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THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Wednesday, 23rd April 2025

The House met at 2.30 p.m.

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

PRAYERS

Hon. Speaker: Serjeant-at-Arms, we only need four extra Members to achieve quorum. If they are out there, do not bother ringing the Quorum Bell. Hon. Members, we have quorum to transact business. Clerk-at-the-Table, proceed.

(Hon. (Dr) John Namoit, Hon. Kiborek Reuben and several other Members walked into the chamber)

Order, Hon. Members. Hon. Kiborek, *tafuta kiti*. Members at the back, take the nearest seats. Hon. Ariko, take the nearest seat. There is a Communication I need to make.

WITHDRAWAL OF THE PUBLIC TRANSPORT (MOTORCYCLE REGULATION) BILL

Hon. Members, you will recall that on Wednesday, 12th February 2025, I reported to the House that I had received a Message from the Senate on the passage of several Bills, among them the Public Transport (Motorcycle Regulation) Bill (Senate Bill No.38 of 2023). It is sponsored by the Senator for Kakamega County, Sen. (Dr) Boni Khalwale, who is also the Majority Party Whip in the Senate. The Bill seeks to establish a legal framework to regulate the use of motorcycles (bodabodas) in the country by introducing new provisions for their registration, operation, and safety at the county level.

Following the conveyance of the Message from the Senate, the Bill was read a First Time on Thursday, 13th February 2025, and committed to the Departmental Committee on Transport and Infrastructure for consideration in accordance with the provisions of Standing Order 127. I am aware that the Committee had begun engaging stakeholders on the Bill.

This notwithstanding, I have since received a letter from the Speaker of the Senate informing that the sponsor of the Bill, in the Senate, requests its withdrawal and cessation of further consideration. In the letter dated 7th March 2025, the Speaker of the Senate conveys the request, noting that the Senator for Kakamega County cited widespread public outcry regarding some of the provisions of the Bill.

This request presents a novel procedural scenario as this is the first time that such a request has been received in the bicameral processing of Bills in the Houses of Parliament. Notably, our Standing Orders only provide for the withdrawal of a Bill whose sponsor is a Member of this House, and also provide for co-sponsorship in the case of a Bill originating from the Senate.

For clarity, Standing Order 140(1) provides, and I quote:

“Before commencement of business or on the Order of the Day for any stage of the Bill being read, the Member in charge of a Bill may, without notice, claim to withdraw a Bill.”

It is, therefore, evident that the current provisions of the Standing Orders do not contemplate the withdrawal of a Bill other than by the sponsor. In this instance, the Public Transport (Motorcycle Regulation) Bill (Senate Bill No.38 of 2023) is not co-sponsored by any Member of the National Assembly.

In this regard, and noting the request for withdrawal is from a Member other than a Member of this House, I have invoked the provisions of Standing Order 1, which provides a basis for determining matters not expressly provided for in the Standing Orders.

Standing Order 1 provides, and I quote:

- 1) In all cases where matters are not expressly provided for by these Standing Orders or by other Orders of the House, any procedural question shall be decided by the Speaker.
- 2) The decisions made in paragraph (1) shall be based on the Constitution of Kenya, statute law and the usages, forms, precedents, customs, procedures, traditions and practices of the Parliament of Kenya and other jurisdictions to the extent that these are applicable to Kenya.

I have considered the parliamentary practice in other comparable jurisdictions to guide on the procedure to be followed. In the United Kingdom (UK) Parliament, once a Bill has been passed in the originating House and forwarded to the other House, the sponsor of the Bill cannot unilaterally withdraw the Bill in the second House. Instead, where a Bill is to be withdrawn, a Motion to discharge the next stage of the Bill is moved for consideration by the House. This parliamentary procedure removes the scheduled consideration of the Bill in the next stage of the legislative process.

Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament (25th Edition) notes, and I quote:

“By an old parliamentary rule, ... a bill brought from the other House should not be withdrawn. The proper course of action in this case is for the Member in charge of the Bill in the second House to have the order for the Bill's next stage discharged.”

The Motion, “That the order for Second or Third Reading be discharged” is moved by the sponsor of the Bill in the second House. Upon passage of the Motion, the Bill is dropped, and its further legislative processing ceases.

In the Parliament of India, once an individual Member's Bill has been passed in the originating House and is pending in the other House, the sponsor cannot directly withdraw it. The second House must consider a Motion for its withdrawal.

If the Bill is already committed to a Committee, the Motion for withdrawal is referred to the Committee to report back on the request for withdrawal. After tabling of the Committee report on the Motion, the House then considers the request for withdrawal. Once the House passes the Motion, it is then considered in the other House.

It is observed that in India, the principle of bicameral consideration during withdrawal of a Bill is observed, where both Houses must put a Motion seeking the withdrawal of the said Bill. The Speaker's role is, majorly, to ensure that the necessary procedures are followed in withdrawing the Bill.

Having considered the various practices in other jurisdictions, I hereby guide as follows with regards to the request for withdrawal of the Public Transport (Motorcycle Regulation) Bill, 2023 as submitted by the Senator for Kakamega County, Sen. (Dr) Boni Khalwale, through the Speaker of the Senate:

1. THAT, to ensure order and predictability in the bicameral processing of Bills, the matter shall be considered by the House by way of a Motion to discharge the particular Bill from Second Reading, notice of which will be given, and the

Motion moved by the Chairperson of the Departmental Committee on Transport and Infrastructure, being the Committee seized of the Bill.

2. THAT, upon notice of the Motion being given, the Motion shall be scheduled by the House Business Committee (HBC) for listing in the Order Paper on such a day as the HBC may determine.
3. THAT, upon consideration—
 - (a) should the House approve the Motion, the Bill shall be deemed to have been withdrawn from the National Assembly, and the Departmental Committee on Transport and Infrastructure shall cease further consideration of the Bill; or,
 - (b) if the Motion to discharge the Bill is not carried, consideration of the Bill shall proceed in accordance with the legislative processes applicable to a Bill originating from the Senate.
4. THAT, upon conclusion of consideration of the Motion, the Senate will be fully apprised on the decision of the House by way of a Message.

