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(The House met at 2.30 p.m.)

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

PRAYERS

MESSAGES

PASSAGE OF SEVEN BILLS BY THE SENATE

Hon. Deputy Speaker: Hon. Members, pursuant to the provisions of Standing Order 41(4), I wish to report to the House that I have received seven Messages from the Senate regarding its consideration of six Senate Bills and one National Assembly Bill.

Hon. Members, the first, second, third and fourth Messages convey that on Tuesday, 21st July 2026, the Senate considered and passed the following Senate Bills, with amendments:

1. The Environment Laws (Amendment) Bill (Senate Bill No. 23 of 2024) seeks to amend the Forest Conservation and Management Act and the Climate Change Act to make further provision for afforestation and reforestation of indigenous forests in Kenya to promote tree planting in all counties and provide for the setting and formulation of strategies to achieve national environment targets and annual carbon sequestration target.
2. The Sports (Amendment) (No.2) Bill (Senate Bill No. 45 of 2024) seeks to amend the Sports Act to create county academies of sports and provide for protection of minors in sports.
3. The Statutory Instruments (Amendment) Bill (Senate Bill No. 10 of 2024) seeks to amend the Statutory Instruments Act to provide clarity on the timelines within which statutory instruments shall be made and prescribe sanctions for failure by the responsible regulation-making body to make statutory instruments within the specified period.
4. The Heritage and Museums Bill (Senate Bill No. 8 of 2023) seeks to provide for the conservation, preservation, protection, research and management of cultural and natural heritage at national and county levels of government.

In addition, Hon. Members, the fifth and sixth Messages convey that on Tuesday, 21st July 2026, the Senate considered and passed the following Bills, without amendments:

1. The County Hall of Fame Bill (Senate Bill No. 18 of 2023) which seeks to establish a county hall of fame in each county as an avenue through which the county governments shall bestow honour on individuals within their respective counties acclaimed as being outstanding, exceptional or illustrious in any profession or activity, and to provide a framework for the preservation of the history, heritage and culture of counties.
2. The County Oversight and Accountability Bill (Senate Bill No. 3 of 2024) which seeks to give effect to Article 96(1) and (3) of the Constitution and enhance public financial accountability by the county governments.

The Senate now seeks the concurrence of the National Assembly on the six Bills, in accordance with the provisions of Article 110(4) of the Constitution.

Hon. Members, the seventh and final Message conveys that on Tuesday, 21st July 2026, the Senate considered and passed the Public Audit (Amendment) Bill (National Assembly Bill No. 4 of 2024) with amendments. The Senate now seeks the National Assembly's reconsideration of the Bill, in accordance with the provisions of Article 112(1)(b) of the Constitution.

Hon. Members, Standing Order 143(1) requires the Speaker to cause a Bill received from the Senate to be read a First Time, upon conveyance of its Message to the House. In this regard, I direct the Clerk of the National Assembly to schedule the six Senate Bills in the Order Paper for the First Reading during the next sitting. Thereafter, the said Bills will stand committed to the respective Committees for consideration as follows—

1. The Environment Laws (Amendment) Bill (Senate Bill No. 23 of 2024) will be considered by the Departmental Committee on Environment, Forestry and Mining.
2. The Statutory Instruments (Amendment) Bill (Senate Bill No. 10 of 2024) will be considered by the Departmental Committee on Justice and Legal Affairs.
3. The Sports (Amendment) (No.2) Bill (Senate Bill No. 45 of 2024), the Heritage and Museums Bill (Senate Bill No. 8 of 2023) and the County Hall of Fame Bill (Senate Bill No. 18 of 2023) will be considered by the Departmental Committee on Sports and Culture.
4. The County Oversight and Accountability Bill (Senate Bill No. 3 of 2024) will be considered by the Departmental Committee on Regional Development.

Further, Hon. Members, I hereby refer the Senate amendments to the Public Audit (Amendment) Bill (National Assembly Bill No. 4 of 2024) to the Departmental Committee on Finance and National Planning for consideration and reporting. I also direct the Clerk of the National Assembly to circulate the Schedule of Senate Amendments to the Bill to all Members.

With respect to the consideration of the six Senate Bills, the respective committees are reminded to pay particular attention to the provisions of Articles 109 and 114 of the Constitution and guide the House appropriately. The committees which the seven Bills have been referred to are encouraged to prioritise consideration and submit their reports as soon as is practicable to enable the House to proceed with the necessary next steps on the Bills.

The House is accordingly informed. Thank you.

Before Leader of the Majority Party lays Papers, I wish to recognise the presence of the following schools which are seated in the Speaker's Gallery: Amagoro Junior School from Teso North Constituency, Busia County and St. Stephens Kapkurunjo Primary School from Chumbe Constituency, Nandi County. Seated in the Public Gallery, we have Umoja Tulwet Secondary School from Kuresoi North Constituency, Nakuru County; Ogada Progressive Academy from Suna West, Migori County; Kiviu Primary and Junior School from Mwingi Central Constituency, Kitui County; Ranen Adventist Comprehensive School from Awendo Constituency, Migori County and Mfariji Comprehensive School from Igembe North, Meru County.

On my behalf and that of the substantive Speaker, and the entire National Assembly, we welcome you to the House.

PAPERS

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

1. County Governments Budget Implementation Review Report for the first half (first six months) for Financial Year 2025/2026 covering the period

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1st July 2025 to 31st December 2025 from the office of the Controller of Budget.

2. Reports of the Auditor-General and financial statements for the years ended 30th June 2021, 30th June 2022, 30th June 2023, 30th June 2024, 30th June 2025 and the certificates therein in respect of the following—
 - (a) Buruburu Girls' Secondary School
 - (b) Highway Secondary School
 - (c) Icuga Girls' Secondary School
 - (d) Kabiruni Girls' Secondary School
 - (e) Kamuhuha Girls' High School
 - (f) Kiandu Secondary School
 - (g) Kipipiri School
 - (h) Pumwani Secondary School
 - (i) Ruthagati High School
 - (j) St. Michael Secondary School Buyende.

Thank you, Hon. Deputy Speaker.

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

Hon. Deputy Speaker: We have a request for a Statement by Hon. Aden Daudi to the Departmental Committee on Administration and Internal Security. Proceed.

IRREGULAR PROCESSING OF ELECTRONIC TRAVEL AUTHORISATION FOR FOREIGN NATIONALS

Hon. Aden Mohammed (Wajir East, JP): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding alleged irregular processing of Electronic Travel Authorisations (eTAs) for foreign nationals seeking entry into Kenya.

It is alleged that Somali passport holders who require an Electronic Travel Authorisation to enter Kenya experience inordinate delays in the processing of applications submitted through the official online platform, notwithstanding payment of the prescribed fees. It is further alleged that such applications are only expedited upon payment of between US\$ 200 and US\$ 250 to intermediaries who purportedly facilitate approvals through irregular channels.

The Electronic Travel Authorisation system is a critical component of Kenya's border management and national security framework, designed to facilitate the screening and vetting of foreign nationals before they are authorised to travel to the country. Allegations that approvals are influenced by unofficial payments or involvement of third parties raise serious concerns that the integrity of the system has been compromised. This therefore undermines the credibility and effectiveness of the country's immigration controls, thereby exposing the country to significant national security risks in which persons are admitted without proper vetting of their backgrounds. Further, such practices foster corruption and result in the loss of revenue amounting to hundreds of thousands of dollars allegedly collected through these irregular payments on a daily basis.

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

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1. A report on the investigations, if any, into the existence of intermediaries and officers in Government agencies facilitating preferential processing of eTA applications by Somali nationals at illegal fees ranging from US\$ 200 to US\$ 250 and actions taken against those found culpable;
2. A report on the audit of eTA applications processed over the past one year and confirmation as to whether the prescribed payment of US\$ 30 in respect of these applications was remitted to the government coffers; and
3. The measures put in place to ensure that eTA applications submitted by foreign nationals are processed fairly, transparently and within reasonable timelines without involvement of intermediaries.

I thank you.

Hon. Deputy Speaker: Where is the Chairperson of the Departmental Committee on Administration and Internal Security? Is there anyone who can undertake on their behalf?

(Hon. Gabriel Tongoyo spoke off the record)

Yes, when do you confirm to get back?

Hon. Gabriel Tongoyo (Narok West, UDA): Two weeks, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Two weeks it is.

Hon. Member for Mwingi Central, did you want to welcome the students from your constituency? Give him the microphone.

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you, Hon. Deputy Speaker. On my own behalf and that of Parliament, I welcome all the schools and accompanying delegations to Parliament and in particular, Kiviu Ikusia Primary School from my constituency. I am very proud of you. I encourage all of you to work hard and aspire to be leaders in the future.

Thank you and God bless you.

Hon. Deputy Speaker: Member for Teso North.

Hon. Oku Kaunya (Teso North, ODM): Thank you very much, Hon. Deputy Speaker. I also want to thank you for giving me this opportunity to welcome all the schools that have come to Parliament today to observe the proceedings of the House. In particular, I wish to welcome Amagoro Junior Secondary School, which has around 150 students present here today, headed by their Headteacher, Mr Orodia. This school comes from my constituency. It is one of the biggest schools. I urge the students to observe the proceedings, work hard and learn. Some of them will come to join this august House in future.

Thank you.

Hon. Deputy Speaker: Thank you. Hon. Mary Maingi, Member for Mwea, proceed.

TRAGIC ACCIDENT IN MWEA CONSTITUENCY

Hon. Mary Maingi (Mwea, UDA): Hon. Deputy Speaker, I rise to seek a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding a tragic road accident near Murubara Bridge along the Mwea-Embu Highway in Mwea Constituency.

On the early morning of 1st August 2026, a grizzly road accident involving a parcel truck and a tuk-tuk occurred at the Murubara Bridge between Red Soil and Nice Digital Area along Makutano - Embu Highway. The accident occurred when a parcel truck that was being driven from Mwea towards Embu veered off its lane and rammed into a tuk-tuk that was headed towards Ngurubani. The head-on collision caused the death of one occupant of the parcel truck,

six passengers of the tuk-tuk and one pedestrian, who was hit while walking on the roadside at the accident scene.

The accident is attributed to the deplorable state of the road section near Murubara Bridge, where visibly dangerous potholes have developed. Eyewitnesses claim that the truck driver veered off his lane while attempting to avoid a deep pothole. This tragic death of the truckers and the peasant workers who were travelling from Kimbimbi to the Mwea Irrigation Research Area to plant rice has caused immense sorrow and loss of livelihoods to their dependent families. There have been other accidents at the same spot, calling for urgent interventions to forestall any further accidents.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. The immediate actions taken by the Kenya National Highways Authority (KeNHA) to mitigate recurrent accidents at Murubara Bridge, including re-carpeting of the road, erecting proper road signage, installation of speed bumps and other safety enhancements to curb the accidents.
2. Plans, if any, by KeNHA to expand the Mwea Embu Road to a dual carriage, including the budget allocation and timelines for implementation.
3. Plans by the Government to support the funeral expenses for the accident victims, offset hospital bills for survivors nursing injuries in hospitals and reparations for the families who lost their breadwinners in the Murubara Bridge accident.
4. Steps being taken by the National Transport and Safety Authority (NTSA), police, and other relevant agencies to strengthen traffic law enforcement and safety in the country.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Is there any member of the Departmental Committee on Transport and Infrastructure? Hon. Leader of the Majority Party, you can undertake on their behalf.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, let me inform the Chairperson to probably respond within a week.

Hon. Deputy Speaker: Okay, thank you. Next is Hon. Munyoro, Member for Kigumo. Is he here? Proceed.

STALLED CONSTRUCTION OF
NGONDA - GATUMBI - GACHOCHO ROAD IN KIGUMO

Hon. Joseph Munyoro (Kigumo, UDA): Thank you, Hon. Deputy Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I wish to request a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the stalled construction of the Ngonda-Gatumbi-Gachochi Road in Kigumo Constituency.

The Ngonda-Gatumbi-Gachochi Road serves as a critical transport infrastructure for the people of Kigumo Constituency, facilitating the movement of agricultural produce, access to schools and health facilities, and connectivity between several villages within the constituency. Regrettably, construction works on this road have stalled despite the contractor, Triple N Capital Ventures Limited, purportedly having been paid all outstanding dues. Consequently, the road has continued to deteriorate at an alarming rate, with several sections rendered impassable, especially during the rainy seasons.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. The reasons for the delay in the construction works on Ngonda-Gatumbi-Gachochi Road, despite settlement of all outstanding payments owed to the contractor;
2. The specific timelines within which the contractor is expected to resume construction works and an indication on the projected timeline for completion of the road; and
3. Measures, if any, that the Ministry of Roads and Transport has put in place to safeguard the road from further deterioration pending resumption of works, particularly in light of the impending rains.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Chairperson of the Departmental Committee on Transport and Infrastructure, proceed.

Hon. George Kariuki (Ndia, UDA): I will respond in the next two weeks or before 21st August.

Hon. Deputy Speaker: Okay. Proceed, Hon. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I just want to inform the Chairperson. I had not seen him here. Hon. Betty Maina, who is a member of the Committee, had actually indicated to me that she had since, through the Committee, pushed for payment of the contractor's dues and Hon. Munyoro, the Member for Kigumo, knows that Hon. Betty Maina is a constituent of Kigumo Constituency and all the pending bills have since been settled. I am sure the Chairperson will get that information from the Ministry and give you a formal response. The contractors should be mobilised to get back to site. I am sure within two weeks the Chairperson has indicated that he should be able to give you a very comprehensive answer on the work that the Hon. Betty Maina has been doing in pushing for the contractor to resume on this road.

Hon. Deputy Speaker: Hon. Munyoro, what do you want to say?

Hon. Joseph Munyoro (Kigumo, UDA): Thank you, Hon. Deputy Speaker. You know, I never like engaging the Hon. Leader of the Majority Party, because he is senior in a profession I am in, but I think he did not understand my statement, which is requesting why, despite the contractor having been paid, they are still not on site. Two, I wanted clarification before they come back on site, whether they can maintain that road, because it is in a terrible situation.

Thank you.

Hon. Deputy Speaker: I believe, Hon. Chairperson, you have noted that concern.

Hon. George Kariuki (Ndia, UDA): Hon. Deputy Speaker, that matter has been raised by Hon. Betty Maina, who is a member of my Committee and so Hon. Munyoro should relax because that matter is being pursued by a very competent Member of Murang'a County.

Thank you.

Hon. Joseph Munyoro (Kigumo, UDA): You know, I cannot raise an issue here as a Member who represents Kigumo Constituency, then the Chairperson tells me someone has raised it elsewhere. I am in this Parliament, having been elected by the people of Kigumo. I am not asking about an arbitrary matter out on the streets and I cannot be told that there is someone who has somewhere along the streets...

Hon. Julius Ruto (Kesses, UDA): On a point of order, Hon. Deputy Speaker.

The Deputy Speaker: What is your point of order?

Hon. Julius Ruto (Kesses, UDA): Thank you, Hon. Deputy Speaker. With due respect to my good friend Hon. Munyoro, elected Members of this House have a role as per the Constitution to represent their people. Therefore, Hon. Betty Maina coming from Kigumo which is part of Murang'a and having been duly elected from Murang'a County to represent the people of Murang'a is duty bound to represent them. Hon. Betty Maina has prosecuted the

matter and that is enough. My colleague should accept that she is duty bound to do that work. Unless he is sleeping on his job and Hon. Betty has taken over the role to help, he should not demean the other office.

Hon. Deputy Speaker: You can finish your sentence.

Hon. Joseph Munyoro (Kigumo, UDA): This is the height of disrespect by a fellow Member trying to tell me that when I am raising a pertinent question affecting our people that someone else had raised it in a committee or when they were having tea. Hon. Rutto does not come from Kigumo Constituency. So, he should leave Kigumo matters to the duly elected Member of the constituency. When I raise a matter, I am not raising it so that we debate, but I am raising it so that we get answers in this Parliament.

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

The Deputy Speaker: We have another point of order.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I ask the Hon. Member for Kigumo, first, to calm down because every Member of this Assembly is elected to represent the people. He is elected in Kigumo to represent the people of Kigumo. But that does not exclude the Member for Kesses who is a representative of the people in the National Assembly. The National Assembly is for Members of the National Assembly representing all the people of Kenya. That is why when we legislate here, we do not legislate only for the constituents who elected us. Therefore, the Member for Kesses has every right to speak for the people of Kigumo just like the Member for Murang'a County, Hon. Betty Maina, has every right, as a Women County Representative of the people of Murang'a, to speak for the people of Kigumo, where she hails from.

I know this because I was in the meeting with the Cabinet Secretary, the Principal Secretary and Hon. Betty Maina where she pushed for the construction of roads in Kigumo Constituency and other constituencies in Murang'a. That is why I am offering this information. Despite that, I ask the Member for Kigumo, Hon. Munyoro, to relax. Hon. Maina is his constituent. She votes for him and, maybe, he will want to vote for her as the County Women Representative and so will all the people of Kangari and the entire Kigumo. Therefore, he should not belittle a leader because she is a woman. Women leaders have every right to speak for the people who elected them. I know where Hon. Munyoro is coming. I do not know if that has anything to do with his name, Munyoro. This is because he has a penchant for disrespecting women leaders. We must protect women leaders, whether they apply lipstick or foundation on their faces or not. They are beautiful ladies and they have every right to represent their people.

Hon. Irene Kasalu (Kitui County, WDM): On a point of order, Hon. Deputy Speaker.

The Deputy Speaker: What is your point of order? Leader of Majority Party, there is a point of order.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I am on a point of order. Let the Member relax. She will have her say. I rose on a point of order because I have a duty as a leader in this House to protect other leaders. I have to protect the Member for Kesses and Hon. Betty Maina from being belittled by those who believe that women leaders should not speak for anybody. We must protect women leaders in this country and in this House. Therefore, when Hon. Betty Maina raised the issue, if I were the Member for Kigumo, I would have been very happy, just as the Member for Kikuyu I am very happy when my County Women Representative for Kiambu County, Hon. Ann Wamuratha, raises issues with ministries pertaining to Kikuyu Constituency. I invite Hon. Munyoro to speak for the people of Kikuyu at times, if I am not here or if I am too busy with other politics elsewhere and he finds a matter pertaining to Kikuyu Constituency. There is nothing wrong when another Member raises it.

Because Hon. Munyoro was probably busy elsewhere, that is why Hon. Betty Maina did what was right. This House transacts business in Plenary as we are doing now. The

Member, in his fourth year, should and must know that most business of the House is transacted in committees. That is why he asked a Question or requested a Statement to be responded to by the Chair of a Committee. Hon. Betty Maina sits in that committee. What is wrong when she prosecutes that matter in the committee? He should not take offence. Please, my brother should not take offence but rather relax. That helps the people of Kigumo. The Member must not oppose anything that helps the people of Kigumo. Instead, he should support Hon. Betty Maina to help the people of Kigumo.

The Deputy Speaker: Before you proceed, let me recognise our visitors before they leave. Hon. Members, I wish to introduce to you a delegation of senior parliamentary officers from the Senate and National Assembly of the Kingdom of Lesotho who are seated in the Speaker's Gallery. Hon. Members, the delegation is led by Hon. Khotso Manamolela and Ms Lubusing Majoro, the Deputy Clerks of the Senate and National Assemblies of the Kingdom of Lesotho respectively.

They are here on a study visit to the Parliament of Kenya to share experiences on operations and mandate of the Parliamentary Service Commission and the Parliamentary Budget Office among others. Hon. Members, on my behalf and that of the National Assembly, I welcome them to Parliament and wish them fruitful engagements during their stay in the country. Thank you.

I also wish to recognise the following schools seated in the Speaker's Gallery: Kamogoso Secondary School, Bomet Central Constituency, Bomet County and Potters House Academy, Kapseret Constituency, Uasin Gishu County. Seated in the Public Gallery is St. Kizito Mayanja School, Bumula Constituency, Bungoma County; Mogoiyuet Primary School, Narok West Constituency, Narok County and, lastly, St Mary's Primary School, Chepalungu Constituency, Bomet County.

