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THIRTEENTH PARLIAMENT

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THE HANSARD

Thursday, 15th October 2026

(The House met at 2.30 p.m.)

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

PRAYERS

QUORUM

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): I order that the Quorum Bell be rung for 10 minutes.

(The Quorum Bell was rung)

Hon. Members, the House is now properly constituted to transact business.

(Loud consultations)

Order, Members. Clerk-at-the-Table, call out the Orders.

COMMUNICATION FROM THE CHAIR

APPOINTMENT OF MEMBERS TO A MEDIATION COMMITTEE

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, I have a Communication concerning the appointment of Members to the Mediation Committee on the Kenya Roads (Amendment) (No. 3) Bill (National Assembly Bill No. 34 of 2025).

Hon. Members, you may recall that on Tuesday, 25th August 2026, I reported to this House a Message from the Senate notifying its rejection of the Second Reading of the Kenya Roads (Amendment) (No. 3) Bill (National Assembly Bill No. 34 of 2025). The decision of the Senate effectively remitted the Bill to a mediation committee pursuant to the provisions of Article 112 of the Constitution.

Hon. Members, Article 113 of the Constitution requires that whenever a Bill is referred to a mediation committee, the Speakers of the Houses of Parliament shall each appoint an equal number of Members to attempt to develop a version of the Bill for consideration by both Houses.

To this end, I wish to inform the House that I have received correspondence from the Senate notifying that the Speaker of the Senate has appointed the following Senators to the Mediation Committee to consider the said Bill:

1. Sen. (Dr) Lelegwe Ltumbesi
2. Sen. Peris Pesi Tobiko
3. Sen. Kiprono Chemitei Cheburet
4. Sen. Esther Okenyuri Anyieni
5. Sen. Consolata Nabwire Wakwabubi

6. Sen. Enoch Kiio Wambua
7. Sen. Eddy Gicheru Oketch
8. Sen. Mohamed Faki Mwinyihaji
9. Sen. Hamida Ali Kibwana

Further, in accordance with the National Assembly Standing Orders and having consulted with the Leader of the Majority Party and the Leader of the Minority Party, I have appointed the following Members of the National Assembly to the said Mediation Committee—

1. Hon. George Macharia Kariuki
2. Hon. Kibet Kirui Komingoi
3. Hon. John Kiragu Chege
4. Hon. Abdul Rahim Dawood
5. Hon. Betty Njeri Maina
6. Hon. Peter Opondo Kaluma
7. Hon. Naisula Lesuuda
8. Hon. Christopher Aseka
9. Hon. Doris Donya

Hon. Members, now that the Mediation Committee is fully constituted in terms of Article 113 of the Constitution, I call upon the appointed Members of this House to liaise with their Senate counterparts with a view to expeditiously commence the mediation process.

I also urge the Committee to earnestly attempt to develop a version of the Bill that both Houses of Parliament will pass, in accordance with the provisions of Article 113 of the Constitution.

I thank you, Hon. Members.

PAPERS

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Deputy Whip of the Majority Party, please proceed.

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

1. Reports of the Auditor-General and financial statements of the National Government Constituencies Development Fund (NG-CDF) for the year ended 30th June 2026 and the certificates therein in respect of the following Constituencies—
 - (a) Kieni
 - (b) Tetu
 - (c) Maragua.
2. Reports of the Auditor-General and financial statements for the year ended 30th June 2026 and the certificates therein in respect of the following –
 - (a) Building Resilient and Responsive Health Systems Project Grant/Credit Number IDA 7517-KE; IDA E 296 – KE and GFF TF0CC 4128-KE – State Department for Public Health and Professional Standards.
 - (b) Mathenge Technical Training Institute.
 - (c) Office of the Data Protection Commissioner.
 - (d) Kenya Social and Economic Inclusion Project (KSEIP) Credit 6348-KE and Grant No. TF A9527 – State Department for Social Protection and Senior Citizen Affairs.

- (e) Kenya - EU Partnership for the Implementation of the National Strategy to Prevent and Counter Violent Extremism in Kenya Grant Contract No. NDICI Africa/2024/461-115 – National Counter Terrorism Centre.
- (f) Salaries and Remuneration Commission.
- (g) Salaries and Remuneration Commission Mortgage and Car Loan Scheme Fund.
- (h) Kenya Urban Support Programme – Phase II (IDA Credit No. 7349-KE and Grant No. E208-KE).
- (i) Early Action Support Project (EASP) – Project Number 2015-39790 – State Department for Environment and Climate Change.
- (j) Restoration and Sustainable Management of Cherangany Forest Ecosystems for Climate Change Resilience and Improved Livelihoods (RCFE) Project Number 011146 – National Environment Trust Fund.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Next Order.

QUESTIONS AND STATEMENTS

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, I would like to give the first opportunity to Hon. Mary Emaase.

PERSONAL STATEMENT

TRIBUTE TO THE LATE ASP STEPHEN EKIRAPA

Hon. Mary Emaase (Teso South, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 43(1), I rise, with a heavy heart, to pay tribute to the late Senior Police Officer, Assistant Superintendent of Police (ASP) Stephen Ekirapa, who tragically lost his life in the line of duty along the Saretho – Dadaab road in Garissa County.

The late ASP Stephen Ekirapa dedicated his life to public service through the National Police Service (NPS), where he served with discipline, commitment and compassion. Throughout his career, he rose through the ranks, serving in various capacities, including as Officer Commanding Station (OCS) in Gigiri and Kerugoya, and later as Fafi Sub-County Police Commander in Garissa County. The late officer distinguished himself through his commitment to protecting lives and property, and the welfare of vulnerable members of society. During his service at Kerugoya Police Station, he championed the establishment of a dedicated child protection centre to ensure that children in conflict with the law were handled in a safe and appropriate environment. His efforts demonstrated his understanding that effective policing must be guided by justice, dignity and respect for human rights.

Hon. Temporary Speaker, his death, alongside that of his driver, Corporal David Rotich, following a suspected Improvised Explosive Device (IED) attack on their police vehicle, is a profound loss to the NPS and the country. Their sacrifice reminds us of the dangers that police officers, particularly those in bandit and terrorist-prone areas face daily as they work to secure our communities and protect the lives of Kenyans.

I extend my heartfelt condolences to the family, friends and colleagues of the deceased, the people of Teso South Constituency and the entire NPS. May the soul of the late Stephen Ekirapa and his driver, Corporal David Rotich, be remembered for their dedication to duty, compassion for others and selfless contribution to the safety and well-being of the communities they served.

May their souls rest in eternal peace. I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Mary Emaase. There is a Member who would like to say something on this Statement. Hon. Umulkher Harun, proceed.

Hon. Umulkher Harun (Nominated, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute. I appreciate the Hon. Member for raising this Statement and for the passionate message of condolence to the family of ASP Stephen Ekirapa and Corporal David Rotich. I share in the family's pain.

This is not the first time we have lost our officers in the line of duty. I took the initiative to research how many officers we have lost this year in the North Eastern region: Garissa, Wajir, and Mandera. We have lost 37 officers. There have been 22 IED attacks in these three counties.

The officers who serve in these areas are also Kenyans from different parts of the country, dedicated to serving and protecting communities there. It is time we looked at how we can fix this problem. Some issues we can address immediately include building community relationships and prioritising roads not only for accessibility but also for national security. IEDs cannot be planted on tarmacked roads.

This has to stop. As leaders from this region, this causes us a lot of pain because our officers keep falling. It is painful because we cannot keep on losing them. We have to compensate the families who lose their loved ones in such heinous attacks and ensure the attackers are brought to book. As a House, we have to prioritise this matter.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Beatrice Adagala.

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Temporary Speaker. I would also like to send condolences to the families of the officers who lost their lives in the line of duty. This is very unfortunate. We keep losing officers while they are safeguarding our nation. It is very painful for those families who have lost their loved ones.

We should take measures, especially in areas prone to such attacks. Officers' vehicles can be fitted with special gadgets that detect IEDs. They protect Kenyans in those areas. They protect us and the country. We should look into those gadgets so that they can be fitted on these vehicles to avoid a repeat of such cases. Families lose their loved ones. Wives lose their husbands. Mothers lose their sons. Therefore, that action should be looked into.

On behalf of the people of Vihiga County and Western Region, I send condolences to the families of the officers who lost their lives while protecting us.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): May their souls rest in peace. Deputy Whip of the Majority Party, you may go ahead and present your Statement.

STATEMENT

BUSINESS FOR THE WEEK OF 19TH – 23RD OCTOBER 2026

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(a), I rise to present the following Statement on behalf of the House Business Committee, which met on Tuesday, 13th October 2026, to prioritise business for consideration during the week.

As Members are aware, next Tuesday, 20th October 2026, will be a public holiday to commemorate Mashujaa Day. The House will therefore next convene on Wednesday, 21st October 2026. I believe every Member will go to their constituencies to celebrate Mashujaa

Day with our people. For those travelling to Eldoret, we encourage them to be there so that we can celebrate our heroes.

With regard to business scheduled for consideration next week, the House is expected to consider the following individual Members' business during the Morning Sitting on Wednesday, 21st October 2026:

1. Committee of the whole House on the following Bills—
 - (a) The Sexual Offences (Amendment) Bill, 2023.
 - (b) The Prevention of Livestock and Produce Theft Bill (Senate Bill No. 12 of 2023).

I pray that the sponsors of the Bills and Hon. Members will be present so that we can execute these Bills.

2. Second Reading of the following Bills—
 - (a) The Harm Reduction Bill, 2025 by Hon. Esther Passaris.
 - (b) The Micro and Small Enterprises (Amendment) Bill, 2025.
3. Debate on the following Motions—
 - (a) Formulation of a policy to develop a structured engagement of National Youth Service graduates as security officers in government institutions (resumption of debate).
 - (b) Formulation of a policy on power subsidies for export-oriented agricultural production.
 - (c) National sensitisation and support for combating sickle cell and Haemophilia diseases.
 - (d) Inclusion of Aflasafe K01 in the national agricultural input subsidy programme.

Hon. Temporary Speaker, during the afternoon sitting, the House is expected to consider the following Bills at various stages, some of which are listed in today's Order Paper—

1. In the Committee of the whole House;
 - (a) Consider the Senate Amendments to the Public Audit (Amendment) Bill, 2024; and
 - (b) The Competition (Amendment) Bill, 2026.
2. In Second Reading, consider, if not concluded today:
 - (a) The Pest Control Products Bill, 2025;
 - (b) The Investment and Export Promotion Authority (Amendment) Bill, 2026;
 - (c) The Tourism (Amendment) Bill, 2026; and
 - (d) The Kenya Economic Zones Bill, 2026.

Additionally, Hon. Temporary Speaker, the House will debate the following Motions on Committee reports, should they not be concluded today:

1. Consideration of Senate Amendments to the Public Audit (Amendment) Bill, 2024;
2. Fourth Report on the Status of Implementation of the Constitution;
3. Report on Inspection Visits to Constituency Offices in Nakuru County;
4. Thirteenth Report on Examination of the Audited Financial Statements for Three Funds for FY 2020/2021 and 2021/2022;
5. Report on Examination of the Audited Financial Statements of Higher Learning Institutions (Eastern Region);
6. Fifth Report on the Implementation Status of Reports on Petitions and Resolutions; and

7. Nineteenth Report on Examination of the Audited Financial Statements for Five Funds.

Finally, Hon. Temporary Speaker, in accordance with the provisions of Standing Order 42A(5) and (6), I wish to convey that the Cabinet Secretary for Youth Affairs, Creative Economy and Sports will appear before the House on the afternoon of Wednesday, 21st October 2026. He will provide a report to the House on the status of preparedness of Kenya in co-hosting the African Cup of Nations (AFCON) 2027. It is my prayer that, in the two days we have in the coming week, Hon. Members will avail themselves so we can conclude all matters.

In conclusion, Hon. Temporary Speaker, the House Business Committee shall reconvene on Wednesday, 21st October 2026 to schedule business for the remainder of that week. I now wish to lay this Statement on the Table of the House on behalf of the Leader of the Majority Party.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachel Nyamai): Thank you very much. Hon. Members, I would like to recognise guests. Seated in the Speaker's Gallery this afternoon are students from Athi River Comprehensive School, Mavoko Constituency, Machakos County. Hon. Members, let us welcome them as usual.

(Applause)

Thank you. We also have guests of Hon. Daniel Manduku, from Nyaribari Masaba Constituency, Kisii County. You are all welcome to the National Assembly to continue observing the House proceedings. On behalf of the House, I ask Hon. Manduku to welcome our guests.