Having guided as such, I shall accord an opportunity to the Chairperson of the Departmental Committee on Transport and Infrastructure to give the Notice of the Motion under Order No. 6 so as to kick-start the withdrawal process.

The House is accordingly guided. Thank you.

Hon. Members, if the House strongly feels that we need to proceed with that Bill regardless of the feelings of the original sponsor and you negative the Motion, then the Bill will go on to the end. If you agree with the Committee Chairperson, then the Bill will collapse there.

Next Order.

MESSAGE

Members on their feet, take your seats. Hon. Yusuf, take the nearest seat. Order, Hon. Dorothy.

PASSAGE OF THREE BILLS BY THE SENATE

Hon. Members, I have a message from the Senate on the passage of three Bills. Pursuant to the provisions of Standing Order 41(4), I wish to report to the House that I have received three Messages from the Senate regarding the passage of the following two Senate Bills and one National Assembly Bill:

1. The Energy (Amendment) Bill (Senate Bill No.42 of 2023).
2. The County Public Finance Laws (Amendment) Bill (Senate Bill No.39 of 2023).
3. The Land (Amendment) Bill (National Assembly Bill No.40 of 2022).

The first Message conveys that on Tuesday, 15th April 2025, the Senate considered and passed the Energy (Amendment) Bill (Senate Bill No.42 of 2023) without amendments. The Bill published vide Kenya Gazette No.162 of 1st September 2023 seeks to provide for energy purchase agreements, among other provisions.

The second Message conveys that on Tuesday, 15th April 2025, the Senate considered and passed the County Public Finance Laws (Amendment) Bill (Senate Bill No.39 of 2023) with amendments. The Bill published vide Gazette Notice No.159 of 1st September 2023 seeks to amend the County Assembly Services Act, Cap 265D, to establish the County Assembly Fund.

The third Message conveys that on Tuesday 15th April 2025, the Senate considered and passed the Land (Amendment) Bill (National Assembly Bill No.40 of 2022) with amendments. In this regard, the Senate now seeks the National Assembly's reconsideration of the Bill in accordance with the provisions of Article 112 of the Constitution.

Having passed the said Bills, the Senate now seeks the concurrence of the National Assembly, pursuant to the provisions of Article 110(4) of the Constitution.

With regards to the Senate Bills, you will note that the Standing Orders require the Speaker to cause a Bill received from the Senate to be read a First Time upon conveyance of its Message to the House. In view of this, I hereby direct the Clerk to schedule the two Senate Bills in the Order Paper for First Reading at the next sitting. Thereafter, the Energy (Amendment) Bill (Senate Bill No.42 of 2023) shall stand committed to the Departmental Committee on Energy, and the County Public Finance Laws (Amendment) Bill (Senate Bill No.39 of 2023) to the Departmental Committee on Finance and National Planning for consideration.

With respect to the Land (Amendment) Bill (National Assembly Bill No.40 of 2022), the Message and the Schedule of Senate amendments to the Bill are hereby referred to the Departmental Committee on Lands for consideration and reporting. I also direct the Clerk to circulate the Schedule of Senate amendments to the Bill to all Members.

The Committees to which the Bills have been referred are encouraged to prioritise their consideration and submit their reports as soon as is practicable to enable the House to proceed with the necessary next steps on the Bills. I encourage them to work through the recess period, so that they would have gone through the Bills by the time we resume.

Hon. Omboko Milemba (Emuhaya, ANC): On a point of order, Hon. Speaker.

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

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Speaker, I have been following the Communication from your desk, especially on Bills from the Senate. I notice that the Senate can afford to table a Bill in the National Assembly and withdraw it. We give more time to Senate Bills compared to Private Members' Bills in the National Assembly, which could be important to this country. With a lot of humility, I beg you to give more seriousness and time to Private Members' Bills as we move forward.

Hon. Speaker: Hon. Owen, is it on the same?

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker. I would like to join the leader and trade unionist to say that I noticed there are many Senate Bills on the Order Paper, which are given priority in this chamber. Members, including myself, always prepare Bills tediously and send them to our legal teams. We take a lot of time to prepare those Bills, which hardly find their way to the Floor of the House. We give a lot of preference to Senate Bills, which are actually Private Members' Bills from the Senate. They get a lot more time in the National Assembly. We need to give priority to our Members.

I remember that I prepared many Bills in the 12th Parliament, but only one found its way to the Floor of the House, and it was not even completed. At the end of this Parliament's term, you will read a long list of over 200 Bills prepared by Members which never found their way to the Floor of the House, yet the Bills from the Senate find their way here and Senators even have the temerity to withdraw them. We need to give Members of the National Assembly an opportunity to pass Bills in their name in this chamber. If we continue in the same manner, Members will feel discouraged. They will stop legislating and concentrate on oversight and other matters.

Hon. Speaker, I beg you to make a fundamental ruling on which Private Members' Bills get preference in this chamber.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Speaker, I must admit that *Mwalimu* Omboko Milemba has raised a very fundamental issue, and also reminded me of the

tribulations some of us have gone through in the process of presenting Bills that make it to the Floor of the House.

I have a living example. My Bill went all the way to the Second Reading and a Question was put. It has been four or so months since then, yet it has never found its way to the Committee of the whole House. As much as there could be other external forces, Parliament should be an independent institution. To the extent that it is switched on and off by external forces that prevent Private Members' Bills from progressing is...

Hon. Speaker: Order, Hon. Oundo. You are making a very outrageous allegation without evidence. There is no external force that presses buttons on this House, and you know that. Complain of the delays in processing your Bills, but do not make outrageous allegations against your own House.

(Hon. (Dr) Ojiambo Oundo spoke off the record)

In fact, you must withdraw those remarks.

(Loud consultations)

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): I do not want to go down in history like the late Martin Shikuku. Let me withdraw that particular aspect.

Hon. Speaker: Apologise to the House.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Speaker, let me withdraw and apologise because I do not want to go the Martin Shikuku way. The fact remains that Members are being frustrated.

Hon. Speaker: The good thing is that nobody remembers what the late Martin Shikuku did.

(Laughter)

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Dr Keynan can remember.