I will allow Hon. Wamboka, before we proceed, to quickly welcome them. Hon. Munyoro, we will get back to you thereafter.

Hon. Wanami Wamboka (Bumula, DAP-K): Thank you, Hon. Deputy Speaker. I welcome all our students who made it to come and see what we do here, on behalf of the House. Particularly, I welcome Mayanja, a school from my constituency. It is one of the most popular schools. Last year, they had 352 students who sat for Kenya Certificate of Secondary Education (KCSE). One hundred and ninety-two students went straight to university. We congratulate the head teacher of the school and the head teachers of all the schools that are here and are doing a good job. This is where we legislate; this is where we debate and this is where we oversee Government business. I would like to inform them and let them know that their Member of Parliament is one of the best debaters of this House.

Thank you very much, Hon. Deputy Speaker. Let them feel welcome.

The Deputy Speaker: You may proceed, Hon. Munyoro.

Hon. Joseph Munyoro (Kigumo, UDA): Thank you, Hon. Deputy Speaker. I want Hon. Ichung'wah to withdraw the statement that I have, in any way, disrespected my colleague. This is because I never raised the name of Hon. Betty Maina.

Secondly, requests for Statements are taken to the Speaker's Office. The Statement was approved by that office and it was brought to this House. Is the Leader of the Majority Party telling us that the Speaker's Office is incompetent? What is he saying?

Lastly, should I consult any colleague here before I raise any matter affecting my people in Kigumo so that I am advised whether to request for a Statement or not? Hon. Ichung'wah has raised a diatribe that he is used to. He comes here and lectures us like children. We are not his children. Those things should be reserved for his house.

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

The Deputy Speaker: What is your point of order, Hon. Ichung'wah?

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, Hon. Munyoro is attempting to put words in my mouth because he is saying that I am insinuating that the Office of the Speaker is incompetent. Just to advise Hon. Munyoro, there is a directorate in this House called the Directorate of Legislative and Procedural Services, headed by Director Kirui. That is the one that has gone through your Statement and passed it to the Office of the Clerk for approval by the Speaker. You have every right as a Member for Kigumo to ask questions and to request for statements. We were only informing you that before your Statements, another Member of this House had prosecuted that matter appropriately in the relevant committee. I even offered to tell you, when the Chair came in, that the Chair will, within two weeks, give you what Hon. Betty Maina has been doing before the committee in writing, in response to your Statement.

So, I am not saying you have no right to ask for a Statement. You have every right, but I am also duty bound, as a leader in the House, to inform you that there is another Member of this House who has done her work diligently as a representative of the people of Kigumo, Kandara and Mathioya, as a Woman Representative for Murang'a. There is nothing wrong with that. Hon. Munyoro, I have no business lecturing you; I would never want to lecture you. But of course, I will guide you and help you to be able to serve the people of Kigumo better without emotions and without being agitated over nothing. Please just relax and allow the committee to give you that Statement in two weeks, and you will be happy. You will be very happy that the people of Kigumo are being served very well by this administration. You will also be a happy man. Do not worry, Hon. Munyoro.

Hon. Deputy Speaker: Next, we have a request for a Statement by the Hon. Mark Mwenje, Member for Embakasi West.

PERFORMANCE-BASED ROAD MAINTENANCE
CONTRACTS IN NAIROBI CITY COUNTY

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Deputy Speaker. I pray that the Leader of the Majority Party will not interfere with my question by saying it has been asked by somebody else.

(Laughter)

Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding Performance-Based Road Maintenance Contracts in Nairobi City County.

Hon. Deputy Speaker, Performance-Based Road Maintenance Contracts were introduced in 2010 in the Ministry of Transport to ensure that roads are maintained at prescribed service levels through continuous routine and periodic maintenance, thereby enhancing road safety, improving mobility, and ensuring value for public expenditure. Despite the implementation of these contracts, the conditions of several roads in Nairobi City County continue to deteriorate, raising concerns regarding contractor performance, supervision and accountability. Of particular concern is Moi Drive Road in Embakasi West Constituency, which is in a deplorable state despite serving as a key urban road linking residential estates, businesses, schools, health facilities and other public institutions. The road is characterised by numerous potholes, inadequate drainage that poses risks to motorists, pedestrians and other road users.

Hon. Deputy Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

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1. A list of all roads in Nairobi City County currently under Performance-Based Road Maintenance Contracts, indicating the implementing road agency and the contractor for each road;
2. Clarification on whether Moi Drive Road in Embakasi West Constituency is covered under any Performance-Based Road Maintenance Contract, and if so, details of the maintenance activities undertaken and the funds disbursed to the contractor since commencement of the contract;
3. Measures being taken by the Government to guarantee compliance with the contractual obligations to ensure that all roads under the Performance-Based Road Maintenance Contracts are maintained, and specifically the Moi Drive Road in Embakasi West Constituency; and
4. The monitoring, inspection and supervision mechanism employed by the Ministry of Transport to evaluate contract performance, including penalties, if any, imposed on contractors who breach the contracts.

I thank you, Hon. Deputy Speaker.

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

Hon. George Kariuki (Ndia, UDA): Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Before we proceed, allow me to just recognise a delegation of 18 students from the following schools seated in the Speaker's Gallery:

1. Starehe Boys' Centre and School.
2. Loreto Convent Valley Road
3. Alliance High School.

The students are in Parliament on a voluntary service scheme that runs during the school holidays for a period of one to two weeks. Hon. Members, on my own behalf and that of the National Assembly, I welcome the students to Parliament and wish them a positive experience in their voluntary service. Thank you.

You may proceed. How long will you take to respond?

Hon. George Kariuki (Ndia, UDA): Hon. Deputy Speaker, before I indicate the length of time it will take us to respond, let me remind Hon. Mark Mwenje, that His Excellency the President, Dr William Samoei Ruto, has committed billions of shillings for the rehabilitation of Nairobi roads. Nairobi County Government, together with the Members of this Assembly, are working hard to ensure that these roads, some of them in Kilimani and other parts of the city, are rehabilitated. Hon. Mark Mwenje, I am sure that if you interact a bit with the Nairobi County Assembly and this Assembly, you will get good information on what the President is doing to ensure that our roads in the city are motorable and to ensure that our people are able to use good roads.

Hon. Deputy Speaker, having said that, we will avail a more comprehensive Statement in two weeks. If not possible, because I have a number of Statements to respond to, we will do this after recess. Thank you, Hon. Deputy Speaker. I commit.

Hon. Deputy Speaker: Yes, Hon. Mwenje.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Deputy Speaker. Ordinarily, I would not respond, but once again, you can see the mischief here. The Chair is telling me that I consult the Nairobi County Assembly on roads that are being done by the national Government, that the President has discussed with Nairobi County Assembly. Last time I checked, the Governor of Nairobi was Sakaja, it was not the President. But more importantly to inform him that the roads being done under that rehabilitation programme under whatever arrangement, are separate from the roads that are supposed to be maintained in Nairobi, especially by the Kenya Urban Roads Authority (KURA) and the Kenya National Highways Authority (KeNHA).

This is the accountability that we need from the Ministry. You have diverted funds, given them to the county to do those roads, which we have no problem with, by the way. But does that mean you abandon the roads that the national Government has, such as Outer Ring Road, Juja Road and all those other roads that need to be maintained by KURA? Is the Chair admitting that they have abandoned those roads simply because the President has said he is going to build other roads with Nairobi County Assembly? That is what I think the Chair needs to clarify.

Thank you.

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

Hon. George Kariuki (Ndia, UDA): Hon. Deputy Speaker. I just want to remind Hon. Mwenje that we, as Members of this Assembly and Members of the County Assembly, do not implement Government projects. We just oversee. I just spoke about oversight and administration of these projects. Hon. Deputy Speaker, I will avail a more comprehensive response that I am sure will satisfy Hon. Mwenje, but please engage with Hon. Members like my friend, Hon. KJ. Hon. KJ is very well connected and he will be able to help you before I avail the Statement.

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

Hon. Deputy Speaker: Hon. GK, there is a point of information.

Hon. George Kariuki (Ndia, UDA): Yes, you can inform me briefly.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I just want to inform the Chair that indeed what he is saying is very true. As the people's representatives, we have an oversight role, just as Members of the County Assembly have an oversight role over county implemented projects. Hon. Mwenje knows that in his constituency there is a Member of the County Assembly (MCA), called Hon. Roro, who has been very keen on following up on many roads in Embakasi West Constituency. He has done exceptionally well especially in fostering collaboration between the county and national governments in the implementation and construction of roads, particularly in Embakasi West. Hon. Roro is a very active Member of the Nairobi City County Assembly, therefore, Hon. Mwenje should relax. He has very good MCAs.

Hon. Deputy Speaker: Hon. Mwenje, let me allow Hon. Mbui, then you have the last word.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Deputy Speaker. I am concerned about the direction that the business on Questions and Statements is taking. I am serving my third term in this House, and what I have witnessed today has never happened before. Is it in order for Members to respond to questions raised by fellow Members, purporting to provide answers that ought to come from the relevant authorities?

When the Member for Kigumo raised the issue of roads in his constituency, he was told to consult his Woman Representative. Now, the Member for Embakasi West has raised concerns about roads in his constituency and the Chairman talked of consulting Hon. KJ, while the Leader of the Majority Party is saying that he consults an MCA from his area. What direction are we taking as a House? Can we agree that when a Member raises a question, the response should come from the relevant Cabinet Secretary through the Chairperson of the relevant Committee? No other Member should purport to give answers to the questions that Members are asking. If not, I will be told that an MCA in Kathiani would respond to me on Kahani Road that I had asked about the other week.

I request that you rule on this matter so that we stop this kind of jerrymandering and campaigning for MCAs who may be intending to contest against some of our colleagues.

Hon. Deputy Speaker: Yes, Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I have tremendous respect for the Member for Kathiani and the Deputy Leader of the Minority Party. However, Hon. Robert Mbui is imputing improper motives to the Leader of the Majority Party. I have not campaigned for anyone, but I am duty-bound to guide Members, just as Hon. Mbui is duty-bound to do.

All I did regarding the Member for Kigumo was to guide him that the matter had already been prosecuted. If I were the Member for Kigumo, I would have asked the Chairperson of the Departmental Committee on Transport and Infrastructure why he was to wait for two weeks, if the matter had already been considered by the Committee following a request by the Member for Murang'a County. The Chairperson ought to have tabled the report as early as Tuesday. That is what I expected the Member for Kigumo to raise. Instead, he deviated into fights between him and the Member for Murang'a County.

My good brother, the Member for Embakasi West, knows that I am his good friend. He also knows that MCA Hon. Roro is our good friend and is aware of the work he has been doing. I have not said anything to campaign for MCA Hon. Roro. In fact, to the best of my knowledge, he had intended to run for the Nairobi Senate seat. Therefore, Hon. Mbui, when I stand here to set the record straight, I do so in the best interest of the people of Kenya. Just as you stood in your place during the Finance Bill debate and made inaccurate statements, I stood in my place to correct you. Just as I corrected your party leader, Hon. Kalonzo Musyoka, when he claimed that the Government intended to convert all freehold land into leasehold land. I stood here to set the record straight. I am duty-bound to tell Kenyans the truth. I cannot dwell on misinformation and propaganda the way some people do all the time.

In fact, I want to make peace with my brother, Hon. Robert Mbui, by asking him to bear with me because I will continue setting the record straight all the time. I am not averse to the truth. As a leader in this House, Hon. Mbui, you should allow Members to debate. Do not curtail debate simply because it does not favour you. This is a House of debate, not a church or military barracks where people take orders.

Hon. Deputy Speaker: Hon. Mbui. Let us close this.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Deputy Speaker. I rise because the Leader of the Majority Party has invited me to set the record straight on the matter that I had raised on the Finance Bill.

I stated that there was an attempt to increase taxation on *mitumba*. The word *mitumba* may not appear in the Bill, but "used garments" refers to what we commonly call *mitumba*. That provision was indeed in the Bill, and the Leader of the Majority Party knows it. It was later dropped. It had proposed moving used garments from one VAT category to another. He has invited me to clarify the matter, and I appreciate that because I also believe in the truth. Let us now put that matter to rest. But it is good that he has raised it for me to respond to it.

The provision was amended during the Committee of the whole House. Before that stage, we met with the Speaker and agreed on how we would conduct ourselves. That is the reason why I did not raise the issue on the Floor that day. For him to invite us into that debate today, then we may need to reopen the Third Reading of that Committee of the whole House and we bring that report to it. I will show him where it was before it was dropped. Therefore, when he says there was no proposal on used garments in the Finance Bill, that is incorrect.

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

Hon. Deputy Speaker: Let that be the end of that matter because we have now completely deviated from the subject before the House.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I rise under Standing Order 91 on a point on statement of fact. I am glad that my brother, Hon. Robert, the Member for Kathiani, acknowledges that I invited him to this. In fact, I was doing it deliberately.

I now request that, under Standing Order 91, you direct the Member for Kathiani to table the provision in the Finance Bill that allegedly sought to increase tax on *mitumba*. To the best of the knowledge of this House and Kenyans can read and interpret what was passed in the Finance Bill. The Chairperson of the Departmental Committee on Finance and National Planning clearly demonstrated that the proposal was to move used garments from the standard VAT rate of 16 per cent to the zero-rated category. How can that be described as an increase in tax? Moving an item from the standard rate to the zero-rated category amounts to a reduction, not an increase.

That proposal was considered by the Committee, which made its recommendation to this House. Therefore, I ask that Hon. Mbui be directed to table the relevant provision in the Finance Bill, what the House passed against what was in the Committee's Report; a report that he clearly had not read. Those are public documents available to every Kenyan.

Hon. Deputy Speaker: Hon. Members, I believe the point has been made. I will now bring this debate to a close. Hon. Mbui, just respond.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Deputy Speaker. As I said, I was invited by the Leader of the Majority Party to clarify the matter. Section 31 proposed moving used garments from the exempt category to the zero-rated category.

(Hon. Kimani Ichung'wah spoke off the record)

Not from the standard rate.

Hon. Deputy Speaker: Hon. Robert Mbui, you are debating something that is already an Act.

Hon. Robert Mbui (Kathiani, WDM): I just want to point out to him where it is. It is Clause 31. It was one of the changes. The change is on Paragraph 169, which talks about worn clothing and other worn articles of tariff, heading 6309, other than upon importation. So, yes, *mtumba* was in the Finance Bill and it is good that it was in the Bill. I also want to clarify that the proposed amendment was dropped during the Committee of the whole House. When he says that I was lying and that it was not mentioned, he is the one who is lying to the country.

Thank you.

Hon. Deputy Speaker: You have made your Statement. That is sufficient. Let us close that Statement.

Hon. Members, before we proceed, allow me to...

(A Member spoke off the record)

I will get to you. I just want to recognise the students who are here.

Hon. Members, I wish to welcome students from Kithegi Senior School from Manyata Constituency, Embu County and Kaliati Day Senior School from Tigania West Constituency, Meru County who are seated in the Speaker's Gallery. Seated in the Public Gallery is Tulwamoi Primary School from Eldama Ravine Constituency, Baringo County; Pendo Primary School from Lurambi Constituency, Kakamega County; Karigini School from Maara Constituency, Tharaka Nithi County; and St. Francesco Amani School from Chesumei, Nandi County. I will allow Hon. Mutunga, the Member for Tigania West, to welcome the students on our behalf.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you, Hon. Deputy Speaker, for the opportunity to welcome the students from Kaliati Day Senior School and the other schools that have visited us today. Kaliati Day Senior School is one of the best performing schools in my constituency. I thank the teachers and parents for making it possible for the students to come and witness what happens in this House. Their progressive improved performance has enabled the mean score of the constituency to improve. To the students, this

is where we make the laws of the country, debate issues of concern to the people and agree on what needs to be done. Government policies are also passed here as sessional papers. I encourage the students to take interest in being Members of Parliament and one day represent Tigania West. All they need to do is work hard, read many books and take interest in politics.

Thank you.

Hon. Deputy Speaker: Thank you. Allow the Member's request to be responded to. I want an undertaking from the Chair, Departmental Committee on Transport and Infrastructure.

(Hon. Musa Sirma spoke off the record)

Okay, you may proceed to welcome the school.

Hon. Musa Sirma (Eldama Ravine, UDA): Thank you, Hon. Deputy Speaker for the opportunity. I would like to welcome Tulwamoi Primary School that comes from the neighbourhood that I come from. I want to encourage them to take interest in what is going on in Kenya. Today they are at the centre of it.

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

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

As they go back home, I want to wish them a safe journey. I encourage them to work hard and consider coming to this House in future to lead other Kenyans in our constituency, Eldama Ravine to greater heights.

Thank you.

(Students from Tulwamoi Primary School clapped)

The Temporary Speaker (Hon. Martha Wangari): Very well. What has just happened? Who is clapping? Hon. Musa Sirma, the students are used to clapping for you in the village. That should not be the case in Parliament. Kindly, next time alert your students that we do not clap in Parliament. Everyone is shocked. However, we can see that they are very fond of you and they are very happy with your statement so we will excuse it for today.

Hon. Members, the next person with a request for a Statement is Hon. Pukose, the Member for Endebess.

DISAPPEARANCE OF ADMINISTRATION POLICE
OFFICER AND MURDER OF A RESIDENT OF ENDEBESS

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request a statement from the Chairperson of the Departmental Committee on Administration and National Security regarding the disappearance of an Administration Police Officer and the murder of a resident of Endebess Constituency.

Mr Osaya Kemei Kipketer Kaptila, ID No. 285xxx16, an Administration Police Officer of Personal Force No. 21060/2015/065202, who hails from Toboo Farm in Endebess Constituency, was last seen at the Administration Police Staff Lines in Naivasha on 29th April, 2026. More than three months later, his whereabouts remain unknown. The matter was reported at Naivasha Police Station, OB No. 34/25/5/2026. His family has neither received any report on the progress of the search nor any account of the circumstances surrounding his

disappearance. The matter has caused distress to his family and unease among the residents of Endebess constituency.

In a separate incident on 18th March, 2026, Boaz Kiprop Keter was murdered at Kimothon Forest in Endebess Constituency. Following this, Ranger George Gitau Njoroge, an officer of the Kenya Wildlife Service of Mount Elgon National Park, was named as the suspect. The investigation file was forwarded to the Office of the Director of Public Prosecutions in Kitale in April 2026 with the recommendation that the suspect be charged. The file is believed to have been recalled in May 2026 and subsequently resubmitted to the Office of the Director of Public Prosecutions on 18th June, 2026. To date, no decision has been communicated to the family and no charges have been preferred against the suspect.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. The circumstances of the disappearance of Mr Osaya Kemei Kipketer Kaptila on 29th April, 2026 while serving at the Administration Police Staff Lines in Naivasha and the action taken by the National Police Service on this case.
2. The status of the search specifying the officers assigned, the area searched and the reason why his family has not received any report on his whereabouts.
3. The status of investigations into the murder of Boaz Kiprop Keter, including the movement of the file between the Directorate of Criminal Investigations and the Office of the Director of Public Prosecutions since April 2026 and the reason for the delay.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Tongoyo. Take note that there are very many cases of disappearances around the country. Give the Chair the microphone.

Hon. Gabriel Tongoyo (Narok West, UDA): That is true, Hon. Temporary Speaker. As you may be aware, there was a time we had planned to have the Cabinet Secretary for Interior to appear before the Committee so that we can transact that issue in the Plenary, but that did not happen. We have given him another invitation in two weeks' time to address, largely what we had said. However, on this particular one, two weeks will be okay because I have a huge workload.

The Temporary Speaker (Hon. Martha Wangari): I know you have very many requests to respond to so, two weeks is fine.

(Hon. Robert Pukose spoke off the record)

What is it, Hon. Pukose?

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Temporary Speaker, over the weekend, the father of Hosea Keter, Mr Andrew Nabukwesa, came to my home. He was crying. He has not traced where his son is since he disappeared and yet he is a police officer. I wish to request the Chairperson of the Departmental Committee on Administration and Internal Security to expedite the matter, preferably within a week, because it is causing great distress to the family. Nobody is speaking to them or addressing their concerns, and the matter is extremely serious.