Hon. Daniel Manduku (Nyaribari Masaba, ODM): Thank you, Hon. Temporary Speaker. I wish to welcome guests visiting the Houses of Parliament and, in particular, the National Assembly. More specifically, I want to welcome my visitors from Ichuni Ward, Wokimotwe Shine Group, Nyaribari Masaba Constituency. I welcome you to observe the proceedings of the House. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Additionally, in the Public Gallery this afternoon, we have Kenya Icon Primary School from Kamukunji Constituency, Nairobi County and Red Soil School from Kajiado North Constituency, Kajiado County.

(Applause)

You are welcome to the National Assembly to continue observing our proceedings. Hon. Members, we can now go back to the Business of the House. I want to give this opportunity to Hon. Umul Kheir Kassim, MP. You may proceed.

REQUESTS FOR STATEMENTS

RESTORATION OF VANDALISED TELECOMMUNICATIONS INFRASTRUCTURE IN MANDERA COUNTY

Hon. Umul Kheir Kassim (Mandera County, UDM): Thank you, Hon. Temporary Speaker.

Hon. Temporary 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

Communication, Information and Innovation regarding the restoration of vandalised telecommunications infrastructure in Mandera County.

Hon. Temporary Speaker, reliable telecommunications infrastructure is critical to national security, particularly in border regions such as Mandera County, where effective communication is essential for intelligence gathering, emergency response and coordination among security agencies.

Hon. Temporary Speaker, the current vandalism of telecommunications infrastructure in Kutayu, Karo, Sarman, Rhamuo Hill, and Shirshir has disrupted communication services, creating a security gap that impedes timely response to security incidents and exposing local communities to heightened risks from armed criminals and other security threats.

Hon. Temporary Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Communication, Information and Innovation on the following:

1. The immediate measures being implemented to restore and fully operationalise telecommunication services in Kutayu, Karo, Sarman, Rhamu Hill and Shirshir. Hon. Temporary Speaker, I would like to specify that this is in Mandera South and Mandera North.
2. The immediate action being taken by the Ministry of Information, Communication and the Digital Economy to restore vandalised telecommunications infrastructure in the affected areas.
3. The coordination framework and security measures being implemented by the Ministry of Information, Communication and Digital Economy through the Communications Authority of Kenya in collaboration with the relevant security agencies to protect communications installations against further vandalism, including deployment of security personnel, physical reinforcement, remote surveillance and rapid response mechanism.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. That Statement is referred to the Committee on Communication, Information and Innovation. Is the Hon. Chairperson in the House? Any Hon. Member of that Committee or Vice-Chair? Leader of the Majority Party, when can we get a Response to this Statement?

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Temporary Speaker, I am sure immediately after the recess, the Committee should be able to avail a report. We also have a Hon. Member, Umi.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Now that you have already committed, we stop at that. Hon. Joseph Gitari, you had made a request. You may proceed with your statement. Clerks-at-the-Table, please trace the Member.

ROAD REHABILITATION IN KIRINYAGA COUNTY

Hon. Joseph Gitari (Kirinyaga Central, UDA): Thank you, Hon. Temporary 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 Transport and Infrastructure regarding road rehabilitation and road safety measures.

Roads in Kigumo town, particularly in the Gitwe and Trojan areas, experience heavy traffic due to tea transportation and access to health facilities and market centres. Their poor condition and inadequate pedestrian safety infrastructure pose risks to residents and other road users and hinder economic activities.

There is, therefore, need to rehabilitate these roads and install speed bumps and zebra crossings. Makutano, along the Kenol-Marua Road, is also a critical crossing point for

residents, particularly learners from Kaminji Primary School and Wachoro Secondary School. The high speed and volume of traffic on the dual carriageway, coupled with inadequate pedestrian crossings, put learners and other pedestrians at risk of accidents. In June 2026, a speeding vehicle reportedly lost control and struck pupils and parents from Kibirigwi Secondary School. This incident underscores the need for measures to protect pedestrians using the road.

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 plans and timelines for rehabilitating roads in Kigumo town, particularly in the Gitwe and Trojan areas.
2. The measures being taken to install speed bumps, zebra crossings and other appropriate road safety infrastructure at Makutano, along the Kenol-Marua Road.
3. The immediate measures being taken to regulate vehicle speeds and protect learners and other pedestrians at Makutano pending the installation of permanent safety infrastructure.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. I refer the statement to the Departmental Committee on Transport and Infrastructure. I do not see the Chairperson. Is the Vice-Chairperson in the House? Is there a Committee Member who can commit to a timeline for when we will receive a response? Yes, proceed.

Hon. Kibet Komingoi (Bureti, UDA): Hon. Temporary Speaker, we undertake to respond in the first week after recess.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): First week after recess. Is that okay with you, Hon. Joseph Gitari?

Hon. Joseph Gitari (Kirinyaga Central, UDA): Hon. Temporary Speaker, this is an emergency. I do not think we should allow that much time, as some measures can be implemented immediately. How many people must die on that road before the Committee responds and action is taken? I believe the Committee can respond next week.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Komingoi.

Hon. Kibet Komingoi (Bureti, UDA): Hon. Temporary Speaker, we will be on a retreat next week. I had hoped that we could respond to the Member before then. However, we can table the formal statement only after the recess. Nevertheless, we can work with the Hon. Member to meet officials from the Ministry and the relevant agency to obtain the necessary information and a response before then. The Committee will present the formal response to the House in the first week after the recess.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): That makes sense. The Committee will take action, and the report will be presented as Hon. Komingoi has indicated. Thank you. Hon. Abdi Ali, Member for Ijara.

DISAPPEARANCE OF MR SIYAT ABDI OMAR

Hon. Abdi Ali Abdi (Ijara, NAP-K): Thank you, Hon. Temporary Speaker. Pursuant to Standing Order 44(2)(c), I rise to seek for a statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the disappearance of Mr Siyat Abdi Omar of ID No. 32xxxx91.

Mr Omar, a resident of Hulugho Sub-County, Ijara Constituency, was abducted on 27th September 2026 in Sarirah Location, Hulugho Sub-County, by persons believed to be members of the security forces. He has been missing since then. Despite extensive efforts by his family and the community to trace him, his whereabouts remain unknown. The incident was reported

at Hulugho Police Station under OB No. 02/30/09/26. His disappearance has left his family in profound distress, uncertainty, and anguish.

As of today, little progress has been made in the investigation. The family has yet to receive official information from the security agencies regarding the circumstances of his abduction or his whereabouts. This prolonged silence has left the family and the community in a state of deep anxiety and emotional distress over the safety and well-being of their loved one.

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. A report on the whereabouts of Mr Siyat Abdi Omar, holder of ID No. 32xxxx91, and the status of police investigations into his disappearance, as reported under OB No. 02/30/09/26.
2. Actions being taken by security agencies to trace him expeditiously, reunite him with his family and bring those responsible for his disappearance to justice.
3. The measures put in place by the Ministry of Interior and National Administration to ensure the safety of residents of Hulugho Sub-County, Ijara Constituency.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. The statement request is referred to the Departmental Committee on Administration and Internal Security. Chairperson, are you present?

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker. We will respond on the first Thursday after the recess.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Abdi, is the first week okay with you?

Hon. Abdi Ali Abdi (Ijara, NAP-K): Yes, it is okay with me. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Gitonga Mukunji, Member for Manyatta.

KILLINGS IN EMBU COUNTY

Hon. Gitonga Mukunji (Manyatta, UDA): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding reported killings in Ishiara and Nembure, located in Evurore and Gaturi wards respectively, in Embu County.

On 12th September 2026, Mr Moses Munene and Mr Mike Lewis Macharia were reportedly shot dead following violence at a United Democratic Alliance (UDA) *Pasua Mlima* political meeting at Nembure Stadium. On 14th April 2026, Mr Morris Mugo Njoka and Mr Patrick Munene Kariuki were reportedly fatally shot during demonstrations over the poor state of services at Ishiara Level 4 Hospital. These incidents remain unresolved and have raised concerns about the alleged excessive use of lethal force by police officers resulting in death.

Further, Article 239(3)(b) of the Constitution prohibits national security organs, in the performance of their functions, from furthering any interest of a political party or cause, underscoring the requirement for political neutrality in policing.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. Circumstances surrounding the fatal shootings of Mr Moses Munene and Mr Mike Lewis Macharia on 12th September 2026, and Mr Maurice Mugo Njoka and Mr Patrick Munene Kariuki on 14th April 2026.

2. The status of investigations into the incidents by the Independent Policing Oversight Authority (IPOA) and the action taken to hold those responsible accountable.
3. Measures being taken to ensure the lawful use of force, protection of the constitutional rights of citizens, and political neutrality by police officers during public meetings and demonstrations.
4. Measures being taken to support the affected families and facilitate their access to justice.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. This request for a Statement is also referred to the Departmental Committee on Administration and Internal Security. Chairman, when can we get a response?

Hon. Gabriel Tongoyo (Narok West, UDA): I will respond on the same day as my other colleagues.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Gitonga, is that acceptable to you?

Hon. Gitonga Mukunji (Manyatta, UDA): Yes, it is acceptable. I want the Chair to take note of the seriousness of this matter, considering that we have an incident from April that has not even resulted in one police officer being questioned or arrested.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): The Chair has already committed to respond in the first week.

Hon. Jared Okello (Nyando, ODM): On a point of order, Hon. Temporary Speaker.

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

Hon. Jared Okello (Nyando, ODM): Hon. Temporary Speaker, I am not the Chair of the Departmental Committee on Administration and Internal Security, but I have listened very keenly to the request for a Statement raised by my brother, Hon. Mukunji.

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

Hon. Jared Okello (Nyando, ODM): I am trying to visualise a situation where somebody is shot at in a public rally. That would cause the greatest pandemonium you would have ever seen since you were born. It would also attract a lot of media attention if somebody were shot at in a public rally. There is something that may have escaped my attention.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): What is out of order? You have not even bothered to say what is out of order. There is nothing out of order. He has requested for a Statement, and the Chair has already undertaken to respond in the first week. That is good enough. There is nothing out of order. You may take your seat. Take your seat, Member.

The Hon. (Dr) Daniel Manduku, Member for Nyaribari Masaba, you may now proceed with your Statement.

UNAUTHORISED ROADBLOCK IN NYARIBARI MASABA CONSTITUENCY

Hon. Daniel Manduku (Nyaribari Masaba, ODM): Hon. Temporary 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 Administration and Internal Security regarding the unauthorised operation of a roadblock at Ichuni Shopping Centre in Nyaribari Masaba Constituency.

It is alleged that police officers serving at a police station in Nyamira County have been deployed to Ichuni Shopping Centre in Kisii County, where they have erected a roadblock without following the procedures laid down in Section 69A of the Traffic Act, Cap.403.

The roadblock and resultant restriction of movement was reportedly established without prior notification to residents, road users or other affected persons. There was also no communication on the reasons for the road closure or the legal authority under which it was established.

The roadblock has caused significant disruption to the movement of vehicles, businesses and members of the public who ordinarily use the affected road. Further, concerns have been raised by matatu operators alleging that police officers have been soliciting money from them.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. Clarification on whether the roadblock at Ichuni Shopping Centre has been lawfully authorised, including its purpose, the police command under which it was established, and the officers deployed to operate it.
2. Steps taken to investigate allegations of solicitation of bribes from matatu operators and other motorists by police officers manning the roadblock, and the measures being taken to prevent the harassment of road users.
3. Current status of Ichuni Police Station, including the reasons for the delay in its full operationalisation and the measures being taken to ensure that it is adequately staffed, equipped and operational to provide effective policing in the area.
4. Measures taken by the relevant authorities to regularise traffic enforcement at Ichuni Shopping Centre in line with Section 69A of the Traffic Act, Cap.403, specifying the timelines for regularisation.

I thank you, Hon. Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Chairperson of the Departmental Committee on Administration and Internal Security, you have very many matters. A lot of work is coming to your Committee.

Hon. Gabriel Tongoyo (Narok West, UDA): Yes. I am happy, Hon. Temporary Speaker, to report that by the time we went on recess, we had about 23 matters, and we are clearing all of them today.

On this matter, let me also request two weeks, since roadblocks may not be as urgent as missing persons. Give me two weeks.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. (Dr) Manduku, is that agreeable?

Hon. Daniel Manduku (Nyaribari Masaba, ODM): *(Inaudible)*

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You are not audible. Please move to the next microphone.

Hon. Daniel Manduku (Nyaribari Masaba, ODM): Hon. Temporary Speaker, I have no doubt that the Chairperson will respond within two weeks. I want to raise a concern that this is not the first time this matter has been brought to his attention. I hope that, when he responds, he will treat it with the seriousness it deserves so that my people in Ichuni can feel comfortable.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. The Chair will do as he has indicated. We had gone through the fifth request, so I will proceed to the sixth, by Hon. Timothy Wanyonyi, Member of Parliament for Westlands.