Hon. Speaker: I do, but go on.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Speaker, you must protect the Members and encourage them by allowing them to push their Bills through to the end. In addition, Bills are taking unnecessarily too long to be processed even in our own committees. For instance, the Budget and Appropriations Committee might be overwhelmed by work. Some Bills even stay there for almost six months before one is invited to present them. I do not want to say something is wrong, but it is clear that something is not working correctly.

Hon. Speaker: You have made your point. Thank you.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Speaker.

Hon. (Dr) Robert Pukose (Endebess, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Oundo is well aware that he appeared before the Budget and Appropriations Committee last week.

Hon. Speaker: On his Bill?

Hon. (Dr) Robert Pukose (Endebess, UDA): Yes. We processed his Bill and gave him an opportunity to make his statement. Therefore, he needs to withdraw that remark. He cannot make such a remark on the Floor. It is unfair.

Hon. Speaker: Hon. Atandi.

Hon. Samuel Atandi (Alego Usonga, ODM): Thank you very much, Hon. Speaker. I also associate myself with the sentiments expressed by various Members over the delay of Bills

and Motions by Members. This is really frustrating. I am a victim. I moved a Motion during the last term, but I was not able to process it because of delays. In this Session, I also moved two Motions that are yet to be processed on the Floor of the House. We need to give priority to Motions and Bills by Members of this House rather than prioritising those from the Senate.

As the Chairperson of the Budget and Appropriations Committee, I can confirm that, as at today, there is no Bill by any Member that has not been processed by our Committee. There are only two Bills that have not been processed because Members were given a chance to appear, but they were busy. They sent their apologies and we agreed to reschedule the meetings for when they will be available. The Budget and Appropriations Committee is working round the clock to ensure that all Bills before us, which require our approval, are processed in time. If there is any Bill before us that has not been processed, I request Members to feel free to contact me so that we can fast-track them. Otherwise, let us give priority to Members' Bills because they are the ones that bear our names.

Today, Members are being castigated for not being able to move Bills and make laws in this House. However, on Wednesday mornings, we sometimes turn down Bills by Members to give priority to Government Bills. As a policy, we need to stop it so that we can serve Members.

Hon. Speaker: Hon. Members, this point was canvassed in the House Business Committee yesterday. It was raised by Hon. Owen Baya and supported by the entire Committee. First, we agreed that from now on, we will give priority to Private Members' Bills. I encourage committees where Bills have been held for a little while because of backlog of work to ensure that they are processed quickly and move to the next stage.

Second, after looking at several Bills that pass through my office, I noted that there are about three or four Bills touching on the same issue. In many instances, Members have sponsored different Bills to amend the same existing statute. I have directed the Clerk's Office to reach out to Members who have sponsored those Bills to find ways of amalgamating them and still achieve the same intent.

Third, I spoke to the Leader of the Majority Party. Hon. Owen, you are part of the leadership and you should ensure that you lend Government time for Private Members' Bills to be prosecuted in this House. We have an inordinately large number of such Bills that are pending.

I have also been informed that on many occasions, Members with Bills listed for debate do not show up. This has also been happening. Hon. Members, if you have a Bill, you also have a duty to follow up with the Table Office and the Clerk's Office to ensure that it moves to the next stage. When these Bills come to the House Business Committee, we will give them uttermost priority. I agree that there is absolutely no sensible reason for you to continue prosecuting Bills from your sister House while putting your own Private Members' Bills in abeyance. They must all move together. If anything, your Bills should be given priority, and we will do exactly that.

Hon. Members, before we move to the next Order, allow me to recognise students seated in the Public Gallery. They are from:

1. Kisii County University Students Association from South Mugirango Constituency, Kisii County.
2. Ossen Mixed Day and Boarding Primary School from Baringo North Constituency, Baringo County.

Hon. Makilap has requested for a minute. Hon. Osoro, you will also take a minute. You can welcome students from your respective jurisdictions. Hon. Makilap, there is a microphone next to you.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Speaker. I take this opportunity to join you in welcoming Ossen Day and Boarding Comprehensive School. These

are Junior Secondary School (JSS) students. This is one of the best public day and boarding primary school in Baringo North, and its students have excelled and joined various public secondary schools in Kenya. We are also very optimistic about this JSS class. We hope they will join senior secondary schools next year. This is a House of Parliament and if you work hard, you could one day join Kenyans debating and making laws in this country. Some of you may even become Members of Parliament in this House. Bravo, Ossen! Keep it up. I welcome you to Parliament, together with university students from South Mugirango. You are now together in one place, the Public Gallery of Parliament, and going forward, you will meet as Kenyans.

Hon. Speaker: Hon. Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you, Hon. Speaker. I join my colleague, Hon. Makilap, in welcoming all the students to the chamber of Parliament, particularly the students from South Mugirango Constituency.

Hon. Speaker, I must confess that I was very happy when I heard you mention that my students are here. It is the spirit in our people that form *ni kujituma* that they decided to come here and learn. It is truly encouraging. I encourage them to pursue their education, continue learning from those ahead of them and focus on their future. Since these are university students, it is important for me to mention that in South Mugirango, we have about 12,000 students joining university every year. That is encouraging considering that the constituency is quite diverse, with about 120,000 registered voters. We ask them to work very hard and remain focused in their lives.

Hon. Speaker: Thank you. I join both of you in welcoming the students and those accompanying them to the House of Parliament.

Clerk-at-the-Table, call out Order No.5 again.