The Temporary Speaker (Hon. Martha Wangari): Hon. Pukose, since you have raised the matter on their behalf, I will give the Committee a maximum of two weeks. If you receive a preliminary report earlier, kindly submit it to the member before then.

Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations, do you have a Statement?

STATEMENTS

STATUS OF THE KENYA-UNITED KINGDOM DEFENCE COOPERATION AGREEMENT

Hon. Nelson Koech (Belgut, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(d), I rise to make a Statement regarding the status of the Kenya–United Kingdom Defence Cooperation Agreement (DCA) and the steps taken to implement the House resolutions arising from the inquiry into the conduct of the British Army Training Unit Kenya (BATUK). There has been grossly misleading and unfounded commentary by Hon. Rigathi Gachagua regarding the status of the Kenya-United Kingdom Defence Cooperation Agreement, specifically in relation to BATUK.

For the record, Kenya and the United Kingdom have a long history of defence cooperation and cordial diplomatic ties. Indeed, the British have maintained a military presence in Kenya since Independence through bilateral defence cooperation arrangements aimed at enhancing the defence capabilities of both countries, promoting the safety of citizens, tourists and investors, and strengthening the training of their respective armed forces. The BATUK is a permanent training support unit based mainly in Nanyuki, with a smaller element in Kahawa, Nairobi. It provides advanced military training, including preparation for peacekeeping and stabilisation missions.

The BATUK has been operating in Kenya under the Defence Cooperation Agreement (DCA) that was ratified in 2015 pursuant to Article 2(6) of the Constitution and Section 8 of the Treaty Making and Ratification Act, 2012. In view of the five-year term of the DCA, a new agreement was submitted to the House for ratification on 6th September 2021 by the Cabinet Secretary for Defence. However, the term of the 12th Parliament lapsed before the proposed DCA could be approved.

On 24th November 2022, the DCA was resubmitted to the 13th Parliament for ratification. Following public participation, the Departmental Committee on Defence, Intelligence and Foreign Relations recommended that the House approve its ratification on the condition that it would only come into force after amendments had been made to Articles 6(5) and 23.

Article 6 of the DCA assigns jurisdiction between Kenya and the United Kingdom over various matters, including criminal offences. Offences that do not arise in the course of official duty and are subject to Kenyan law and the jurisdiction of Kenyan courts include sexual offences, torture, inhuman or degrading treatment, transnational organised crime, slavery, offences against national security and robbery.

In light of concerns raised by Kenyans, particularly regarding the unsatisfactory handling of cases involving local victims, including the murder of Agnes Wanjiru, which brought BATUK under intense public scrutiny, the National Assembly approved the proposed inclusion of murder under Article 6(5) as an offence triable by Kenyan courts. The proposed inclusion of murder in the list of offences would strengthen accountability and provide greater legal certainty for serious crimes over which Kenyans rightly expect their courts to exercise jurisdiction.

Article 23 of the Agreement requires BATUK to respect local communities, protect vulnerable persons, provide compensation where liable, and engage local communities with the consent and participation of the Kenyan authorities. Communities in Laikipia County have consistently complained that they have been sidelined by BATUK, which has concentrated

infrastructure development within its operational training areas and ranches that are not wholly locally owned. Since BATUK uses local infrastructure to access its training areas, it would be appropriate for the Agreement to require meaningful corporate social responsibility initiatives in order to maintain the goodwill of the host communities.

It was against this background that, on 12th April 2023, the National Assembly approved the ratification of the DCA, subject to reservations requiring amendments to Articles 6(5) and 23, as I have outlined. In doing so, the House sought to ensure that Kenya's long-standing partnership with the United Kingdom would continue on the basis of equality, mutual respect for the laws of both countries and genuine accountability.

As far back as the 12th Parliament, the National Assembly received submissions on various aspects of the DCA, including from the County Government of Laikipia, where BATUK is based. The County Government raised serious concerns, stating that since the commencement of BATUK's operations in the region, there had been several incidents affecting local communities and the environment. Despite the existing agreements, members of the public also expressed concern over the manner in which previous DCAs had been negotiated, arguing that they had not been adequately consulted through meaningful public participation as envisaged under the Constitution.

Additionally, the Kenya National Commission on Human Rights has called for meaningful public participation in order to strengthen the effectiveness of the DCA, incorporate the needs of host communities and promote local ownership of the cooperation framework. Consequently, in May 2024, the Departmental Committee on Defence, Intelligence and Foreign Relations undertook an inquiry into the operations of BATUK. The Committee investigated alleged ethical breaches, including corruption, fraud, discrimination, abuse of power and other forms of misconduct; allegations of human rights violations, including mistreatment, torture, unlawful detention, killings and other violations of internationally recognised human rights standards; and BATUK's operational integrity, including its safety protocols, compliance with legal requirements and adherence to established military procedures.

On 4th December 2025, the House adopted the Committee's Report together with its 15 recommendations. These included the establishment of accountability mechanisms for visiting soldiers, investigations into allegations of murder and sexual offences, mechanisms for enforcing child support obligations against visiting soldiers, and the extradition of Mr Robert Parkes in connection with the murder of Ms Agnes Wanjiru.

It is important to note that, as of today, the concerns raised by this House regarding BATUK and the conditions attached to the commencement of the Defence Cooperation Agreement have yet to be fully addressed by the United Kingdom authorities. Myriad meetings have been held and correspondence exchanged on the need to prioritise the rights of Kenyans and the interests of communities affected by BATUK's operations.

As a Committee, we have sought to engage directly with our counterparts in the United Kingdom, but without success. From the information received through junior officials and non-parliamentary delegations that have engaged on the matter, the United Kingdom has not committed, in writing, to implementing the resolutions passed by this House. Instead, it has consistently maintained that it will only consider the proposed amendments after the Agreement has come into force.

Consequently, implementation of the Defence Cooperation Agreement remains in abeyance, underscoring the need for an agreed way forward through the established diplomatic channels. Kenya values its long-standing defence partnership with the United Kingdom since its inception. The partnership has strengthened counter-terrorism efforts, enhanced interoperability between our defence forces and improved our defence capabilities.

While this partnership remains a cornerstone of the defence and security priorities of both countries, it must continue within a framework that safeguards the dignity, rights and welfare of the people of Kenya. Indeed, Article 2 of the Constitution vests in this House the duty to ensure that all DCAs are entered into on the basis of equality, respect for Kenyan law, and on genuine accountability. This is the standard that the Committee and the House have upheld and will continue to uphold in the interest of the people of Nanyuki and Laikipia, the family of the late Ms Agnes Wanjiru, and for the sovereignty of the Republic of Kenya.

Hon. Temporary Speaker, to put this matter into context and understand the position taken by the House, just last, week the National Police Service submitted to this House a status update of its investigations into historical allegations of sexual misconduct involving BATUK personnel, including claims of gang rape, sexual assault and abandonment of children allegedly fathered by foreign soldiers within affected communities in Laikipia, Isiolo, Meru and Samburu counties. The report makes for very sad reading. Out of the many violations claimed to have occurred over the years on the people that we represent, including some who have died before attaining justice, the National Police Service reports that it is currently investigating one case of defilement, 20 cases of rape, and 37 cases of gang rape by members of visiting forces. The rights of our citizens cannot be taken for granted under the watch of this House.

Hon. Temporary Speaker, Section 8 of the Treaty Making and Ratification Act (Cap. 4D) requires the National Assembly to consider and approve all treaties proposed to bind the country. Section 8(9) expressly states that, “the National Assembly shall not approve the ratification of a treaty or part of it if its provisions are contrary to the Constitution, nor shall the House approve a reservation to a treaty or part of it if that reservation negates any of the provisions of the Constitution even if the reservation is permitted under the relevant treaty”.

The position of the National Assembly, therefore, remains that a DCA cannot be used to sanitise the commission of grave criminal offences or a lack of community engagement by visiting forces. Any murder committed by a foreign soldier on Kenyan soil cannot be considered as something arising from official duty. Additionally, visiting forces must respect and be sensitive to traditions, customs and the culture of local communities of the places they are deployed. This is borne out in the most recent DCAs that have been considered by the House where similar reservations have been made and agreed to by other countries.

In light of the status that I have provided, I doubt any Member would be misguided to seek a revision of the Resolutions of the House on the DCA or BATUK. In the event they are misguided to do so, the Standing Orders requires them to formally move the House to reconsider its decision.

On our part, the Departmental Committee on Defence, Intelligence and Foreign Relations remains a steadfast agent of the House. As we continue to press for the implementation of the resolution of the House, I urge all of us to refrain from any irresponsible and uninformed commentaries on the matter and allow the diplomatic machinery of the Republic to address the matter with its United Kingdom (UK) counterparts.

Before I conclude, I really urge Members of the opposition, particularly Hon. Rigathi Gachagua, to desist from making statements that would have otherwise been addressed by our diplomatic missions.

(Applause)

There are statements that he can make in the village. There has been a continuous use of statements that at times refer to Parliament, insinuating that the United Kingdom is corrupt and has even attempted to bribe me and my committee. Hon. Temporary Speaker, as a member of my committee, you are aware that it took us almost one year to come up with a proper report on the DCA between Kenya and the United Kingdom. We painstakingly stayed in Samburu and Laikipia counties and we came up with this report in a span of one year. This is a well

thought report. We cautiously looked at every item in the Constitution. We have tried our best to reach out to our counterparts in the House of Commons in the United Kingdom. I have personally spoken to the Chair of the House of Commons Defence Committee but we have never been able to resolve this issue. It is regrettable.

Hon. Temporary Speaker, I will forgive any other person but not Rigathi Gachagua, who was once a Member of this House. He ought to have understanding of the legislative and treaty making process. Obviously, in the five years he was a Member of this House, it seems he had no understanding of what Parliament does. I urge Hon. Gachagua to continue his political agenda in Wamunoro but to keep off issues that touch on the Kenya Defence Forces and the British Armed Forces. These are extremely sensitive issues that are way beyond your pay grade. Please shut up and allow my Committee to do its work. He is basically telling the people in Wamunoro that my Committee should have kept quiet while the children of Laikipia were being raped; that we should have stayed silent after Agnes Wanjiru was murdered; and that Parliament should be quiet and toothless when atrocities are happening in Laikipia and Samburu counties. People have lost their lives. People have been maimed by unattended ordnance that were left behind by the British Armed Forces during training. People have been killed while attempting to enter the military barracks in Nanyuki.

The Committee has done its work and I urge every responsible Kenyan to please desist from making any statements that would otherwise contravene what this House has approved. This is my Statement.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Chairperson, I have indulged you to speak outside the Statement because I sit in this Committee, but under Standing Order 44 (2) (d), you should read the Statement as it is. Members, I know this is a topical issue so we will have a few comments on it.

In the meantime, allow me to recognise, in the Speaker's Gallery, learners and teachers from Golden Elite School, Kisumu Central, Kisumu County. In the Public Gallery this afternoon, we have Muthwani School from Makueni, Makueni County; Our Lady Queen of Mercy, Kajiado East, Kajiado County; Titus Ngoyoni School from Laisamis, Marsabit; Laboso Vision Academy Primary School from Kipkelion West, Kericho County and Agyton Academy from Bomet Central, Bomet County. We welcome you to observe the proceedings of the House.

Members, I give the first shot on this BATUK Statement to the Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, first, I thank the Chair of the Departmental Committee on Defence, Intelligence and Foreign Relations, a committee you also sit in, for setting the record straight. The members of the Committee, you included, were accused of demanding Ksh3 billion, but fortunately, because you hail from a community that is not the Kalenjin Nation, you were not mentioned. Hon. Nelson Koech was purposely and deliberately mentioned by Hon. Rigathi Gachagua, an attempt to ethnically profile people in the Kalenjin community, which he has now perfected. It is the same attempt you saw yesterday where he tried to ethnically profile officers commanding police stations in Nairobi. I am happy that the Chair is tabling the list indicating that out of 65 officers serving police stations in Nairobi County, only 16 hail from the Kalenjin sub-tribes while 17 hail from the Mount Kenya communities; that is Kikuyu, Meru and Embu.

Hon. Temporary Speaker, you can see what this person is attempting to do with the social fabric of our nation to poison the people on ethnic basis. I think the people of Kenya now know him better. I am glad that last night I saw Hon. Munya vindicating this Assembly for impeaching the former Deputy President. Hon. Munya indicated that he is indeed a bully. He is now bullying them in the Opposition.

Hon. George Kariuki (Ndia, UDA): On a point of order, Hon. Temporary Speaker.

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

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, I have heard the Leader of the Majority Party mention Hon. Gachagua. I am seated here with Hon. Gachagua, and he is complaining that he has nothing to do with such utterances. Please clarify whom you are referring to.

(Laughter)

The Temporary Speaker (Hon. Martha Wangari): Hon. GK, the Member you are seated next to would have protested. He knows it is not him.

Hon. Kaguchia John (Mukurweini, UDA): Hon. Temporary Speaker, it is good to note that that name should not be used in this Parliament. He is Rigathi and not Hon. Gachagua. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Leader of the Majority Party, you may proceed.

Hon. Kimani Ichung'wah (Kikuyu, UDA): My apologies. I did not mean to refer to the Member for Ndaragwa, the good Hon. Gachagua. I meant the former quarter-term Deputy President and one-term Member of Parliament for Mathira, Mr Rigathi. I was saying that Mr Rigathi purported that Members of this House, under the leadership of Hon. Nelson Koech, were demanding Ksh3 billion from the Government of the United Kingdom to ratify this agreement.

Hon. Temporary Speaker, allow me to profoundly thank the immediate former Speaker, Hon. JB Muturi. Despite him being in Opposition, he stood for the truth. He set the record straight and spoke for the people of Mount Kenya and Laikipia, affirming, as the Committee has illustrated today, that the Committee and this House declined to approve the DCA, as it were, without reservations, for very good reasons.

I would like Rigathi to tell the people of Laikipia, whom he purports to speak for—although he speaks for nobody—how right it is that the family of the late Agnes Wanjiru continues to suffer in their quest for justice. They cannot get justice because the United Kingdom Government has refused to ratify the reservations that this House, under the able leadership of Members of the Departmental Committee on Defence and Foreign Relations, brought forward. Hon. Temporary Speaker, you are aware of the reservations because you, along with our Deputy Minority Whip, are Members of that Committee. Murder was excluded in the agreement. The Committee included the offence of murder.

When the DCA came in September of 2021, and Mr Rigathi was serving his first term as the Member of Parliament for Mathira. He was seated in this House. On one of the rare occasions he spoke, he stated that the House must protect local communities. That is what the House has done. We sought to protect local communities. Hon. Members from Laikipia will tell you that there are people who have been maimed by landmines left in the ground by these forces as they train in the jungles. As pastoralists graze their animals, either the animals or individuals are blown by landmines too. Those are some of the issues that were raised.

Since I became the Leader of the Majority Party, I have had at least two engagements with the High Commissioner of the United Kingdom in my office. In no uncertain terms, I have informed the High Commissioner that the reservations raised by the House must be addressed by the UK Government, and they must be addressed without exception. Agnes Wanjiru must get her rights posthumously. The Committee sought that if there are human rights violations, the victims must be compensated.

The Kenya Human Rights Commission (KHRC) submitted before the Committee that there have indeed been grave human rights violations against the people of Laikipia and neighbouring counties by the British forces, and they must be held to account. What problem

does Rigathi have with the people of Mount Kenya being protected from our former colonial masters? We are no longer slaves of the UK Kingdom. We are not. Kenya is not a colony. The people of Laikipia and Samburu must not continue to live as if Kenya or the area they come from is part of the former British protectorate. We are a sovereign nation. We are elected, by the citizens, to speak for and represent them. That is what the Departmental Committee on Defence and Foreign Relations has sought to do, and by extension, this House.

Last week, as the Chairman has avowed in his statement, the National Police Service provided us with an update on the grave violations that have been committed against the people of Laikipia by these forces. Indeed, they are currently investigating a case of defilement. I want Rigathi Gachagua to look at the people of Laikipia and tell them that it is acceptable for our young children to be defiled by foreign soldiers. I want Rigathi Gachagua to tell those twenty people whose cases of rape are being investigated that it is okay for the women in Laikipia to be raped. The 37 cases of gang rape are grievous criminal acts, and Rigathi should inform the people of Laikipia that it is acceptable for women and young girls in Laikipia to be gang raped. Should this House simply approve and rubber-stamp that DCA? I wish to reiterate what we have conveyed to the UK Government: we shall never, in the National Assembly of Kenya, ratify anything that will violate the rights of Kenyans. We are here to represent people, not animals.

Hon. Temporary Speaker, what Mr Rigathi said deserves to be dismissed with the contempt it warrants. If we remain silent, his perpetual lies may begin to appear as the truth. This is why I must thank the Chairman of this Committee for setting the record straight. Yesterday, when he sought to perpetuate further untruths, I requested the Chairman of the Departmental Committee on Administration and Internal Security to also table a list. I am confident he is going to do so; he showed it to me. That list is important to illustrate that we have a dangerous individual in this country who wishes to destroy our nation's social fabric, incite bloodshed, and proclaim anything and everything that will destroy our country. Despite our various political opinions, we have a duty to protect life as leaders.

Indeed, I take this opportunity to urge all of us, in the run-up to the elections, to speak in a manner that unites rather than pits one community against another. I know Mr Rigathi because I worked with him, and I have consistently stated I have absolutely no regret about voting to impeach Rigathi Gachagua, for he remains an existential threat to the unity and peace of our peace-loving citizens.

As leaders, let us be cautious about our words. I was reflecting on what the Member for Mukurweini said in Kieni the other day. Just extrapolate that and remove Hon. Kaguchia from what he said; assume it had been said by Hon. Oscar Sudi in Kapseret. What would we be saying today? We must be cautious about our words as leaders. If you tell people to go for others under their beds, they may literally act on it, believing what you are saying is right. We must continue to condemn such utterances, even when they come from our colleagues. I will state that even if a member of UDA or ODM in the broad-based Government makes comments that are unpalatable and likely to incite bloodshed, I will condemn it.

I hear the Member for Embakasi West asking me about Duale. I was abroad when Duale employed what he described as figurative language, and we were very quick to condemn what he said. The following day, Rigathi Gachagua stands in public and says, "kill *nyoka and mayai yake*". And it is okay when he says he was only using figurative language. If figurative language is right for Rigathi, it must be right for Duale. If figurative language is wrong for Duale, it must be wrong for Kaguchia, and for every other person, me included. If we are using figurative language, let us avoid anything that could be misinterpreted. When you say, "nyoka and mayai yake", you are saying people are to be killed.

Hon. Temporary Speaker, let me end there by thanking the Departmental Committee on Defence, Intelligence and Foreign Relations and Members of this House for being true

patriots, and for staying true to our calling to represent the people and defend them in line with our Constitution.

I also thank the Chairperson of the Committee for stating that they shall not approve the ratification of a treaty, or any part of its provisions, that is contrary to our Constitution. Nor shall the House approve a reservation to a treaty, or any part of it, if that reservation negates any provision of the Constitution, even if the reservation is permitted under the relevant treaty.

The reservations sought included crimes that were not covered. That it is not okay for a British soldier to rape, kill and get away with it simply because they would be protected under the treaty. Hon. Koech, you did the right thing. Do not be intimidated by those ethnic bigots who want to intimidate you. Do not allow them to profile you based on your ethnicity. This is because he deliberately targeted Hon. Nelson Koech because of where he comes from.

Hon. Temporary Speaker, I beg to support.

(A Member spoke off the record)

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, there is no point of order at this time. I know this is an emotive issue. I have given the Leader of the Majority Party some time, but note that we are still on Statements at 4.00 p.m. Let us limit our time as we move ahead. I say that because I have been part of this process with the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations. The report we submitted is public and before this House. So is this Statement, which very well enumerates the issues contained in that report and provides background on how far we have come and why we took the decision we did. It shows it was for a good cause.

Before I give the next speaker, allow me to recognise the learners and teachers from Bambino Academy, Kilifi South Constituency, Kilifi County, who are seated in the Speaker's Gallery. In the Public Gallery, we have ACK Emmanuel School from Mbeere North Constituency, Embu County. They are welcome to observe the proceedings of the House.