RECRUITMENT BY TEACHERS SERVICE COMMISSION

Hon. Timothy Wanyonyi (Westlands, ODM): 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 Education regarding the planned recruitment of teachers by the Teachers Service Commission (TSC) in the 2026/2027 Financial Year and measures to ensure disability-inclusive recruitment.

The Teachers Service Commission recently announced plans to recruit 20,000 teachers in the current financial year. Article 232(1) of the Constitution requires that persons with disabilities be accorded adequate and equal opportunities for appointment to public service.

Further, the Persons with Disabilities Act, 2025, provides for the progressive attainment of at least 5 per cent representation of persons with disabilities in employment.

The recruitment exercise presents an opportunity for the Commission to advance inclusion of persons with disabilities in the teaching profession, as well as ensure the equitable distribution of teachers trained in special needs education across the country.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Education on the following:

1. A report on the number of teachers with disabilities currently registered by the Teachers Service Commission, by county, gender, type of disability and teaching level, indicating those currently employed and those awaiting employment.
2. The number of qualified teachers with disabilities that the Commission intends to recruit to ensure the progressive attainment of at least 5 per cent representation of persons with disabilities in public employment.
3. The current teacher-to-learner ratio for differently abled learners in special schools, and plans by the Commission to recruit teachers trained in special needs education to address any existing shortage, and to deploy them equitably across the country.
4. Measures the Commission is taking to ensure that the recruitment process is accessible to persons with disabilities, including provision of accessible advertisements, application platforms, interview venues, sign language interpretation, accessible communication formats and accessible accommodation.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon (Dr) Rachael Nyamai): The Request for Statement is referred to the Departmental Committee on Education. I can see the Chairman of the Committee is not in the House. Is any Member of that Committee in the House? In the absence of a Member of the Committee, Leader of the Majority Party, Hon. Naomi, when can we get a response?

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Temporary Speaker, I believe that the Chairperson should be able to issue a response one week after recess. Thank you.

The Temporary Speaker (Hon (Dr) Rachael Nyamai): Thank you. Member for Westlands, is that agreeable?

Hon. Tim Wanyonyi (Westlands, ODM): Hon. Temporary Speaker, I am okay with that.

The Temporary Speaker (Hon (Dr) Rachael Nyamai): Thank you. Hon. Linet Chepkorir, Member for Bomet County.

GENDER-BASED VIOLENCE IN BOMET COUNTY

Hon. Linet Chepkorir (Bomet County, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairman of the Departmental Committee on Administration and Internal Security regarding the ongoing cases of gender-based violence (GBV) in Bomet County.

Bomet County continues to experience several cases of domestic and sexual violence, defilement and killing of women, despite concerns and interventions raised in the past. Between January and June 2026, more than 40 cases of GBV were reportedly recorded in the county, including 26 involving direct threats to the lives of survivors.

Notably, in April 2026, a 39-year-old man in Konoin allegedly killed his 27-year-old wife before taking his own life. Further, in June 2026, two girls aged six and 10 were reportedly sexually assaulted in Bomet East, resulting in the arrest of a suspect. Most recently, in October 2026, a woman identified as Viola Kirui, was reportedly killed in Chepalungu in an incident involving her husband, who was subsequently found dead. These incidents, alongside other cases being reported across the county, show that GBV remains an ongoing threat to women, girls and other vulnerable persons. Sadly, the reported use of informal mechanisms to settle cases of sexual and gender-based violence may deny survivors access to justice and allow perpetrators to evade accountability.

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. Measures in place to curb the escalating cases of GBV in Bomet County and prevent further violence, and action taken against officers for negligence or failure to act on reported GBV cases.
2. Progress made in investigating and prosecuting reported GBV cases, particularly those involving sexual offences and the killing of women and children.
3. Interventions put in place to ensure that GBV cases are pursued to full settlement, specifying the safeguards in place to prevent neglect, delay, withdrawal or informal settlement of such cases.
4. Support available to survivors, including timely access to medical care, psychosocial support, legal assistance and safe shelters.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon (Dr) Rachael Nyamai): We are back to you, Chairperson of the Departmental Committee on Administration and Internal Security. When will she get a response?

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker. We will respond in two weeks' time. Nevertheless, some time back, about two or so months ago, a Statement akin to this was presented before the House. It was worrying that the indicators showed that Bomet is leading in matters of GBV. It is my honest opinion that we should go beyond the issuance of a statement and dig deeper into the rising GBV cases in Bomet. Therefore, I will need your indulgence. Besides issuing a statement, we should do more, including summoning the Cabinet Secretary, interrogating the matter and possibly undertaking at a multisectoral approach or intervention to address GBV in Bomet. It is very worrying.

The Temporary Speaker (Hon (Dr) Rachael Nyamai): I direct that you first respond to the request for Statement. However, as a Committee, you can engage the County Member for Bomet, so that you dig deeper and establish what could be causing this. I believe that the matter will not be handled by one Committee. You may want to consult further, so that there is a multisectoral approach. Is that okay with you, Member for Bomet County?

Hon. Linet Chepkorir (Bomet County, UDA): Thank you, Hon. Temporary Speaker. That is okay. Let the Chairperson first bring us the Statement. After that, we will engage the relevant authorities.

The Temporary Speaker (Hon (Dr) Rachael Nyamai): Thank you. Hon. Samuel Gachobe, Member for Subukia, you may proceed.

HUMAN-WILDLIFE CONFLICT IN SUBUKIA CONSTITUENCY

Hon. Samuel Gachobe (Subukia, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Tourism and Wildlife regarding human-wildlife conflict arising from the invasion of elephants in Mbogoini Village, Subukia Constituency.

The continued movement of elephants into human settlements and agricultural areas has resulted in loss of human life, injuries and destruction of crops, posing a serious threat to the safety, livelihoods and food security of the affected residents. On 3rd October 2026, an elephant attack resulted in the death of Mr Jackson Wainaina Kariuki and left another person seriously injured and receiving medical treatment in hospital. The incident was reported at Mumoi Police Post under OB No. 3/6/10/2026.

The situation has heightened fear and anxiety among residents, who remain apprehensive of further attacks due to the continued presence of elephants within their communities and farmlands. The destruction of crops has further compounded the plight of affected households, many of whom depend on farming for their livelihoods. The recurring incidents underscore the urgent need for effective and sustainable measures to prevent further loss of life, protect property and provide relief to affected families.

Hon. Temporary Speaker, it is against this background that I request for a statement from the Chairperson of the Departmental Committee on Tourism and Wildlife on the following:

1. The circumstances surrounding the death of Mr Jackson Wainaina Kariuki and the injuries sustained by the other victim, as well as the measures taken by the relevant authorities to support the victims and their families.
2. The measures being undertaken by the Kenya Wildlife Service to contain the movement of elephants from neighbouring counties into Subukia Constituency, prevent further attacks and enhance the safety of residents.
3. The plans being put in place to assess and compensate victims of human-wildlife conflict, including the families of persons killed, injured persons and farmers whose crops and livelihoods have been destroyed.
4. The long-term measures that the Kenya Wildlife Service is taking to address the recurring menace of human-wildlife conflict in Subukia Constituency.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Gachobe. The Statement is referred to the Departmental Committee on Tourism and Wildlife. Is the Chairman, Vice-Chairman or any Member of that Committee in the House? The Leader of the Majority Party has stepped out. The Vice-Chairperson of the Departmental Committee on Administration and Internal Security, when can we get a response? You are a senior Member of this House and part of the House leadership.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I will pass the same to the Chairman so that they can respond in the first week after the recess.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. Is that agreeable to you, Hon. Gachobe, Member for Subukia?

Hon. Samuel Gachobe (Subukia, UDA): I am okay. Thank you.

STATEMENTS

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Members, we will start with the response to a Statement raised by Hon. Ahmed Hassan, Member for Banissa. Please proceed, Vice-Chairperson of the Departmental Committee on Administration and Internal Security.

HUMAN TRAFFICKING IN THE COUNTRY

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. The Member of Parliament for Banissa Constituency, Hon. Ahmed Hassan, requested to be apprised of the following: The measures being taken to identify, investigate and prosecute the individuals and criminal networks involved in the recruitment, exploitation and trafficking of Kenyan nationals, including the Magafe criminal network.

Hon. Yussuf Farah (Wajir West, ODM): On a point of order, Hon. Temporary Speaker.

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

Hon. Yussuf Farah (Wajir West, ODM): The Member for Banissa is not in the House.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You may take your seat. In the absence of the Member, I request the Vice-Chairperson to table the response.

Hon. Ali Raso (Saku, UDA): Most obliged, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Member, for raising that.

Vice-Chairperson, Departmental Committee on Administration and Internal Security, you may proceed with the response to a Statement sought by Hon. Farah Yussuf, Member for Wajir West, who is in the House.

Hon. Ali Raso (Saku, UDA): Thank you very much.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order. Hon. Raso, please take your seat. I would like to recognise guests from Mombasa Aviation Institute, Mvita Constituency in Mombasa County who are seated in the Public Gallery this afternoon. You may stand to be recognised. On behalf of the House, I would like to ask Hon. Mishi Mboko, Commissioner, to kindly welcome the students to the House of Parliament.

Hon. Mishi Mboko (Likoni, ODM): Thank you, Hon. Temporary Speaker. I wish to welcome the students from Mombasa Aviation Institute to the Parliament of Kenya. This is where laws are made and amended, and where we represent the people who elected us. Hon. Machele is not with us today as he is attending to other duties. On his behalf, I wish to tell you that it is good to experience Parliament and understand the work we do. Parliament has three cardinal roles: representation, legislation and oversight. As you have seen, Members ask questions and raise statements, to which responses are provided. All these issues come from the constituencies we represent.

I welcome you to learn about the work of Parliament. One day, you may become Members of Parliament, whether in the Senate or the National Assembly. Through your visit, you will gain experience and know what happens in Parliament. You may sometimes think that when we are in Parliament, we are just sitting. However, we are legislating, formulating policies and putting in place regulations. *Karibuni sana*. I know you have worked hard in your courses and are ready to take up jobs. As a country, we are working to ensure that we have more jobs and opportunities for our young generation.

Thank you and welcome to the Parliament of Kenya.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Commissioner Mishi Mboko. The Vice-Chairman of the Departmental Committee on Administration and Internal Security, you may continue with the response.

DISAPPEARANCE OF MR HASSAN OMAR

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. This is a Statement regarding the disappearance of Mr Hassan Bash Omar, a resident of Wajir West Constituency. The Member of Parliament for Wajir West Constituency, Hon. Yussuf Farah, has requested to be apprised of the following regarding the disappearance of Mr Hassan Bash Omar:

- (a) The circumstances surrounding the alleged abduction and disappearance.
- (b) The status of investigations into the matter.
- (c) The steps taken to establish the whereabouts of Mr Omar.

The circumstances surrounding the alleged abduction are as follows: On 3rd June 2026, at about 1752 hours, Mr Mohamed Abe Osman, a resident of Makoror Location within Wajir East Sub-County, reported at Wajir Police Station, vide OB. No. 32/03/06/2026, the disappearance of his relative, Mr Hassan Bash Omar, aged 24 years. He stated that at about 1545 hours, while in the company of Hassan, he was driving a Toyota Succeed, registration number KWD 484B, from Wajir County Referral Hospital when he was blocked by another Toyota Succeed whose registration number was not captured. Shortly afterwards, two land cruisers arrived at the scene. One had registration number KBY 746G, while the registration particulars of the second vehicle were not captured. Two armed male persons alighted from the land cruisers and approached their vehicle before forcibly pulling Hassan out of the vehicle and bundling him into one of the land cruisers. The assailants then sped off towards Wajir High School.

The status of the investigations is as follows: Pursuant to the report, the Officer Commanding Wajir Police Station circulated a missing-person alert to all police stations countrywide, vide Signal Reference No. C/CRI/4/4/Volume 4/400, dated 3rd June 2026. The ADPU Wajir Detachment commenced investigations vide Inquiry File Number 1/2026. Further, a request was made to the National Transport and Safety Authority (NTSA) for details of the subject vehicle and its registered owners. On 4th June 2026, the response received from NTSA, vide NTSA/GRS/8/10, dated 4 June 2026, indicated that motor vehicle registration number KBY 746G did not exist in the database. Investigations established that the victim's mobile number was last active within the Halale area of Wajir Town on 3rd June 2026 at 1435 hours and had remained switched off since then.

On the measures being taken to establish the whereabouts of Hassan and secure his safe return, the following measures have been undertaken:

1. The officer commanding, Wajir Police Station, circulated a missing person report. The Anti-Terrorism Police Unit (ATPU), Wajir, detachment, commenced investigations immediately upon receipt of the report.
2. An official request was made to National Transport and Safety Authority (NTSA).
3. All data record requests were submitted to the relevant network service providers.
4. Intelligence gathering and collaboration with other investigative and security agencies are ongoing.
5. Strengthening interagency collaboration to support investigation.
6. Finally, pursuing all available investigative leads aimed at tracing Mr Hassan and apprehending those responsible.