PAPERS

Hon. Speaker: Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to lay the following Papers on the table:

1. Report of the Auditor-General and financial statements of Eldas Technical Vocational College for the year ended 30th June 2023 and certificates therein.
2. Reports of the Auditor-General and financial statements for the year ended 30th June 2024 and the certificates therein in respect of the following:
 - (a) Chama Cha Mashinani.
 - (b) Coast Region Water Security and Climate Resilience Project Credit Number 5543-KE-740-KE State Department for Irrigation.
 - (c) Commission on Revenue Allocation Staff Car Loans Scheme Fund.
 - (d) Commission on Revenue Allocation Staff Mortgage Scheme Fund.
 - (e) Consolidated Fund Services Public Debt to the National Treasury.
 - (f) Devolution Empowerment Party.
 - (g) Kaiboi National Polytechnic.
 - (h) Kenya Institute of Curriculum Development Mortgage and Car Loans Scheme.
 - (i) Koshin Technical Training Institute.
 - (j) Laikipia East Technical and Vocational College.
 - (k) Laikipia West Technical and Vocational College
 - (l) Meru Technical and Vocational College.
 - (m) Moi Teachers Training College, Baringo.
 - (n) National Council for Children's Services

- (o) National Council for Law Reporting.
- (p) National Government Affirmative Action Fund.
- (q) Northern Water Works Development Agency.
- (r) Omuga Technical and Vocational College.
- (s) Orange Democratic Party.
- (t) Petroleum Development Levy Fund Holding Account.
- (u) Receiver of Revenue Statements, State Department for Irrigation and Citizen Services.
- (v) Revenue Statements of the Business Registration Service.
- (w) Revenue Statements of the Pensions Department of the National Treasury.
- (x) Revenue Statements for Department for Internal Security and National Administration.
- (y) Samburu Technical and Vocational College.
- (z) Sports Kenya.
- (aa) The Kenya Academy Sports.
- (bb) Tinderet Technical and Vocational College.
- (cc) United Democratic Movement.
- (dd) University of Nairobi Enterprise Limited.
- (ee) University of Nairobi Press Limited.
- (ff) University of Nairobi.
- (gg) Uriri Technical and Vocational College.
- (hh) ZIWA Technical Training Institute, Uasin Gishu County.

Hon. Speaker: Next Order. Chairperson Departmental Committee on Transport and Infrastructure.

Hon. George Kariuki (Ndia, UDA): Hon. Speaker...

Hon. Speaker: Hon. GK, hold your horses. The Clerk's documents and what I have are not synchronised. Take your seat. Chairperson, Public Petitions Committee.

Hon. Ernest Kavai (Vihiga, ANC): Hon. Speaker, I beg to lay the following Papers on the Table:

Reports of the Public Petitions Committee on its consideration of:

- (a) Public Petition No.15 of 2023 by Hon. Florence Jematiah, regarding the declaration of Mukutani forest as a public forest;
- (b) Public Petition No.54 of 2023 by teachers regarding unlawful deductions by Teachers Service Commission in favor of Kenya Union of Special Needs Education Teachers (KUSNET);
- (c) Public Petition No.62 of 2023 by the Kenya Union of Post Primary Education Teachers (KUPPET) regarding stagnation of teachers' progression in public service;
- (d) Public Petition No.63 of 2023 by former employees of Bohemian Flowers Limited in Nakuru County regarding their unfair termination; and,
- (e) Public Petition No.67 of 2023 by Hon. Moses Kirima regarding the dismissal from employment of Mr Gerald Muli Kiilu by ABSA Bank (formerly Barclays Bank) Prestige Centre.

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

NOTICE OF MOTION

DISCHARGE OF SECOND READING OF

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PUBLIC TRANSPORT (MOTORCYCLE) BILL
(Senate Bill No.38 of 2023)

Hon. George Kariuki (Ndia, UDA): Hon. Speaker, I beg to give a notice of the following Motion:

THAT, this House resolves to discharge the Second Reading of the Public Transport (Motorcycle) Bill (Senate Bill No.38 of 2023).

Hon. Speaker: Thank you, Hon. GK. Next.

QUESTIONS AND STATEMENTS

Hon. Speaker: Hon. Members, today we were supposed to have the Cabinet Secretary for the Ministry of Roads and Transport. I received a letter this morning that the Cabinet Secretary is away in China with His Excellency the President for important national business. He requested that, time allowing and subject to the organisation of work by the Majority leadership, he is available to appear next Wednesday, 30th April 2025 or any other day that Parliament may decide. You will be notified accordingly. So, the Questions that are listed to the Cabinet Secretary for Roads and Transport will be stayed until then.

*(QPN007/2025, Questions 011/2025, 012/2025, 013/2025,
014/2025, 015/2025, 053/2025, 054/2025, 055/2025,
056/2025, 057/2025, 058/2025, 059/2025, 060/2025,
061/2025 and 062/2025 deferred)*

On the formal Order Paper, we have not listed Statements, but I have been visited by several Members who want to respond to Statements, make Statements or request Statements. I will allow Hon. Dr Mutunga, Hon. (Dr) Nyikal, Hon. Mandazi, Hon. Karemba, and Hon. Murugara. Those are the ones who have talked to me. Do not raise your hand simply because I have said we do not have a list. I am talking of those who have been like the five wise girls in the Bible, and came to see the Speaker to ask for an opportunity to raise or make their Statements. Let us start with Hon. Murugara. Note your numbers so that when one finishes, another one takes their turn.

Hon. Murugara, Hon. Karemba, Member for Mogotio Constituency, then Hon. Kiborek. After Hon. Kiborek, Hon. Mandazi. We will close that chapter with responses from Hon. Dr Nyikal and Dr Mutunga. I think Hon. Abuor also saw me. Those of you who have got Statements, but have not reached the Speaker, talk to the Clerks-at-the-Table. I will not allow you to shoot up with a Statement that I have neither seen nor approved.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Speaker. Mine is a response. Let them request for Statements.

Hon. Speaker: Yours is a response?

Hon. George Murugara (Tharaka, UDA): It is a response.

Hon. Speaker: So, start with the turbaned man next to you.

Hon. George Murugara (Tharaka, UDA): Yes, my neighbour.

REQUEST FOR STATEMENT

CHALLENGES IN ACCESS TO MEDICAL SERVICES
BY TEACHERS AND POLICE OFFICERS

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Speaker. Pursuant to Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Health regarding the challenges faced by teachers and police officers in accessing medical services arising from their medical cover.

The Government-funded medical insurance scheme for teachers and the police in Kenya, which relies on a capitation system, has faced significant challenges due to delayed payments to hospitals. This has resulted in hospitals either refusing to provide services to these groups or demanding out-of-pocket payments. The issue is claimed to stem from the Government's failure to release allocated funds, despite teachers and police officers being deducted their medical scheme contributions from their salaries. The contributions of teachers and police officers form the bedrock of society's stability and progress. To ensure that they fulfil their vital roles in education and public safety effectively, prioritising their physical and mental wellbeing is not just a moral imperative, but also a strategic necessity.

