will be able to implement the ideas and ideals that have been pronounced by our two leaders. Those ideals are for the prosperity and unity of this country so that, when I am appointed to a position, you do not have to say that I am a Kisii. When Mbadi is appointed to a position, we do not say he is a Suba, although, most of you do not know that he is a Suba. This is so that we work as a country. He is a Bantu!

I urge my friends who are the three other NASA principals that Raila has gotten tired of carrying you on his back. Please, give him a chance. Give him relief. He is tired. Go along with him and support him. When you see him almost sliding, assist him not to fall down in the ideals that he has now pronounced himself on. Support him. Chris, please support him because if Raila did not want you to be the Deputy Whip of the Minority Party, you would not be. You know how many your numbers are in this House. Support him. Those who may speak to *Mzee* Raila, tell him I congratulate him and I am very happy with his decisions.

Hon. Speaker: Hon. Members, the rules of relevance must guide every debate. If you listened to the Mover as he moved the Motion, I did not see anything in this Motion about elections. Is there? It may be implied but if we can just stick to the Motion, we will do ourselves a great service.

Let us have Hon. Omboko Milemba.

Hon. Milemba: Thank you, Hon. Speaker. I speak on behalf of Amani National Congress, which is part of the NASA Coalition. Dialogue is a word that is used severally in the community I come from. Hence the word *mulembe*, which means “dialogue and peace”. However, whereas we want to support dialogue in Kenya, I would like to quickly assert that dialogue must be done in a structured manner that is all-involving. As the Mover and the Secunder of the Motion have indicated, we want to move forward. If we want the dialogue process to be all-involving, we must include all the players at the party level. While I greatly support the Leader of the Majority Party for saying that the President went for dialogue as an individual who leads the Jubilee Party, moving forward, NASA is a coalition of more than one party. Therefore, it was proper and it is proper while moving forward that NASA’s representation in these talks be well focused and inclusive of all the players within it. I would like to fault my leader, the Leader of the Minority Party; that, as the big brother, as indicated earlier, he should never at any given time appear to be intimidating the younger brothers by planting a seed of fear by saying that they can go it alone. We made a deliberate decision to join parties and coalesced to work for a purpose. I believe he does not believe that that purpose has ended today, and that he does not need his younger brothers as he moves forward.

Dialogue cannot be about two individuals. We have seen dialogue between two individuals before. I echo the words of Hon. Duale. He reiterated how this type of dialogue failed severally in the past. If we allow it go on without getting it structured for the benefit of this country – and I am not talking as an individual or as ANC or NASA Member – we shall create another new spirit of either opposition or counter opposition, which we may not need. Therefore, we shall get ourselves into a mutation of the same problem that we want to address. We shall end up in a vicious cycle of *quasi* dialogues every now and then, depending on who is in the dialogue and who is out. We should get the spirit of nationalism from the two principals to follow and not use the House as a platform for creating boundaries that can lead us into a vicious cycle of lack of peace each time we have an election.

As I wind up, I would echo the words of Franklin Delano Roosevelt: “The only thing we have to fear is fear itself”. As we move forward, I inform the Leader of the Minority Party that this is not a process of fear. But the way he moved it, it seemed he feared. If he is afraid, he will be defeated.

Hon. Speaker: Member for Eldas.

Hon. Keynan: Thank you, Hon. Speaker. I also want to join my colleagues in congratulating His Excellency President Uhuru Kenyatta and Right Hon. Raila Odinga for thinking out of the box. The late Hon. Saitoti once said that there comes a time when the nation is more important than any other interest. This is exactly what His Excellency Uhuru Kenyatta and Right Hon. Raila Odinga have done.

It is wrong and demeaning to call Hon. Raila Odinga and His Excellency Uhuru Kenyatta two individuals. They represent institutions. Actually, they are institutions. Therefore, one needs to define them as such. Some of us have been in politics since the advent of the second phase of multi-party politics in Kenya. One needs to read the book *Raila Odinga: An enigma of Kenyan politics* to understand Raila Odinga and appreciate what he stands for.

Kenya is a very dynamic country. It is a premier nation. This is one thing I always say. Those of us who are lucky to be in this august House must also accept that Kenya, as a premier nation, expects all of us, as representatives of the people of Kenya, to meet their expectations at any given time. It is not just enough to call ourselves a premier nation. Why do I call us a premier nation? Look at the geo-political state. Kenya has been termed as a regional economic

hub, regional security hub, regional infrastructural hub and a humanitarian hub. These titles are about to be eliminated if we continue with the conflicts we experience after every elections. I appreciate this because in 1968, Kenya as a very important regional hub, was lending to other countries. Our economy has stagnated, notwithstanding the things we do. It is high time we did something. I can tell you that without food, shelter and security, we will not even have representation. Therefore, anything that will give us back investor confidence or our economic hub status is something every Kenyan must be proud of.

In parliamentary diplomacy, there are three things that we, the representatives of the people, must be ready to do. We must be ready to project the image of Kenya at any given time. We must also be ready to promote the image of Kenya. Article 1 of the Constitution says that sovereignty is donated to representation, meaning that as a legislator, it is not like in the old days where we used to say that sovereignty belongs to the technocrats. We are the number one diplomats of the Republic of Kenya. Therefore, out there, unless we have peace, tranquility, national cohesion and inclusivity, we will not be proud representatives of the people of Kenya when we meet our peers at international meetings. This is one thing that we must be prepared to protect diligently. That is the only way to go when our term comes to an end. The first year of it is gone and we are barely left with two years. We must be prepared to make use of the remaining time.

As I conclude, I would like to say that dialogue is critical. It is critical even in our homesteads. We dialogue with our children, and with our wives. For those of us who are polygamous, like me, we dialogue with our wives. These are things we must be prepared for at any given time to domesticate. I commend the two leaders for showing us the path to follow. We will support them in re-defining dialogue, so that Kenyans in the villages can also benefit from this grand dialogue. This is the only way both leaders and their followers in Jubilee and NASA will appreciate that we have one country that unites us, without which none of us ought to be what we are and where we want to go. I conclude by saying that they have done us great, and we will support them. Please, let them take us to the path of the newly industrialised nations.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Kiminini.

Hon. Wakhungu: Thank you, Hon. Speaker. I stand here to represent the great party of FORD-Kenya. I want to register our thanks to the two leaders who have come together. I would like to quote Martin Luther King Jr., who once said, “The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy”.

Hon. Speaker, this country was going down as far as economic growth is concerned. We as NASA are solidly behind the dialogue. However, we want to stress that we want the dialogue to be all inclusive and well-structured for purposes of ownership. We need everyone in this country. It is, indeed, important for us to come together and reason together. The book of Isaiah Chapter 1 Verse 18 says: “Let us come now and reason together.” This is the time for this country to move forward. This is the time that we must embrace everybody.

The Leader of the Minority Party went through memory lane. The GDP of this country during the KANU days was at a negative rate. When President Kibaki came to power, he introduced something called the Economic Recovery Strategy (ERS) where the GDP became positive two. It went up to 8 per cent. Because of that post-election violence, we went down. We do not want this country to go down. Elections come and go. I was at the airport to welcome His Excellency Raila Amollo Odinga when he was coming from abroad. I saw teargas. I almost died

and my children are very small. I thank God I survived. Many people lost their lives on that day. Property was destroyed. It is my humble prayer as we discuss about this dialogue that a framework will be put in place to compensate those people.

This country needs healing. I hope the dialogue is going to be honest. William Shakespeare said that there is no rich legacy like honesty. I hope we are not going to play each other. We are in this issue together. In this issue, we are there with honesty. From the NASA Coalition, I want to confirm that all the political parties – FORD-Kenya, Wiper, ANC and ODM - support dialogue. A time comes where you must forget about the by-gones and move on. This is the time. The welfare of a country is mutually exclusive with political rhetoric. This is the time we must settle now and move forward. The people of Kiminini and the people of Trans Nzoia, whom I am going to lead as the governor come 2022, God willing, expect development. The Jubilee Government must be inclusive. When these two people came together... I spoke to the CEO of the Nairobi Stock Exchange (NSE) and he confirmed to me that the stock market went up. Indeed, it is true.