Hon. Temporary Speaker, the Ministry treats all reported cases of enforced disappearance and abduction with the seriousness they deserve. The disappearance of Mr Hassan is under active investigation and the Ministry remains committed to ensuring that the circumstances surrounding this incident are fully established.

Thank you. Signed by Hon. Kipchumba Murkomen, Cabinet Secretary for Interior and National Administration.

I beg to submit.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much Hon. Chairman. Hon. Member for Wajir West.

Hon. Yussuf Farah (Wajir West, ODM): Thank you, Hon. Temporary Speaker for giving me this opportunity. The Vice-Chair has given us a very shallow and incorrect information about what has happened. Whatever happened to Mr Hassan Omar was in broad daylight. He was kidnapped in front of the General Hospital of Wajir County by three vehicles. It is unfortunate that the Cabinet Secretary concerned is trying to take this House in circles by giving us a very shallow response.

I expected the Cabinet Secretary to tell us exactly where Mr Hassan is. Today, I can assure you before this House that Mr Hassan was not abducted by local people. It must be security agents. Mr Hassan was kidnapped from the General Hospital of Wajir County at the headquarters, just five metres opposite or where Wajir Central Police Station is located.

Number two, this person has been missing for about six months now. This response took around three to four months for the Cabinet Secretary to respond. This clearly shows there is more to it. I am not satisfied with this response and I want the Chair to go back and get us facts about Mr Hassan. If the Cabinet Secretary concerned cannot explain the disappearance of this person, whom are we going to ask? Where is Mr Hassan? Who abducted him? And where is he as we speak today? This is because they are the ones who are supposed to take care of the security of each and every person in this country. I am not satisfied with this response.

Thank you very much.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Chairman, I know that you are not the author of the response, but would you like to make a comment before I give a chance to the Hon. Umulkher who also wanted to joyride on this?

Hon Dido Raso: Thank you very much. The good Member who raised the question is loud and clear. I think as far as we are concerned, for any missing persons, the Government must make all the necessary effort to establish their whereabouts and the families must know if they are dead or alive and we have heard him. The Cabinet Secretary confirms that the matter is under active investigation. So, ours as a committee is to pursue so that the Cabinet Secretary does not stop at just giving a statement by telling us the whereabouts of the citizen.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Umulkher Harun.

Hon. Umulkher Harun (Nominated, ODM): Thank you Hon. Temporary Speaker, for giving me the opportunity to joyride on this. I have brought similar statements before this House several times of cases where someone is arrested and bundled in unmarked vehicles. Most of the time, they end up being police officers. The arrested persons will go missing for several months or years, including cases that are still pending in Garissa County, Wajir and across the region to date. For example, in Liboi, there are two young men who are missing, who were arrested in a manner that depicts abduction.

If you observe the statements raised in the House today, Mr Siyad Abdi Omar comes from Ijara Constituency and the Hon. Member raised it. Now we have the case of Mr Hassan Omar. The Prevention of Terrorism Act, Cap 59 (b), Section 31 states about the powers of arrest. Section 32 states about the rights of the person to be released and Section 33 states about the remand by court. Article 49 also states clearly about the rights of an arrested person.

Police officers have every right to conduct security investigations, arrest someone and arraign them in court. What is not happening, and through the Chair, is that whenever these arrests are done, police officers use unmarked vehicles and forcefully arresting them, some of them in front of their families. Once they are arrested, they do not tell the family that they are

police officers, they do not identify themselves. It leaves the families a bit stressed and wondering what has happened. Therefore, we have to follow the law here. The law exists, but what is happening is that officers are not following the law.

I have filed several cases myself of *harbeus corpus* to release people from courts. Sometimes the people who have been missing for over two or three years, just come back walking and they cannot tell you what happened. We are not stopping security officers from doing their work. We have an insecurity problem and that is why we are losing our officers; however, security officers must work with the community. They must conduct their arrests in a manner that follows the law and not arrest people like thugs or even behave like thugs so that we know who these people are and what is happening or if they are police officers. They must identify themselves.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. The Hon. Guyo Jaldesa Member for Moyale Constituency. You want to add your voice into this?

Hon. Prof Guyo Jaldesa (Moyale, UPIA): Yes. Thank you, Hon. Temporary Speaker. As you acknowledged, it is not the Vice-Chair who wrote the statement, but it is quite disturbing that many of our citizens are picked by the security agencies and there is no trace of them. It is not one, two or three, there are many. It is quite disturbing that people are disappearing in the hands of security agencies. Instead of security agencies protecting us, they are our cause of suffering. There are many statements being asked to the committee to say where this and this person is and we are not getting the response.

My plea to the Committee is that whenever questions are raised, they should get to the bottom of them and get us the answers. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Members, I direct that this matter is handled by inviting the Cabinet Secretary to the Committee and having the matter prosecuted because the matter is weighty. On this day, inform the other Hon. Members who have raised similar statements and questions so that they can be consolidated and so that you can see whether you can handle the matter in a more conclusive manner. Thank you.

Next Order.

MOTIONS

CONSIDERATION OF DRAFT PRIVILEGES AND IMMUNITIES (AFRICA FINANCE CORPORATION) ORDER, 2026

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): The Chairperson, Committee on Delegated Legislation, Hon. Chepkonga you may proceed.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you very much, Hon. Temporary Speaker. I beg to move:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Hon. Chepkonga. Just take your seat.

Hon. Jayne Kihara, do you have a point of order?

Hon. Jayne Kihara (Naivasha, UDA): Thank you, Hon. Temporary Speaker. I request for your direction. On 30th July 2026, I made a request for a Statement regarding the upgrading of Kinungi-Maraigushu Road to bitumen standards to the Chair of the Departmental Committee on Roads and Transport and he said that he would give me an answer in two weeks. Up to now, I have not received any response. On Tuesday, I raised this issue with the Temporary Speaker,

Hon. Kaluma and he ordered the Chair to address it personally. Since I have not seen him here, I need your guidance on how I will get the answer to my request for a Statement.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Jayne Kihara. There was a commitment already made that this was going to be responded to today. So, I direct that it be responded to next week. The Leader of the Majority Party or his representative, kindly let this information be passed to the Chair.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you very much, Hon. Temporary Speaker. I was left behind to hold brief for all of them, including the Whips and the Leader of the Majority Party. So, I take note and I will communicate to the Chair, Hon. George Kariuki (GK).

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Now you may proceed with your Motion.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you very much, Hon. Temporary Speaker. I beg to move:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Draft Privileges and Immunities (Africa Finance Corporation) Order, 2026, laid on the Table of the House on Tuesday, 13th October 2026, and pursuant to the provisions of Section 17 of the Privileges and Immunities Act, Cap 179, approves the Draft Privileges and Immunities (Africa Finance Corporation) Order, 2026.

This Order was forwarded to the Committee on Delegated Legislation and it is in draft form as required by the law. Every Order that seeks to give immunities to anybody, corporate or otherwise, must be tabled in this House and approved by the House in a draft form.

This draft Order was then forwarded to the Committee on Delegated Legislation to consider its contents and we invited the responsible regulatory making authority, the Prime Cabinet Secretary, Hon. Musalia Mudavadi who appeared before the Committee to present the draft Order to grant immunities to Africa Finance Corporation.

The Order is seeking to grant immunities to Africa Finance Corporation pursuant to Section 17 of the Privileges and Immunities Act, Cap 179. The Africa Finance Corporation was established in 2007 by African States to close the infrastructure gap financing in the African continent. It now operates in over 49 African countries and has invested more than US\$18 billion – part of it in Kenya – in energy, transport, telecommunication and industry. The most famous one is the current investment ongoing in the East African Refineries that the Africa Finance Corporation has taken the lead. They are also financing and collating finances for the construction of the new airport at the Jomo Kenyatta International Airport. This is a very important institution.

Kenya became a member of the Africa Finance Corporation on 7th June 2017 and this House approved the ratification of the establishment agreement on 8th April 2025. Today, Kenya holds 6 per cent shareholding in the Corporation. We are an interested party in the Africa Finance Corporation.

On the 23rd April 2026, the Government and the Africa Finance Corporation (AFC) signed a host country agreement for the establishment of the regional office in Nairobi. It may be of interest to this House that this will be the first regional office to be established by AFC outside Lagos, Nigeria where it is headquartered at the moment. Although we have 49 countries as members, they have chosen Nairobi as their regional hub for Eastern and Central Africa.

The Africa Finance Corporation informed the Committee that it is targeting to raise about 260 billion in additional investment through the Nairobi office. So, this office is extremely important and significant for Kenya. As you know, in Sessional Paper No.9 of 2025, the Government deliberately decided that it will encourage a number of institutions to establish

their headquarters in Nairobi. So, part of that strategy of establishing regional headquarters for important institutions, particularly financing institutions, is intended to grow the financial base in Kenya, particularly the foreign exchange. As you know, when you have such institutions established in Kenya, we will experience inflow of dollars to the country. That means that our foreign reserves will increase. So, we are looking at a number of benefits that this institution will bring to Nairobi.

Finally, the agreement in itself does not change the laws of Kenya. The privileges that are generally granted shall only take effect through this Order under Section 9 of the Act itself. In bringing this particular Order to this House, the Prime Cabinet Secretary informed us of the importance of this Corporation. As you know, we are seeking to raise funds outside the known multilateral agencies like the International Monetary Fund (IMF), the World Bank and the International Finance Corporation (IFC). They are now focussing more on other countries. They are particularly looking at financing other countries.

For instance, the President of the United States of America, Donald Trump, established a committee for the reconstruction of the Gaza Strip. They are also looking at how they can finance the reconstruction of Ukraine. And so, the importance of Kenya within those multilateral agencies would not rank very highly. We need to attract other institutions so that we can attract funds outside those multilateral institutions.

The Committee considered this Draft Order in three ways. Number one, it asked itself the question: Is this Draft Order lawful? Number two, it asked itself: Does it benefit and protect Kenyans? Number three, is it good for our country?

In answering the three questions, we established that the Order itself does not contravene any law that has been passed by this House and that it is clearly within the parameters of the laws under which they seek to grant immunities to this Corporation. The granting of the Order to AFC and the Host Country Agreement, which is founded on the Order that we are considering, seek to exempt this Corporation from certain obligations. It does not exempt them from import duties or customs duties. They will be expected to pay those. The only thing is that certain privileges are granted, equivalent to those of a diplomat, but to a lesser extent.

The second test we considered was whether it benefits Kenyans and protects them. Paragraph 5 of the Draft Order provides that there is no immunity in respect of road traffic offences and accidents. There are also no immunities granted with regard to commercial transactions. No immunities will be extended to AFC with regard to borrowing, guarantees or the Corporation's guaranteed business. Fourthly, we also found that the enforcement of arbitration awards would not be exempt from the jurisdiction of the courts in relation to this Corporation. Fifthly, criminal acts or omissions by officers of this Corporation are also not exempt. Finally, we found that employment disputes would be arbitrated by the Kenyan courts. The Corporation is also not immune from the jurisdiction of the Kenyan courts. Where a crime is alleged to have been committed by its staff, including corruption, there is no immunity at all in respect of those acts committed within the boundaries of Kenya.

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

*[The Temporary Speaker
(Hon. Farah Maalim) took the Chair]*

The other thing we found to be beneficial to Kenyans is that AFC will pay taxes in Kenya like any other entity. It will be expected to pay taxes. Whether its staff go to

supermarkets, they will still pay VAT and all the taxes levied by the Kenya Revenue Authority (KRA).

We asked ourselves the last question: Is it good for this country? We came to the conclusion that the Agreement provides that Kenyans will be given priority in recruitment at all levels. Our engineers, lawyers, accountants, contractors and suppliers will find work as a result of AFC establishing its regional office in Nairobi. We found out that, at the moment, AFC has only about two staff members. The rest of the staff will therefore be recruited locally from Kenya. This would be beneficial to our country because, once we recruit staff, they will pay Pay-As-You-Earn (PAYE) and other taxes on their salaries. It will therefore be beneficial to our economy.

Under the Establishment Agreement, every member State undertakes to legislate for the status of the Corporation once it is established within its territory. That is an undertaking Kenya signed up to when it joined the Africa Finance Corporation as a member.

Having considered all the parameters, and noting that the Order contains only seven paragraphs, the Committee was convinced that the Order is lawful. We, therefore, recommend that this House approves the Draft Privileges and Immunities Africa Finance Corporation Order, 2026, as it complies with all the relevant statutory instruments of this country, including the Constitution, the enabling parent Act, the Statutory Instruments Act and the Interpretation and General Provisions Act.

I beg to move and request the Hon. Gichimu, the Vice-Chair of the Committee, to second.