(Applause)

I will now give the Member for Laikipia, Hon. Jane Kagiri, the opportunity. I am aware that the Committee visited that area. The leaders, members of the public, and human rights organisations came out to give their views; we spoke to almost every stakeholder. Therefore, I will give you, as the local leader, an opportunity to give your input. I give you three minutes. Kindly keep it short.

Hon. Jane Kagiri (Laikipia County, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this discussion. I will start by thanking the Departmental Committee on Defence, Intelligence and Foreign Relations for a job well done. I have always heard that this House is a House of records. I want to appreciate that when you came to Laikipia County, you listened to the people, took down their complaints, and, when it came to presenting the report, you did it very well in this House.

That said, I get very concerned when I hear a former leader in this country say that people asked for bribes to renew the contract and the agreement, and yet we are speaking about a life; the life of Agnes Wanjiru, for which the people of Laikipia keep demanding that the person responsible be charged and convicted. This is the case, and yet 14 years later, the killer still walks free on the streets of the United Kingdom (UK) untouched.

I was sworn in to this House to protect and represent the people of Laikipia County, which is not a county of a lesser god. When it comes to discussing death in this country, a death in Laikipia County is treated as though it is not a case worthy of discussion. In fact, it is trivialised into an issue of bribes and whether money was collected. Let me give an example.

In May 2025, a judge by the name of Justice Lydia Mugambe was convicted in the UK for exploiting a lady as a slave in her house. She was charged, convicted and imprisoned for six years. We cannot say that Africans are treated differently one way and, when it comes to white people, we treat them differently or another way. My position is that anyone who commits a crime in Kenya must be charged, tried, and convicted, and that justice must be delivered in this country.

This conversation leads me to ask myself this: for very many years, the people of Laikipia have been killed by cattle rustlers. They have been attacked, and nobody spoke about it. Today, when I hear people speak about how much they love the people of Laikipia County, I am forced to wonder whether they have only discovered them today. Were they not there when Agnes Wanjiru was murdered to know that they should have spoken about her death? It is Laikipia's time to be respected and treated equally as a part of this country.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Tetu.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Temporary Speaker. I have listened to the Chair, and I indeed support the report on its merits. As a country, we have to do everything it takes to safeguard our territorial integrity and the rights of our people. However, this Motion is taking a sad, unnecessary and irrelevant turn. Whether one agrees with Hon. Gachagua or not is, for me, completely irrelevant to the question before the House. The issue the Chair is raising is whether the agreement adequately safeguards Kenya's sovereignty, ensures justice for victims, protects the interests of communities, and protects the livelihoods of those people in Laikipia, who, by the way, have lost jobs, contracts, and everything, and have to wait.

I wish to raise a concern in this House. Hon. Gachagua is becoming almost like a Motion. Even when we are debating water, the speaker contributing to matters relating to water somehow goes around everything. Instead of dealing with the issues affecting water in this country, he starts blaming him, perhaps, for a water shortage somewhere in Eldoret. When there is a power outage, instead of addressing the issues surrounding it and how we can improve power efficiency, one goes around the debate and somehow finds Hon. Gachagua in it.

I want to tell this House that it is doing a good job. This is because I am a follower of Hon. Gachagua; we are simply amplifying him and enhancing his national importance. Let us debate issues. Hon. Gachagua is on record as being a truthful man.

Hon. Temporary Speaker, please add me half a second. You know, they say...

Hon. George Kariuki (Ndia, UDA): On a point of order.

The Temporary Speaker (Hon. Martha Wangari): There is a point of order.

Hon. Geoffrey Wandeto (Tetu, UDA): They say, if Hon. Gachagua tells you...

The Temporary Speaker (Hon. Martha Wangari): There is a point of order. Hon. GK.

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, my good friend, the Member for Tetu, keeps reminding us that he is a follower of Hon. Gachagua, the former Deputy President. Many of us here are also followers of Dr William Ruto, yet you keep mentioning him in your meetings and rallies. Is it fair for us not to keep mentioning your leader, yet you keep mentioning ours? Therefore, please be balanced. If you are uncomfortable with us mentioning your leader, you should also be balanced about it.

The Temporary Speaker (Hon. Martha Wangari): Hon. GK, you have made your point. Member for Tetu, your time is almost up.

Hon. Geoffrey Wandeto (Tetu, UDA): I think what Hon. GK is raising is very important. He is saying the right thing. If you can protect me a little so that I can finish...

The Temporary Speaker (Hon. Martha Wangari): Hold on.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Temporary Speaker. The Member for Tetu, Hon. Geoffrey Wandeto, who is a member of my church, is misleading the

nation by suggesting that we are here discussing Rigathi Gachagua. As a House, all we are doing is setting the record straight on the untruths and lies he perpetuated.

He is being mentioned because I have heard him out there saying that Hon. Nelson Koech was demanding Ksh3 billion from a foreign government to ratify a Defence Cooperation Agreement (DCA) that he has not ratified. This House does it. Member for Tetu, it is okay to follow that man. But I would advise you, please, to follow the people of Tetu by working for them. Do not work for one person. Stop hiding behind people and parties to seek re-election. Deliver to the people of Tetu. Rigathi Gachagua will not get you re-elected unless you work for the people of Tetu.

The Temporary Speaker (Hon. Martha Wangari): You have made your point. Member for Tetu, you have 30 seconds.

Hon. Geoffrey Wandeto (Tetu, UDA): Hon. Temporary Speaker, let me finish. I was agreeing with Hon. GK that it is completely unnecessary for us to drag any of the leaders into this issue. This is a House of debate. Mentioning a leader is something we do at political rallies, and it is correct. So, all I was saying is that let us focus on the substantive issues. We are losing focus as a House. We are amplifying Rigathi Gachagua here every day, rather than focusing on how we move.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Lamu East, I see you in the queue. Would you like to speak to this? Very well, Hon. Bedzimba, you will be the last one on this.

Hon. Rashid Bedzimba (Kisauni, ODM): Asante sana, Mhe. Spika wa Muda, kwa kunipatia nafasi ili niweze kubonyeza sauti yangu. Kwanza, naipongeza Kamati ya Ulinzi kwa kusimama kidete kuleta heshima katika hili taifa. Watu wasitumie urafiki ama uwezo wa taifa lao kuja kutukosea heshima ama kutofuata Katiba katika taifa letu. Nakubaliana nao mia fil mia kwamba wamesimama kidete kulinda heshima na haki ya Wakenya. Lazima wakiwa hapa nchini wafuate kanuni na sheria za taifa kama vile tunavyoenda kwao ukikosea kidogo, hawasemi kwamba wewe ni Mkenya ukashtakiwe Kenya, wala ufuatilizwe kule. Wanakushtaki pale pale. Kwa hivyo, nakubaliana na Kamati na nawaheshimu sana. Sote tuko pamoja katika hayo maamuzi ambayo mmefanya.

Kuhusu watu wanaotoa uvumi kwenye mikutano ama mitandao, nawaambia kitu kimoja: tunaweza kutofautiana kisiasa lakini taifa ni moja. Hakuna Kenya ingine. Wazee wetu walituachia Kenya hali ilivyo sasa ya utulivu na amani mpaka sasa tumekaa hapa. Nasi pia tunajukumu la kuhakikisha kwamba tumeleta amani. Wale watoto wetu na wajukuu wetu tuwaachie taifa lenye usalama na amani. Nakemea wale wote wanaotumia lugha mbaya na chafu ambayo inaweza kuchochea machafuko ya hili taifa. Hatuna mahali pa kwenda. Majirani wetu Somalia hatuwezi kwenda kuna matatizo. Ukienda Ethiopia, kuna shida. Ukienda South Sudan, ni balaa. Ukienda Tanzania, hawewezi kuturuhusu kuingia kwa sababu juzi tuliwatukana, hawatakubali Wakenya waende huko. Sasa tutaenda wapi? Taifa letu ni moja. Tushikane kama Wakenya licha kuwa tuna tofauti za kisiasa.

Asante sana, Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Martha Wangari): *Ahsante sana. Tutafungia hilo jambo hapo. Mhe. Ruweida, nilikupa nafasi ukasema hutaki kuchangia huo mjadala.* Hon. Members, as I directed, we close the debate at this point and proceed to the responses.

There is still a lot of business ahead of us. Before the responses, we do the usual Statement by the Leader of the Majority Party.

BUSINESS FOR THE WEEK OF
10TH TO 14TH AUGUST 2026

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Temporary Speaker, this is the usual Statement on behalf of the House Business Committee. Pursuant to Standing Order 44(2)(a), I rise to make the following statement.

With regard to business scheduled for next week, the House is expected to consider the following Bills at various stages, some of which are listed in today’s Order Paper, should they not be concluded today:

1. Second Reading of the following Bills—
 - (a) The County Library Services Bill (Senate Bill No. 40 of 2024).
 - (b) The County Assembly Services (Amendment) Bill (Senate Bill No. 34 of 2023).
2. Committee of the whole House on—
 - (a) The Public Participation Bill, 2025.
 - (b) The Plant Protection Bill, 2025.
 - (c) The Business Laws (Amendment) Bill (Senate Bill No. 51 of 2024).

Additionally, debate will be undertaken on the following Motions, should they not also be concluded in the course of business today:

1. Report on audited financial statements of selected State corporations in the energy sector.
2. The Third Report on the status of reports on petitions and resolutions.
3. The Seventh report on audited financial statements of various funds.
4. The Ninth Report on audited financial statements of various State corporations.
5. The Fifth report on the status of reports on petitions and resolutions.
6. Consideration of Sessional Paper No. 5 of 2026 on the National Energy Policy.
7. Consideration of Sessional Paper No. 4 of 2026 on the National Petroleum Policy.
8. Interim Report on the inquiry into importation of raw sugar by Mombasa Sugar Refinery Limited.

In conclusion, the House Business Committee shall reconvene on Tuesday, 11th August 2026, to schedule business for the remainder of that week. I now wish to lay this Statement on the Table of the House.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, before the next Statement, as we had said earlier, there are very many learners visiting Parliament. Allow me to recognise Eldoret GK High School from Moiben Constituency, Uasin Gishu County, in the Speaker’s Gallery. In the Public Gallery, we have Kapkolei School from Nandi South Constituency, Nandi County; Mulukusi School from Mbeere South Constituency, Embu County; and Kienganguru School from Mara Constituency, Tharaka Nithi County.

We welcome them to observe the proceedings of the House.

(Applause)

Hon. Mark Mwenje (Embakasi West, JP): On a point of order, Hon. Temporary Speaker.

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

POINT OF ORDER

NON-APPEARANCE OF CABINET SECRETARIES TO ANSWER QUESTIONS IN THE HOUSE

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Temporary Speaker. I rise under Standing Order 42A(5). Allow me to read it:

(5) A Member shall ask his or her Question on the day it is scheduled in the Order Paper and the Leader of the Majority Party shall, at an appointed date, inform the House of the date and time when a Cabinet Secretary shall be required to appear before a Committee to reply to a Question, subject to paragraph (6).

I am raising this because after the Leader of the Majority Party reads his Thursday Statement, he sets the agenda. I want to bring to his attention that, for two sessions now, during the budget cycle, it has been almost two months since a Cabinet Secretary has appeared before this House. These Cabinet Secretaries have a lot to answer for. I want to bring to the attention of the Leader of the Majority Party that you have allowed the Senate to take our role.

I can inform him that the Cabinet Secretary for Lands was there, and we saw Mbadi there the other day. Chirchir was also there. Is the Leader of the Majority Party protecting Cabinet Secretaries from answering the very questions which include issues related to criminality and goonism? We need Hon. Murkomen. We need to understand why SHA is not working. I think SHA isn't working because Duale sees it as treating 'hyenas'. That is why there is a problem. So, the Leader of the Majority Party must be called to explain why he is not allowing the House to exercise its oversight role over these Cabinet Secretaries.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): You have made your point, and on this, Hon. Mwenje, I agree with you. Cabinet Secretaries have taken quite some time. Like the issue of disappearing children and the issue of hijackings that were to be discussed are still pending. If you heard what Hon. Tongoyo said, the Cabinet Secretary has still not been able to come to the Floor, let alone sit with the Committee. So, maybe you can give a way forward because it should have been in your Statement.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, it is true that during the budget cycle, understandably, we did not have the luxury of time on the usual Wednesday afternoons to have Cabinet Secretaries here. The Cabinet Secretary was also scheduled to appear before the House.

Hon. Mwenje knows it is not the Leader of the Majority Party who asks Cabinet Secretaries to appear. It is Members who ask Questions. I do not remember Hon. Mwenje asking any Question that requires any Cabinet Secretary. I was keenly listening to him, while I was away, to hear if he might have asked a Question that needed to be answered by any particular Cabinet Secretary. He has not tabled any Question. So, I cannot just wake up one day and ask Hon. Duale, Hon. Murkomen or the Cabinet Secretary for Lands, Hon. Alice Wahome, to appear before the House. What will they answer if you have not asked Questions? However, for the Members who have filed their questions, we have scheduled Cabinet Secretaries to come and answer the questions already filed in the week after next. Therefore, I advise Hon. Mwenje that if you have any questions, file them with the Table Office. We will call any Cabinet Secretary, including the Prime Cabinet Secretary, to appear before the House.

The last person to send an apology was the Prime Cabinet Secretary, who was out of the country. The Senate does not have as much work as we do.

The Temporary Speaker (Hon. Martha Wangari): That is also true, Leader of the Majority Party, regarding the filled questions. However, I remember that the issue of pending questions was also raised at some point last week. I think it is also good to go through it.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Is it on the ones that are filed?

The Temporary Speaker (Hon. Martha Wangari): Yes, the ones that are filed, not the ones in newspapers or political rallies. They have to be filed in this House. Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I agree with Hon. Mark Mwenje and also take into cognisance what the Leader of the Majority Party said. However, we are the ones in control of this House, up to and including our Standing Orders.

Hon. Temporary Speaker, I suggest that, as we propose Standing Orders for the next Parliament, we be clear about the manner of invitations to Parliament, especially regarding the roles. This is because we have instances in which the Senate invites Members of the Executive to non-Senate roles. They are not devolved and have nothing to do with devolved governments. This is to ensure we also retain the time for our Cabinet Secretaries and government officials to remain in office; to serve the country and deliver their mandate, and not have them in the corridors of Parliament for an entire week, jumping from one committee to another. The roles of the Senate and the engagements with the Executive will be clearly defined. We shall also define what we need to do in Parliament for those who ask questions of the Executive.

Hon. Temporary Speaker, I think there is a role for us to get this right, even as we review our Standing Orders for the next Parliament. The appearance of Cabinet Secretaries before the House has been a trial. We all know that this did not happen before. This is the first House to attempt it. We have learnt our lessons. Let us now put them into law, which is our Standing Orders.

The Temporary Speaker (Hon. Martha Wangari): You have made your point, Hon. KJ. I want to inform the House that amendments and proposals to amend the Standing Orders for the 14th Parliament are already underway. You can write to the Procedure and House Rules Committee, the Clerk of the National Assembly or the Hon. Speaker and it shall be debated and considered for amendment. Let us not just complain that the Senate is taking this and that; we are in control, and we can also do something about it. Therefore, the season is already here.

Hon. Members, let us go to the response to Statements. We will start with the Departmental Committee on Administration and Internal Security. I know Hon. Tongoyo has left to attend to an emergency. So, this will be deferred. The one by Hon. David Mbooni will also be deferred to next Tuesday. Regarding the response by Hon. Mutunga, Chairman of the Departmental Committee on Agriculture and Livestock, are you ready for Hon. Lilian Siyoi's request for a statement?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Yes.

The Temporary Speaker (Hon. Martha Wangari): You have the Floor.

SHORTAGE OF FERTILISERS IN TRANS NZOIA

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to respond again to the request for a statement by Hon. Lilian Siyoi concerning the shortage of fertiliser in Trans Nzoia County.

She wanted to know the causes of the ongoing shortage of top-dressing fertiliser at National Cereals and Produce Board (NCPB) depots in Trans Nzoia County. The Ministry maintains that there was no national fertiliser shortage, stating that adequate stocks had been procured through framework contracts with multiple suppliers. They also said that fertiliser redemption in Trans Nzoia County increased during the 2026 long rains compared to 2025, and they have provided figures to support that. In 2026, 571,186 50kg bags of fertiliser were redeemed, compared to 544,408 in 2025. They also indicate that the planting fertiliser increased

from 267,707 50kg bags to 311,110 bags, and top-dressing fertiliser declined slightly from 276,701 to 260,076 bags.

They have given the reasons for the decline: the early onset of rains and the accelerated demand for top-dressing fertiliser. Deliveries were also scheduled later than the actual demand period, due to transport disruptions, higher fuel costs, especially for last-mile distribution, higher than anticipated demand in Trans Nzoia at that period, and international shipping delays due to vessel rerouting through South Africa.

The second issue the Hon. Member pursued was for the Cabinet Secretary to clarify the immediate measures being undertaken to ensure the adequate and timely supply of fertiliser to farmers in Trans Nzoia County. The Ministry responds as follows. There is an increase in fertiliser allocation in Trans Nzoia County from 571,186 bags to 650,000 bags in the 2026/2027 season. There will also be expanded last-mile distribution centres, from the current 10 to 20. There will also be the delivery of fertiliser directly to distribution centres to improve farmers' access and logistics, using both road and rail transport for timely deliveries.

The third issue the Hon. Member pursued was a report on the investigations into the alleged diversion of subsidised fertiliser intended for local farmers to neighbouring countries, and the weaknesses in farmer registration. The response indicates that the National Fertiliser Technical Committee (NFTC) conducted an investigation into this matter and found that there were fertiliser diversions, illegal repackaging, theft, and cross-border transfers of fertiliser.

The findings from this include, first, that on farmer registration, there were several key findings, but I will just read a few because I reported back on this issue earlier. There are a few changes. There were cases of inflated declarations by those redeeming vouchers, duplicate registrations, registrations among farmers, limited involvement of National Government Administration Officers (NGAO), and institutional farmers registered under individuals among others. They cited several examples, for instance, the findings in Busia County, where farmers were allocated 716 bags based on inflated acreage, and in Muhoroni Constituency, where an allocation of 600 bags exceeded what was intended.

On the issue of voucher redemption, the key findings included redemption outside registered counties, immediate resale of subsidised fertiliser, voucher pooling by brokers and farmers selling vouchers due to financial hardship among others. Notably, they also cited examples of a farmer having been held with vouchers demanding an equivalent of 39,000 bags of fertiliser, which is equivalent to a number of acres. Subsidised fertiliser was also resold in some areas, like Kuresoi Constituency in Nakuru County.

The issue of governance was also reported as one of the findings, with both positive and negative outcomes. The positive ones include strong coordination among NCPB, county governments, and County Commissioners, or the NGAO team; multi-agency enforcement; an active Director of Criminal Investigations (DCI); and effective control at official border posts. The negative ones include weak oversight of the last-mile distribution centres, limited post-redemption monitoring and weak supervision of farmers among others. They cited some of the reported losses, for instance, in Busia County, 422 bags were lost, and 60 bags were also lost at the Chavakali last-mile distribution centre.

Regarding policy gaps, the findings indicated that there was no comprehensive fertiliser subsidy policy. It is not there. It is not in place. There is no traceability of fertiliser after redemption. After redemption, there is poor integration between the Kenya Integrated Agriculture Management Information System (KIAMIS) data, land ownership and other databases used, and a lack of clear guidelines for institutional farmers, or institutional farms among others. The second last was procurement and distribution challenges, including late fertiliser deliveries, a mismatch between supplied fertiliser and farmer preferences, inadequate last-mile centres, and ICT network failures among other findings.

Finally, findings on cross-border smuggling indicate that 772 bags were confiscated around Malaba while trying to cross the border. Five other bags were intercepted while being smuggled into Uganda. There is also a report on contributing factors for cross-border farming. Kenya is known to produce seeds in Uganda. Therefore, sometimes fertiliser crosses the border when we supply it to Kenyan farmers farming in Uganda. Family ties with Ugandans and the use of informal or panya routes are other contributing factors.