We expect that in the remaining positions, President Uhuru will nominate everybody. I was surprised yesterday when some positions were moved quickly. We thought they were going to throw some things to Nyanza, Trans Nzoia, Western, Coast and other places. We are requesting that for the positions that are remaining, in the spirit of inclusivity, we want to see more Principal Secretaries and more Cabinet Secretaries from the strongholds of NASA because we are all taxpayers. We are going to be committed. We are going to put Jubilee on toes if at all they bring some issues which are not good. For things that are there for the public good, we are going to support the Government. We are going to be very objective. We want to grow this country to greater heights of prosperity.

Thank you.

Hon. Speaker: Hon. Sankok.

Hon. ole Sankok: Thank you, Hon. Speaker, and the Mover of this Motion, Hon. Mbadi, who is my friend. Thank you very much the Secunder, His Excellency Aden Duale.

(Laughter)

Hon. Members, for the first time, I am a very happy man now that the country has changed and has united under one slogan of “*Tuko Pamoja*” - one nation, one love, one people, one Deputy President, one President, one God and same destiny. All of us are united and we are moving forward as a country.

Hon. Speaker, we appreciate the Rt. Hon. Raila Amollo Odinga for visiting the President of the Republic of Kenya, Uhuru Muigai Kenyatta, in his official office of Harambee House. That golden handshake has brought the country together and has toned down the tension that was developing in this country. For those who may have different opinion, we only understand one form of dialogue. The dialogue that we understand and we want as Kenyans is the dialogue that will lead to peace, tranquillity, inclusivity, reconciliation as well as prosperity.

The handshake that the two leaders of this country had when they met on Friday has brought this country together. We have lost investors, tourists have run away, donors have escaped our country and even our friends who used to visit us from abroad are no longer visiting us. That is because of the tension that we had. But because of the coming together of our leaders, we are starting to see donors returning and our economy will be back on track.

We want, as a House, to support and to come together and move this country to economic prosperity. For those who are saying that the coming together of the two great leaders will kill the Opposition in this country, they should know that there has not been Opposition in this country from 2013. We have only been having under the new Constitution the majority side and the minority side. Whenever we differ on opinion, it does not mean that we have the Opposition or the ruling side. When we differ, we agree. ODM still remains the biggest minority party and the rest, as we have indicated earlier, should not try to intimidate it. I have heard them giving some conditions that talks must be structured and inclusive. Hon. Rt. Raila Odinga was the flag bearer of NASA. Uhuru Muigai Kenyatta was the flagbearer of Jubilee. If they are flagbearers, it does not mean that they literally carry flags; they carry our aspirations with them. When they meet, the whole country has met. So, we support them.

The only thing here is that, that simple handshake has killed careers of some of us. I do not know who I will be dealing with. You must deal with a lion to be recognised in this country. I am left to deal with Kalonzo. When you put on a helmet to deal with a rat, people may not know that you are a man enough. You need to deal with a lion. Surely, with that handshake, some of our careers are finished.

(Laughter)

I support this Motion.

Hon. Speaker: Let me recognise the Member for Suna East.

Hon. Nuh: Thank you, Hon. Speaker. This is a golden opportunity to contribute to this Motion. I had the pleasure and the privilege to be at the steps of Harambee House during that historic moment. That day and moment was so important to this country that it will remain in the annals of history that after the elections of 2017, we had a moment of that type – to bring back our country together.

Hon. Speaker, every war in this world has rules. Because my time is five minutes, I want to be fast. The smallest rule in any war is that when the general says you match on, you match on; when the general says you retreat, you retreat; when the general says you resist, you resist; when the general says you hibernate, you hibernate, and when he says dialogue, you dialogue. The last time I checked in our books and records, the Major-General we had in NASA was one Raila Amollo Odinga. The others were lieutenant-generals and other lower cadres. When the chief of defence forces speaks for the military, you have the order.

I have checked the agreement of the NASA. I read it from page one to the last; I have not seen a single statement that says Raila Odinga should not meet Uhuru Kenyatta. I do not know where the noise within the NASA is coming from; that Raila has met Uhuru. These two people have similarities – one was sworn in officially at Kasarani and the other was sworn at Uhuru Park in daylight.

Hon. Members *(Off-record)*.

Hon. Nuh: Whatever you call it. Those are the only two people who have taken oath; whichever oath you want to state. Nobody else has taken oath!

(Laughter)

So, if one oath taker has called another oath taker and has said: “Can we compare our oaths to see which one was constitutional and which one was unconstitutional,” what is your problem?

I want to speak to my NASA colleagues. Nothing stops the NASA to continue talking and dialoguing within itself on who is going to be their presidential candidate in 2022, as our leader continues engaging President Uhuru Kenyatta on how to make our country stick together. Nothing stops that initiative. We can still have our presidential candidate as Kalonzo Musyoka, or Wetangula or Musalia Mudavadi! Nothing obstructs us from continuing dialoguing among ourselves. I remember William Ruto saying we spent a lot of time in seminars and hotels dialoguing who was going to be our candidate in 2013. This is the opportune time. We need to start talking as the NASA in order to get our presidential candidate. William was right on that one. I was part of those seminars. We sat at Ole Sereni then we went to Stoney Athi, then Naivasha, then Vipingo - all in the name of looking for a presidential candidate. By the time we agreed on one, the election was three months away. It is high time we sat as the NASA and agreed on our presidential candidate as my leader, Hon. Raila Amollo Odinga, continues engaging with his counterpart on the other side on how to make the country one; to unite the country and make it bigger than any other nation in the world.

Hon. Speaker, I am not a small man. You know that Hon. Speaker. Of all these people who are seated here, I am the only one who was at the steps of that Harambee House. I am the only one who knows what is inside that thing for the country of Kenya. There are a lot of good things. Because I was in Harambee House, add me two minutes.

(Laughter)

That document you have seen signed by the two leaders is for the wellbeing of the country. It is for the good of the country. In spite of my leader meeting the President, it does not mean we have lost our obligation as the ODM to be the Opposition leaders of this country. We will hold the Government accountable here in Parliament by virtue of where I am seated. In mature democracies, Presidents and opposition leaders meet to discuss what is good for the country. They agree and disagree on issues and move on. It is only in our country where, if you are an opposition leader, you see the President as the biggest enemy of the world. You start abusing the President from day one up to the day of election. By the time the election comes, you have nothing to talk about him; you will have abused him the whole time.

Hon. Speaker: Hon. Junet, you have one more minute!

Hon. Nuh: Hon. Speaker, you know I am almost elevated to a position of deputy principal in the NASA Coalition. You saw where I was, with the principal. Now I am the deputy principal. What is contained in that document is something that is going to live for eternity. You know how our economy went down; you know how communities fought. You could see even the Deputy President was not there. When they finished signing the agreement, they said: “Go and sell this gospel to your people.” Raila Odinga to go and sell to his people in the NASA and Uhuru Kenyatta to go and sell to his people in the Jubilee Party. People cannot wait. The guy who carried the Bible has not arrived and you are making noise! You are saying: “Oh, I was not consulted. I was not told anything.” Consult what? It is time to call a spade a spade. This country must move forward. We are all Kenyans. We must live as one country or we separate. If we have to live as one country, the only way is this one...

Hon. Speaker: Member for Kikuyu.

Hon. Ichung'wah: Thank you, Hon. Speaker. I just want to pick up from where Hon. Junet has left. I was not at the steps of Harambee House but I had occasion last week, when we were in Mombasa, through the courtesy of Hon. Junet and his phone, to speak to the Rt. Hon. Raila Odinga. I remember that, that time I mentioned to the Rt. Hon. Raila Odinga that we respect and honour him as a great statesman in this country. Therefore, I take this opportunity to commend both His Excellency President Uhuru Kenyatta and Raila Odinga for this very momentous opportunity they have afforded the children and the generations of this country.

We have been told that leadership and great leaders are defined not by their actions today towards the next elections, but actions that they will do for future generations. What they have bestowed to this country is an opportunity for rebirth of our nation.

If you look at the issues Hon. Junet mentioned as being in that document, they are issues to do with strengthening of devolution, divisive elections every election year for the last so many years since 2007... Actually since 2002, we have seen the GDP battering of our economy – our economy going down in a great way. The Leader of the Minority Party mentioned the percentages. From about 1.6 per cent in 2003; 1.4 per cent to a high of 6.9 per cent just before the 2007 post-election violence and that coming down again to almost 5 per cent in 2017. Only last week, the Cabinet Secretary for the National Treasury confirmed that, as a result of the bad politics and the extended electioneering we had last year... Only the first half of this year, we have lost about Kshs84 billion of our projected revenues. That is the actual cost of bad politics.