I thank you.

The Temporary Speaker (Hon. Farah Maalim): Proceed.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Speaker. With that elaborate summation by the Chair of the Committee, I have very little to add. It is worth noting that an agreement between Kenya and AFC has already been entered into, and it is a requirement of the law, as a formality, that an Order be extracted pursuant to that Agreement. That is why, because we are now obligated to follow the law in terms of privileges and immunities, as provided for under the Privileges and Immunities Act, we are before this House. I believe the immense advantages that will come with the kind of investments that will take place in this country will largely benefit Kenyans.

I beg to second.

(Question proposed)

The Temporary Speaker (Hon. Farah Maalim): Yes, the Member for Bondo?

Hon. Jared Okello (Nyando, ODM): Nyando.

The Temporary Speaker (Hon. Farah Maalim): Nyando?

Hon. Jared Okello (Nyando, ODM): Yes. And our deal remains undisturbed.

The Temporary Speaker (Hon. Farah Maalim): Yes.

Hon. Jared Okello (Nyando, ODM): I thank you, Hon. Temporary Speaker. My very able Chair and his Deputy have both done justice to this Report. I support the privileges and immunities that the AFC is seeking. This is going to be one of, probably the only, Pan-African banks that will address the plight of Africans.

Firstly, it will be the second office after its headquarters in Nigeria, and this is the one that will handle Eastern and Central Africa. You can only imagine the countries that will be trooping into this country in a bid to persuade this bank either to lend them money or to undertake business transactions with them within the Republic of Kenya.

I have walked this journey alongside members of the Committee on Delegated Legislation, from the Host Country Agreement to the negotiations with the bank itself through

its representative here in Kenya, and our very able Prime Cabinet Secretary, who is driving this most wonderful agenda.

Hon. Temporary Speaker, we transact with Bretton Woods Institutions. These are international banking institutions like the World Bank and International Monetary Fund (IMF). Bear me witness that each time an African country is trading with these Bretton Woods Institutions, the regulations they put for the African Continent are different from other players. They also go further to stratify or segment our countries in terms of high-risk and low-risk. Countries that they perceive to be high-risk are never given monies. If they do, they are given at very high rates that will prevent them from accessing these loans. Therefore, it is very important.

I liked what our President said in New York during the United Nations General Assembly. We cannot transact globally if our rules are different from others. This is exactly what World Bank and IMF have consistently done to the African Continent. If we are going to have our own financial institution in the name of Africa Finance Corporation, all African nations need to support this. I am very happy that 49 out of 54 countries have already embraced the Africa Finance Corporation. We are going to move as Africa and do things the African way. If there is any other partner who would want to transact business with Africa, it will be premised on the fact that we already have an alternative. When you have alternatives, it is about the competitive advantage. If you do not, you have to dance the tune of those who want to lend us monies.

I believe that Africa Finance Corporation will give that competitive advantage from its mere proximity to the African Continent compared to other players in the international money market. I implore upon all African countries to put their monies and trust in the Africa Finance Corporation so that at the end of the day, as China talks about Export-Import Bank (Exim Bank), Europe talks about IMF and America talks about the World Bank, Africa has something to present on the table. What has always disadvantaged Africa is that every country would individually go to the IMF or World Bank, Therefore, it becomes very difficult to negotiate as one united continent. Through AFC, the African Continent now has a platform through which we will be able to present our requests instead of doing so as individual nations, who would then have to play to the tune of those international money markets.

We have been told about recruitment of Kenyans into this bank and that Kenyans will be given priority. It is important to note that in the regulations that we were working on, we made it clear that after every six months, the Africa Finance Corporation must present a report to the Kenyan Government regarding employees in that particular bank so that, at the end of the day, we are not disadvantaged. Yes, Kenyans are hosting it but we also have to drive its human resource agenda. We will accrue a lot of benefits. What they are asking for is achievable and not far-fetched. They would only want to be granted certain immunity, just like we have granted to the United Nations (UN), whose headquarters are here.

Finally, economically speaking, Kenya is on a very good trajectory. Right now, there are many UN agencies that are moving their offices to Nairobi. For example, the United Nations Population Fund is bringing its offices to Nairobi, all the way from Vienna. The United Nations Children's Fund is also moving some of its operations from the United States of America in New York to Nairobi. The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) is also moving their offices from Switzerland to Nairobi. It is a testament that our country is not just attracting investors but also a lot of confidence is being expressed in this most important country that we all love. I, therefore, implore this House to support this agenda so that we can accord them the privileges and immunity they are seeking - immunity that, as my Chair has ably said, are enshrined in law.

Regarding taxation, they will be taxed. They are only asking for a red number plate, which is given to diplomatic missions here. They are only asking us to extend certain advantages and tax rebates when they are transacting as a bank.

I thank you for the opportunity, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Hon. Julius Sunkuli.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Temporary Speaker, I thought I was going to speak to the next one.

The Temporary Speaker (Hon. Farah Maalim): I see your name here.

Hon. Julius Sunkuli (Kilgoris, KANU): That is right. As a member of the Committee on Delegated Legislation, I support the Motion for adoption of this Report. The AFC is going to play a very important role in the development of Kenya. As already stated, they are going to play a role in the establishment of the East African refineries. It will be a corporation which a lot of finances will be deposited into when it comes to development of our infrastructure. The privileges they are requesting for are pursuant to an agreement we already entered into. The Kenyan Parliament has already approved the agreement between Kenya and the Africa Finance Corporation, rendering it a treaty that has now been domesticated. Bringing into effect of Section 9 of the Privileges and Immunities Act is actually a way of implementing the treaty. This country will not be the first to do that. Nigeria and several other countries have already done it. I think 49 countries in Africa have already done it. We do not want to be left behind.

Hon. Temporary Speaker, I beg to support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Bashir.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Temporary Speaker. At the outset, let me say that I support this Motion, which is basically asking that we approve the minimum privileges to be accorded to the AFC. The AFC is currently based in Nigeria. They are now planning to open the second largest regional office in Kenya. It will become the second regional office after Nigeria. There are a number of advantages that come with such a body operating or opening offices in Kenya. Remember, we signed the host agreement with AFC. This House even ratified the initial agreement.

The Temporary Speaker (Hon. Farah Maalim): The host country agreement?

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Yes. Initially, this House also approved the ratification of the agreement. Kenya joined in 2017. What we are asking for is not something new. Remember, we have multinational organizations like the World Bank, African Development Bank, and the United Nations, hosted in Kenya. All those institutions enjoy certain privileges and immunities, which is nothing different from the Africa Finance Corporation.

In fact, this is so African that it will assess the requirements and necessities of African countries. Most importantly, we have often said that we should buy from Africa and produce for Africa. Here is an institution that says, "I have come here to establish a headquarters so that I can lend to private entities and governments to build infrastructure." The Africa Finance Corporation (AFC) is now the biggest lender for the oil refinery in Lamu, which is a huge project. Their presence here, and having the oil refinery underway, matters a great deal. As a country, we own six per cent of the shares. Therefore, this institution is Kenyan and African-owned. Thus extending certain privileges and immunities is not just a favour; it is them saying, "We are part of you as a country and as Africa."

The advantages of having this institution here are many. We will have employment opportunities in certain sectors. This will lead to businesses, rentals, and many other economic activities. Above all, we are witnessing the largest infrastructure development in Lamu, valued at Ksh2.2 trillion, supported by the AFC. We do not have the latitude or the luxury to afford not to grant them the privileges and immunities that they are requesting. We are part of the AFC. It is an African entity that supports Africa. Therefore, I urge this House to approve the

Motion that seeks to extend the privileges and immunities, just as we have done for all other multinationals.

Thank you. I support.

The Temporary Speaker (Hon. Farah Maalim): Is Hon. Paul Mwirigi in the House? Where is he?

Proceed.

Hon. John Paul Mwirigi (Igembe South, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Motion regarding the draft of privileges and immunities for the AFC. The AFC wants to establish its headquarters in Nairobi. The establishment of a regional headquarters in Nairobi will bring many privileges for the people of Kenya, including employment.

His Excellency the President has been heard across the globe advocating for Kenya, specifically for Nairobi to be the hub of finance. The privileges that the AFC is requesting will not hinder the operation of the law of the Republic of Kenya. If traffic offences occur, they will be treated like Kenyans. When it comes to paying taxes, they will be treated as Kenyans. All they are requesting is the approval of the treaty we signed with them.

We have heard that they are currently financing many projects in Kenya, such as the ongoing construction of the oil refinery in Lamu. They will partner with the private sector where when the private sector seeks a loan, they will offer it at a reasonable rate.

This is a good Motion. It will encourage Kenya to host more financing entities within the country because the funding that will flow through this bank will also contribute to the growth of the economy of the Republic.

With those few remarks, I beg to support.

The Temporary Speaker (Hon. Farah Maalim): Very well. There does not seem to be much more interest in this debate. Under the circumstances, I have no option but to call upon the Mover to reply.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Temporary Speaker. I take this opportunity to sincerely thank those Members who have ably contributed to this Motion. All that has been said is relevant to the Motion. It has enriched the discussion. As it has been pointed out, the establishment of the AFC in Kenya is one of the most significant milestones in this country in terms of attracting multilateral financial institutions to our nation.

With those remarks, I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): Fair enough.

(Question put and agreed to)

APPROVAL OF THE DRAFT PRIVILEGES AND
IMMUNITIES (FORD FOUNDATION) ORDER, 2026

The Temporary Speaker (Hon. Farah Maalim): Hon. Chairperson, proceed and move the Motion.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Temporary Speaker. I beg to move:

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Draft Privileges and Immunities (Ford Foundation) Order, 2026, laid on the Table of the House on Tuesday, 13th October 2026, and pursuant to the provisions of section 17 of the Privileges and Immunities Act, Cap 179, approves the Draft Privileges and Immunities (Ford Foundation) Order, 2026.

This Motion is quite similar to the previous Motion that this House has just approved, except that it pertains to two different institutions. As you know, the Ford Foundation has been operating in Kenya. It established a regional office in 1963, the very same year Kenya attained independence. It has worked alongside the Government under a Memorandum of Understanding (MoU) that was signed in 1968.

The Ford Foundation was founded in the United States of America in 1936. The Ford Foundation has only 10 regional offices in the world, and Nairobi is one of them. Over the decades, the Ford Foundation has operated in Kenya, it has supported Kenyan leaders, civil society organizations, groups and communities in strengthening democratic values, advancing the rule of law, promoting equitable development, and fighting poverty and inequality in our country.

What the Foundation is now seeking follows the signing of the Host Country Agreement with the Government of Kenya on 13th March 2026. The Agreement was signed by the Prime Cabinet Secretary on behalf of the Government of Kenya (GoK) and the Regional Director of the Ford Foundation. It clearly provides that the Host Country Agreement shall take effect only after the Order establishing it is approved by this House and gazetted. As we speak, the immunities expected to be extended to the Foundation have not yet taken effect because the Order has not been approved.

It is proposed that, under Section 11 of the Privileges and Immunities Act, the Ford Foundation be formally recognised as one of the ten regional offices serving Eastern Africa....

The Temporary Speaker (Hon. Farah Maalim): For the benefit of the Chair, do you have a list of those ten regional offices?

Hon. Samwel Chepkonga (Ainabkoi, UDA): No, I do not have. We were told, but owing to the passage of time, I lost my memory. However, my colleagues will contribute to this debate, particularly Hon. Jared Okello, who has lived in the United States of America (USA) for many years. He is more acquainted with the Ford Foundation. I will request him to second, and while at it, he will provide that information.

The Committee considered the Draft Privileges and Immunities Order submitted to this House and referred to it. In doing so, it examined the various issues contained in the Order. The Order is only about seven paragraphs granting immunities to the Ford Foundation. It seeks to extend the privileges contained in Part I of the Fourth Schedule of the Act to the Foundation.

The Order also seeks to extend to the Foundation's officials the privileges contained in Part III of the Schedule. I am certain that Members are asking themselves, and rightly so; how Kenya gains from this relationship with the Ford Foundation and what protection Kenya has in respect of the activities that the Foundation undertakes. As you are aware, there were numerous allegations made against this institution, including allegations that it sponsored the Gen-Z protests in 2024, during which, unfortunately, they invaded Parliament.

The Committee was keen to establish the veracity of those allegations. We, therefore, put the Ford Foundation and the Prime Cabinet Secretary to task. We reminded the Prime Cabinet Secretary that "his government" had alleged that the Ford Foundation had contributed significantly to the Gen-Z movement in 2024. Hon. Jared Okello was particularly firm in putting pointed questions to the Prime Cabinet Secretary regarding the Foundation's role in the Gen-Z uprising of 2024.