Crosscutting challenges include broker diversion, delayed delivery during peak demand periods, staff shortages, limited extension personnel, weak accountability, and an inadequate legal framework among others. There are a number of challenges. The Member has already received this response.

The Committee has issued about seven recommendations. They include strengthening the farmer registration, improving voucher management, strengthening governance, policy and legal reforms, improving procurement and distribution systems, and strengthening border controls.

I have done a summary of the main responses to the request for Statement. The ministry concludes that the fertiliser subsidy programme remains essential for the country's agricultural productivity and food security. Fertiliser diversion is mainly driven by weak farmer registration, verification and monitoring systems rather than procurement strategies. The report concludes that improving data integrity, fertiliser traceability, enforcement and legal frameworks will improve things. That will significantly reduce leakage and ensure subsidised fertiliser reaches the intended farmers.

The final issue the Member was interested in was the long-term interventions being implemented to safeguard subsidised fertiliser programmes, prevent diversions and also protect farmers from future shortages. The ministry indicates that it will introduce two-year framework contracts with multiple local and international fertiliser suppliers to guarantee timely availability.

The report also indicates that procurement orders will be issued before each planting season to allow adequate production and shipment planning. It will also conduct a comprehensive audit and validation of the KIAMIS data, strengthen farmer and land verification through NGAO and agriculture officers, introduce fertiliser traceability systems, strengthen multi-agency enforcement, and develop a comprehensive fertiliser subsidy policy backed by stronger legal provisions to curb diversion and smuggling.

That is the end of that Statement.

The Temporary Speaker (Hon. Martha Wangari): Sorry, Hon. (Dr) Mutunga. Let me stop you for a minute to recognise a school. I stop you because I see visitors in the Speaker's gallery are leaving. I recognise Kabutiei Senior School from Tinderet Constituency in Nandi County. We welcome you to observe the proceedings of the House.

(Applause)

Hon. Mutunga, are you done?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Yes.

The Temporary Speaker (Hon. Martha Wangari): I hope you have served Hon. Siyoi with the response. Hon. Siyoi, are you satisfied, or do you have follow-up questions?

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Thank you. I am dissatisfied with the answer. I want to go directly to the answer where the Cabinet Secretary says that the rains came earlier than expected. I am just wondering who is supposed to advise farmers of this country on when the rains are going to come. Who is supposed to inform them if the rains will be delayed or come earlier?

There is something about Trans Nzoia—as I stand here, I believe it is the case across the entire country—that we do not have a harvest in the next few months. The maize dried up completely just because we had delays in distributing fertiliser. Somebody has just said “yes”. I know some people are waiting to go to the streets in the next few months, with *sufurias*, because we will have food insecurity in this country.

The Cabinet Secretary has spoken about increasing the quantity of fertiliser, noting that this year's supply was higher than last year's. The problem was not the quantity of fertiliser but how it was being distributed and the structures that were put across. The Chairperson has just said they are going to strengthen systems, yet they are using the same structures—the NGAOs, the commissioners, and whoever else. All those people that you have spoken about are the same people who were there before. It means we do not have a permanent solution to the problems that we are addressing now.

Allow me to say that I think the Cabinet Secretary has not taken this Ministry seriously. Telling us that the transportation of fertiliser to the county took longer because fuel prices went up is a total negligence on the part of the Ministry. This was supposed to be taken as a matter of urgency. You cannot say that fertiliser reached the farmers late because of fuel. It was supposed to be given priority because we are talking about a country's food security. I ask the Cabinet Secretary to take the Ministry he has been given seriously, as it is crucial.

Again, I wish to understand what will happen to the poor harvest we are going to have in this country during the next harvest. We are expecting a lower harvest nationwide. I know, and I must say, it is due to the Cabinet Secretary's negligence. He has admitted on various occasions here that they made late deliveries and that fertiliser was distributed in only 10 out of 25 wards in the entire county. The Ministry has said it will increase the number of stations from 10 to 20. I request that they increase the serving points to 25 so that each ward has at least one serving point, ensuring that fertiliser reaches farmers on time. That gives farmers an easier time. I can imagine a farmer travelling all the way from Matumbei to the National Cereals and Produce Board (NCPB) depots in town just to come and collect fertiliser. A majority of farmers complained that they would travel all the way to town only to be told to come the day or week after. One keeps on spending a lot of money. I still request that they look into this to ensure that farmers receive the correct quantity of fertiliser in a timely manner, and the correct fertiliser in that case.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Chairman of the Departmental Committee on Agriculture and Livestock, I see the Chair of the Departmental Committee on Transport and Infrastructure is distracting you. I hope you have listened to Hon. Siyoi. I see on the Order Paper that you have two related Questions because Hon. Josses Lelmengit's Question is on the prolonged drought and food security. It is quite a concern. Maybe you need to go back to the Cabinet Secretary on some of the issues.

I also think there needs to be some improvement in the relationship between the national Government and county governments. Items like distribution to the zero mile, and going towards villages call for working with county governments. You may respond to what Hon. Siyoi has asked, even as you look at what the other Question asked. It is still very relevant, although the person asking is not in the House.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you very much. The Cabinet Secretary planned a breakfast meeting to understand better certain issues raised by the Hon. Members asking Questions. It would indicate exactly what they want from the questions so that the Ministry can prepare a brief. Maybe the Hon. Member never got the communication. Let the Member draft specific Questions so that we can invite the Cabinet Secretary here; he will answer all those Questions, plus others related, and that will do justice to this sector.

The Temporary Speaker (Hon. Martha Wangari): Hon. Chairperson, this is the second time you are responding to this Question. So, what were the follow-up questions? Are you saying that you did not know what you were responding to?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Temporary Speaker, what I said is that we were required to go back to the Ministry for further answers and the Ministry planned a breakfast meeting.

The Temporary Speaker (Hon. Martha Wangari): Did you inform the Member?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): We invited all Members who had asked questions. Some of them came, but others did not come. They were supposed to say exactly what they needed from the question. Sometimes there could be a misunderstanding about the Question itself, the context and content of the Question and the answer that is given. So, they needed to give the breadth and depth of what they required from the Questions so that they could be answered adequately.

Having said that, I would also like to indicate that it is good for Hon. Members to re-draft any part of a question that has not been sufficiently answered. We can even invite the Cabinet Secretary to come and answer the Questions on the Floor of this House.

The Temporary Speaker (Hon. Martha Wangari): Hon. Chairperson, I do not know how we should ask the Cabinet Secretary the same Question three times. It looks like something is amiss.

Hon. Siyoi, did you get the communication for the meeting? What I have seen with these follow-up questions is that when the Cabinet Secretary appears before a Committee, you are able to also prosecute your issue better.

Hon. Lillian Siyoi (Trans Nzoia County, UDA): Hon. Temporary Speaker, I was away and I communicated. Now that I have asked this Question more than three times, probably, my next question would be, what measures he is going to take to ensure that we do not have food insecurity in the next few months now that we are going to have a very bad harvest. If that happens and there are no measures put in place, we are going to be in trouble.

The Temporary Speaker (Hon. Martha Wangari): My advice would be, Hon. Siyoi, in case this matter is still not satisfactorily dealt with, you can also ask it as a Question. As the Leader of the Majority Party has said, the Cabinet Secretary can be made to appear but that can only be prompted by a Question from Members. So, I request that if you are still not satisfied, you do the same.

Hon. Pkosing?

Hon. David Pkosing (Pokot South, KUP): Hon. Temporary Speaker, you read my mind. I think we have come from the same place all the time for the last 15 years. I want to advise my colleague, Hon. Siyoi, to put it in the form of a Question so that the Cabinet Secretary comes here to sufficiently answer supplementary questions. What would my colleague do when the answers he has received are inadequate? He sits in this House just like myself. He will not answer supplementary questions. His response is written by someone else. So, I persuade Hon. Siyoi, my neighbour, to ask that the Cabinet Secretary be invited to appear here and ask him the Question. Let her ask the Question and let it be the first one and the Chair can help her to clarify the issues. It is true that there is a problem. Hunger will be experienced in this country, particularly, in the North Rift, where I come from, with Hon. Siyoi. Let the Hon. Chairperson take note that there is going to be a problem in the North Rift.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. The next question, Hon. Mutunga. The next request for a Statement is by the Member for Ndaragwa, Hon. George Gachagua. Do you have the response?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Yes, Hon. Temporary Speaker, I have the response.

The Temporary Speaker (Hon. Martha Wangari): He is in the House. Go ahead.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Thank you, Hon. Temporary Speaker. The Member for Ndaragwa, Hon. George Gachagua requested to know the causes of delayed payment to Guangzhou Construction Company Limited, which was constructing the Ndaragwa Horticultural Produce Market. The Statement concerns the delayed payment. This construction was a project called the Smallholder Horticulture Marketing Programme (SHoMaP), which was funded by e-Fund between 2007 and 2016.

The background of this project was such that Ndaragwa Market was identified as a strategic horticultural market due to the area being high in agricultural potential. Following the termination of the initial contract for poor performance, Guangzhou Construction Company Limited was awarded the remaining works on 14th March 2016 at a contract of Ksh28.25 million with a completion period of 16 weeks. The Ministry of Lands served as the project manager then.

The second issue is the reasons for the delay in payment of the outstanding construction dues amounting to Ksh16,470,112.63 to Guangzhou Construction Company Limited. The contractor received a first Interim Payment Certificate (IPC) of Ksh12,000,093 in May 2016. The second IPC of Ksh5.72 million was paid in August 2016. A third IPC worth Ksh5.94 million was submitted in November 2016 but was never paid because the SHoMaP programme had already wound up. The contractor remained on site until December 2016 despite the project's supervision having ceased.

The Ministry attributes the delay to the project not being fully completed before the SHoMaP funding ended. There was a prolonged period during which the contractor did not actively pursue the claim. The matter only resurfaced after Nyandarua County formally wrote to the Ministry in August 2025. Following this, the Principal Secretary appointed a technical inspection committee to verify the outstanding works and payments.

The inspection committee established that there were certified and paid works amounting to Ksh10.45 million. Additional works valued at Ksh5 million were undertaken but require further verification for payment. The market is substantially complete but cannot be operationalised until several remaining works are undertaken, including perimeter walling, parking and loading bay flooring, installation of roof water-harvesting tanks, repair of vandalised fittings and the painting of the facility.

The technical committee established that the Ministry has requested the National Treasury to vote Ksh35 million, comprising Ksh10.45 million for certified outstanding payments, Ksh5 million for verifying additional works, and Ksh20 million to complete the remaining works and undertake beneficial training and facilitate handover of the market.

On the timeline for payment, the Ministry has not committed to a specific payment date. Instead, it states that payment and completion depend on approval of the requested funding from the National Treasury after which the market will be completed and handed over to the County Government of Nyandarua for management.

On operationalisation of the market, the Ministry responds that once the funding is secured, the contractor will be paid, the outstanding works will be procured and completed, repairs on the vandalised sections of the market will be undertaken, beneficial training will be conducted, and the facility will be formally handed over to the County Government of Nyandarua, which will thereafter manage the market on behalf of farmers and traders.

Finally, on the measures to prevent similar delays in the future, the Ministry responds that the budget will only be allocated for projects with available funding. They will also strengthen due diligence during the contractor selection and enhance project monitoring and evaluation. Also, they will improve project management to ensure timely completion and payment of certified works and continue coordinating with the National Treasury to minimise funding delays.

I submit, Hon. Temporary Speaker.

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

Hon. George Gachagua (Ndaragwa, UDA): Thank you, Hon. Temporary Speaker. I am satisfied with the response. However, it is worth noting that the facility has remained unused for over 10 years despite having been completed substantially to usable status. I wish the Ministry could honour the third Interim Payment Certificate (IPC) of about Ksh10 million, as recommended by the team which went for inspection on 22nd December 2025 vide that reference and pay that outstanding debt. As they observed, that facility stayed for over 10 years without being used and they noted that it had deteriorated. I wish the contractor can be paid so that he can finish that contract and the people of Ndaragwa can utilise it.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Chair, you have heard his request. I do not think there needs to be more follow-up on it but before you respond, allow me to recognise in the Public Gallery Arya School from Kisumu Central, Kisumu County, as they observe the proceedings of the House. Hon. Mutunga, do you have a follow-up on it?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Temporary Speaker, I just want to note that the Smallholder Horticulture Marketing Programme ended. The Ministry has indicated that they will look for money. They do not have money to pay directly right now. They have promised that once they get money from the National Treasury and Economic Planning, which amounts to Ksh35 million, they will pay the Ksh10.4 million and the unverified Ksh5 million, and use the Ksh20 million to finalise and handover. Therefore, there is still hope. What you need to do is ask the contractor to follow the Ministry so that the timelines can be shortened.

The Temporary Speaker (Hon. Martha Wangari): Very well. Hon. Chairperson, you still have another statement to respond to. The owner of the Question is the Member for Emgwen, who is not in the House. Do you have the response?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): I do, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Kindly table it. Do not read it out. Just table it.

The Chairperson of the Departmental Committee on Transport and Infrastructure was in the House and now I cannot see him. There are Members waiting. Hon. Ikana, has he delegated anyone? The Member for Emgwen as well. Therefore, the Question by Hon. Ikana will be deferred because I do not seem to see the Chair in the House.

We are done with the Order on Statements. Let us go to the next Order.

MOTION

ADOPTION OF 2ND REPORT ON STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE

THAT, this House adopts the Second Report of the Committee on Implementation on status of Reports on Petitions and Resolutions passed by the House, laid on the Table of the House on Thursday, 26th October 2023.

(Moved by Hon. Raphael Wanjala on 29.7.2026)

(Resumption of debate interrupted on 4.8.2026)

The Temporary Speaker (Hon. Martha Wangari): I do not see the mover of this Motion. Therefore, we will defer it.

(Motion deferred)

Before we go to Order No. 9, Chairperson of the Departmental Committee on Transport and Infrastructure, I had seen you in the House, then you disappeared. I will go back to Order No.7 because the Member for Shinyalu has been waiting in the House patiently for your response. As you get ready, allow me to recognise in the Speaker's Gallery, New Pumwani School from Kamukunji Constituency, Nairobi County. Welcome to observe the proceedings of the House. May I give the Member for Nairobi one minute before Hon. G.K?

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Temporary Speaker. I would like to welcome the students to the National Assembly. We are honoured that you are here and we know that as you observe the work that we do and you study hard in your schools, one day you will be the ones sitting here and representing the people of this great country. Your parents are working very hard to keep you in school. So, please, focus on your education. There will be plenty of time to do all the other things in your life. For now, be good students. Work hard, pray hard and make your parents proud. Make your nation proud, because this country needs great leaders like yourselves. We were once young, sitting in those very chairs. Today, we are here. Tomorrow, it will be your chance. When you go home, tell your parents we send them our greetings. When you go back to school, tell them that you were in Parliament and you heard the conversations that we are having and know that we are here to serve you so that this nation can become a country we are all proud to call home.

Thank you.

STATEMENT

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Ndia.

ACCIDENTS ALONG KISUMU - KAKAMEGA ROAD

Hon. George Kariuki (Ndia, UDA): Thank you, Hon. Temporary Speaker. The Member for Shinyalu Constituency, Hon. Fred Ikana, requested a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure.

The Temporary Speaker (Hon. Martha Wangari): Member for Ndia, you start with an apology because you made us break the order of the day.

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, I apologise. I had stepped out for a health break.

The Temporary Speaker (Hon. Martha Wangari): No worries. Continue.

Hon. George Kariuki (Ndia, UDA): Thank you. Hon. Temporary Speaker, in the Statement, Hon. Ikana sought to establish:

1. The circumstances for the recurrent fatal hit and run accidents at Ilesi and Muruka Centres along the Kisumu-Kakamega Road, including whether the area has been identified as a black spot.
2. A report on whether the identity of the hit and run vehicle involved in the tragic accident and measures being taken to address the increasing hit and run accidents in the area.
3. The immediate and long-term measures being put in place by the Kenyan National Highway Authority to mitigate accidents at Ilesi and Muruka centres, including installation of speed bumps or rumble strips, pedestrian walkways and crossings, service lanes, proper road signage, street lighting and other safety enhancements to protect road users.

4. Plans to compensate families of victims who perished in the accident at Ilesi and Muruka Centres. The measures being taken to strengthen traffic law enforcement and safety along the affected section of the road, including action against speeding and hit and run offenders.
5. The timelines within which the proposed mitigation measures will be implemented to prevent further loss of life at the black spots.

Hon. Temporary Speaker, the Committee received a response from the Ministry of Roads and Transport, which I now wish to make. Regarding the circumstances for the recurrent fatal accidents, the Ministry submitted that preliminary assessments indicate that accidents have been associated with a combination of factors, including excessive speeding, unsafe crossing practices, limited compliance with the traffic regulations and inadequate separation between vehicle and pedestrian traffic. The Ministry further submitted that KeNHA has installed and maintained warning and regulatory road signs and have taken marking of pedestrian crossing and remarking faded pavement markings and continues to conduct road safety sensitisation programmes. KeNHA, in collaboration with National Transport and Safety Authority (NTSA) and the National Police Service (NPS), continues to monitor accident trends and undertake road safety assessments to determine whether the affected locations meet the criteria for classification as black spots.

Regarding the identity of hit and run vehicles and measures being taken, the Ministry submitted that investigations are being conducted by NPS. KeNHA continues to provide technical support and relevant road infrastructure information required during investigations. To address the increasing accidents, the agency has installed road safety warning signs and is working closely with the National Transport and Safety Authority, traffic police, county authorities and local communities to enhance road safety awareness, improve road infrastructure and support enforcement initiatives aimed at deterring traffic violations.

Hon. Temporary Speaker, regarding immediate and long-term measures to mitigate accidents, the Ministry submitted that KeNHA has initiated a comprehensive safety review of the affected road sections. Immediate interventions under consideration include installation of rumble strips, enhancement of road markings, provision of additional warning and regulatory signage, improvement of pedestrian crossing facilities and strengthening public awareness campaigns. The long-term measures being evaluated include construction of pedestrian walkways, installation of street lighting at trading centres, provision of service lanes where feasible, upgrading of pedestrian crossing facilities and implementation of other engineering interventions recommended through road safety audit and traffic studies. These measures will be taken subject to technical feasibility, prioritisation and availability of funding.

Regarding compensation of families of victims and strengthening traffic law enforcement, the Ministry stated that compensation of victims of traffic accidents is governed by applicable laws and insurance arrangements involving the parties responsible. The KeNHA does not ordinarily provide compensation unless liability is established in accordance with the law. To enhance safety, the KeNHA is collaborating with the NTSA and National Police Service to strengthen traffic enforcement, undertake road safety sensitisation campaigns, improve road safety infrastructure and support measures targeting speeding vehicles and offenders involved in hit and run accidents.

Regarding timelines for implementation, the Ministry submitted that KeNHA has already implemented a number of short-term interventions along the affected road section, including installation of additional warning and regulatory road signs, re-marking of faded pavement marking, installation of rumble strips where appropriate and continuous road safety sensitisation programmes. The Authority will continue monitoring the effectiveness of these measures.

The medium and long-term intervention will be implemented subject to completion of design, prioritisation within the road safety programs and availability of funding.

Hon. Temporary Speaker, I submit.

*[The Temporary Speaker
(Hon. Martha Wang'ari) left the Chair]*

*[The Temporary Speaker
(Hon. David Ochieng') in the Chair]*

The Temporary Speaker (Hon. David Ochieng'): Hon. Ikana.

Hon. Fred Ikana (Shinyalu, ANC): Thank you, Hon. Temporary Speaker. Allow me to start by appreciating the Chairman of the Departmental Committee on Transport and Infrastructure for the follow-up to this Statement and for the response he has given on behalf of the Ministry. I, however, wish to state that having listened very carefully to the Chairman, and having assessed the veracity of the response, he has given the actual facts on the ground. I return a no-factual verdict. This is because most of the short-term measures that the Ministry is alleging to have undertaken in relation to the Question I had asked about the frequent road accidents at Muruka are not true. Number one, there are no clear markings on the road at Muruka. Number two, they are alleging that there are speed bumps and rumble strips around Muruka Centre, which is not true. We do not have those interventions as of now.