Therefore, these two leaders are talking to this country asking us to think about our divisive elections every cycle of five years of election years. They are talking about issues to do with our safety and security as a nation; issues to do with shared prosperity. We can only have that shared prosperity if we have a peaceful nation. The fact that these two leaders have come together, and they said it in their statement, in a big way, symbolises the full cycle of divisions that this country has gone through over the years. They said it will not be in their time as leaders, as President and the Leader of the Opposition, that they will allow this country to go to the dogs. They sought our support last Friday, that is, those of us behind them, in the Jubilee Party and NASA. I commend those of us in the JP fraternity for rallying behind President Uhuru Kenyatta in supporting this initiative. I want to pose that challenge to our colleagues in the NASA. Irrespective of whether you are in the ODM, Wiper Democratic Party- Kenya (WDP-K), FORD-Kenya, Amani National Congress (ANC) and the other parties in that coalition, please, rally behind your leader who is Raila Odinga to bring this nation together so that we may have that shared prosperity.

As the Whip of the Minority Party says, after these five years, we are going to witness a merger. It is not *Tinga* being swallowed by *Jogoo*; the ODM is not being swallowed by the JP. It is not a *nusu mkate* coalition. It is not even a coalition agreement. It is an agreement to work together. It even has nothing to do with succession politics. It is about bringing our nation together to make sure that our economy thrives so that in the year 2022, we will compete on the basis of ideals and policies that each of the political arm will sell to the people of Kenya. It will not be on the basis of our ethnicity or personalities. Therefore, as a House and as Kenyans, we must support these two leaders to bring this country together, end our divisive politics, build our economy and Kenyans in 2022 will judge even those of us seated here as Members of Parliament, not on the basis of how much we insulted Uhuru Kenyatta or Raila Odinga. I want to sympathise with my friend Sankok. You will be judged on the basis of how well you improved the lives of Kenyans at large.

With those few remarks, I beg to support the two leaders and ask those in NASA to support Raila Odinga in this endeavour. It is for the betterment...

Hon. Speaker: Hon. Member for Makueni.

Hon. Maanzo: Thank you, Hon. Speaker for giving me an opportunity.

(Several Hon. Members raised their hands)

Hon. Speaker: Hon. Members do not raise your hands. Sorry Hon. Maanzo. Let me just tell you Members. I just want to make this clear. Most of you, especially the new Members, do not step here trying to plead for time. I have your names here and I also know that when it comes to this side, there is a coalition. Even as coalitions, I also know that there is an element of regions and counties. For instance, from Wiper, Hon. Makali who spoke is from Kitui County and Hon. Maanzo is from Makueni County. You just have to bear that in mind. I actually know most of you. If you are ODM and you hear somebody from Siaya has spoken, you know that your chance of speaking has reduced and it goes a little further.

(Loud consultations)

There is also leadership, of course. That is different. Hon. John Mbadi is the Leader of the Minority Party and he is actually the Mover of this Motion. That does not count. Do not worry too much when leaders speak. Hon. Duale, if I see a request from a Member from Garissa, obviously, they will speak because Hon. Duale speaks as the Leader of the Majority Party. I just want to caution. The problem I am having is one. I am trying to look for names of women in this list. Women have not made up their minds as to whether to contribute or not to this Motion. I have 50 requests here and my screen only shows the first 10 names. You must, therefore, be in the list which is No. 41 to No.50. Please, make up your mind early so that I am able to see you.

Hon. Maanzo, please go on.

Hon. Maanzo: Hon. Speaker, I want to thank you for giving me this opportunity to contribute on this very important Motion. Since the last election, the party and the leadership of Wiper have been for dialogue. To date, Wiper party still stands for dialogue. The initiative by Hon. Raila Odinga and the President is great and is a good initiative for this country. I believe that this is a very good idea and the country is going to benefit from it. The most important thing is to carry Parliament, political parties and Kenyans along with it. During the last elections, most people lost their lives, they had no answers as to where to begin and those who were injured did not know how to be compensated. In fact, two Members of this Parliament got serious injuries during that time. There were extremes also on the part of the Government. There was no reason to deny Hon. Raila Odinga a meeting at Uhuru Park the day he returned from the USA. It is through these talks that we are not going to see teargas again as a country. Teargas affects people who were not part of it. We will also not see water cannons which are poisonous. We want to build our nation and make it safe for our visitors and ensure the economy grows. More important for NASA which has been proposing constitutional amendments and a better way of dealing with election stalemates, this can only be done through this House in a structured way, where there is a law or a resolution of the House on the way forward. For this to be done there has to be structured dialogue so that it is not an open blanket.

What was signed by the two leaders was a document of utmost good faith. Utmost good faith has to be nurtured, revealed, shown and there has to be goodwill on the part of the two

divisions of Kenyans which existed. From the time this dialogue started, we have seen high spirits and hope in Kenyans. I hope the issue of blackmail will not arise at all from NASA or Jubilee. There has to be utmost good faith and most importantly, eventually there has to be a legal mechanism or medium of which all of us will translate from the goodwill to a legal structure which we will rely on, for the way forward and for the future and to make sure events like we had in 2013 and 2017 elections will never be repeated in this country. In the past, like in 2008 when there was post-election violence, many Kenyans lost their lives. The matter ended up in the International Criminal Court (ICC) and trials were done. The country has to move on from such bad and past history. We look forward to a situation where all Kenyans are carried on board. Kenyans should also listen to their leaders and are carried on board through the leadership of Jubilee and NASA, which we all recognise. Once Kenyans participate, every Kenyan will get an opportunity to contribute just like we are doing. Most importantly, Parliament will be able to do its business with the Majority and the Minority side so that we can make laws which are for the posterity and the greatness of this nation.

Thank you, Hon. Speaker, I support.

Hon. Speaker: Member for Bumula, Hon. Mabonga. I have given you the opportunity then you start fumbling with...

Hon. Mabonga: Thank you, Hon. Speaker for giving me this opportunity to raise my voice on this Motion. There is time for everything. When the handshake took place on 9th March, I was out of this country. I opened the Bible to thank God for what had happened and interestingly, I opened the beatitudes of Christ, which said: "Blessed are the peacemakers". Interestingly, since the time we had elections in August, I have had two occasions where I almost lost my life because of bad politics. When Hon. Raila Odinga met the President, I received calls from within and abroad congratulating the leaders of this nation for the move they had taken.

One thing we ought to understand as Members of this House is that there comes a time where leaders are set apart. You can only be set apart by your principles and the results you want to achieve. I listened to the Mover of this Motion and I was so impressed with what he said. Hon. Mbadi, the Leader of the Minority Party, said they are not going to lose focus on what they mean or what they intend to achieve as the Minority in this House. They will also not lose focus on reforms in this country. They are not going to lose focus to put the Government on checks and balances. But at the same time, they have also committed themselves to ensure that they work together with the Majority Party of this House to ensure that this country gets the best out of the leaders that are in this House. I support the initiative of Hon. Raila Odinga and the President of this country in their coming together as great leaders of this nation. As many have said, when two leaders speak, almost the whole nation comes to a standstill. I agree with many of us that lives and properties were lost and it is time for us to come together as a family and a nation and put the nation first, so that our children can, at least, have a foundation to build on when time comes for them to stand where we are standing.

As we sit here, you will realise that people outside there are counting losses when the two leaders could not speak to each other. I have heard from other leaders from their coalitions saying that this was their initiative. That is right, but the issue is: How comes you did not take the right initiative by moving fast enough to ensure that you talked to the leader concerned so that we move the country forward? Sometimes, it is very important to know who you are. Even if you are in a family, you need to take your position as a person so that you do not wait for your elder brother to take initiative and then you start crying foul. Some of us who won elections as independent leaders were fighting two giants and you had to set your records right for people to

understand and know who you are. This time, as we sit here, I can assure you that some of the leaders in this coalition have benefitted because of Hon. Raila. I have talked to Hon. Raila on many occasions and I know what he stands for. I must take this opportunity to congratulate him and His Excellency the President. But, most importantly, I urge the two leaders not to lose focus because both of them have a legacy to leave. They need to unite and fight this enemy called corruption and ethnicity/tribalism in this nation. That is the only way some of us and them will be remembered when we leave the Floor.

Thank you, Hon. Speaker, I stand to support this great Motion and the initiative that the two leaders have taken.

Hon. Speaker: Member for Kilifi North.