As we are aware, the furniture in this House was extensively destroyed. If one went to the restaurant, they would hardly recognise it as the same institution they were having lunch only a few minutes earlier. We amended the Finance Act and removed all the contentious provisions. However, Kenyans remained unconvinced that we had done the right thing. They did not want to hear anything about that Finance Bill.

I recall that after working hard in this House to remove all the contentious clauses from the Bill, I left the Chamber to have my lunch. As I was eating, I suddenly turned and saw people

rushing towards where we were. I had not run for a long time, but I suddenly found myself running all over the place. I was running helter-skelter, looking for safety. There was a member of staff whom we asked to show us the way to the tunnel, but she led us upstairs, and we thought she was leading us back to the Chamber. I asked the staff member, “Surely, we told you that we are looking for an escape route yet you are taking us where the action is taking place!” We quickly ran down the tunnel and hid in Bunge Towers.

We would have been reduced to soup had we not been able to run for our lives. We, therefore, asked the Ford Foundation whether it had contributed to the misunderstanding between the G-Zs and Parliament. We did not want to do anything that is inconsistent with Kenyan’s aspirations. This House is the last institution that would knowingly do anything inimical to the interests of Kenyans, particularly the Gen-Zs.

Article 94 of the Constitution provides for the functions of Parliament. These include budgeting, representation, oversight and legislation. In all those roles, we are expected to take into account the interests of the people of Kenya as provided for in Article 10 of the Constitution. Therefore, we could not have done anything that is inconsistent with the Constitution. We wanted to ensure that the Ford Foundation had not participated.

We pressed the Prime Cabinet Secretary to be candid with the Committee because once we brought the report to Parliament, Members who were aware of what was said from high office would have questions. Following lengthy discussions and investigations by the Government of Kenya (GoK), as well as several meetings between the two parties, the Ford Foundation acknowledged that certain civil society groups it had supported in Kenya had assisted the Gen-Z movement. However, the Foundation maintained that it was not aware that its assistance would be channelled towards such activities. They stated that the Foundation had not participated. One of the provisions in the Host Country Agreement is very clear: if the GoK establishes that the Foundation is involved in activities directed against the interests of this country, the Agreement will be terminated unilaterally without consequences for the GoK or its people. Although some of the suspicions may have been addressed, we wanted to ensure that there are appropriate safeguards in the Agreement.

We also addressed the question of how Kenya will benefit from this arrangement. We established that the Ford Foundation attracts substantial funding from the USA. We are aware that Kenya has a longstanding and cordial working relationship with the people and the Government of the USA. Recently, Kenya was appointed to sit as a non-member in the North Atlantic Treaty Organisation (NATO). That was a significant privilege granted to this country. The privilege that was extended to this country is what we seek to extend through this agreement to this institution, which has been in Kenya since 1963 and established in the USA in 1936.

Having considered all those parameters, the Committee was convinced that the Host Country Agreement that has already been approved by this House should be granted. The Agreement was brought to the House by the Departmental Committee on Administration and Internal Security and it was approved. What remained was to activate the Article in the Agreement that requires the country to extend certain privileges as contained in Section 11 of the Immunities and Privileges Act.

It is important to mention that this is not the only institution that has been granted immunities. There are very many other institutions, as you are aware, that have been granted immunities. For instance, ZEP-RE (PTA Reinsurance Company), the African Reinsurance Corporation and Shelter Afrique Development Bank (ShafDB)—an African institution that grants loans to our country to help in housing, particularly the Housing Finance Corporation of Kenya (HFCB). So, this is not the only institution that is being granted privileges and immunities. It has also happened in many other countries. As I stated earlier, under Sessional Paper No. 9 of 2025, which was approved by this House, we agreed that we will support a

number of those international institutions, particularly those of international repute, which have benefit to this country, to establish their regional headquarters in Nairobi so that we make Nairobi a regional hub. We want to attract many international institutions to come to this country. As you know, the World Bank regional office is headquartered in Nairobi. We have also extended privileges and immunities to these institutions.

Having considered the Draft Privileges and Immunities (Ford Foundation) Order, 2026, it is my privilege to recommend to this House that it approves the Draft Order so that it can be published and those immunities be extended to the Ford Foundation.

With those remarks, I beg to move and request Hon. Jared Okello to second.

The Temporary Speaker (Hon. Farah Maalim): Hon. Jared Okello, you are reputed to be an expert in bilateral and multilateral organizations having lived in the West in your former years in the university and afterwards. I request that you tell us the benefits that Kenyans are currently enjoying with the Ford Foundation. The World Bank and the International Monetary Fund (IMF) also lend to the government and have presence here, including regional offices. Tell us the benefits of these organizations to Kenya. It would be fair that you enumerate on all those benefits.

Hon. Jared Okello (Nyando, ODM): Hon. Temporary Speaker, I thank you once again for giving me an opportunity. The issues are actually cross-cutting. If you look at what is enshrined in the agreement of the Africa Finance Corporation (AFC), in terms of requests, and juxtapose that with the requests of the Ford Foundation, the issues are similar in nature. It is, however, important to note that the Ford Foundation is exactly 90 years since it was created in the United States of America. Henry Ford, the maker of Ford vehicles, together with his son, Edsel, came together and contributed their first US\$25,000 to address issues of human needs. So, the Ford Foundation has been a philanthropic organization since 1936. To date, it is exactly 90 years. I wonder why it has taken this long for Kenya to grant immunities and privileges to the Ford Foundation, something that we ought to have done at the outset.

Hon. Temporary Speaker, I know you know that in the United Kingdom, only the House of Lords would sit to determine the destiny of Great Britain. That is why it is called the House of Lords. However, the commoners said that they would not pay taxes without representation. That created the House of Commons, which is now a House that talks about issues of commoners because the Lords were considered to be those who were elites—the oligarchs of their societies. Therefore, if you were to tinker with any element around taxation, it has to refer back to representation. That is why the Ford Foundation, for example, as they seek these immunities, the matter must come before us to make that determination because we represent the taxpayers and the people whose taxes are used to provide services to them as citizenry.

The Ford Foundation has existed in this country for too long. Firstly, the present American Administration has walked back on its funding to philanthropic organizations such as the United States Agency for International Development (USAID). A lot of our health facilities were being funded in terms of programmes through USAID. When President Trump came into office, he said that he would scrap all the responsibilities that were being undertaken by USAID and cut back on funding and dealing directly with governments. You remember that one of the seven first African countries to be expended monies through health fund from the United States of America was Kenya. So, Kenya has remained a beneficiary of direct funding from the American Government when they cut back on USAID. However, the USAID also had other donors apart from the government funding.

There are philanthropists who have a lot of money, which they want to make it available to help human needs across the globe. That is how the Ford Foundation comes into play at this critical juncture when USAID and other organizations that were funded by government have been rendered, I would say, useless by the American Government. The Ford Foundation works with government organizations and the private sector. There are many organizations they have

sponsored on issues around civic education. As we get into the next round of elections, civic education will be a key component of enlightening the electorate about issues of elections.

The Temporary Speaker (Hon. Farah Maalim): Give him two more minutes.

Hon. Jared Okello (Nyando, ODM): I thank you, Hon. Temporary Speaker. The Ford Foundation will work with a lot of organizations within our country to ensure that we have people who are enlightened on matters elections as we get into the year 2027. We have had two organizations here representing political parties in the United States of America - the National Democratic Institute (NDI) and the Republican Institute (RI). These organizations have worked with our political parties but they have also suffered funding deficits because of the new rule as advanced by President Donald Trump. So, these are areas where the Ford Foundation will come in to fill the gap so that all these important activities are never taken away because at the end of the day, we need them.

Apart from civic education, they also fund certain development programs within our country, including water and healthcare projects, which are very important. They also sponsor students to study at various universities across the globe. The advantages accruing out of the Ford Foundation cannot be underscored. Therefore, if the immunities we have just granted to the Africa Finance Corporation can as well be extended to the Ford Foundation, the gap left by bigger players like USAID, International Fund for Agricultural Development (IFAD), and others will now be filled by Ford Foundation, to address the plight of our citizens.

Thank you for the opportunity. I second.

The Temporary Speaker (Hon. Farah Maalim): Okay. Your Chairperson was very confident that you were going to give a list of the countries you will be visiting when you... Fair enough.

(Question proposed)

Hon. Jaldesa, is your intervention on another matter or do you wish to contribute to this?

(Hon. (Prof) Guyo Jaldesa spoke off the record)

Okay, fair enough. Hon. Julius Sunkuli.

Hon. Julius Sunkuli (Kilgoris, KANU): Hon. Temporary Speaker, in supporting the Motion, I wish to state that I also sit in the Committee on Delegated Legislation. When these regulations were brought before us, I can guarantee you that we did not complete working on them in one day. The most important question we asked ourselves was the same one you are asking. We were being asked to grant privileges and immunities to the Ford Foundation, and we wanted to know what for. What have they achieved in Kenya?

We are also doing this against the backdrop of the reputation that the Ford Foundation has. The Ford Foundation presents itself as a philanthropic organisation that looks after justice, inequalities, and the democratic space in the Republic of Kenya and worldwide. Its profile includes support for civil society bodies and other organisations that are pro-democracy. They address the intangible contributions to the development of our societies, which do not necessarily impact on Government projects. They operate on the side of civic education. However, this has presented a number of problems in the past.

As I stated, the Ford Foundation has a reputation of trying as much as possible not to align itself with positions taken by the Government. After Kenya African National Union (KANU) was defeated in the elections, I wanted to go to New Orleans to study legislative drafting. I applied to the Ford Foundation for a scholarship, and there was an indication that I would receive it. However, perhaps, because of my former ministerial position...

The Temporary Speaker (Hon. Farah Maalim): Political persuasion at the time. You were a diehard.

Hon. Julius Sunkuli (Kilgoris, KANU): Yes. I think there was also a perception that Ministers make money. I wanted to go and study, but that was the alignment and reputation the Foundation had acquired. As the Chairperson of our Committee, Hon. Chepkonga, has just stated, there were many issues we thought about when the Gen Z situation arose in our country. We asked the Prime Cabinet Secretary what exactly the Ford Foundation does and why it should be granted these privileges. We were eventually convinced and we supported it, for two reasons.

First, the Prime Cabinet Secretary informed us, and I believe this is now the Government's policy, that many organisations will seek these privileges. Instead of us in future dealing with these applications *a la carte*, the Government intends to introduce a Bill on privileges and immunities that will dictate the parameters for granting them, so that not every organisation comes and asks for privileges. The proposed Act will specify the exact requirements an organisation must meet to qualify for these privileges and the do not dos. If this country is to become a hub, as we intend, attracting people from Geneva and New York to Africa, because Kenya is taking that space, then the regulations we make should not discourage these organisations but instead encourage them. The Ford Foundation stands to benefit from us because we do not want to make regulations that will chase away organisations that we perceive are not necessarily in our favour. That is the first parameter.

The second parameter is that if we grant the Ford Foundation some of these privileges, we will now be in a position to ask it to become more transparent and make its results more measurable. As things stand, we are not quite sure whether we can call it transparent or whether its results can be measured. However, once we bring them into our own purview of privileges and immunities, we will be better placed to engage them on matters that can be for the better of this country. Because we want to govern justly, let us allow the Ford Foundation to enjoy these immunities but demand of them in the future, to become more productive and transparent. The organisations it supports should also be more accountable to the citizens of Kenya.

The Temporary Speaker (Hon. Farah Maalim): There is no question that this will open the floodgates to applications. The moment you open this avenue, we can expect the Heritage Foundation, the International Republican Institute (IRI), the National Democratic Institute (NDI), and numerous British organisations to seek the same. There are also privileges that come with host country agreements for organisations that are neither bilateral nor multilateral bodies. Nonetheless, you must have done your work very well. Let us address those when the appropriate time comes. I talk about these things because, in addition to chairing this Sitting, I am also the Member of Parliament for Dadaab, and I would clearly have loved to be on the other side so that I could expound on a lot of my reservations.

However, I want to believe that Hon. Chepkonga and his Committee have conducted an exhaustive review, and we will see the Bill again. I get the feeling that... Hon. Mwirigi, are you interested in contributing on the same?

(Hon. John Paul Mwirigi shook his head)

Okay. Under the circumstances, I will call upon the Mover to reply.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you very much, Hon. Temporary Speaker. I would like to thank the Hon. Members who have contributed to this Motion. It is very important to our country as we will get some benefits from hosting the Ford Foundation in Nairobi and enable it to establish its regional headquarters for Eastern Africa.

You requested to know where the other 10 Ford Foundation offices are located, including their headquarter. The headquarter is based in New York. This brings the total to 11 offices, although it also has other offices outside New York.