It is regrettable that teachers and police officers, particularly those from Runyenjes Constituency and Embu County at large, have expressed serious grievances regarding their medical cover. These concerns highlight systemic issues that require urgent attention, as they affect not only teachers and police officers in Runyenjes and Embu County at large, but also thousands of others across the country. This crisis, marked by hospitals denying them services due to unpaid claims and stalled National Treasury contracts, exposes systemic failures endangering public servants and their dependents nationwide. Addressing these challenges is, therefore, critical to ensuring that these essential public servants receive the healthcare they deserve for them to continue serving our communities effectively.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Health on the following challenges —

1. Plans put in place by the Ministry to remit the medical capitation funds to hospitals and the timelines for the implementation.
2. Action being taken to ensure that teachers and police officers access unlimited medical services, considering that their contributions are deducted from their salaries consistently.
3. Efforts being made to address the challenges relating to medical insurance and the health service delivery for public servants, particularly police officers and teachers.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Karemba. It was to which committee?

Hon. Muchangi Karemba (Runyenjes, UDA): Departmental Committee on Health.

Hon. Speaker: Hon. (Dr.) Nyikal, can you respond within the first week of resumption from recess?

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Speaker. We will give a report within the first week after recess.

MEMBER'S GENERAL STATEMENT

Hon. Speaker: Hon. Mandazi.

TRIBUTE TO THE LATE HON. JOHN KOECH

Hon. Victor Koech (Chepalungu, CCM): Thank you, Hon. Speaker. Pursuant to Standing Order 259D (2), I rise to pay tribute to the late Hon. John Koech, a former Member of Parliament for Chepalungu Constituency, who passed away on 8th April 2025 after a short illness.

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The late Hon. Koech was laid to rest on 15th April 2025 in his home in Chepalungu Constituency. His life was a shining testament to public service and selfless leadership. He was a statesman of extraordinary humility, resolve and character. He was a long-serving Member of Parliament for Chepalungu Constituency and the respected Cabinet Minister. He gave his all to the service of our nation. Notably, he is so far the longest-serving Member of Parliament for Chepalungu, having held the seat from 1979 to 1990 and again from 2003 to 2007. A testament to the deep trust and enduring bond he shared with his constituents.

From his early days under the Kenya Africa National Union (KANU), Hon. Koech distinguished himself as a man of reason and a voice of the people. He rose steadily, propelled not by ambition, but by purpose. His leadership was marked by a deep connection to the people he served, especially the often-overlooked communities of Chepalungu, where he championed development in education, infrastructure, agriculture and youth empowerment. When he spoke, people listened to him, not because he shouted, but because his words carried the weight of wisdom and sincerity. He was a leader who believed that roads should reach to the farmers; that children should sit in classrooms and dream freely; and that young people should have a future built on opportunity, not despair.

As a Minister for East African Community and Regional Cooperation, Hon. Koech extended his vision beyond our borders. He believed deeply in regional unity and worked tirelessly to build bridges on economic, diplomatic and cultural between Kenya and her neighbours. His efforts laid the groundwork for strong regional integration and a shared East African destiny.

One of the most defining moments of his political career came in 2002, during the time of great political upheaval. He made the courageous choice to part ways with the then ruling party and stood firmly on the side of change, aligning himself with the National Rainbow Coalition (NARC) and its presidential candidate, the late Hon. Mwai Kibaki. That decision led to his expulsion from KANU. It was not just political, but also moral. It was a stand for democracy, a bold declaration that the will of the people must always prevail over the convenience of power.

Hon. Speaker, beyond politics, the late Hon. John Koech was a diplomat who served the country as the Permanent Representative of the United Nations Environment Programme (UNEP), a responsibility he discharged dutifully.

In burying the late Hon. Koech, we did not bury his ideals; we planted a legacy. We laid to rest a body, but his spirit of service, courage, and leadership lives on in lives he touched and institutions he helped build. As we mourn his loss, we draw inspirations from the extraordinary lives, service, and dedication to humanity. May his soul rest in eternal of peace. May his family and the loved ones find comfort in the legacy he leaves behind.

Hon. Speaker, allow me to recognise the support that you gave to the family, together with Hon. Members from this House. We were so privileged as a constituency. Equally, allow me to register the support given to the family by His Excellency the President of the Republic, cabinet secretaries - Chirchir and Hon. Murkomen - and all the support that we got in paying his last respects. I thank all of them on behalf of the family and on behalf of the constituency.

Thank you so much, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Mandazi. I can see you are very selective. Yours truly also sent support to the family.

Hon. Members, Hon. John Koech served this House and country with absolute distinction; a man of great resolve and principle. We served in Cabinet of *Mzee* Kibaki with him, and he served in various capacities. Even in the days when it was difficult for Members to say 'no' to the establishment, he did. His departure leaves this country the poorer.

In honour of Hon. Koech, as your Speaker, I sent a written message to the family on your behalf as a House.

(Applause)

I request us to be upstanding to observe a minute's silence in his honour.

(Hon. Members observed a moment of silence)

Hon. Speaker: May his soul rest in eternal peace. Amen.

(Hon. Sunkuli spoke off the record)

Yes, Hon. Sunkuli. Is it on the same?

(Hon. Sunkuli spoke off the record)

Okay, let us start with Hon. Sunkuli. I will not give many of you, a chance. I will give Hon. Sunkuli, Hon. Caroli and lastly, the governor of Rift Valley.

Hon. Julius Sunkuli (Kilgoris, JP): Thank you, Hon. Speaker. I stand here to convey my condolences to the family of the late Hon. John Koech. We served with him in the Government. I was always privileged to work closely with him as his friend from a neighbouring constituency. He was a man who did not always conform. His politics was different. He was also in a strong competition with people of equal stature, like the late Hon. Kimunai Arap Soi.

The death of Hon. Koech tells us two things: First, that great people actually go, and secondly, if you look at his life carefully, it is important for Members of Parliament to have insurance on many things. That can be deduced from the way he lived and how he eventually died. It is important for Members of Parliament to look after their security when they leave this House.