Hon. Baya: Thank you very much, Hon. Speaker, for giving me this opportunity.

I support this Motion moved by the Leader of the Minority Party. When on that Friday I saw the guy called “my president” calling the other one his President, I said: Who am I not to call the other guy my President? I think this country has moved on. One of the things that are important to note is that I come from a very politically-sensitive region, which hosts the bulk of the tourism sector of this country. The events of that Friday have already started to change the bookings in the area. We are looking forward to the tourism sector, especially this season, to move forward until the end of June. So, speaking about the second season, hotels are already registering high bookings because of the event of that Friday. Therefore, in order for this country to move forward, politics should be put at the back banner and the economic pillars be looked at as to what drives this country.

More importantly, the idea of inclusivity is what will take this country forward. For many years, the Coast region has felt excluded. As the coastal region, we would still stand to say that the Mijikenda Community has been denied a position in the Government, especially in the Cabinet. I hope with the new political pact that is coming up through the newly initiated dialogue, His Excellency the President will take the opportunity to name a Cabinet Secretary from the Coast region, especially from amongst the Mijikenda Community, so that we can truly feel we have been properly included in this country’s development.

There are many issues. I was the person who was looking forward to bring here a secession issue, but with the unfolding events, we will probably need to start revisiting our position. However, in order for us to revisit our position, as the dialogue continues, one of the agenda items should be to discuss the Coast as a region and its relationship with the rest of the country. For many years, we have felt marginalised and we continue to feel that way. We actually thought that one of the agendas of the Jubilee Government was to continue marginalising the Coast region. I also want to be in the dialogue team so that I can speak for the Coast. I am in the ODM from the Coast region. I want the issues of the Coast region to be aptly represented at the dialogue table.

The fact that two or three leaders were not part of that historical moment, it should not derail the goodness of the moment. My brothers in FORD-Kenya, Wiper and African National Congress (ANC) feel short-changed, but I am encouraged because I have just read some breaking news that they have announced that they also want to meet the President. Hon. Kalonzo Musyoka has made it public that he is ready and he wants to meet the President as soon as he arrives from Cuba. That posits a good position for this country to move forward.

Therefore, I support the dialogue process. I look forward to a more inclusive Kenya that respects everyone. I hope this moment of dialogue will stop the vicious cycle that we have, where every general election sees the economy of this country going down because of high

political tensions arising from escalation of enmity among ethnic communities. I hope the ongoing dialogue presents an opportunity for us to stop the low moments that follow our electioneering processes.

Thank you very much, Hon. Speaker.

Hon. Speaker: Hon. Soipan.

Hon. (Ms.) Tuya: Thank you very much, Hon. Speaker, for giving me this opportunity to also join my colleagues who have spoken before me in congratulating the Leader of the Minority Party for bringing this Motion to the House.

Hon. Speaker, this is a new dawn for Kenya. It is a new dawn for a mature democracy like our country. The first thing that came to my mind when I saw our two leaders doing the golden handshake was to look at them as the peace makers that the Bible talks about. The Bible talks about the blessings that are bestowed upon peace makers as they shall be called sons of God. I was just wondering. For those who had a different opinion or those who are ‘throwing’ stones at our leaders, complaining and whining that this should not have happened, where do they belong? We are at a point where we should not be reading anything beyond what this initiative is. It has been said loud and clear. I have not seen or heard anything that talks about power sharing deals. This thing is about the welfare and prosperity for all Kenyans. We are at a point where Kenya is graduating into a mature democracy. This is where we can agree to disagree on certain political ideologies and agree on those things that are very vital for each and every individual Kenyan. They are the people who have made us to be where we are today.

Hon. Speaker, when you see our economy hitting the right scales immediately after the good gesture that we saw from our two leaders, you would wonder why anybody would want to look for negative side. It is about healing and bringing our country together. In the near future, I foresee a situation where we will finish an election and the two opposing sides will jump into talks about rescuing Kenya, making sure that we do not degenerate into negative ethnicity, but only concentrate on doing what is right for Kenya.

Hon. Speaker, I ran on a Jubilee ticket. I have always been in the Jubilee Party, and I will always be on that side. In the same house, my husband, who is also a politician, was vying on a NASA ticket. However, we both managed to convince our electorates and we are ably representing them.

On that point, that is the same thing I read from what our leaders are saying. We can agree to disagree on certain points. My family is very intact and I can assure Kenyans that Kenya is intact when we see His Excellency President Uhuru Kenyatta, and the Right Hon. Raila Odinga, coming together for the good of this country. I believe the ODM political ideals will still continue as well as those of Jubilee, but the common good of Kenyans, peace and unity to fight for the livelihoods of Kenyans will stand.

I support.

Thank you.

Hon. Speaker: Let us have Member for Mavoko.

Hon. King’ola: Thank you, Hon. Speaker. Despite yesterday’s ongoing, I am sure this Motion is rightfully before this House.

However, I want to confirm that this Motion is about cohesion, healing and reconciliation. I want to put it that I am a senior Member of the Wiper Party. It is one, Dr. Stephen Kalonzo Musyoka, who started the journey of dialogue, but what did we see? Names such as “watermelons” were called out. We are saying that if this is a serious dialogue between the two leaders, then let it be honest and truthful. I want to tell the Leader of the Minority Party

and my friend, Hon. Mbadi, that even if he is talking about NASA, it is true that ODM has taken charge of this. I have great respect for one Raila Amollo Odinga. His history, persistence and continuity are unmatched in the political limelight of this country. If we are talking about cohesion, NASA is about four political parties. We have no problem with Raila going to meet His Excellency President Uhuru Muigai Kenyatta, but what are we saying? If we are talking about cohesion, then Raila, ordinarily should have called his other principles because this is NASA. In this House, we are in NASA Coalition. My friend Hon. Mbadi is the Leader of the Minority Party because of the votes that I gave Hon. Raila Amollo Odinga.

Hon. Speaker, when I look at Hon. Junet, the Whip and Hon. Mbadi, I compare their constituencies with mine. In Mavoko Constituency, Raila Amollo Odinga garnered 78,000 votes. In Suba, Raila got only 100, 000 votes. The reason why ODM has more Members is because Raila was the flag bearer of NASA and we gave all the votes to NASA. The ODM constitutionally was supposed to be in front. If it was Kalonzo Musyoka, Musalia Mudavadi or Wetangula, maybe FORD-Kenya would have had more Members of Parliament here. So, it is pretense for anybody to tell us that ODM is the main party in NASA.

I want to tell Raila Amollo Odinga that I love and respect him, but if he is honest, he is making me think that even in oathing, he duped his other members the way he duped them when going to Harambee House.

I want to tell Hon. Junet that next time, because I have seen Kalonzo also wants to go to Harambee House, I will be there on the stairs. I will be on the negotiating table for his information, not like him who is just clapping his hands without knowing what is in the document and what we are expecting. In Mavoko, I buried more than four people who were fighting for the course of NASA. If we were all included in this discussion, we would ask the two principals to make reparations for the people who died in this course. We lost business. Safaricom lost because of this movement. I am a shareholder there. Brookside lost. I drink their milk. We must address these issues for this country to heal. I want to tell Hon. Duale that I thank him for being a professor of politics. I have seen him raise and heap praises for Hon. Raila Amollo Odinga, my leader. When I look at the HANSARD, two or three weeks ago, my friend is better than Moi, the professor of politics. Again, I want to warn Jubilee to remember that if you marry a divorced woman, she can also divorce you. If you are betraying your fellow colleagues, you could also be betrayed. Remember there was the Forum for Restoration of Democracy (FORD), the Kenya African National Union (KANU), the National Rainbow Coalition (NARC) and now NASA. Be careful. Sorry for everything. Yesterday's drama has brought out this emotion. Thank you for giving me this chance.

Hon. Speaker: Let us have Hon. Kimunya.

Hon. Kimunya: Thank you, Hon. Speaker, for this opportunity. Let me also join my colleagues in congratulating the two leaders for having seen it fit to bring the nation together through that golden handshake. In fact, I counted and I saw a series of about four handshakes. I believe it is important that we recognise that these leaders have the experience to recognise the issues that matter for this country, now and in the future. Indeed, this is not the first time that these leaders have been together. They have a history. Those of us who have been around know that they have come together several times, namely, in 2002, 2005 and now 2017. In between, we have also seen the coming together of Hon. Raila Odinga and the former President Mwai Kibaki to save the nation at times when healing was required. So, I am a bit surprised when leaders have come together and us here in the House, who were not even party to that discussion except Hon. Junet Mohammed who was on the stairs, have now started giving conditions. Some

are saying that this dialogue should be structured and it should take a certain manner yet we do not even know how they got together.