Additionally, there is no clear speed limit signage around that area, which is a very dangerous thing bearing in mind that we have a very popular school around there; that is, Muruka Primary School with over 800 students, and a market centre. This should have been a very obvious thing for the Ministry to do because it is not limited to Muruka. I think across all our highways, it should be standard practice that as we approach schools and market centres, there should be clear signage on speed limits. On the aspect of compensation for victims who have suffered tragic road accidents before, I request that the Ministry takes this very seriously in collaboration with the Ministry of Interior and National Administration to ensure that at least we also have security cameras to help capture speeding motorists who hit pupils and speed off.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): Hon. Chairman.

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, allow me to agree with Hon. Ikana that much more needs to be done to reduce the number of accidents that we are seeing on our roads. One of the interventions that I personally have been pushing the Ministry to undertake is increasing the number of road signage on our roads. We do not have enough signage on our roads, which makes it very difficult for motorists even when you do not intend to cause an accident. Of course, nobody wants to cause an accident but you find yourself even hitting a bump where it has not been marked. There is no signage and it becomes very difficult for motorists to use our roads. I am just reinforcing his concerns. One good example is when you drive on the UN Avenue in Gigiri. There is a bump that was erected the other day where the new Dutch Embassy has been put up. There is a bump there, it is not marked and there is no signage yet it is on a downward drive. It is very difficult for motorists on our roads. So, we agree with the Member of Parliament and I am working with the Cabinet Secretary because I have raised this issue with the Ministry so that we engage in this very serious and urgent intervention. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): Hon. George Kariuki, *aka* GK, I think this is a chance for you to go to Western Kenya. We hardly see your Committee on the roads. When Hon. Members raise some of these things, take the opportunity to go to the ground. We want to see you in Moraka, in Kakamega, so that the Ministry will take you seriously. We

want to see Members of Parliament in Moraka, Kakamega. We want to see you somewhere in Gambogi where there is no signage. We want to see the Committee, not with the Ministry in Mombasa or in Naivasha. Go to the ground. Let Parliamentarians go to where these things are happening so that you feel this and then you bring a report and say: “Indeed, Hon. Ikana brought an issue. The Ministry gave a report which he disagreed with and we went to the ground. It is indeed true that this thing they are talking about are not on the ground.” We would like to see you down there in our constituencies. Hon. GK, my friend, I would imagine this is the time to do that.

Hon. George Kariuki (Ndia, UDA): Thank you, Hon. Temporary Speaker. I agree with you that we need to visit more constituencies and more parts of this country, but the reason why we are allowed to raise questions here is because we cannot be able to be everywhere and the Member of Parliament is better placed to raise the concerns of his or her constituents. So, Hon. Temporary Speaker, I agree with you. I do not want to argue. We are doing our best under the prevailing circumstances, and we will keep pushing this agenda.

Hon. Temporary Speaker, we have been visiting very many places. The other day, we were in Kisumu and Nandi. Next week, we will be in Naivasha inspecting a road under construction. We are a proactive Committee. We are not passive. We are an active Committee.

Thank you.

The Temporary Speaker (Hon. David Ochieng’): This decision is made in good faith. When the Ministry disagrees with a Member of Parliament on a factual matter, there must be a way of providing evidence to demonstrate that the Member’s position is correct. I believe the decision has been made in that regard.

(Hon. Harrison Kombe spoke off the record)

Did you want to say something on this particular statement? Okay, Mwalimu Kombe.

Hon. Harrison Kombe (Magarini, ODM): Thank you, Hon. Temporary Speaker. I heard the Chair say...

(Hon. George Kariuki consulted with Hon. John Kiarie)

I wish he could listen.

The Temporary Speaker (Hon. David Ochieng’): Order. Hon. Chair, your attention is required.

Hon. Harrison Kombe (Magarini, ODM): I heard the Hon. Chair state that all this will be done subject to availability of funds. He went ahead to say that he had visited several areas where he found that road signs and bumps were lacking. This should have been catered for in the Budget, such that we would be discussing their installation, so that we move away from the several accidents that normally occur. There is a place in my constituency known as Kwandomo, where every week we record an accident. There are no bumps, signs, or zebra crossing markings to alert people that this is the right place to cross. The Chair and the Ministry should take this matter seriously and do something about it.

Thank you.

The Temporary Speaker (Hon. David Ochieng’): Thank you. Hon. Chair, do you want to say something on Hon. Kombe’s remarks?

Hon. George Kariuki (Ndia, UDA): I agree with the Hon. Member that more needs to be done, especially in terms of availing funds for roadside signage. We are pushing the Ministry. I know the Cabinet Secretary has, in the recent past, committed to providing more resources to ensure that all our roads are clearly marked and have proper signage. This will ensure that road users are well guided.

Thank you, Hon. Temporary Speaker. I appreciate it.

The Temporary Speaker (Hon. David Ochieng’): Well said. The next response is to a Statement request by the Member for Emgwen. I do not know whether the Member for Emgwen is in the House. Is Hon. Josses in the House? Hon. Chair, now that the Hon. Member is not present, I will allow you to proceed and table the response. We can discuss it the next time the Hon. Member is around. Do it on the microphone.

Hon. George Kariuki (Ndia, UDA): I will table the response because the Member for Emgwen is not in the House. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng’): Go ahead and state the particular Statement request to which the response relates.

Hon. George Kariuki (Ndia, UDA): Hon. Josses, Member for Emgwen, requested for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding a fatal accident which occurred at Sirwa-Yala and the status of maintenance works on the Eldoret-Kapsabet-Chavakali Road C39. The Cabinet Secretary submitted the response to us. I lay the response on the Table of the House.

Thank you.

The Temporary Speaker (Hon. David Ochieng’): Thank you. That ends the session on requests for Statements and Responses thereto.

Next Order.

BILL

Second Reading

THE COUNTY LIBRARY SERVICES BILL (Senate Bill No. 40 of 2024)

(Moved by Hon. Caroli Omondi on 4.8.2026)

(Resumption of debate adjourned on 4.8.2026)

The Temporary Speaker (Hon. David Ochieng’): Hon. Members, debate on this Bill had commenced, proceeded, and there was a Member on the Floor. The debate was adjourned on Tuesday, 4th August 2026. If anyone wishes to contribute...

Hon. Members: No.

The Temporary Speaker (Hon. David Ochieng’): Come on, how can you say, “No”? Some Members may want to contribute to this Bill. Hon. Members, you will notice that this is a Bill from the Senate. Therefore, instead of asking for a reply, I will defer debate on this Bill to a later date when it appears again in the Order Paper.

Next Order.

(Bill deferred)

MOTIONS

NOTING OF REPORT OF KENYA DELEGATION TO 151ST IPU ASSEMBLY

The Temporary Speaker (Hon. David Ochieng’): Who was the Leader of the Delegation? Was it Hon. Millie Odhiambo?

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

The Temporary Speaker (Hon. David Ochieng’): Go ahead, Hon. Member.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Temporary Speaker, you forgot “Bad Girl.”

The Temporary Speaker (Hon. David Ochieng’): Hon. Bad Girl, go ahead.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. I beg to move that the following Motion:

THAT, this House notes the Report of the Kenya Delegation to the 151st Assembly of the Inter-Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland, from 19th to 23rd October 2025, which was laid on the Table of the House on Wednesday, 11th March 2026.

The 151st Assembly of the IPU and its related meetings were held at the International Conference Centre in Geneva, Switzerland, from Sunday, 19th to Thursday, 23rd October 2025. All IPU statutory bodies, including the Governing Council, Standing Committees, the Committees on the Human Rights of Parliamentarians and on the Middle East Question, as well as the Forum of Women Parliamentarians and the Forum of Young Members of Parliament, convened during this Assembly.

The 151st Assembly was particularly significant as it was the first statutory meeting of the IPU following the Sixth World Conference of Speakers of Parliament, held in Geneva in July 2025. The Assembly provided an opportunity to carry forward the commitments made by Speakers of Parliament and translate them into concrete parliamentary action at the global level.

The general debate focused on the overarching theme of upholding humanitarian norms and supporting humanitarian action in times of crisis. This subject was of profound relevance given the proliferation of armed conflicts worldwide, the unprecedented scale of humanitarian needs, and the growing strain on the international humanitarian system. The choice of Geneva as a venue carried a particular symbolic weight. The city hosted the diplomatic conference that adopted the Geneva Conventions nearly 80 years ago. Those of us who have studied humanitarian law understand the significance of the Geneva conventions which established the cornerstone of international humanitarian law.

Hon. Temporary Speaker, I know that you are an expert in that area.

The Temporary Speaker (Hon. David Ochieng’): I actually studied in Switzerland where you were doing your conventions.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Yes, Hon. Temporary Speaker. I even know that you studied in Switzerland. I did not study in Switzerland but I have, probably, travelled in Switzerland more than you.

That aside, it is against a backdrop of deepening global crises that the Assembly convened. According to the United Nations’ Office for the Coordination of Humanitarian Affairs (OCHA), people estimated to need humanitarian assistance in 2025 were nearly 310 million. That is the highest figure ever recorded.

Over 123 million people had been forcibly displaced worldwide and 1.9 million people were experiencing catastrophic hunger. At the same time, humanitarian response funding was shrinking and respect for international humanitarian law was being eroded. It was within this sobering context that parliamentarians from around the world gathered to re-affirm their commitment to human dignity and the rules of war — one of the topics I usually find very paradoxical. That, we actually have rules of war. When I studied humanitarian law, I used to raise it as a theoretical crisis that humanity needs rules of war. We just need to stop war then we would not need rules of war.

However, there are people who by their very nature create wars and situations such as the one Members were discussing earlier when I came in. My Departmental Committee on Defence, Intelligence and Foreign Relations forwarded a Statement regarding the British Army Training Unit Kenya (BATUK), where we were saying that, as Kenya, we want to sign the defence agreement subject to certain conditions. Ensuring that our women in Laikipia are protected is one of the conditions.

A former Member of Parliament argued that our Committee was bribed with, I do not know, Ksh5 billion. My share has not reached me if our Committee was bribed. I want him to intervene and ask the bribers to ensure mine reaches me so that I take it to the relevant authorities. This is against a backdrop where people go against what is normal. The norm is that we need to promote peace, not war. We are experiencing global crises that we never foresaw because we are promoting war instead of peace. This is why the Inter-Parliamentary Union (IPU) prioritised humanitarian and international humanitarian law issues.

At the same time, funding humanitarian response was shrinking and respect for international humanitarian law was being eroded. It was within this sobering context that we gathered to re-affirm our commitment to human dignity and the rules of war. The Assembly considered two requests to include an emergency item. South Africa submitted one on behalf of the African Group concerning the situation in Madagascar. Thailand, Argentina, Chile, Poland and Sweden submitted another concerning transnational organised crime, cybercrime, and hybrid threats to democracy and human security. Both proposals obtained the requisite two-thirds majority in a roll-call vote. The second proposal was included on the Assembly's agenda, having received a larger number of positive votes. The Kenyan delegation actively participated in all facets of the Assembly and made substantive contributions to the general debate, committee deliberations, and side events.

Before I get into what some Members from Kenya did, one recommendation that I must make to this House is that the IPU is actually a Parliament of Parliaments. I have served in the Pan-African Parliament. We send a delegation of five people at the beginning of every Parliament. Currently, I know that we have Hon. Esther Passaris and others serving in the Pan-African Parliament. They serve full terms.

Excellent Kenyans, including Hon. KJ, have served in the IPU. However, because of the structure of IPU, Kenya "recalled" somebody like Hon. KJ midway through the process. He is such a wonderful person. He was even chairing one of the Committees there. That was when his Kenya's parliamentary term ended. Consequently, Kenya could no longer include him in its delegation. Fortunately for me, my term will end next year when we go for elections. If it were not ending then, the requisite knowledge I have acquired in my very sensitive Committee, that many Members of Parliament do not even know much about, would be lost.

The Committee on Human Rights of Parliamentarians is not merely a committee where we talk about parliamentarians. Many people do not pay due regard to parliamentarians yet parliamentarians suffer a great deal. We have had in Kenya parliamentarians who were shot and killed. More recently, Hon. Ong'ondo Were was shot and killed. If a country does not take action, such cases can be reported to the IPU to take intervening action.

We have Parliaments that deny parliamentarians their mandates— your constituents duly elect you, you are sworn into office, then the Executive simply decides that 20 of you are no longer parliamentarians! The Committee on the Human Rights of Parliamentarians follows up on such cases—some successfully and, unfortunately, others without much success. I was deeply saddened when a parliamentarian whose case we were following up on died in custody in an Asian country despite our best efforts.

We get some good reports once in a while such as we did with Senegal. We followed the case involving Hon. Ousmane Sonko who was in prison at the time. As a Committee, we even sent trial observers. Although he was not the one contesting to be President, the person

he supported eventually became President and Hon. Ousmane became Prime Minister. I feel saddened when I see what has turned out or panned out in Senegal. I can only wish them the best. We did our best on our part as the Committee on the Human Rights of Parliamentarians. He ultimately secured his rights.

I encourage our Parliament to change our rules so that we do not continually have new people learning the ropes only for them to be withdrawn once they become experts. This also makes it difficult for our Members of Parliament to rise through the ranks of the IPU.

During this Assembly, Hon. John Makali, participated in the meetings of the High-Level Advisory Group on Countering Terrorism and Violent Extremism. He contributed to discussions on the Sahel Initiative and the nexus between climate change and violent extremism. Hon. John joined the delegation more recently but he is doing very well.

I also participated in my capacity before relinquishing my position as President of my Committee. I served my term as the President of my Committee. I was not thrown out. Therefore, one cannot say it was “one term” or “two terms”. You simply serve the period allocated to you. This is the only Committee to which one is appointed based on one's expertise. You are not appointed because you belong to a certain delegation. I was appointed in absentia based on my expertise. Kenyans campaigned for me. I thank them because we had just come back from elections at that time and there was a lot of ethnic divisions. Sorry, there were a lot of political divisions, not ethnic divisions. I am talking about ethnic divisions because there has been too much talk about them here. However, the Members did not consider them. I thank Kenyans because when we go out of the country, we do not look at the things that divide us here. Kenyans campaigned for me in absentia. I was elected in this Committee that is very competitive.

Hon. Temporary Speaker, I presided over the Committee's 178th session, which examined the situation of 300 parliamentarians across 16 countries. We declared new cases admissible concerning parliamentarians in Nigeria, the Democratic Republic of Congo, Somalia and Turkiye.

Senator Catherine Muma participated in the inaugural meeting at the IPU Committee on Health. She contributed to discussions on Universal Health Coverage, and sexual and reproductive health and rights. She was actively engaged in the deliberations of the Working Group on Science and Technology, particularly concerning the development of an annex on Artificial Intelligence (AI) ethics to the IPU Charter on the Ethics of Science and Technology. I am happy to see there is already a Bill in the Senate that looks at AI policy. We had a training recently, courtesy of Parliament. We were taught that if you come up with a policy or law on AI, then you must pass it quickly because AI changes. It means we must revise our laws and policies every year. What we did on AI last year is irrelevant!

The delegation notes with satisfaction that Kenyans engagement at the 151st Assembly contributed to the following outcomes:

1. The adoption of the Geneva Declaration which reflects Kenya's long-standing commitment to the protection of civilians in armed conflict and the promotion of international humanitarian law.
2. The adoption of the Resolution on Illegal International Adoption which incorporates provisions recognising the particular vulnerabilities of children in conflict zones and the need for comprehensive victim support mechanisms.
3. The adoption of the Emergency Item Resolution on Transnational Organised Crime and Cybercrime which acknowledges the global scale of these threats and calls for strengthened legislative frameworks and international cooperation.

4. The unanimous adoption of the Motion recommending the election of a woman as the next United Nations (UN) Secretary-General, aligning with Kenya's principal position on gender equality and women's leadership.

Hon. Temporary Speaker, I must also add, that is not one of the best outcomes in gender mainstreaming. When we go for the Assembly in October, our neighbour, Hon. Tulia, who was Former Speaker of the National Assembly of Tanzania will relinquish her seat as the President of IPU. Kenya, and especially Hon. KJ, played a very significant role in campaigning for her to be the President of IPU. We are proud because the President and Secretary-General of IPU are women. Somebody said that whenever two women are leaders in an institution, men complain. However, in some instances, six men lead in an institution and you do not even see or observe. This gender dynamic is very interesting. Sometimes, we sound like we are complaining, but we are not really doing so. The society has wired men to be favoured in a way that you do not even see. I like giving examples that sometimes men do not even notice themselves.

I do not want to give an example. Like recently, Kenya hosted a very big international event, which we attended and there were very many ministers from different countries. The host started by inviting the male ministers. When they came, they just sat down and allowed them to speak, but the moment he called a woman Minister from another country, he said, "You only have three minutes." Men do not notice that they do such things. There was a woman next to me, who by any account would not be described as a feminist. I know some of us, when we raise these issues, we are branded as feminists. This is a woman who by any means is not a feminist. She is the first person who said, "Did you notice that? They are giving men a longer time, but three minutes only to a woman." When I went to greet this woman Minister, she said, "Why are you Kenyans doing this to us?" I said, 'What are we doing to you?' She said, "You are giving the men the time and you are not giving us the time." Sometimes when we raise these issues, we sound petty, but we are not. We are just saying we are here. Look at us. See us. We matter just like you. So, that is why we are happy that we have the two women. Indeed, because of that, you are able to see us more.

On behalf of the delegation, I take this opportunity to thank the offices of the Speaker and of the Clerk for their support in ensuring that Kenya was well-represented during the 151st Assembly. As I conclude, Hon. Temporary Speaker, Article 7 of the Inter-Parliamentary Union statutes require IPU members to present IPU resolutions in the most appropriate format to their respective parliaments, communicate IPU resolutions to the Government, encourage IPU resolutions to be implemented, and provide the IPU secretariat with frequent and comprehensive updates on the actions taken and outcomes achieved, especially through its annual reports.

Hon. Temporary Speaker, if you could just give me one minute to conclude. It is my pleasure and humble duty to submit this Report, which highlights the proceedings, declarations and the resolution of the 151st Assembly of the Inter-Parliaments and related meetings to Parliament for noting and requiring action in compliance with the Article 7 of the IPU statutes. I beg to move and request the Hon. KJ to second the Motion.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): Well moved. Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I must thank you. This afternoon, the matter that is brought to the House is of great importance because it goes beyond the borders of this country. Hon. Temporary Speaker, allow me before I make my remarks to commend the leadership of Hon. Millie Odhiambo. It might not be said and it might not have even been observed, the duty that this lady is undertaking internationally, not only at the IPU, but also for many other causes that she believes in.

Hon. Temporary Speaker, I say this knowing very well how the world has received Hon. Millie Odhiambo's leadership. They say that a prophet is never celebrated at home. What it would take, Hon. Temporary Speaker, is for you to travel internationally with the Hon. Member to see how she is received internationally, with young girls trying to emulate her and talking about The Bad Girl, her contributions in this House, and many other things that they have viewed on YouTube and on social media. I can tell you, Hon. Temporary Speaker, that the lady who has presented this Report is way bigger, way taller than most of us here at home.

The IPU is the Parliament of Parliaments, with over 121 Parliaments sitting in one congregation and dealing with matters that are of international interest. The resolutions that come out of IPU are normally escalated all the way to the United Nations (UN) and end up as international conventions or international agreements. This House is right in its place to receive the Report that has been presented by Hon. Millie Odhiambo this afternoon, having been the leader of delegation for the outing. This House has a duty beyond what is transacted in those parliaments. We find that there are laws that need to be domesticated and treaties that must be localised. Therefore, the work undertaken by the Members representing us at the Inter-Parliamentary Union is of great national importance.