The Temporary Speaker (Hon. Farah Maalim): Ten in other locations all over the world.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Ten to be precise. The first office is in Bogotá, Colombia. The next is in Rio de Janeiro, Brazil, followed by Beijing, China. The next one is ours. Nairobi represents the Eastern Africa Region. Then we have Nepal in India; Jakarta in Indonesia; Mexico City in Mexico, for Central America; Cairo in Egypt representing, the Middle East and North Africa; Johannesburg in South Africa, representing the Southern Africa Region; and, finally, Lagos in Nigeria, representing West Africa. So, you can see how important Kenya is in the triangle for Africa. The four important centres in Africa are Cairo, Lagos, Johannesburg, and Nairobi. Without Nairobi, they would not have been in good standing. It was, therefore, important for them to be here.

As you know, we are hosting the other United Nations agency outside New York, that is, the United Nations Environment Programme (UNEP). The other one is in Geneva. There have been frequent attempts from developed countries to take UNEP to their own countries. The last one was by Germany. After the unification of East and West Germany, there were many buildings which remained empty. So, they said, 'why do you want to struggle with the infrastructure of Nairobi? Bring it to Bonn, where we have good infrastructure'. The African countries put up a brave defence to defend the presence of UNEP in Nairobi as the only other United Nations agency. You know there are three arms. This was the second one and the other is in Geneva. They would have taken from a developing country and had all of them in developed countries. It is, therefore, important that we continue to support the establishment of headquarters by such institutions.

With those remarks, I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): It is not headquarters. You are just basically extending privileges to the staff who are in this regional office.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Absolutely, Hon. Temporary Speaker. I know you are very conversant with some of these matters.

The Temporary Speaker (Hon. Farah Maalim): Thank you.

Hon. Samwel Chepkonga (Ainabkoi, UDA): You sat in the Departmental Committee on Administration and Internal Affairs. Thank you. I beg to reply.

(Question put and agreed to)

The Temporary Speaker (Hon. Farah Maalim): Next Order.

ADOPTION OF 4TH REPORT ON THE STATUS OF
IMPLEMENTATION OF THE CONSTITUTION

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, I am informed that the Chairperson and critical Members of that Committee are not in the House, so I direct...

(Hon. Umulkher Harun spoke off the record)

Yes. Are you moving this one?

Hon. Umulkher Harun (Nominated, ODM): Yes.

The Temporary Speaker (Hon. Farah Maalim): You are a Member of that Committee?

Hon. Prof Guyo Jaldesa (Moyale, UPIA): She is the Vice-Chair.

The Temporary Speaker (Hon. Farah Maalim): Oh, she is the Vice-Chair. Okay. Fair enough. The information I was given from the Clerks-at-the-Table was different. Proceed and move it. Do you have a Member to second you?

Hon. Umulkher Harun (Nominated, ODM): Yes.

The Temporary Speaker (Hon. Farah Maalim): Okay, proceed.

Hon. Umulkher Harun (Nominated, ODM): We are a very organised Committee.

(Laughter)

Hon. Umulkher Harun (Nominated, ODM): Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Fourth Report of the Constitutional Oversight Committee, laid on the Table of the House on Wednesday, 19th November 2025, on the Status of Implementation of the Constitution by –

- (i) The Independent Electoral and Boundaries Commission; and
- (ii) The Office of the Data Protection Commissioner.

When our Committee engaged these two critical institutions between September and October 2025, we witnessed commendable dedication, but we have also uncovered profound vulnerabilities that threaten the very integrity of our upcoming 2027 general elections and the protections of citizens' privacy. The IEBC is grappling with severe funding deficits, accumulated pending bills that risk operational paralysis, and an overdue boundary delimitation whose constitutional window closed back in March 2024. We also noted severe funding deficit for the 2027 General Election and accumulated pending bills from previous elections, which risk supplier withdrawal and operational paralysis. There is also limited diaspora participation and restrictions such as passport-only voting, incomplete realisation of voting rights for inmates, and representation of Persons with Disabilities (PwDs) is still below the Article 54(2) five per cent threshold.

On the other hand, the Office of the Data Protection (ODPC) plays a critical role in safeguarding electoral data integrity. The ODPC has experienced significant capacity gaps including:

1. Forty-five per cent staffing shortfall.
2. Lack of real-time monitoring tools for complex digital systems.
3. Absence of Mutual Legal Assistance mechanisms for cross-border enforcement.
4. Static resources that cannot scale during election periods.

The Committee further observed the following cross-cutting challenges:

1. Systemic underfunding.
2. Late legislative reforms contrary to the Kriegler Commission recommendations.
3. Contested census data affecting boundary delimitation.
4. Threats to institutional independence through political interference and delayed funding.
5. Inadequate technical capacity.

Considering the foregoing, the Committee made the following key recommendations:

1. The National Treasury, in conjunction with Parliament, to prioritise and ensure adequate budgetary allocations to both the IEBC and the ODPC.
2. Parliament to operationalise the IEBC Fund as provided in law to strengthen the Commission's financial independence and eliminate reliance on the National Treasury's discretionary disbursement of funds.
3. The Attorney-General, in consultation with IEBC, ODPC and relevant stakeholders, to urgently undertake a comprehensive legislative review to enact consequential amendments aligning election laws with the Data Protection Act, and to incorporate Mutual Legal Assistance provisions for cross-border enforcement.

4. Both IEBC and ODPC to develop and implement comprehensive public awareness campaigns focusing on youth mobilisation, considering there is usually a low turnout within the youth bracket.
5. All registered political parties that have not registered with the ODPC to complete registration. IEBC to expedite its registration and full compliance, including data processing and sharing agreements, before the 2027 General Election.
6. The ODPC to update its Guidance Note on Processing of Personal Data for Electoral Purposes within six months to address emerging technologies, and to invest in digital forensic and real-time monitoring tools.
7. Parliament to expedite legislative proposals realising the five per cent representation of PwDs under Article 54(2), and to enhance the legal framework to recognise national identity cards as valid voting documents for diaspora Kenyans and to expand inmate voting rights.

I beg to move. I request Hon. Guyo Jaldesa to second this Motion. Thank you.

The Temporary Speaker (Hon. Farah Maalim): Hon. Prof Guyo Jaldesa.

Hon. Prof Guyo Jaldesa (Moyale, UPIA): Thank you, Hon. Temporary Speaker. I wish to second this Motion. The Report arises from the IEBC and ODPC between September and October 2025 to assess the status of implementations of the constitutional mandates and the impediments faced.

Hon. Temporary Speaker, the enquiry revealed that there were critical funding shortfalls at the IEBC for the 2027 General Election and pending bills. There is an overdue boundary delimitation following the lapse of Article 89 of the Constitution window and limited diaspora registration.

There is also the law compliance by the political parties with ODPC registration requirement and capacity gaps in both institutions, thereby threatening electoral integrity and data privacy. The Committee, deeply concerned by these findings, recommended a suit of legislative, administrative, and resource actions. Key among them being adequate and prioritised budgetary allocation to the IEBC and the ODPC together with operationalisation of the IEBC Fund.

Hon. Temporary Speaker, there is also urgent legislative alignment of election laws with the Data Protection Act in cooperation with mutual legal assistance provisions and expedited registration and full compliance by political parties and the IEBC with ODPC requirement ahead of 2027. There is also expansion of the diaspora voter registration and realisation of inclusive voting rights, including for persons with disabilities and inmates, investment in technical capacity, updated guidance, and public awareness by the ODPC with a 12-month review of implementation progress.

The Report is not anti-institution but pro-accountability and pro-implementation. Kenya's electoral democracy and the constitutional right to privacy is dependent on well-resourced, independent, and compliant institutions. Partnership with these bodies must be anchored in timely resource, clear legal framework, and respect for their mandates.

Thank you, Hon. Temporary Speaker.

(Question proposed)

The Temporary Speaker (Hon. Farah Maalim): I do not see any interest in this Motion. Hon. Members, this being a Motion, the Mover can choose not to reply.

(Question put and agreed to)

Next Order.

ADOPTION OF REPORT ON INSPECTION VISITS TO
CONSTITUENCIES' OFFICES IN NAKURU COUNTY

THAT, this House adopts the Report of the Committee on Members' Services and Facilities on inspection visits to Constituency Offices in Nakuru County, laid on the Table of the House on Thursday, 11th June 2026.

The Temporary Speaker (Hon. Farah Maalim): I am made to understand that the relevant Chairperson of this Committee is not in the House. I, therefore, direct that this matter be placed in the Order Paper at a future date when the Hon. Chairlady and her Committee Members can prosecute the Motion.

(Motion deferred)

Next Order.

ADOPTION OF 13TH REPORT ON AUDITED ACCOUNTS OF
SPECIFIED FUNDS FOR FYs 202/2021 AND 2021/2022

THAT, this House adopts the Thirteenth Report of the Special Funds Accounts Committee on its consideration of audited Financial Statements for the Agricultural Food Authority Car Loan and Mortgage Scheme Fund, Veterinary Services Development Fund and Government Press Fund for FYs 2020/2021 and 20021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

The Temporary Speaker (Hon. Farah Maalim): I am made to understand that this Motion is supposed to be moved by the same Hon. Chairlady of the Special Funds Accounts Committee. I, therefore, direct that this matter be placed in the Order Paper at a date in future when the Hon. Chairlady and her Committee Members can prosecute the Motion.

(Motion deferred)

Next Order.

ADOPTION OF THE REPORT ON AUDITED ACCOUNTS OF
INSTITUTIONS OF HIGHER LEARNING IN THE EASTERN
REGION FOR FYs 2018/2019 TO 2023/2024

The Temporary Speaker (Hon. Farah Maalim): Hon. Chairman, move the Motion.

Hon. Dick Oyugi (Luanda, DAP-K): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Public Investments Committee on Governance and Education on its examination of Audited Financial Statements of Institutions of Higher Learning (Eastern Region) for the Financial Years 2018/2019, 2019/2020, 2020/2021, 2021/2022, 2022/2023 and 2023/2024, laid on the Table of the House on Tuesday, 31st March 2026.

The Committee examined a total of 57 reports of the Auditor-General which covered about 18 institutions comprising five universities and 13 Technical Training Institutes (TTIs). The universities covered included Tharaka University, Chuka University, University of Eldoret, Machakos University and Southeastern Kenya University (SEKU). Among the TTIs, we looked at Nachu Technical and Vocational College (WTVC), Wote Technical Training Institute (WTTI), Meru National Polytechnic(MNP), Chuka Technical and Vocational College (CTVC), Kaelo Technical Training Institute (KTTI), Tigania East Technical and Vocational

College (TETVC), Nkubene Technical Training Institute (NTTI), Katine Technical and Vocational College (KTVC), Karumo Technical Training Institute (KTI), Machakos Technical Institute for the Blind (MTIB), Mitunguu Technical Training Institute (MTTI) and Mukiria Technical and Training Institute (MTTI).

The Committee's primary approach was to receive both oral and written submissions from the Vice-Chancellors, Chief Principals, and Principals who are accounting officers regarding errors of omissions and commission that gave rise to audit queries cited by the Auditor-General. This was done as guided by the relevant laws. In the process of examining, the Committee took note of several issues which I wish to highlight in brief.

One such issue was poor accounting standards and the general incapacity of accounting officers. As per the Public Finance Management (PFM) Act, accounting officers are supposed to observe prudent financial management practises by ensuring that public funds are used for proper good and that they should maintain proper record keeping. The Committee recommends that the National Treasury and the Office of the Auditor-General should conduct annual sensitisation and capacity building programmes for all accounting officers and finance staff in State corporations on their responsibilities during the audit cycle and on the adherence of the international public sector accounting standards.

Another matter that came out was late submission of supporting documents. Accounting officers by law are required to ensure that when auditors go to audit their books, they must be able to submit supporting documents in time which should be able to substantiate all transactions that have occurred in the given financial year. This appeared to be a challenge. The Committee recommends that accounting officers must at all times ensure that they provide accurate records and supporting documents to the Auditor-General in accordance with Section 9(1)(c) of Public Audit Act (CAP. 412B).

The other matter that came up was the issue of land. We have a challenge in that there is some encroachment or people trespassing into public spaces, especially our institutions of learning. We found out that most of our institutions lack title deeds which give entitlement to them. The schools lacked perimeter walls or security measures to ensure that their land is actually secured from encroachment.

Hon. Temporary Speaker, the Committee strongly recommends that the National Land Commission, as established under Article 67 of the Constitution, and the Ministry of Lands, Public Works, Housing and Urban Development, jointly with county governments, as provided under Paragraph 8(b) and (c) on Part 2 of the Fourth Schedule of the Constitution, immediately ensure that state corporations secure their title deeds to all the parcels of land in their custody. The Committee further recommends that the institutions and National Treasury should prioritise fencing off of all land belonging to holdings to forestall further encroachment and that encroachers face the full extent of the law, including eviction and prosecution.