With those remarks, I must say...

Hon. Speaker: Hon Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Speaker.

I just want to make a small suggestion. I did not know the late, Hon. Koech. However, we should have a tradition in this House that when we want to honour a Member who has passed away, we invite part of his family to be in the Gallery so that the family understands the appreciation we are extending to them. That is what I have seen being done in other jurisdictions.

Hon. Speaker: That is a valid point. Those who have prompted the House to honour our departed colleagues, sometimes logistics allowing, we will not mind a part of their families being in the Speaker's Gallery when we are condoling with them.

Hon. Sirma.

Hon. Musa Sirma (Eldama Ravine, UDA): Thank you, Hon. Speaker for the opportunity you have given me.

The late Hon. John Koech served with me in this House from 2002 to 2007. I knew him because I started following politics from way back. I knew when he was expelled. He was a person who stood by what he believed in. When he was expelled from the Kenya African National Union (KANU), it was about the drama that was happening in the country. The change that was required at that time was the late Hon. Koech's vision. He did not believe in dictatorship. He believed in democracy and making things work in this country.

I was once with the late Hon. John Koech. Unfortunately, we were in the opposition at that time, and was appointed by the late President Kibaki to serve in his Government. He stole

some Members from KANU at that time, to work for the Government. They worked together with the late President Kibaki. When we went for a rally in Bomet, we made very serious statements, and that is when I was crowned the governor of Rift Valley. I declared secession of the Rift Valley from Kenya and the late Hon. John Koech almost ran away.

Hon. Speaker: You are disclosing a criminal offense.

(Laughter)

Hon. Musa Sirma (Eldama Ravine, UDA): There is no problem. I faced it at that time, I wrote a statement and the matter is past. At that time, things were not easy.

The late Hon. John Koech was a person who would stand with you during difficult times. I know the drama that was there between Hon. Isaac Ruto and the late Hon. John Koech in Kabarak. One of them was being brought in through the back door and the other one, through the school. That was a big game in Chepalungu Constituency. President Moi was playing the...

Hon. Speaker: Give him a minute.

Hon. Musa Sirma (Eldama Ravine, UDA): Hon. Speaker, there was a balancing act which was being played on them. Eventually, Hon. Isaac Ruto was voted out of Parliament and the late Hon. John Koech was re-elected. So, he faced both the difficult and sweet moments in his political life. May his soul rest in eternal peace.

Hon. Speaker: Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Speaker, on my behalf and that of the people of the Dagoretti South Constituency, I pass condolences to the family of the late Hon. John Koech, a consummate leader. He served a life that has left a legacy for his people and the country.

As I pass these condolences, I also want to bring a notice to this House that Nairobi County has just lost the MCA for Kariobangi North, Hon. Joel Munuve, a very passionate young leader.

The late Hon. Joel Munuve was known to me for many years. He first vied in 2007 when we were part of a big movement, the Gen X revolution back then, when we were clamouring for space for young people in leadership. I dare say that our movement was not faceless, leaderless and formless. Some ended up taking positions in Parliament. The late Joel Munuve ended up as a member of the county assembly (MCA) for Nairobi City County. However, the death of Hon. Joel Munuve is a curious death, especially at a time when he was raising pertinent issues about the leadership and the goings-on in City Hall.

Three days before his death, Hon. Joel Munuve dared to collect signatures for the impeachment of the Governor of Nairobi City County. He had said that he was going to reveal damning information about the goings-on in City Hall. So, even as we say *pole* to the family of the late MCA Joel Munuve, I urge this House to call upon the investigative authorities to not gloss over this matter. It is a matter that might be having serious interests that go very high-up. I do not want to place the blame anywhere. That should be left to the investigative authorities. All I am asking is that we ensure that the death of Hon. Munuve is investigated to the fullest and that no stone left unturned.

We should not imagine that the issues that the late Hon. Munuve was canvassing have no connection to the death of a very passionate leader who was serving Nairobi City County who had very good ideas, was very reform-minded and transformative, and he was a seeker for integrity in Nairobi City Hall.

I, thank you, and may his soul rest in eternal peace.

Hon. Speaker: Hon. Kiborek, I am giving you an opportunity to request for your Statement.

REQUESTS FOR STATEMENTS

BANDIT ATTACK ALONG MARIGAT-NGINYANG ROAD
IN BARINGO COUNTY

Hon. Kiborek Reuben (Mogotio, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding a recent attack by armed bandits along the Marigat–Nginyang Road in Baringo County.

On Monday, 21st April 2025, armed assailants ambushed traders who were en route to the Nginyang Market, resulting in the tragic deaths of Mr Philip Kipchirchir and Mr Peter Kingori, who were both driving to Nginyang Market. One other person sustained injuries during the attack. The victims were accosted in what escalated from a banditry incident to a highway robbery with violence in broad daylight. The matter was formally reported to the Marigat Police Station under OB No.20/21/04/2025. This attack has raised serious concerns about the state of security in Baringo County, the northern part of the country and the Kerio Valley belt. It has disrupted the daily life of the residents in Baringo County, affected their economic activity and caused fear among residents.

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

1. A detailed account of the recent attack, and the current status of investigations into the matter, particularly the killings of Mr Philip Kipchirchir and Mr Peter Kingori, and the progress made in identifying and apprehending those responsible for the killings.
2. The steps that the Ministry is taking to disarm members of the public who currently own unlicensed and illegal firearms in Baringo County, the Kerio Valley belt and northern Kenya.
3. The short-term and long-term measures the Government is undertaking to curb recurring banditry in the region, including thorough vetting of the already existing National Police Reservists. They should be vetted and we get a statement on the same on the firearms which they were given without proper police training.

Thank you, Hon. Speaker. I beg to request for a Statement from the Departmental Committee on Administration and Internal Security on the same.

Hon. Speaker: Hon. Raso, I do not see your Chairman. Being a security issue, are you able to do so on Wednesday next week, or will you do it after recess?