I also wish to state that this House has consistently presented some of its finest Members to the IPU. Hon. Millie Odhiambo is a good example. Even those who have joined after the long-serving Members are doing an impressive job. Allow me to say that the contribution of Hon. John Makali has been noted. He has been an active participant and is one of those who consistently attend the sessions. He represents Kenya very well and is doing an impressive job. We also have Hon. Naisula Lesuuda, a long-serving member of the delegation. She has been outstanding in her committees and has done a commendable job representing this Parliament at the IPU. We also have Senator Catherine Mumma, who is doing an impressive job in the Committee on Science and Technology. She has demonstrated great leadership, not only in leading the Committee, but also in thought leadership. She raises those difficult scientific questions that many of us would find difficult to explore. Even within our African traditions, she has been putting up a great face for the country and Parliament. When I refer to Parliament, I recognise that both the National Assembly and the Senate constitute the Parliament of Kenya.

In the Report presented by Hon. Millie Odhiambo, several important issues were discussed. Chief among them was the Geneva Convention on the Promotion of Humanitarian Law. As she has stated, I am the President Emeritus of the Committee on the Respect for International Humanitarian Law. I wish to express my gratitude to the Committee I served in because it allowed me to chair it not once, but twice. I was elected in quick succession. I completed my first term, and the Committee re-elected me immediately to serve a second term as its President. The Convention on the Promotion of Humanitarian Law was one of the key initiatives that we championed during my tenure. I am pleased to hear that, even after I left the Committee, the work continued and has now culminated into the Geneva Convention on the Promotion of Humanitarian Law.

The Report also addresses the mainstreaming of gender. This is an issue that cannot be overstated. Humanity today must come to the place of realising that even African communities had a place for their women. I can only speak for my own community, the Kikuyu. Before colonial invasion, Kikuyu had a special place for women. They were respected; they held leadership positions and made significant contributions to the community. Indeed, what many people may not know is that a woman could also rise to the position of an elder; *mũthuri wa kīama*. Although *mũthuri* means a man, this woman was able to attain the status of becoming a leader of the community in the governing council.

Hon. Temporary Speaker, as we are reviewing our Standing Orders, the work we do at the IPU should also be reflected in them. You will allow me one more minute. Hon. Millie Odhiambo has raised a very important point; that continuity is what has allowed her to rise and

lead the powerful committee. It was my frequent attendance at the IPU that enabled me to be elected to head a bureau and also President of the Committee not once, but twice. So, as we relook our Standing Orders moving to the 14th Parliament, the 13th Parliament should consider having a standing delegation that would be sent to the IPU to do work for the entire life of that Parliament, so that Kenya's contribution keeps being at the top level.

Finally, I must say that I was a key campaigner for Hon. Dr. Tulia Ackson. Kenya delivered when it needed to deliver. We presented a woman for President of the IPU who served with great leadership skills. I pray that now that we will have an IPU that will have a woman Secretary-General, women shall be elevated. I say so because by elevating the place of a woman, we will not be reducing the place of men. We are bringing up boys and girls and as we bring up these young people, we have to let them know that it is not a fight of the genders. A man is better off when a woman is empowered and a woman is better off when a man is empowered. A working society has got a place for both gender and each of them has their specific gender role.

Allow me to thank the office that you serve in, the Office of the Speaker. I thank Hon. Speaker, Moses Wetangula for facilitating the Kenyan IPU delegation to do the good work that it has been doing. I must also thank the Clerk of the National Assembly who made it his personal business to ensure that the IPU delegation from Kenya delivers even beyond its mandate. Kenya has been doing very well. I want to also congratulate Hon. Millie Odhiambo. She is right in her place to represent Kenya in the way she does. She is a true international superstar.

Thank you.

The Temporary Speaker (Hon. David Ochieng'): I am sure you would probably need another 10 minutes to speak.

(Question proposed)

Hon. Mwalimu Harrison Kombe.

Hon. Harrison Kombe (Magarini, ODM): Ahsante Mhe. Spika wa Muda kwa kunipatia nafasi hii niweze kuchangia Hoja hii. Kwanza nachukua nafasi hii kuwapongeza Wajumbe waliowakilisha Kenya katika mikutano kule Geneva, Switzerland. Uzoefu wa Dada Millie ndio uliomfanya akainuka na kuwa Rais katika Kamati aliyokuwa akisimamia. Mapendekezo yametolewa kwamba Wajumbe tunaotuma mara kwa mara wapewe nafasi zaidi ili wapate uzoefu katika ushirikiano huu wa Mabunge ndiposa wachaguliwe kimataifa na wawakilishe Kenya vilivyo kama walivyofanya Wajumbe tuliotuma kule Geneva.

Katika masuala ya uwakilishi wa raia, kuna haja ya raia kulindwa vizuri, si nchini tu, bali katika sehemu zote za ulimwengu. Ukienda nchi kama Somalia, wananchi wetu wanateseka. Kamwe raia hawana uhuru. Nikikumbuka vyema, miaka ya nyuma, tulichukua *sub-location* nzima ya Magarini na tukaipena kwa wakimbizi kutoka Somalia. Tuliwahudumia kwa zaidi ya miezi sita na hatimaye kambi ile ikavunjwa wakarudi kwao.

Kwa hivyo, kuna haja sana kuona kwamba tunadumisha umoja wa haya mabunge ndipo yaweze kutangamana vizuri. Hivyo ni kuipa nafasi dunia kuweza kuwa na amani. Iwapo kutakuwa na amani, hata kufanya biashara na mataifa mengine inaweza kuwa rahisi. Kwa yule aliyesimamia suala la sayansi na teknolojia, kazi aliyofanya pengine tungetarajia ingefanywa na mwanaume. Lakini vilevile aliongoza hiyo kamati vyema na hivyo Kenya ikajipa nafasi ya kuwa na sifa kimataifa.

Asante kwa wakati niliopewa kusema machache juu ya Hoja hii.

The Temporary Speaker (Hon. David Ochieng'): Hon. Passaris, do you want to say something on this?

(Hon. Esther Passaris spoke off the record)

Hon. Millie, I would like you to reply to this Motion, there being no further interest in it.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. I will not take time. Let me just thank the Hon. Members for their contributions and for their kind words. The issue that has been raised is that of humanitarian law and human rights, and not democracy. We did not talk about democracy. I want to thank the Hon. Members for elaborating and expounding on it.

With those few remarks, I call on the House to note. Thank you.

The Temporary Speaker (Hon. David Ochieng’): Hon. Members, the decision on this matter, as you know, will be made next time the Motion is put on the Order Paper.

(Putting the question deferred)

Next Order.

ADOPTION OF 4TH REPORT ON AUDITED ACCOUNTS
OF STATE CORPORATIONS IN THE ENERGY SECTOR

The Temporary Speaker (Hon. David Ochieng’): Hon. Pkosing, the Chairperson of this Committee, proceed to move.

Hon. David Pkosing (Pokot South, KUP): Thank you, Hon. Temporary Speaker.

*(Hon. Millie Odhiambo-Mabona blocked
the view of the Temporary Speaker)*

The Temporary Speaker (Hon. David Ochieng’): Hon. Millie, I would like to see the Hon. Pkosing.

Hon. David Pkosing (Pokot South, KUP): You know, Hon. Millie is our leader. When she is here; she is giving me wisdom.

The Temporary Speaker (Hon. David Ochieng’): Go ahead.

Hon. David Pkosing (Pokot South, KUP): Thank you, Hon. Temporary Speaker, for giving me this opportunity to move this very fundamental Motion. I beg to move the following Motion:

THAT, this House adopts the Fourth Report of the Public Investments Committee on Commercial Affairs and Energy on its examination of audited financial statements of selected State corporations in the energy sector, laid on the Table of the House on Thursday, 2nd April 2026.

As I move this fundamental Motion, I would like to state that when I move and say “selected State corporations”, then, of course, the fundamental question is: which are these selected State corporations in the energy sector? I want to inform you and the House that these are the State corporations whose audited accounts we examined: the Rural Electrification and Renewable Energy Corporation, which is very well known as REREC; the Kenya Electricity Generating Company, which is, of course, KenGen; and, the Kenya Power Company (KPC). Many Kenyans may not know that we have a Nuclear Power and Energy Agency. However, with the many debates in Siaya, where you come from, we are very clear on where we are moving regarding a nuclear power energy corporation.

Hon. Temporary Speaker, audit committees are different from departmental committees. Audit committees require a lot of patience, commitment, and reading. I, therefore, thank members of my committee for volunteering to serve the nation. For Kenyans and the House to appreciate, we had to go through many financial year books of the agencies I have

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just mentioned, that is Kenya Electricity Generating Company (KenGen), Kenya Electricity Transmission Company Limited (KETRACO), KPC, Nuclear Power and Energy Agency, and REREC. For the record, we went through and examined 19 financial year books of these agencies which is not easy.

We also went through 197 audit queries for the entire industry or energy sub-sector, which were raised by the Auditor-General. That is humongous. Those are many audit queries. This means there is a lot to be done within those agencies to make improvements. Of course, an audit query means that there was an issue in their financial books. It is good to note that out of the 197 audit queries that were raised by the Auditor-General, 105 were seen to have been resolved within the period which the Auditor-General raised them and before they were examined by my committee. We were, therefore, left to resolve 92 of the audit queries in the entire sector.

Hon. Temporary Speaker, it would also be good to note that the basis and objective of auditing, particularly by the Auditor-General, is ascertaining value for money. It saves Kenyan's money. Second, it is to ensure that service, as promised by Government, as budgeted for, as advertised, and as given to a contractor, is done. That is the most fundamental part of audit. My committee made a resolution that helped us resolve these issues. I want to say it, again, here that when the Public Investments Committee on Commercial Affairs and Energy sat for the first time, we said that we would never be a conveyor belt or just do reports for purposes of presenting like I am doing now. We are not satisfied. We are saying that we want to see a service being provided to a Kenyan, and that is very important. Those books are for many years ago. As leaders, what is our happiness? What is our satisfaction? It is when a Kenyan receives services and there is value for money budgeted and the taxes collected from Kenyans. If money has been collected for electricity, Kenyans should enjoy the electricity. That is the principle of this Committee.

We found a fundamental strategy that, going forward, might be used by other committees in the next Parliament. My committee calls it 'round table'. There should be some symbiotic relationship between KPC, REREC, KenGen and KETRACO. They find difficulty sending letters across to resolve some issues. My Committee came up with the round table strategy which brings together all the cabinet secretaries and principal secretaries of the relevant institutions, specifically National Treasury and Energy and Petroleum, to resolve issues. It is not beneficial for me to come and talk to you now and present things, while the people of Kenya are suffering. The people of Ugenya Constituency, as well as those in my constituency, will not enjoy this if I am only making a presentation here. However, they will benefit from receiving services. We have produced results, which I will provide in a moment as evidence.

We brought in the cabinet secretaries and found a way of resolving issues so that matters do not have to wait until the Committee on Implementation takes over. This is one of the strategies my committee employed to resolve some of the 92 outstanding audit queries. As I mentioned, the context is that we want to ensure value for money and avoid wasting our resources.

Hon. Temporary Speaker, having laid that fundamental context upon which we were auditing these institutions, allow me to highlight a few issues in this Report. As I present the report, it is important to note that it is fairly extensive, comprising 289 pages, which include our recommendations that we are asking the House to agree with us. It has the presentations from the Auditor-General and verbatim responses from the agencies I have just mentioned. It encompasses our debates, details from our retreat, and the resolutions made by the committee. Given the report is 289 pages, if I were to go through it page by page, it might take us until next year. We are nearing elections and Members are understandably prioritising their

constituencies. So, allow me to highlight a few key points for the purpose of moving this Report.

Let me start with REREC. Upon reviewing all the audit queries raised by the Auditor-General regarding this agency, we identified a recurring theme in terms of value for money. A significant problem identified by our committee was the issue of terribly delayed project implementation. Kenyans understand that REREC is responsible for rural electrification. This country is predominantly rural, and it is in these areas where electricity is needed most. Therefore, this is a fundamental institution for the supply of electricity in Kenya.

We discovered many delays in projects, including what KPC terms the "last mile" and REREC refers to as "transformer maximisation." Regardless of the terminology, the delays are widespread throughout the country. Both my constituency and yours can attest to this ongoing issue. The Auditor-General stated that there are several projects underway across the nation, and we conducted visits to assess the situation. I know you kept asking the Chairman of the Departmental Committee of Transport and Infrastructure about my whereabouts. You challenged us, and I agree with you, that Members of Parliament need to be visible on the ground. I assure you that my Committee has been on the ground. I wish to defend myself against any inquiries regarding my Committee's ground presence, as we have been actively engaged and confirmed the Auditor-General's findings regarding project delays.

It was important for my Committee to determine how we could address these delays. With the hold-ups, power will not reach the people, and, more importantly, contractors are requesting payments due to these delays. There are considerable costs associated with delays, causing losses. Contractors are incurring interest charges as they wait to execute their work.

Thus, my Committee identified the reasons for these delays. The biggest problem was the wayleave approvals necessary for placing poles on the ground to reach mwananchi. This was the overarching problem affecting the entire rural sector in terms of electricity supply. Many questions arose from this. Some contractors had already moved from the sites because they were unable to proceed, as they could not access the land. For people who may not understand, the jargon "wayleave" refers to land for erecting electricity poles so that electricity can reach a village. It is essentially a passage of land.

The REREC is first required to acquire wayleave upon which the poles will be erected before electricity can be supplied to the public. As a Committee, we established that, and I am sure you will agree with us, and I also wish Kenyans agree with us, that the idea of finding and buying land for rural electrification is almost impossible. The Committee established that it is particularly difficult for REREC, unlike the Kenya Power. I will explain that shortly. REREC is responsible for supplying electricity to rural areas, but acquiring land for the same, remains a nightmare for them. It is absolutely a nightmare. That is why many Kenyans are still not getting electricity.

What did the Committee seek to resolve and what are we proposing to this House? We are proposing that we find a way to save Kenyans' money and ensure value for money. We should bring REREC and leaders together. The leaders here lead in acquiring the land for the Corporation to extend electricity to the next village, thereby enabling contractors to undertake the work. We are proposing that the Departmental Committee on Energy amend the law to establish a Rural Electrification Committee, mirrored around the one we have for rural roads under KeRRA.

As Members of Parliament, we have Rural Roads Committees. That is why when we are constructing rural roads, there is usually no problem because the acquisition of land is led by our own people—the local community. Therefore, if the local people do not want electricity, they should say so, rather than allowing projects to be delayed and cause loss of money. When contractors cannot access the ground, they come back asking for additional money and then we end up blaming REREC and the staff.

This is fundamentally a weighty issue. I propose that the House agrees with the Committee that the Departmental Committee on Energy immediately amends the law so that we can establish Rural Electrification committees in every constituency. Those local committees, whose membership is essentially the local people, can then lead the acquisition of land. In most cases, when buying land for rural electrification, the seller puts a price that the Government cannot afford. That is why we have the electricity problem and delays.

That was the key issue within REREC that I wanted to share. We propose that the Departmental Committee on Energy amends the law so that every constituency has a Rural Electrification Committee to spearhead the supply of electricity to our people. In our view, that will really....

The Temporary Speaker (Hon. David Ochieng'): I do not mean to interrupt you at all, but why would REREC award contracts before acquiring the wayleaves?

Hon. David Pkosing (Pokot South, KUP): I will come to that. Of course, that is a valid concern, and I am not defending them. They have not asked me to defend them. However, everybody wants electricity, you and I included; therefore, we should put pressure on REREC. That pressure comes from politicians and other leaders, and for good reason, I would say. The problem is not necessarily the work itself; the problem is how the land is acquired.

REREC offices are not close to the people. For example, the nearest REREC office in my Constituency is in Kapenguria. They also have another office in Eldoret. When they get a project, they send surveyors from Eldoret or Kapenguria to my constituency to carry out the survey. Once the survey is completed, that is the end of their presence on the ground. What then happens is that, due to pressure from the Hon. Members, myself included, REREC awards the project because the survey, valuation and cost quantification have already been done. So, what happens?

When the contractor goes to the ground, they find out those problems. Mwananchi asks: 'who are you to step on my land?' And that is why we have this waste of money. We are proposing that the law be amended so that when REREC goes to do survey, they go with the committee put on the ground. This is to ensure that it is the local people who negotiate with the owner of the land. This is the only way we can make progress. That is only for rural electrification. It is not for Kenya Power or KETRACO. I will mention KETRACO in a minute. That is a cross-cutting issue. We found that there is no value for money in most of the projects done by REREC. But we have identified where the problem is and we have given you the proposals. We hope that you will agree with us.

Second, the biggest problem that we established with REREC, is this issue of mini-grids. Mini-grids are a hybrid supply of electricity. Mini-grid is a construction or establishment of solar power which you mix with generators to supply power to areas where we do not have electric lines. We saw about 37 of such in this country, mainly, in North-Eastern region. We visited one in Hadado, Wajir County and other North-Eastern areas, particularly Samburu and Turkana Counties. What the Auditor-General found out was that most of those mini-grids were not working, therefore, they are white elephants. We visited some of them and we realised that it is true. There was a problem of batteries.

So, rather than coming to cry and look like we are helpless as a House, we did a roundtable bringing together the Cabinet Secretary for the National Treasury and the Cabinet Secretary for Energy and Petroleum. I am happy to report that as I speak to you, the project has been taken and would be corrected. This was as a result of the roundtable of my Committee. I thank my Committee for doing that. That is being corrected. I am sure people in Lodwar, Turkana and other areas in North-Eastern, and particularly Hadado where I was, are watching me. I am sure they will be getting their power soon.

Moving forward, I would like to make a short presentation on KETRACO. For information and for Kenyans, KETRACO is the evacuator of power, particularly high voltage

power. So, KenGen does the generation. After generation, KETRACO comes to pick the power from there. This is for the benefit of Kenyans to understand what KETRACO is. KETRACO takes power from the generation and takes it to the national grid across the country. For example, take it to a reservoir, like in the case of water. Then from the reservoir, Kenya Power takes power from the closest reservoir to them and takes it to the mwananchi.

Kenya Power and REREC almost do the same work. REREC is for rural electrification while Kenya Power is for urban electrification. The Auditor-General found a number of fundamental problems with the evacuator, KETRACO. I would like to highlight one which my Committee found out to be the worst. I need to present it to you, Hon. Temporary Speaker, so that from your able seat, you can find a solution. What were the findings? The Committee noted that primary operation and financial challenges facing KETRACO stem from land acquisition disputes, especially wayleaves—which we just mentioned, but this is a special one—and the resulting legal liabilities. There are problems. This is the worst organisation; it is a dying organisation. Let me use that word so that they can be helped. KETRACO is dying; not dying for lack of anything, but they went into projects that I will mention briefly.

Currently, KETRACO is facing an estimated contingent liability of Ksh12 billion because of court cases and contractor claims. A good example of this risk is the Lesos-Tororo Transmission Line Project. KETRACO's failure to acquire way leave rights forced the contractor known as Inabensa SA to abandon the site when the works were almost at 51 per cent. Following the termination of the contract, there were arbitration cases all through, up to the Supreme Court. The conclusion of that case was for KETRACO to pay a lot of money to Inabensa SA.

KETRACO have problems because of this mistake. We want to bring to your attention, Hon. Temporary Speaker and that of the House that they have to look at their accounts every day because Inabensa SA, a foreign company, is waiting to see if there is money in KETRACO accounts so that they can remove it because of the long project from Lessos to Uganda. They were to bring power from Uganda to Kenya. Lessos is a distribution company. This company was given the contract, but KETRACO did not have complete way leave or permission to use the land. So, the company did some work but because it could not complete it, it left. This is a serious problem for KETRACO that was committed some time back.

The Temporary Speaker (Hon. David Ochieng'): I am listening to you very keenly. You know that on the issue of REREC and KPC, you are making it a light matter which you think can be handled by forming a Constituency Committee. Whatever you are saying is killing KETRACO. What happens if there was a similar situation where we have all the contracts that are now under REREC and some people went to court or that for all contracts under KPC that do not have wayleaves, people went to court? I am waiting for a recommendation saying, for example, that people should not sign contracts until they get way leaves. If the issue was the way leave, why did they not get it first before signing the contract?