I believe it is times like this that leaders need to show the way. What we need to do is to encourage them to continue discussing, to carry us along, to tell us what to do and to prescribe for us, as Parliament, the Bills they would like us to pass so that we get this initiative going. So, I would like to encourage my colleagues that we stop giving these conditions on how structured it should be, the format or the content. Let us wait for those instruments to come to the House and we prepare and commit ourselves that when that time comes, we will support for the good of this country. If there are some issues that need modification, then we can take matters up at that point.

At this point, the good thing is that we have seen the positive impact of the coming together. We have seen what has happened in the Stock Exchange and our currency. We have seen the peace in the country. We have also seen the need for rebranding, as Hon. Sankok mentioned, for people who were otherwise aligned so strongly on one side or the other. This is good for this country, but as national leaders, we should now be looking at the bigger good rather than individuals.

Hon. Speaker, we have an agenda as Jubilee. The President has an agenda which is captured within the Big Four agenda and the wider programmes that are ongoing within the Jubilee Manifesto. The realisation of that agenda cannot take place unless there is peace and stability in this country. I believe that with the polarisation and ethnisation of our politics, this is good. As was said earlier, we have lost eight months and that agenda cannot be achieved, hence, I feel that this was the best thing that happened in this country so that we can move forward and realise the agenda of getting housing, job and wealth creation that we require.

It is high time we thought about our country, children and future generations. We need to realise, as has been said before, that Kenya is bigger than all of us. We have done it before and we know that when leaders unite, we see success. When they are divided, we see the reverse. In the interest of time, I urge that we should take cue from the leadership and work together for our own security, inclusivity, sustainability and a prosperous nation. That can only happen when we have unity of purpose in this House, the Executive and Judiciary. All of us should work together knowing that we are doing this for Kenya rather than for ourselves.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. (Ms) Adagala.

Hon. (Ms.) Adagala: Thank you, Hon. Speaker, for giving me this opportunity to also say something on the Motion that is before us. We are not against dialogue. It has been our desire for the nation to be at peace. For any woman in this country, that has been our cry.

We are requesting that this dialogue is not just bilateral or unilateral. It should be all inclusive. Once all are included in it, we are going to see Kenya move to greater heights in terms of peace, economic growth and everything will be okay in this country. Let us not use this to look like we want to kill multi-partism in Kenya, because our great men and women fought for it. Therefore, we must safeguard it as we dialogue and also look at the families.

I want to congratulate our two leaders for coming together, although it was late. I wish this would have happened before the trip by the United States of America (USA) envoy. We already lost our husbands, sons, fathers and the nation mourned. I wish this came before that. As we dialogue, we should remember the families who lost their loved ones. We need to know how the Government is going to compensate them. Let us not just brush issues aside. We lost our

Musando, Pendo and Samantha. We all lost and the nation went into a mourning mood. I want to thank the two leaders for the coming together at such a time. We congratulate them.

I belong to the Amani National Congress (ANC) Party. It sounds bad when somebody stands to say ours is a small party. We all belong to this House. We have the Leader of the Majority Party and the Leader of the Minority Party and we should be treated equally. We are not representing parties here, but Kenyans. Everyone should be respected, including our leaders. They may not have been presidential candidates, but we have to respect them, namely, Moses Wetangula, Musalia Mudavadi, Kalonzo Musyoka, Raila Odinga and Uhuru Kenyatta. We have to respect all of them for this House to restore its glory and dignity.

Therefore, the dialogue should not be a siege on multi-partism. The foundation of the Kenyan State should not mean we fold the Opposition. We have to bear in mind that Kenya is a multi-party State. I want to thank the leaders for coming together. Just like my brother from Mombasa has said, at least, the Coast region now has many tourists coming in. I also want all to be included. The County of Vihiga has never been without a flag and therefore, we should have a CS from there.

Thank you, Hon. Speaker, my time is over.

Hon. Speaker: Fortunately, I am told even governors have flags. So, there are flags all over Kenya. They can even use handkerchiefs as flags. Member for Soy.

Hon. Kositany: Thank you, Hon. Speaker for this opportunity. I rise to support the good initiative by His Excellency the President, Hon. Uhuru Kenyatta and the former Prime Minister, Right Hon. Raila Amollo Odinga, for their coming together for the good of this nation.

When I listen to our brothers from the minority side, they seem to be having issues, which should be addressed at their Parliamentary Group (PG) meetings and not on the Floor of this House. One of the issues is why some of their principals were not aware or invited to the meeting. What we should be discussing now is about embracing unity of purpose which has brought together His Excellency the President and Raila Amollo Odinga. I want to congratulate them because each one of them has swallowed their pride and decided that for the good of Kenya, we need to move forward. Members have said it here that every general election our country gets divided. We are never divided on the election of Members of County Assemblies (MCAs), Members of Parliament, Senators, Women Representatives (CWR) and governors. What divides this country is presidential election! I am happy our good friend, Hon. Otiende Amollo, is seated in the House. We would want to engage experts to tell us how we will get off this division whenever we have a presidential election. That is what we should be focusing on because it is presidential elections which always divide us.

I toured my constituency the other day and I spoke to the great people of Soy. I engaged members of the public and told them that Raila and President Uhuru Kenyatta came together and shook hands. I asked them why they would want to fight each other and even burn each other's houses or insult each other. Apparently, there are those who could not greet each other because of either supporting Raila or Uhuru. Yet, if Uhuru or Raila was to land in your constituency or village, none of them will know you. They will not even know the difference when you are seated in a crowd. This is a message to the general public, the actual voter in Kenya, that come what may, never again, should presidential elections divide us.

I want to congratulate His Excellency the Deputy President, William Ruto, because he embraced this unity between the President and the Right Hon. Raila Odinga. I want to call on the other principals in NASA, whether they knew about it or not, to do the same. The boat has sailed and they should embrace the unity and move on. This is not the time for one to say that one was

not told, consulted or should have been there. I request all Kenyans and especially those on social media to be very careful with what they post regarding what President Uhuru Kenyatta and Raila Odinga discussed because the details are not yet out. Therefore, for the good of Kenya, we will always support them.

Thank you, Hon. Speaker.

Hon. Speaker: The Member for Embakasi East.

Hon. Babu Owino: Thank you, Hon. Speaker. First of all, I support the agreement between Jubilee and ODM. I request all the other NASA principals to join hands in this accord. We should not leave them behind but move with them because we were once together. We should fight and enjoy together. For the oppressed to enjoy unlimited peace in this nation, President Uhuru Kenyatta and His Excellency Raila Amolo Odinga must continue with the dialogue. Also, for employment opportunities to be provided...

Hon. Angatia: On a point of order, Hon. Speaker.

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

Hon. Angatia: Thank you, Hon. Speaker. My point of order is to ask the Member on the Floor to officially recognise President Uhuru as the President of the Republic of Kenya. He has severally denied that. Today is the first time he is talking about dialogue between the President and the Leader of the Official Opposition. Can he recognise Uhuru Kenyatta as the official President now?

Hon. Speaker: Let the Member continue.

Hon. Babu Owino: Hon. Speaker, I think it is through common sense that the Hon. Member has just heard what I said. I said 'President Uhuru Kenyatta'.

For employment opportunities to be provided to the youth, men and women in this nation, President Uhuru Kenyatta and His Excellency Raila Amolo Odinga must continue with the dialogue. For there to be proper health services and Kenyan citizens to access high quality education in this nation, President Uhuru Kenyatta and His Excellency Raila Amolo Odinga must continue with the dialogue. For the families who lost their loved ones during the struggle for justice to be compensated, the two principals must proceed with the dialogue. For Babu Owino's cases to be dropped, then President Uhuru Kenyatta and His Excellency Raila Amolo Odinga must dialogue. For the will of the residents of Embakasi East to be recognised and respected, then, President Uhuru Kenyatta and His Excellency Raila Amolo Odinga must continue with the dialogue.

Babu Owino is like the story in the Bible about Shadrach, Meshach and Abednego. These three gentlemen were put in a furnace to burn to death. They were put there because they did not obey the king then. They came out of the furnace stronger. I would like to tell President Uhuru Kenyatta that he has put Babu Owino on fire and he has burnt and he is strong. I do not want to be stronger than this. Let him remove me from the fire.