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

With your facilitation, we were able to provide this House with a very detailed report. Currently, the area that is experiencing a lot of problems is Baringo, while in most of the regions like Turkana, Samburu, Isiolo, and Marsabit, the guns are largely silent. We will give a report to the House immediately after the recess.

Hon. Speaker: Thank you. In addition to that, Hon. Kiborek and your colleagues from Baringo who include Hon. Makilap, Hon. Kamket, Hon. Musa Sirma, Hon. Jematiah, Hon. Kandie and Hon. Kamuren, you are leaders. You are going on recess. Go around your county and talk to those young people. Encourage them to stop keeping illegal firearms. It is the young men who vote for you. They are the same ones you use for the good and the bad.

(Applause)

Go meet them and talk to them, so that as leaders, you also play your role to ensure that there is peace within your jurisdiction. I am sure you can.

Hon. Kiborek, I am sure some of those young men are your age. You can use your magic as a youth to get to them and talk about these issues. Your access to them is probably better than that of Hon. Musa Sirma's and others. Please go and do that. Do not wait for the police to come from Nairobi. You can also play your part.

Hon. Sirma.

Hon. Musa Sirma (Eldama Ravine, UDA): Hon. Speaker, we take your guidance seriously. We promise that we shall do as said on behalf of all the Members who are here and those who are not. We will endeavour to clean up the mess in Baringo.

Hon. Speaker: Thank you. Make sure you include Hon. Kamket.

(Laughter)

Hon. Abuor, go ahead

THE STATUS OF IMPLEMENTATION OF GOVERNMENT'S DIRECTIVE TO
SECURITISE A PORTION OF ROAD MAINTENANCE LEVY FUND

Hon. Paul Abuor (Rongo, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Budget and Appropriations Committee regarding the status of implementation of the Government's directive to securitise a portion of the Road Maintenance Levy Fund (RMLF).

The Government, through the Ministry of Roads and Transport, advised the Kenya Roads Board to initiate the securitisation of part of the RMLF amounting to Ksh7 per litre. This directive was aimed at raising urgent funds to settle the mounting pending bills in the road sector, which have continued to stall key infrastructure projects across the country.

While the securitisation of future cash flows can be a viable financing mechanism under the Public Finance Management Act, 2012 Cap 412A, specifically Section 50 on public debt management, the implementation of such a strategy must be carried out transparently, within the framework of public finance principles enshrined in Article 201 of the Constitution of Kenya, 2010. Other principles include openness, accountability and responsible financial management that must be applied on the securitisation proposal.

It is against this background that I request for the following:

1. The current status of the implementation of the securitisation of the RMLF as directed by the Government.
2. The legal and financial framework being used to implement this securitisation process, and whether there was approval of Parliament sought, as required under Section 50(2) and 53 Cap 412A of the Public Finance Management Act, where future revenue streams are pledged.
3. Amount expected to be raised through this securitisation arrangement, and the criteria that will be used to allocate these funds toward pending bills in the road sector.
4. Any guarantees or circulars issued by the National Treasury in connection with securitisation transactions, and the implications on public debt ceilings and fiscal sustainability.
5. Lastly, timelines set for the disbursement of the raised funds, and measures taken to ensure transparency and accountability during implementation.

I thank you, Hon. Speaker.

Hon. Speaker: The Chairman of the Budget and Appropriation Committee, that goes to your Committee. Can you bring a response in the first week upon resumption from recess?

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Speaker, I agree.

Hon. Speaker: Thank you. Hon. Murugara George.

STATEMENTS

RECRUITMENT OF KENYA PRISONS CONSTABLES IN SOY CONSTITUENCY IN UASIN GISHU

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Speaker.

This morning, Hon. David Kiplagat, the Member of Parliament for Soy, requested for a Statement regarding the venue for the recruitment of Kenya Prisons Constables in Soy Constituency in Uasin Gishu.

Hon. Speaker: Is he in the House?

Hon. George Murugara (Tharaka, UDA): He is not.

Hon. Speaker: Go on.

Hon. George Murugara (Tharaka, UDA): I actually sent him the Communication I got. I was told to deliver by tomorrow afternoon. Fortunately, Communication from the Director-General of Prisons to confirm how it is going to be in Uasin Gishu County has come. The recruitment will be conducted in the following sub-counties: Turbo Sub-county, Paul Boit Boys High School at 8.00 a.m. on 30th April 2025; Soy Sub-county, Deputy County Commissioner's (DCC) Office, Sirikwa, at 2.00 p.m.; Ainabkoi, Waunifor Stadium at 8.00 a.m.; Moiben Constituency, Moiben Centre at 2.00 p.m.; Kesses, DCC's Office Kesses, at 8.00 a.m.; and Kapseret, Eldoret ASK Showground at 2.00 p.m.

Hon. Speaker, there was also a question regarding missing sub-counties. Members are interested in this issue because a few sub-counties are missing from the list, including one from Tharaka Constituency known as Tharaka West. The response I received indicates that they are indeed working to ensure the inclusion of all these missing sub-counties in the recruitment exercise. As soon as letters are produced to confirm this, they will be delivered to us for further communication to the Members of Parliament. This Communication is signed by Patrick M. Aranduh, MBS, Commissioner-General of Prisons. To ensure that we have it on record, I table.

(Hon. George Murugara Tabled the Communication)

Thank you very much, Hon. Speaker.

Hon. Speaker: Thank you. Next is Hon. (Dr) Mutunga.

STATISTICS ON MILK PRODUCTION IN RUNYENJES CONSTITUENCY AND EMBU COUNTY IN GENERAL

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Speaker, I rise to respond to a Statement by Hon. Eric Karemba, CBS, Member for Runyenjes.

Pursuant to Standing Order 44 (2)(c), Hon. Eric Karemba requested for a Statement on the 11th March 2025 regarding the high cost of feeds. The Ministry of Agriculture and Livestock Development responded to the issues raised in the Statement as follows:

Hon. Karemba sought statistics on milk production in Runyenjes Constituency and Embu County in general. According to the reports from the Ministry, Embu County produces 101,347,533 kilos of milk annually. Specifically, Manyatta Constituency produces 47,531,820

kilos, Runyenjes 32,850,269 kilos, Mbeere South 15,121,880 kilos and Mbeere North 5,843,534 kilos.