Hon. David Pkosing (Pokot South, KUP): Hon. Temporary Speaker, I am coming to that. You have read my mind. You have almost become the Chairman of my Committee. I think I mentioned this, but if I was not understood, I want to repeat it. For the REREC matter, we must have a committee. Let me ask you a question and would reference Kalotwari, my village where I come from. If you are supplying or moving electricity from Kalotwari Village to another one that is closer to it, maybe two to three kilometres away, why do you need to buy or get a wayleave to that land? You do not need a way leave for a village that is just two minutes away. I am making a proposal, but I will leave it for the House to debate.

The Temporary Speaker (Hon. David Ochieng'): You make a lot of sense, Hon. Chairman.

Hon. David Pkosing (Pokot South, KUP): It is only for REREC.

The Temporary Speaker (Hon. David Ochieng’): You make a lot of sense. My issue is that if REREC gives batch contracts and one company has 10 contracts worth Ksh400 million but all of them have no wayleaves acquired before...

Hon. David Pkosing (Pokot South, KUP): Then, there is a problem.

The Temporary Speaker (Hon. David Ochieng’): ...yet there are three, four or five companies, a constituency committee will not resolve it. That is my point.

Hon. David Pkosing (Pokot South, KUP): That is true. If they do that, we will have a problem. In fact, that is why there is already a problem. While I am here with my colleagues, I do not want us to lament because people want electricity.

Hon. Temporary Speaker, one day you ruled that the House or parliamentarians should not lament because we are the leaders of today. You asked who we would be lamenting to. That is why I am proposing a solution that is only best for REREC. I have a solution for KETRACO and KPC. I am trying to base the solution to REREC’s problems on “ruralism.” if at all there is such a word. I studied English and I was given the power to do all that pertains to the degree in English. I will say “ruralism.” Therefore, Hon. Temporary Speaker, the solution is only different for REREC. If I come here to lament or if we say, do not award any project to REREC or the rural areas until they get way leaves; my question is, does it work if you pay from one village to another? It does not. This is our country and it is rural. I have given the example of the distance from my village, Kalotwari to another one called Manyan or any small village in Ugenya Constituency. You want one pole there so that the village can get power. You want money to pay for that pole so that the village can pay for power. Hon. Temporary Speaker, we are belittling ourselves as a country. That is why I suggested that we amend the law. In those rural areas, we have rural committees that can resolve those issues. Come to me and say, “Hon. Pkosing, you know your neighbour next to you does not have power. Why do we need to pay for your land? Why not allow your neighbour to get power?” We only need one pole. We will solve thousands of queries. That one will proceed.

Otherwise, if we go that way and say REREC should not award any project, this country will be dark in a minute. I am trying to find a compromise due to the requests we receive as a Member of Parliament. I am sure you also get requests Hon. Temporary Speaker, as a Member of Parliament for Ugenya Constituency. You receive many requests: “We want power here; we want power there.” I also receive requests. Hon. Passaris also receives requests. We, the Members from rural areas, deal with many of those problems. That is why I am making that proposal. I do not want to lament. We are a House.

But with regard to KETRACO, we have come up with a very serious resolution in this Report: that KETRACO shall never issue a contract before getting a wayleave. Yes. We are not allowing them to have committees, not because they are not in rural areas, but because of this Inabensa problem. We have come up with a very tough recommendation in this Report, and Kenyans should listen so that they do not ask for power. We have recommended that KPC and particularly KETRACO, shall not award any project before acquiring a wayleave. I think that is your recommendation. I have just inserted it into the Report quickly here while I am making a presentation, but it is in the Report that KETRACO should not.

Secondly, in that proposal, we refuse to become a conveyor belt for Inabensa. We were asked to agree with the Auditor-General that KETRACO should pay Inabensa but we declined. That was the proposal from the Auditor-General. What is our proposal? We call upon the Head of Public Service and the Cabinet Secretary for the National Treasury to resolve the issue of Inabensa. We refuse to accept the payment of billions of shillings for work not done. We cannot be a committee of conveyor belts and just allow some people to eat money. We refuse, even though they have gone to court. We said in our Committee that if people have gone to court, they have their right of appeal, and so on and so forth. Hon. Temporary Speaker, we refuse. We cannot accept.

We are calling on the Cabinet Secretary for the National Treasury and the Head of Public Service to intervene on this issue of Inabensa. We, as a Committee, decline that KETRACO should pay that money. If the Head of Public Service or any other office has a problem, they should jail those people who did not get the wayleave before they awarded the project. We are very tough on that one.

The Temporary Speaker (Hon. David Ochieng'): The other day, I saw you going to court on a personal matter, Hon. Chairperson. You have just told us that this matter has gone to the Supreme Court, right?

Hon. David Pkosing (Pokot South, KUP): Yes.

The Temporary Speaker (Hon. David Ochieng'): So, if Parliament decides that what the Supreme Court has said does not matter and uses the word "refuse," as you said, what is the effect?

Hon. David Pkosing (Pokot South, KUP): I want to refuse so that there is an effect.

(Laughter)

It is true, Hon. Temporary Speaker. Let me tell you.

The Temporary Speaker (Hon. David Ochieng'): What is the effect of that on people who are investing in this country and who believe that Kenya is known for the rule of law, especially on commercial transactions? When Parliament says, "we refuse" what happens?

Hon. David Pkosing (Pokot South, KUP): We declined to agree with the Auditor-General that people should be paid. In other words, I am sending them back for a kind of "renegotiation". But I wanted to bring a shock, if I were allowed. In this case, my Committee wanted to bring a shock to this country. That is why we declined, so that we could look at it again. How can we pay billions of shillings? Yes, there was a mistake in not obtaining the wayleave, and so on and so forth. Somebody is seated somewhere, receiving payments. I told you that there is a liability of Ksh12 billion. Some people went to court. I do not know what they talked about in court, and now they expect the Committee to say, "Okay, proceed to pay." Hon. Temporary Speaker, even if it comes as a shock, we have declined to approve that payment. If somebody was to say anything, let them go ahead. After all, they know where I come from. You know where I come from and you know the language we use. Let me share that language.

The Temporary Speaker (Hon. David Ochieng'): These are not cattle. These are not cows. They are not animals.

(Laughter)

Hon. David Pkosing (Pokot South, KUP): Hon. Temporary Speaker, I agree they are not animals, but Hon. Namuar can also help me because he understands our language. We are direct and honest. How can we accept to pay somebody close to Ksh12 billion? We are asking the Cabinet Secretary for the National Treasury and Economic Planning and the Head of the Public Service to intervene in this matter.

You can see my body language. That was also the body language of my Committee when we were discussing this issue. People almost cried. How can we lose that amount of money yet we are simply being asked to pay them quickly? Then, as a Committee, we are expected to accept it. We declined. We had better set the record straight. This Motion that I am moving is almost equivalent to the one on security that was moved by my colleague, Hon. Sonko. How can we be forced to accept something that we believe is an illegality? Even if they went to court and they sanitised themselves in law, I will still say in my language that it is immoral. Paying this money may be legal but it is immoral. Rural people like me value morality

even more than legality. That is the problem we found, and I am glad you have correctly read my mood. That is the mood of the Committee and the mood of the people.

We have two proposals. First, on KETRACO, we have recommended that no contract should be awarded until all the relevant wayleaves have been acquired. Hon. Temporary Speaker, as you have seen, the blackouts in Nyanza, where you come from, and where I come from in the North Rift and Central Rift, are partly because KETRACO has not upgraded transmission lines largely due to unresolved wayleave issues. There was one matter that came before my Committee from Nyanza, Homa Bay County. I was told one individual had refused to allow construction on his land. We called the Cabinet Secretary, held a round-table meeting and I believe the matter was resolved. Therefore, we have two recommendations. First, no KETRACO project should be awarded before all the required wayleaves have been acquired.

Secondly, we will never be a conveyor belt. The issue of Inabensa/Abengoa Group should be negotiated by the Head of the Public Service together with the Cabinet Secretary for the National Treasury and Economic Planning. We cannot accept the current situation. Parliament cannot negotiate on behalf of the Executive.

As I move towards concluding my remarks, allow me to turn to KPC and KenGen. One of the key issues the Auditor-General found in these two institutions worth highlighting is electricity pricing. There is the outcry by Kenyans on the high cost of electricity and the Auditor-General established that there is a disconnect, which is true.

The Auditor-General found that there are two main sources of electricity supplied to Kenya Power. One is electricity generated by KenGen, which is relatively cheaper. The second is electricity purchased from Independent Power Producers (IPPs). The Auditor-General found a clear mismatch. The price of electricity that Kenya Power purchases from Independent Power Producers is way higher than the electricity it purchases from KenGen. When this was presented before my Committee, it was like watching a movie. The cost of power from the Independent Power Producers is very high while that from KenGen is much lower.

The question, therefore, is why is electricity from Independent Power Producers expensive than the one from KenGen? On your behalf and that of the House, why is energy from Independent Power Producers expensive than the public one from KenGen? We summoned KPC, and KenGen to appear before us. KPC is us because it gets money from us or Kenyans and we are paying for that power. We found out that KPC pays Independent Power Producers even when their power is not being consumed. That is terrible. What happens? They did something called a Power Purchase Agreement and agreed they would put their generation there and pay an amount of money per month whether they are consuming their power or not. Where else have you heard of something like that where you pay somebody who is not producing?

The problem is that independent power producers had already secured securities from the National Treasury. They can cash in on their securities to the National Treasury if you do not pay them. That was a big issue before my Committee and we still have the problem. We went back and asked how Independent Power Producers entered the Kenyan market. We discovered that Kenya or KenGen was producing below capacity by the time Independent Power Producers were coming into the market. Kenya now wants to move to 10,000 megawatts yet we are at about 3,000 megawatts. It is the reason Kenya is moving towards nuclear power.

Kenya was rushing to get more power from 2007 up to 2010. The Independent Power Producers say that the Government invited them. What would we have done? That is the reason we gave them our price and we really had a problem with that. They claimed to be investors called into this country with some of them claiming they are Kenyans. We even investigated some of them and found out that they have accounts elsewhere. We had to do something for audit and this Committee because there is a difference between us as an audit Committee and a Departmental Committee. A Departmental Committee would have looked at other things but

we are looking at value for money. There is a problem and Kenyans cannot understand. We, as Members of Parliament, cannot understand. How do you get power at a cheaper price from KenGen then you pay Independent Power Producers without even consuming that power?

With all the problems that I will not present to you, what were our observations and recommendations?

The Temporary Speaker (Hon. David Ochieng'): Chair, I would want to know how much KenGen power is, if I am watching from home. You have said it. I am certain anybody watching from the village would want to know. You have said that buying from KenGen is way cheaper while buying from independent power producers is more expensive. How much is power from KenGen? How much is power from independent power producers?

Hon. David Pkosing (Pokot South, KUP): I will give you the figures in a minute when I give my colleague a chance to make a presentation. The difference is almost 50 per cent. I will give you the right figures once I finish this and go to my Report. I will give you the exact figures when Hon. Passaris will be on the Floor.

What does 50 per cent mean? It means that if the power from KenGen is Ksh10 then the power from independent power producers is Ksh15 yet it is the same power. That is where there is a problem. It is still a problem even as I speak to you. I will look at it from an audit perspective or with my audit eyes because I am not a Departmental Committee.

What are our recommendations? We made some. One is that the cost from Independent Power Producers must be renegotiated. It cannot be business as usual. I know the Executive and particularly the President took over that issue. I am sure he must have also ordered the same thing because this Report was done some time back. The rates must be renegotiated. The difference cannot be 50 per cent. We, as a Committee, decline to agree with the 50 per cent. We will never be a conveyor belt.

The second recommendation came from our visit to a KenGen power plant. It is in Kipevu in Mombasa. When we were there, we realised they have several engines. When we were in Mombasa, we went to KenGen where we found the issue of idle power. As I have said, almost all Independent Power Producers are being paid for idle power.

However, our second recommendation is that those agreements must be renegotiated. We cannot continue paying a 50 per cent difference. We declined that as a committee, and this is captured in our report. The question is, who takes over? It is the Executive. They must take over and agree with us if the House adopts our report.

On the issue of idle power, we also visited the KenGen facility in Kipevu as a committee. The facility uses fuel to generate power. We found that some of their generators and engines were not running. Yet, you and I pay for that power at the end of the month through our bills, including for generators that were not operational at that particular time. We asked them why they were allowing Kenyans to pay for idle power. They gave us important information that we need to present before this House and the country. The challenge with Kenya is that there is high demand for power from about 7 p.m. up to about 9 p.m. After that, demand reduces significantly. We visited at about 11 a.m., when not many people needed power. We were informed by KenGen that this imbalance contributes to the issue of idle power.

Therefore, we came up with another recommendation involving REREC and Kenya Power. They should connect more Kenyans. I do not know the current level of connectivity, but it is still too low, meaning that those already connected are carrying a heavy load. REREC and Kenya Power should ensure that more Kenyans, if not every Kenyan, are connected so that there is no idle power. That is what we found, and it forms part of our recommendations.

The first recommendation is that we renegotiate the Independent Power Producer agreements. Secondly, we should undertake more civic education. REREC and Kenya Power should also encourage the establishment of more factories that consume power so that electricity is used consistently. That will address the issue of idle power.

As I conclude, my Committee will never be a conveyor belt. We want to create a shock in this country so that we can either amend the law or return to negotiations. With those few remarks, I thank you, Hon. Temporary Speaker, and Hon. Members for listening to me as I move this very important Motion. We hope the House will agree with us so that we can at least bring about some change.

I now ask Hon. Passaris to second the Motion.

The Temporary Speaker (Hon. David Ochieng’): Hon. Esther Passaris.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Temporary Speaker. I rise to second the Motion for the adoption of the Fourth Report of the Public Investments Committee on Commercial Affairs and Energy.

At the outset, I congratulate our Chairperson, Hon. David Pkosing, for his exemplary leadership and commend my fellow Members and the Committee Secretariat for their professionalism, diligence and teamwork in the preparation of this report. The Chair has ably outlined the Committee’s findings and recommendations. I wish to emphasise the magnitude of the work undertaken by the Committee. We examined audit reports spanning 19 financial years across five key energy institutions. We interrogated 197 audit queries, resolved 105 of them, and made recommendations on the remaining 92. This was a painstaking exercise in parliamentary oversight.

As a Member of the Committee, I can confirm that every accounting officer who appeared before us was accorded fair hearing. We carefully weighed the evidence before arriving at balanced recommendations. We identified recurring challenges, including delays in project implementation, unresolved wayleave disputes, weak internal controls, and gaps in financial management that require urgent attention.

Strong institutions are built through consistent oversight. By adopting this report, the House will reaffirm its constitutional duty to safeguard public resources and ensure that public investments deliver value for the people of Kenya. I urge this House to adopt the Report. I beg to second.

(Question proposed)

The Temporary Speaker (Hon. David Ochieng’): Hon. Mwalimu Kombe.

Hon. Harrison Kombe (Magarini, ODM): Asante, Mheshimiwa Spika wa Muda, kwa kunipatia nafasi ya kuchangia Hoja hii. Naipongeza Kamati iliyoshughulikia jambo hili. Pia, wamesema walifanya ukaguzi wa hesabu kwa kipindi cha miaka kumi na tisa ambacho ni kirefu sana. Iwapo katika kipindi hicho kulikuwa na kasoro au ufujaji wa fedha, Serikali ilipoteza fedha nyingi sana. Napendekeza ukaguzi wa hesabu na matumizi ya fedha katika mashirika ya serikali ufanywe kwa muda unaofaa. Ikichelewa sana, labda ifanywe kila baada ya miaka miwili. Tukifanya hivi baada ya miaka kumi na tisa, mambo mengine yataharibika ambayo tungerekebisha na kuhakikisha hatupotezi fedha za Serikali.

Vilevile, kucheleweshwa kwa utekelezaji wa miradi kunasababisha malimbikizi ya fedha. Kwa mfano, ikiwa mwanakandarasi amekadiria kutekeleza mradi kwa shilingi elfu mia sita, kisha utekelezaji wa kandarasi hiyo ucheleweshwe kwa zaidi ya mwaka mmoja, bei za vifaa huwa zimepanda. Kama angenunua waya kwa bei ya chini mwanzoni, baada ya mwaka mmoja, bei hiyo itaongezeka kiasi kwamba kazi haiwezi kufanyika kwa gharama iliyokuwa imekadiriwa kwa kandarasi. Hili ni suala ambalo linapaswa kupewa uzito na kurekebishwa ili kandarasi ikitolewa, maandalizi yote muhimu yawe yamekamilika.

Ruhusa ya kutumia ardhi ya wananchi kwa ajili ya kupitisha magogo ya umeme inastahili kupatikana mapema kabla mwanakandarasi hajapatiwa kandarasi. Kuna baadhi ya wananchi katika eneo letu ambao walikataa magogo ya umeme yawekwe katika mashamba yao kwa sababu hawakuwa wamearifiwa mapema. Nililazimika kuingilia kati na kuzungumza nao. Niliwaeleza kuwa tumelilia umeme kwa muda mrefu sana, na wanatatiza mradi huo.

Niliwaomba waachilie ili mradi utekelezwe na tupate umeme kama Wakenya wengine. Walilegeza kidogo na tukaweka magogo ya umeme.

Ruhusa ambayo inayoitwa kwa kimombo “*wayleave*” inapatia mwanakandarasi ruhusa ya kukita magogo kwa mashamba ya wananchi. Nasisitiza ipatikane mapema kabla mwanakandarasi hajapewa hiyo kandarasi. KETRACO imepata malimbukizi mengi ya madeni. Watu wengi hawajalipwa. Nilipofuatilia kwa undani, nilifahamishwa kuwa KETRACO ilipeana vipande vya kazi vifanywe kwa niaba yao kwa wanakandarasi wengine wadogo. Wanakandarasi hao wadogo nao pia wakaajiri wafanyakazi ambao mpaka sasa, hawajalipwa. Hayo ndiyo Mwenyekiti anajaribu kuelezea. Kama hakuna mpango kamili ambao umewekwa ili kudhibiti hali kama hii, kutakuwa na shida kubwa.

Hata hivyo, ninaunga mkono mapendekezo ya Mwenyekiti. Hizo kandarasi zihakikishwe kabla hazijapeanwa. Baada ya hiyo, wanakandarasi watakuwa na uwezo wa kuendeleza kazi na pia tutawezakuepuka kucheleweshwa kwa utekelezaji wa kandarasi hizo. Kwa hayo machache, asante Mhesh. Spika wa Muda.

The Temporary Speaker (Hon. David Ochieng’): Asante. Hon. Emathe.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you, Hon. Temporary Speaker. First, I thank Hon. Pkosing and the Members of the Committee on Public Investment, Commercial Affairs and Energy for the elaborate Report. Thank you for the elaborate recommendations that you made. The energy sector in Kenya is dead, some will say dead on arrival because there are a lot of delays in project implementation in KPC, REREC and the rest of energy suppliers in this country. The manner in which charges are carried out in this country, requires a lot of attention.

Hon. Temporary Speaker, I sit in the Public Accounts Committee. In Turkana Central, we interrogated on the same and we found out that there are project delays across the county. We even thought that some counties in this country receive some favourable attention but that is not the case. It cuts across. In my constituency for example, there are projects that were supposed to be completed or that were initiated in 2021/2022 or 2020/2021 and to date, they have never been implemented or are still struggling to be implemented. Therefore, when the Chair recommends that there is need for us to have a ruralised or a devolved kind of committee to undertake, spearhead and manage issues of rural electrification, it is important. I have been able to engage what they call the Director for REREC in the county. They always refer me to the headquarters, meaning there is a disconnect in terms of how they even prioritise projects. That delay, sometimes in Kenya Off-Grid Solar Access Project (KOSAP) or Kenya Electricity Modernisation Project (KEMP) projects causes this country not to achieve on these other projects like the Last Mile.

The Temporary Speaker (Hon. David Ochieng’): Hon. Emathe, you will make your second point next time. You have a balance of seven minutes.

ADJOURNMENT

The Temporary Speaker (Hon. David Ochieng’): The time being 7:00 p.m., this House stands adjourned until Tuesday, 11th August 2026 at 2:30 p.m.

(The House rose at 7:00 p.m.)

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