Lastly, I urge the Jubilee and NASA fraternities to be a team and the slogans '*Tuko Pamoja*' and '*Tibim*' should be merged and recited as one sentence.

Hon. Speaker, thank you very much and God bless this nation.

Hon. Speaker: Member for Runyenjes.

Hon. Eric Njiru: Thank you so much, Hon. Speaker, for giving me an opportunity to add my voice to this Motion. I wish to start by thanking His Excellency the President and the Right Hon. Raila Odinga for the historic handshake. It has solved so many problems in this country. For a long time, we have witnessed a lot of division in this country and it has been the desire of Kenyans to see it come to an end.

When I heard about the handshake, I was in Runyenjes Constituency and my interaction with the people of Runyenjes indicated that they have been waiting for the leaders, His Excellency the President and the Right Hon. Raila Odinga, to meet and dialogue about the issues that affect this country. So, I believe they mean well for Kenya and it is now for us leaders to support that move so that we can move together as a country.

We want a country where a fisherman on the shores of Lake Victoria feels Kenyan the same way another person from any other region in this country does. Previously, this House was empty many times because Members from NASA were resisting. This country and even this House has been really wanting to have Members contribute to the issues that are affecting the country. So, the coming together of His Excellency the President and Raila Odinga has brought an end to the boycott by Members from the NASA Coalition. We believe going forward, we will come together as leaders and discuss the many challenges that are facing Kenyans.

With those few remarks, I beg to support.

Hon. Speaker: Hon. Members, I did indicate that this Motion was to go on up to 6 p.m. So, five minutes to 6 p.m., the Mover will be called upon to reply. If the Mover desires to donate part of his time, he will do so. The Mover is the Leader of the Minority Party and rather than do five minutes, I will give him 10 minutes. Those who wanted to campaign can now campaign. You can tell us who you are donating to and how much time.

Hon. Ng'ongo: Thank you, Hon. Speaker. Because there are quite a number of issues that I need to respond to, I will just be magnanimous to give a chance to two Members. I will give Hon. Otiende Amollo two minutes and Hon. Osotsi one minute. Please, spare me the rest to respond to the issues.

Hon. Speaker: Let us have Hon. Otiende Amollo.

Hon. (Dr.) Otiende Amollo: Thank you, Hon. Speaker. I have two minutes. So, I have to just go straight to the point. May the record reflect that this afternoon, Hon. ole Sankok and I were the first in the Chamber. I am not quite sure how these gadgets work, but I will accept that. I only have three quick things.

One is that no war is a tunnel except the good battle between good and evil. There is a time in the life of a nation such as now that you can cease hostilities. Ceasing hostilities is not abandoning agitation that is legitimate. It is stepping back to meaningfully look at each other in the eye and see if we can solve our problems together or perish together. That is the moment where we are. In that respect, this is the beginning of a journey. It is not an event that has happened as some of the Members were saying. This is a journey that is going to be treacherous and difficult and we are going to address all the issues that were listed by the Leader of the Minority Party and by many of us. We will also address many others that were not listed. At the end of the day, if we can walk this journey, a journey that we tried and failed in 1997, 2007 and 2010, then we will emerge much stronger.

Lastly, at the end of the day, it must be recognised that the President, His Excellency Uhuru Kenyatta, and His Excellency Raila Amolo Odinga, are doing this not for themselves, but for us. Therefore, as we do this, we must issue a collective caution that if anybody thinks we can walk this journey with dishonesty, in bad faith and without meaning, then we will have exposed the millions who are followers and not the two, and we will all suffer the collective wrath of the millions of Kenyans.

With that, I support. Thank you very much.

Hon. Osotsi: Thank you, Hon. Speaker, for this opportunity. I rise to support this historic Motion. I have read the covenant that was signed between Hon. Raila Odinga and Hon. Uhuru

and I can tell you that it talks to every Kenyan, the whole nation and every political party. It talks to the shared objective of this country. Things have been said here about structured dialogue. Structured dialogue is reflected in that document and our two leaders have clearly stated that there will be an implementation programme to implement the shared objective of Kenya.

Our two leaders have clearly stated that there will be a programme to implement the shared objectives of Kenya. So, all we can ask from those who have doubts about the intention of our two leaders, is that we give them time to come up with a programme that will involve every political party, region and tribe, so that Kenya can move forward. We must put Kenya ahead of our interest and our personal prejudices. The late Prof. Saitoti once said that there comes a time when the nation is more important than an individual. This is the case. So, Hon. Raila Odinga and President Uhuru Kenyatta have shown us the way. We need to support them. I belong to the Amani Party and our slogan is “amani”. I am one of the founder members of the Amani Party and when we formed it, we were very clear that we wanted to form a party that would unite this country.

Hon. Speaker: Your time is over. Proceed, Hon. John Mbadi.

Hon. Ng’ongo: Thank you, Hon. Speaker. I hope my seven minutes are still remaining. In the spirit of bipartisanship, I again donate one more minute to Hon. Kutuny, who is my long-time friend.

Hon. Speaker: Hon. Kutuny, you have one minute to contribute.

Hon. Kutuny: Mhe. Spika, niko na shangwe na furaha mpwitompwito kama tasa aliyepata mwana.

(Laughter)

Ni mimi ambaye alizindua ndoto hii ambayo imetimia. Punde tu baada ya uchaguzi, nilisema hadharani kwamba itakuwa muhimu Rais Uhuru Kenyatta, ambaye alikuwa ameshinda uchaguzi, na Mhe. Raila Odinga, ambaye alikuwa hakupoteza bali mambo yalikuwa yamemwendea mrama, kushirikiana. Nilisema kitumbua cha Mhe. Raila kilikua kimeingia mchanga kidogo, na hivyo basi akae na Rais Uhuru Kenyatta wawaunganishe Wakenya. Mhe. Raila ana sifa zake. Ni lazima tumheshimu. Ni kigogo na uti wa mgongo wa siasa za taifa la Kenya. Hakuna jinsi Rais Uhuru angefanya kazi bila kuungana na Mhe. Raila. Hii inatufunza nini? Inatufunza kwamba ukipenda, usipende sana, na ukichukia, usichukie sana. Usitusi wakunga kama uzazi ungalipo.

Hon. Speaker: Basi tasa amepata mwana.

(Laughter)

Hon. Ng’ongo: Thank you, Hon. Speaker. With that very heavy Kiswahili, I want to beg my colleagues who have not had an opportunity to contribute that I could not go beyond that limit.

Let me take this opportunity to first thank the Members who have had an opportunity to contribute to this Motion. As a matter of fact, the Motion got overwhelming support from everyone. I take note of the concerns and sentiments that have been expressed, especially on the issue of inclusivity in this dialogue. I also want to tell this House that I am aware that the President called the Deputy President when he met Hon. Raila Odinga. At the same time, Hon. Raila Odinga also called his running mate, Hon. Kalonzo Musyoka, but he could not reach him

that time. Immediately they finished, he called him and they shared. He also called Hon. Musalia Mudavadi before they finished the meeting. The only person he did not call was Hon. Moses Wetangula, who was going to meet Hon. Kalonzo Musyoka later. I have realised that some of the Members who have been complaining are very ignorant of what is going on. That is why I said that our parties should consult a lot. I am lucky because at least I always know what Hon. Raila thinks about. I said this when we were in Mombasa. More importantly, I always share with him. I urge the Members to be sharing with their leaders, so that there are kept informed.

There has been the issue of compensation of victims of violence. I want to repeat that we have not forgotten those who suffered during the post-election violence. These two leaders have committed themselves to, at least, offer compensation when this process begins. I did not even talk about the younger brother. This is a terminology that was introduced by others. I did not say any party is not important. I want to repeat what I did not like. I must clarify now for my colleagues to understand. The ODM has been condemned and attacked by the Chair of the Wiper Democratic Movement. If you look at our constitution, I have an obligation to protect and promote the interests and policies of ODM, as the Chairman. I have not responded to Hon. Kivutha Kibwana. I want to tell him today that it is also equally wrong to call my party leader a conman. The Members from the Wiper Democratic Movement should take note of that. That is something I cannot take lightly, especially where you are ignorant of the developments which are taking place. Therefore, I urge that in future, we should have chairs of parties who are residing in Nairobi and can interact with their leaders often rather than having people who are already divorced and managing counties outside there. When I become a governor, God willing, I will surrender my leadership as the Chairman of ODM, so that another person who is close by can manage the party.