The other matter that we came across was as per the National Cohesion and Integration Commission (NCIC) Act of 2008, where most if not all of these institutions failed to adhere to ethnicity, regional balance and other conditions. It is sad to find an institution of higher learning like a university with 80 per cent of members of staff from one community or they speak one language. Universities being institutions of higher learning must represent the face of Kenya. The national polytechnics must represent the face of Kenya right from their leadership and in all cadres of management just like we have in the student enrolment. The Committee took note of this and discovered that most of the institutions, if not all, do not actually adhere to the contents or pronouncements of the NCIC Act 2008. The Committee recommends that all public agencies must comply with constitutional provision on equity and inclusiveness buttressed by the NCIC Act Cap 7N.

The Committee further recommends that Technical and Vocational Education and Training (TVET) Act 2013 be amended to grant TVET Institution the authority to engage the

Public Service Commission during the hiring process for 50 percent of their staff recruited by Board of Governors.

The other issue was understaffing. We come from constituencies and the government has been able to establish TVET across the country. But one thing that happens is that these institutions, though established, lack adequate staffing. You get a TVET with students but does not have enough trainers. The Committee took note of this and actually recommended that the government should ensure that they do proper staffing by recruiting enough trainers who will be able to staff our institutions of higher learning, more so our TVETs so as to ensure that we are able to engage most, if not all, of the students who come out of the form for.

The last issue was delayed disbursement of capitation to institutions. This has been a serious matter because you find that students will go into these colleges, yet government has not been able to send capitation funds. Therefore, you find that the enrolment has drastically reduced. Initially, the government expected to have about two million students admitted to TVETs. Right now, there are around one million students because we have had drastic reduction in the numbers of enrolment. The Committee, therefore, recommends that the Ministry of Education in conjunction with the National Treasury, intervenes in the financial status of learning institutions by supplementing their revenue and ensuring that such are disbursed to institutions without any delay. The Committee further recommends that the institution develop other income generating activities to increase the cash flow so as not to rely solely on government funding.

Having therefore noted the proceedings of the Public Investment Committee on Governance and Education, and on the examination of the reports of the Auditor-General on the financial statements of the institutions of higher learning in the Eastern Region for the financial years 2018/2029 all the way to 2023/2024, I therefore beg to move and urge the House to adopt these reports.

I now request Hon. Mark Mwenje to second the Motion. Thank you.

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. Mwenje.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Temporary Speaker. One of the things that is important to note is that TVETs are the foundation of youth empowerment in this country. We have a lot of youths across the country looking for skills, looking to do short courses and looking to get diplomas. In fact, one of the constituencies that lacks TVETs is my constituency. Currently, we are building one using National Government Constituencies Development Fund (NG-CDF) because we feel it will help our youth going forward by equipping them with skills.

One of the events that is coming up soon that will give an opportunity for our youths is the 2034 World Cup in Saudi Arabia. They will be building a whole new infrastructure like they did in Qatar, only bigger. They will need plumbers, workmen, or what we call *fundis* and all sorts of people who can do some of these jobs that do not require you to necessarily have a degree. It means there is a whole market that is just going to open here. Saudi Arabia is much closer than even going to Dubai and Qatar. We have an opportunity to equip these young men and women with skills and also other courses that will help them in their future.

In order for these institutions to flourish and in order for them to give value to Kenyans, we need to fund them. One of the things that we noticed was capitation. On capitation across all these institutions, the Auditor-General flags a budgetary control and variances either on receivables or payments that are supposed to go out. And no matter how well they try to balance the budgets, they just cannot get it right because they are just not getting the capitation that is required. One of the things that we really need to sit down as a House is ensure that the funding that we are sending to the education sector really caters for these institutions because it is not everybody who is supposed to go to university. We have got into a trend where we are trying

to push everyone to get into universities. But it is in TVETs where we are really going to help our youth.

We toured a number of these institutions and even looked at their books and found that they all have stalled projects, incomplete classrooms and some of them have accommodation where students stay. So, it is across the entire region. What happens in some of these institutions is that they start a project with a contract of about KSh50 million or KSh60 million. They get KSh20 million or KSh30 million and start the project. The contractor comes on site, then disappears because there is no continued funding. It would have been better if they are told they have KSh10 million so that they budget for it and complete a project and move on to the next stage. What we have is a lot of government money that has been spent on projects done up to 20 per cent or 30 per cent. Until we fund and complete those projects: classrooms, auditoriums, and libraries, they will remain ghost projects and will not give value to our students out there.

The other issue is land ownership, as has been pointed out by the Chairperson. We always note that any audit query where you cannot produce a title, the auditor always flag it and it is always a response that is carried over and over. We need the National Land Commission and county governments to actively move and secure these parcels of land and give titles deeds to these institutions. I do not understand why it becomes difficult to just get some time, spend a few resources and ensure that the parcels of land are secure. Some of the institutions that we visited, we found squatters living there and they are just piling up. They just keep adding, coming onto the land and that is a problem. If we allow these people to move onto these institutions, then we are going to lose them. I believe once we meet with the National Land Commission, we will be able to guide them and tell them that they need to actively protect these institutions.

As has been pointed out as well, ethnicity is quite an issue. In some of these institutions we found that up to 80 or 85 or even 90 per cent of the staff are from one ethnic community. We know that some of these institutions are located in some areas where the dominant community is so overwhelming that you might not be able to get some of the staff from other communities. We encourage them that if they do some head hunting and give some favourable terms, it will encourage people moving and getting staff from other ethnic communities. We think by even doing that, you are able to get students from even other ethnic communities which already you could see especially in institutions that are located in urban areas across the country. That was the issue, and the law is the law. It provides that the limit cannot exceed 30 per cent. Quite a number of institutions are in violation, but we were able to give them some time, perhaps about two years, to regularise the matter. We hope they will comply.

Finally, there is the issue of funding, as has been mentioned, particularly alternative funding. Some of these institutions, whether universities or Technical and Vocational Education and Training (TVET) institutions, have a lot of land, especially those in rural areas. We found that some, although not all, were innovative. They were engaged in farming, keeping cattle and selling milk. Others had good equipment and buildings that they could lease out for conferences and other activities that could take place at the institutions. This is one area in which we need to encourage all these TVET institutions to think outside the box. They cannot depend only on capitation and funding from the national Government. They need to generate their own-source of revenue. They should use the assets available to them wisely and ensure that the money collected is available for the auditor to examine and audit. We can then exercise oversight to ensure that those funds are properly utilised.

As I conclude, it is important that we support these higher education institutions in the eastern region because they serve many people from that area. More importantly, they will be key to changing this country, especially for our youth. With that, I beg to second. Thank you.

The Temporary Speaker (Hon. Farah Maalim): I like it when you talk about integrating Kenyans so that we have a rainbow wherever we go. You would be surprised that a few days ago, I was somewhere in Laikipia and saw a school named Bungoma Secondary School. Are we establishing enclaves that reproduce our divisions wherever we go, or are we integrating? I think there has to be a new philosophical approach to integration. We have a problem, and I agree with you.

(Question proposed)

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

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Mwenje?

Hon. Mark Mwenje (Embakasi West, IP): Hon. Temporary Speaker, given the fact that the contributions are already made, I rise pursuant to Standing Order 95 and request that you invite the Mover to reply. Thank you.

The Temporary Speaker (Hon. Farah Maalim): We do not need that because, if nobody is interested in contributing, there is no need to invoke the Standing Order. In any case, Prof. Jaldesa is behind you. Proceed.

Hon. (Prof.) Guyo Jaldesa (Moyale, UPIA): Thank you, Hon. Temporary Speaker.

Educational institutions are the cornerstone of this nation's future. If we protect our educational institutions, we are protecting the future of the country. The Committee found, many institutions do not have land that has been surveyed, marked or fenced. That means an institution is effectively occupying land whose ownership has not been established in its name. We need to make an effort to ensure that the land on which institutions are based, are registered and surveyed in the name of the respective institution and fenced to protect it from encroachment by other people.

The issue of bringing people together as a nation is also important. The tradition of the old national schools, where students and teachers came from all parts of the country, should be maintained, encouraged and supported. For those reasons, I also support the Motion.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): The question may be whether government buildings have title deeds. Does the Office of the President have a title deed? What do we have for government houses? Does the land occupied by the Provincial Commissioner, or rather the Regional Commissioner, in Kiambu, in the former Central Province, have a title deed? Most of those properties do not have one, if not all of them.

(An Hon. Member spoke off the record)

I am not sure whether the very old properties have title deeds, but I am not sure about the new ones either. They probably have a register of those government houses, as well as beacons and other records.

Hon. (Prof.) Guyo Jaldesa (Moyale, UPIA): Hon. Temporary Speaker, if they do not have a title deed for that property, then the property does not belong to them.

The Temporary Speaker (Hon. Farah Maalim): That is why it is easier to dispose of land that is believed to be government land.

Hon. (Prof.) Guyo Jaldesa (Moyale, UPIA): That is why, when you go to universities, you find squatters. People have taken over huge portions of land belonging to important universities and are farming on them. There is nobody responsible, and the institutions cannot prove that they own the land.

The Temporary Speaker (Hon. Farah Maalim): The problem is bigger than you think. All public institutions must hold title deeds. By public institutions, I mean public buildings including those in Nairobi. For example, the buildings which carry the Ministries of Health and Lands. Does anyone know whether those properties have title deeds? What about the buildings occupied by public officers throughout the country, including police officers, provincial administration staff, and District Commissioners? That is probably a matter for another day. Under the circumstances, I see no one else wishing to contribute to this matter. I will, therefore, put the Question.

(Hon. Mark Mwenje spoke off the record)

Yes, you had invoked Standing Order 95, which was not necessary. The Mover may now reply.

Hon. Dick Oyugi (Luanda, DAP-K): Thank you, Hon. Temporary Speaker. I take note of your observations that most of the land in Kenya, particularly land occupied by government institutions...

The Temporary Speaker (Hon. Farah Maalim): That is why it was easy to parcel out land to friends. Kilimani and Kileleshwa, along with many other leafy suburbs, used to accommodate government officers. I grew up in this country when being a District Officer was a significant position; these officers were allocated large plots of more than half an acre in Nairobi and other areas. Those plots have all since been given away to individuals. I know that for a fact.

Hon. Dick Oyugi (Luanda, DAP-K): It is on that basis that my Committee took special note of the fact that most of the land occupied by educational institutions is not titled, and we have made our recommendations.

Hon. Temporary Speaker, I beg to reply. Thank you.

(Question put and agreed to)

The Temporary Speaker (Hon. Farah Maalim): Next Order.

ADOPTION OF 5TH REPORT ON THE IMPLEMENTATION STATUS OF
REPORTS ON PETITIONS AND HOUSE RESOLUTIONS

THAT, this House adopts the Fifth Report of the Select Committee on Implementation on the Implementation status of Reports on Petitions and Resolutions passed by the House, laid on the Table of the House on Wednesday, 3rd December 2025.

The Temporary Speaker (Hon. Farah Maalim): I am informed that the Chairperson of this Committee is not in the House. I, therefore, direct that this matter be listed on the Order Paper for an appropriate future date to allow the Chairperson and the Committee to prosecute the Motion

(Motion deferred)

Next Order.

ADOPTION OF 19TH REPORT ON AUDITED ACCOUNTS OF
SPECIFIED FUNDS FOR FYs 2019/2020 TO 2024/2025

THAT, this House adopts the Nineteenth Report of the Special Funds Accounts Committee on its consideration of the audited accounts for the following funds, laid on the Table of the House on Wednesday, 15th April 2026:

1. Equalisation Fund for the Financial Years 2020/2021, 2021/2022 and 2022/2023.
2. Fish Levy Trust Fund for the Financial Years 2020/2021, 2021/2022 and 2022/2023.
3. Public Service Superannuation Fund for the Financial Years 2020/2021, 2021/2022 and 2022/2023.
4. State Officers and Public Officers Motor Car Loan Scheme Fund for the Financial Years 2019/2020, 2020/2021 and 2021/2022.
5. National Research Fund for the Financial Years 2022/2023, 2023/2024 and 2024/2025.
6. Petroleum Development Levy Fund for the Financial Years 2018/2019, 2019/2020, 2020/2021 and 2021/2022.
7. Petroleum Training Levy Fund for the Financial Years 2021/2022, 2022/2023 and 2023/2024.

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, I also understand that the Chairperson of the Special Funds Accounts Committee is not in the House to prosecute this Motion. So, I direct that this matter be listed on the Order Paper at an appropriate future date for the Chairperson of this Committee and the Members to prosecute this Motion.

(Motion deferred)

ADJOURNMENT

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, under the circumstances, there being no other business to transact this Afternoon, and the time being 1750 hours, or rather 5.50 p.m., this House stands adjourned until Wednesday, 21st October 2026 at 9.30 a.m.

(The House rose at 5.50 p.m.)

Prepared by:

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