Allow me to make two quick comments. One, it should be understood that I am speaking on the position of Hon. Raila Odinga, who is not in this House. I know I would also have spoken for President Uhuru Kenyatta, but I know Hon. Duale ably represents him in this House. I want to say that whatever Hon. Raila Odinga has done is not unique. This is his character and personality. He is someone who has the interest of this country at heart. Remember that in 1997, immediately after the elections, if it were not for Hon. Raila Odinga, this country would have degenerated into chaos. Because of his cooperation with KANU, we had the Inter-Parties Parliamentary Group (IPPG) talks that led to minimum political reforms being realised for the perfect running of the 2002 elections, which have been hailed as the best managed elections in this country.

We also remember Hon. Raila Odinga sacrificed his ambition when others were undecided and said: 'Kibaki *tosha*'. I was at that rally and I was not so amused because that is not what I expected. However, later on, I understood that Hon. Raila made the right decision because that is how we managed to beat those who were in KANU, including you, Hon. Speaker. We managed to beat you because of that decision. Above all, because of that, Kenya realised up to 8.4 per cent growth of Gross Domestic Product (GDP). No one can fault the management of the economy by President Mwai Kibaki with his surrogates like Hon. Kimunya. On a serious note, Hon. Kimunya was a very competent Minister for Finance in former President Kibaki's Government.

Finally, we all know what Hon. Raila did in 2008, together with former President Mwai Kibaki. We also know what he did in 2013. He accepted the verdict of the Supreme Court. We also know what he has done, together with President Uhuru Kenyatta, now. These two leaders have been very magnanimous. Immediately after the 2002 elections, President Uhuru Kenyatta

accepted and announced to the whole country that he accepted defeat. He joined the Government of national unity later and this country progressed. Therefore, I want to urge, as I conclude, that my colleagues who have...

Hon. Speaker: The HANSARD will wonder whether the Leader of the Minority Party disappeared.

Hon. Ng'ongo: Hon. Speaker, my time was up. I want to be very magnanimous with the time you have given me. I was just concluding by saying that these two leaders have demonstrated something that I think all of us need to support. Let us not complain too much. Let us not go to the petty issues as opposed to the bigger issue. As I said, I want to conclude that this is not about the 2022 General Election or sharing of positions. It is about Kenya. Let us concentrate on building Kenya and growing our economy. Let our young people be employed. That is what we will be remembered for.

Hon. Speaker, I beg to reply.

Hon. Speaker: The House must resolve itself one way or another on every Motion that has been proposed and seconded. Can I know whether we have the numbers?

Hon. Members, they counted the Members a lot early. Many of you cannot sit for too long. They counted the Members when you were a lot more than you are now. You are only 41. We can put the Question on the Motion tomorrow. There is no harm, so that we can move to the next Order. We will not put the Question for the reason that we do not have quorum.

Let us move to the next Order.

ADOPTION OF REPORT OF THE PUBLIC ACCOUNTS COMMITTEE

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

THAT, this House adopts the Report of the Public Accounts Committee on the accounts of the National Cohesion and Integration Commission (NCIC), the Commission on Revenue Allocation (CRA), the Ethics and Anti-Corruption Commission (EACC), the National Lands Commission (NLC), the National Assembly (NA) and the Parliamentary Service Commission (PSC), for the year 2015/2016, laid on the Table of the House on Tuesday, 13th March 2018.

As I move this Motion, which is essentially a routine Motion and there is nothing really unusual about it, I wish firstly to appreciate the enormous efforts that have been put in by the Members of my Committee. I wish to assure you that my Committee is composed of Hon. Members; men and women, who have given all it takes to ensure the Committee succeeds from day one.

I wish also to point out that...

Hon. Speaker: There is a point of order from Hon. Kajwang'.

Hon. Kajwang': Hon. Speaker, as you know, I cannot interrupt my friend when he is speaking to this, but a report of the Public Accounts Committee (PAC) is one of the most important reports that we have in this House. In fact, Hon. Wandayi bears one of the biggest responsibilities in this House. Could it be in order if my friend would move to the Dispatch Box where historically we can see him as the Chairman of PAC presenting a report and not like a back-bencher where we have to strain our heads to look behind?

Hon. Speaker: Hon. T.J. Kajwang', you are right. Hon. Wandayi is at liberty to use the Dispatch Box.

Hon. Wandayi: Hon. Speaker, I am being inducted in the functioning of the Government by my friend, Hon. T.J. Kajwang’.

From the outset, this Report has been made possible as a result of the tireless efforts of the Hon. Members of my Committee. I am very proud of them. It must be noted that PAC plays a very key role. If you recall that under Article 203 of the Constitution, the equitable sharing of revenue between the national Government and the counties is premised upon the most recent audited accounts as approved by this House. You will realise that PAC, which scrutinises those very accounts, plays a very key role.

We must also note that we still have a backlog of audited accounts, some dating back to as far as 2014, that need to be scrutinised by the PAC. For that reason, my Committee has developed a very ambitious work-plan that if implemented fully, will allow us to reduce or clear this backlog completely by the time the Second Session of the 12th Parliament comes to an end.

It must also be noted that all accounting officers in charge of various departments, ministries, commissions and independent offices, which fall under the purview of PAC, in so far as the examination of their accounts is concerned, have an obligation to cooperate with the Office of the Auditor General. In the course of the examination of those six accounts, which are the subject of this particular Motion, we realised that a number of accounting officers have developed a very bad habit of procrastinating, deliberately delaying or otherwise refusing to submit to the Auditor-General on time the material that is asked of them. It was a matter of concern to us that some of these accounting officers have assumed that PAC is an extension of the Office of the Auditor-General. What do I mean? There are cases where some accounting officers were asked to submit specific material to enable the Office of the Auditor-General to perform its task. This material was not submitted up to the time that the accounts were before us for final examination. You would then find accounting officers bringing before us heaps of documents which we could not actually have time to examine. They would have been examined much earlier by the Auditor-General.

Hon. Speaker, you will realise that the Auditor-General has six months from the time the financial year ends to carry out the audits. Upon completion of his work, this House only has three months to examine those accounts and vote on them. So, it is important that accounting officers co-operate because the timelines are extremely short. This House must continue to consider the Office of the Auditor-General as an ally. Indeed, in the course of our oversight duty, we need to co-operate and work hand-in-hand with him. Therefore, it is important that as we go along, we support this office financially and in any other way so that it can function effectively not only to make our work to oversee easier, but also to ensure public funds are utilised properly.

Public resources are obviously limited. Therefore, it behoves every accounting officer to ensure that at all times these limited public resources are applied properly, prudently and in a manner that shows that they understand that they are dealing with resources that are meant to serve the greater good of the country as a whole. Therefore, my Committee has undertaken to ensure that we make appropriate recommendations regarding any cases of misuse of public resources that will come to our attention. This we shall do without fear or favour. Therefore, all accounting officers are put on notice. They should understand that it will no longer be business as usual.

This is the first Report we have submitted and we shall be submitting many other reports going forward. Indeed, my Committee has undertaken to be submitting, at least, a report every two weeks. As we examine the accounts, we shall be writing reports and submitting them on the Floor of the House. It is going to become a routine. Therefore, I do not want to belabour the

point. I should have asked my Vice-Chairperson, Hon. Jessica Mbalu, to second, but because of the shared responsibility, I have chosen to ask Hon. Gideon Rono, Member for Keiyo South in the great County of Elgeyo Marakwet, to second. Thank you.

Hon. Speaker: Member for Keiyo South, Rono.

Hon. Rono: For avoidance of doubt, Hon. Speaker, my name is Daniel Rono, Member for Keiyo South, Elgeyo Marakwet County. Keiyo South Constituency was formerly led by Hon. Kiptanui and before him by Hon. Biwott, the 'total man'. May God rest his soul in eternal peace.

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

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

Hon. Temporary Deputy Speaker, I second this Report of the Public Accounts Committee which has touched on the examination of audited accounts of various commissions, as the Chairman has stated. As has already mentioned by the Chairman, the Committee has taken the unprecedented measure of considering audited accounts for the six agencies. This touches on the 2015/2016 Financial Year as a way of clearing the backlog of reports. By and large, the Committee noted that accounting officers that appeared before the Committee presented satisfactory explanations on resolutions to issues raised in audit queries. However, the Committee noted that at the time of writing this report accounting officers, as mentioned, the Chairman of the National Land Commission appeared before the Committee without a written submission and without being accompanied by other relevant officers. The Chairman noted that this kind of brazen casualness will not be entertained in future. In that regard, we have taken very firm steps that when appearing before our Committee, accounting officers must appear.

The Committee noted that in some projects, project managers from the Ministry of Lands, for example, in a project undertaken at Harambee House, subjected the PSC to pay some interest because of delayed payments. To this end, the Committee is of the opinion that, going forward, the Ministry should be held financially accountable for any penalties arising from delays in processing certificates of works as well as invoices.

With those few remarks, I beg to second.

(Question proposed)

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Members, we do not have much time. So, let us give one or two Members a chance to make their contribution. Hon. Kimani Kuria, Member for Molo.

Hon. Kimani: Thank you very much, Hon. Temporary Deputy Speaker. My name is Kuria Kimani, Member for Molo Constituency and a Member of PAC. As my able Chairman and Hon. Rono have said...

(Hon. A. B. Duale consulted loudly)

I do not think that it is in order for the Leader of the Majority Party to be talking so loudly when I am contributing.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Order, Hon. Leader of the Majority Party!

Hon. Kimani: You are consulting too loudly, my leader. When we examined the audited accounts...

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Leader of the Majority Party, I know there is some mutual love in the House but let us demonstrate it quietly. Hon. Member, please, go on.

Hon. Kimani: Thank you, Hon. Temporary Deputy Speaker. It is good to note that this is in good spirit. This is the way we want the country to move forward. Some few months ago, such an engagement could not have happened.

I support what my able Chair has said in terms of the examination of the books of accounts of the six agencies that were examined by the PAC. If this country wants to move forward, then we must ensure that there is prudent management of our finances. It was very sad, for example, when we summoned as mandated by the Constitution, some members from the National Lands Commission (NLC). Despite having not given their records for the last one year, they neglected to bring any written submission. They neglected to give any substantive information about the queries that were raised by the PAC. We feel that if Parliament is supposed to do its role of oversight through various oversight Committees, namely, PAC, Special Funds Accounts Committee and the Public Investments Committee (PIC), it will not happen if accounting officers neglect their role as they did when we summoned them as Members of the PAC.

On examination of various accounts, we also noted a big concern on some of the stalled projects in the country. I was thinking that when, for example, a budget of Kshs200 million for a particular project is proposed, notwithstanding that our resources are limited, and you only find Kshs100 million to do that project, then, that project cannot serve the people and ends up being some sort of a sunk cost. By the time you are completing this project, the expenses have gone up and so much has happened.

With that, I beg to support the Report.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): The Leader of the Minority Party.

Hon. Ng'ongo: Hon. Temporary Deputy Speaker, I just want to say one thing. I congratulate this Committee for doing a commendable job. I think this is the first time that the PAC is bringing a report in such a short period of time. This Report is covering quite a number of agencies, namely, the National Cohesion and Integration Commission (NCIC), Commission on Revenue Allocation (CRA), Ethics and Anti-Corruption Commission (EACC), National Lands Commission (NLC), the National Assembly (NA) and the Parliamentary Service Commission (PSC). I am happy that they have done this. Most of the time, the accounts of these agencies are forgotten. I congratulate them for starting this time with these agencies and bringing their reports to Parliament. I am happy that they have invited the Auditor-General together with the accounting officers. They looked at the queries that were raised and addressed them. I am happy that most of these agencies were able to convince the Auditor-General. In accounts, we say the audit queries were cleared.

As I sit down, I find that many Kenyans do not appreciate that audit queries can be raised, but once they are raised, the accounting officer can answer them and if PAC together with the Auditor-General are convinced and the queries are cleared, they cease to be audit queries.

With those remarks, I thank PAC and ask them to continue in that spirit and ensure that this time we update our accounts to the current financial year to be able to divide revenue effectively and efficiently.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Hon. Majority Leader, you look misplaced.

Hon. A.B. Duale: Hon. Temporary Deputy Speaker, I want to confirm that the relationship between the President and the Right Hon. Prime Minister and between Jubilee and ODM is real. This reminds us of 1963 when the late Jaramogi had a deal with the late Mzee Kenyatta.

I thank Hon. Wandayi. His seat is here in front. This man was in the serious Opposition in the last Parliament and up to now, he has not internalised that he is the Chairman of PAC. I was watching the ‘Chief Justice’, Member for Ruaraka, the only brave man in the former NASA Coalition, who when others took off, swore in *Baba*.

We have a good PAC. This Report entails the audited reports of the EACC and the PSC among others. We support it. We want him to come and sit in front. The Member for Narok North knows where he sits. I have seen him here. Abdullswamad sits here. Hon. Wandayi, from today, under the new relationship, should come and sit in front. When auditing parties, when you get the accounts of Wiper, the Amani National Coalition (ANC) and the Forum for Restoration of Democracy (FORD(K)), deal with them properly.

An Hon. Member: They have no accounts.

Hon. A.B. Duale: I am told they have no accounts. In fact, they have no accounts. The only two parties that can access money from the Political Parties Fund are ODM and Jubilee parties. Today, you can see the Leader of the Minority Party on that side. We are serious people. I want the country to see Mbadi there and I am here. Mbadi and Junet are the right people to help me make sure that William Ruto becomes the President.

(Laughter)

If I have the ‘Chief Justice’, Junet, Mbadi and *Baba* behind, it is like River Nile. It will never be stopped. Somebody tweeted the other day that Ruto is 75 per cent in State House. The 25 per cent will be done by these guys.

We support the Chair. Please, bring more. I support. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Tuya): Let us have the Member for Suna East to make the last contribution.

Hon. Nuh: Thank you, Hon. Temporary Deputy Speaker. I stand to support the Motion. I am a Member of the Committee. Hon. Wandayi is an example of how a person evolves from a serious guerrilla fighter to a Chairman of PAC. As the Leader of the Majority Party has said, he thinks that he is still in the forest. He needs to come out now to the public, so that people can know he is the Chairman of the PAC.

Secondly, the Leader of the Majority Party has come to sit on this side. I am shocked. I do not know what is going to happen next. Is it that he has defected to the minority side? What he is saying has some truth in it. Only God knows what will happen in 2022. Things can go the way he is talking. The way I am seeing, if he continues like this for the next three years, it looks like it will rain properly in our area. When elections come, people just decide at that time of the election. Now we are doing our work as Members of Parliament and we want to do our politics

for the next four years. Going forward, the way the Leader of the Majority Party is talking, watch this space. I might end up taking his job because he is going to become the Cabinet Secretary for Interior in that Government. I can see Kenya is in the hands of God.

For NASA, you must put your House in order. Nobody will do it for you. When you see ODM doing something, it is doing it in good faith because ODM is the biggest party in East Africa. The ODM is the biggest party in Kenya. It is a fact. What we are going to do now is to make sure that...

The Temporary Deputy Speaker (Hon. (Ms.) Tuyu): Hon. Junet!

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

The Temporary Deputy Speaker (Hon. (Ms.) Tuyu): I sense agitation for closure of this debate. Hon. Members, is that the feeling?

Hon. Members: Yes!

The Temporary Deputy Speaker (Hon. (Ms.) Tuyu): I now call upon the Mover to reply.

Hon. Wandayi: Hon. Temporary Deputy Speaker, I beg to reply.

The Temporary Deputy Speaker (Hon. (Ms.) Tuyu): Hon. Members, I confirm that we have the requisite quorum for putting the Question

(Question put and agreed to)

The Temporary Deputy Speaker (Hon. (Ms.) Tuyu): Next Order!

BILL

Second Reading

THE NAIROBI METROPOLITAN AREA TRANSPORT AUTHORITY BILL

The Temporary Deputy Speaker (Hon. (Ms.) Tuyu): Mover, Leader of the Majority Party.

Hon. A.B. Duale: Hon. Temporary Deputy Speaker, the Chair of the Departmental Committee on Transport, Public Works and Housing who is the Member for Pokot South, will be tabling his Report tomorrow. Therefore, we can deal with this Bill on Tuesday as we deal with the Division of Revenue Bill tomorrow.

I seek your indulgence so that we can defer that Order.

(Bill deferred)

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms.) Tuyu): Hon. Members, there being no other business, the House stands adjourned until tomorrow, Thursday, 15th March 2018 at 2.30p.m.

House rose at 6.42 p.m.