MEASURES BEING PUT IN PLACE TO DECREASE THE COST
OF ANIMAL FEEDS FOR DAIRY FARMING

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): Hon. Speaker, the second issue raised by Hon. Karemba was in regard to the measures being put in place to decrease the cost of animal feeds for dairy farming. The response is as follows:

First, the Government has embarked on the development of the National Animal Feeds Development Strategy. This strategy aims to address the feed situation in the country by promoting increased production of animal feeds, conservation of animal forage, and the use of technologies like irrigation to facilitate feed production in arid and semi-arid areas. Increasing production will ensure the availability of adequate forage and concentrate feed ingredients, which will in turn, reduce the cost of animal feeds.

The second measure the Ministry is taking up is the land commercialisation initiative. The Government is availing its unutilised land for animal feed production through the Ministry of Agriculture and Livestock Development. The land is available for both local and international investors, and will be used for the production of feeds to ensure availability and reduce the cost of livestock feeds. It will commercialise pastures and fodder production for distribution to farmers. The Government's land such as that held by the Agricultural Development Corporation (ADC), Kenya Agricultural and Livestock Research Organisation (KALRO) and former livestock holding grounds will be utilised for this purpose.

The third measure the Ministry is taking up is public-private partnerships in feed production. The Government is encouraging public-private partnerships to ensure sufficient investment in the livestock feed sector. For the last two years, the Government has participated in international conferences in Rome and other countries, where it has pitched for feasible investment options in the animal feed industry. As a result, several investors have arrived in the country, including De Heuse Animal Nutrition Kenya, a Dutch-based company investing Ksh300 million to produce 200,000 metric tons of feed annually in a modern feed milling factory at Athi River, scheduled to open later this year. Another significant initiative includes a memorandum of understanding (MoU) signed with UAE-based company, Al-Dahra Agricultural Company, which will lease and manage up to 200,000 acres of irrigated farmland in the Galana Kulalu Ranch with an estimated investment of up to US\$800 million.

Another measure by the Government is the duty waiver for importing raw materials for animal feed processing. The Government has made deliberate efforts to allow duty-free importation of animal feed supplements and ingredients, particularly enzymes, amino acids, and protein concentrates, to lower the overall cost of animal feed. The duty waiver addresses the problem...

Hon. Speaker: How much more to go, Dr Mutunga?

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): One and a half pages, maybe, three minutes.

Hon. Speaker: Yes, finish quickly.

Hon. (Dr) John Mutunga Kanyuithia (Tigania West, UDA): The Government has also deliberately incentivised capital investment in animal feed manufacturing and livestock production through similar duty waivers to enhance local production and value addition.

The fourth measure is the promotion of alternative and sustainable feed ingredients. This recognises the reliance on important ingredients, therefore local production is prioritised in this particular case. Consequently, the Government is exploring additional sources of proteins, such as fish and soybeans, which do not compete with human food sources.

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The fifth measure focuses on investing in capacity building for feed production, where the Government is training farmers to make their own rations, referred to as *Omin Ration*. This initiative is spreading across the country.

The final measure that the Government is implementing is a partnership with other stakeholders through a programmatic arrangement. We have several projects within the Ministry, such as the National Value Chain Development Support Program and the Food System Resilience Program, which covers all the counties. These initiatives are aimed at providing animal feed at a lower cost.

The Hon. Member also sought clarification on the initiatives in place to enhance milk production in the country. I will mention these initiatives and provide a brief elaboration. One is the production of livestock feeds to improve dairy feeding, which I have already discussed, so I will not elaborate further on that.

Another initiative focuses on improving the quality and safety of the feed itself. The Government, has enacted the Kenya Fertilizer and Animal Feeds Act (Cap 345). This legislation is currently being implemented to ensure the availability of safe and affordable animal feeds.

The second measure involves improving dairy genetics, which is important. To improve genetics, the Government has set up an additional semen production unit at ADC, Endebess in Kitale. The other one is the Kenya Animal Genetics Resource Centre in Kabete. These units produce semen, supported by distribution systems that include the production of liquid nitrogen at various locations in the country. Liquid nitrogen centres include the ones in Eldoret, Meru, Kirinyaga, and Kaimosi. These are supplementary liquid nitrogen centres that allow long-term storage of semen.

Additionally, there is a safe semen production unit where the Government has invested in equipment to ensure the production of safe semen. This allows Kenyans to obtain semen for producing heifers at affordable rates or female calves.

The second to last initiative involves the capacity building of farmers and other stakeholders. Various programs have been implemented to enable Kenyan farmers to produce better milk, more milk and cleaner milk, all at affordable rates.

The final initiative is the implementation of key donor-funded projects, which include those mentioned earlier and others that cover the entire country. These initiatives aim to help Kenyan farmers improve the quality of their animals, thereby, enhancing both the quality and quantity of milk produced.

I submit.

The final one is implementation of key donor funded projects that include the one I mentioned earlier. Others have an entire country coverage to enable Kenyan farmers improve on the quality of animals to improve the quality and amount of produced milk.

Hon. Speaker, I submit.

Hon. Speaker: Thank you, Hon. Mutunga. Hon. Karemba.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you.

While I appreciate the effort made by the Chairman in responding to my issue, I would wish to mention and make it clear to the Chairman that there lies a huge potential in this country, in the area of dairy production. I wish we and the Committee, would follow up to ensure that we exploit the benefits we can get from the dairy farmers because we have a huge demand for milk and dairy products. Only the Government can go into ensuring that feeds are not as costly as they are currently.

Recently, we witnessed a spirited campaign to have mass vaccination of animals that was targeting livestock reared for beef. Mostly, if you go to our region of Embu, you will find that we have many cows not reared for beef, but dairy. Whereas, we are not opposed to mass

vaccination, we believe that there is enormous potential in the dairy sector. We would get much help if animal feed cost lower.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. There is nothing to respond to, Hon. Mutunga. He has just complimented what you said.

Dr Nyikal.

STATUS OF KALA-AZAR OUTBREAK IN WAJIR COUNTY

Hon. (Dr) James Nyikal (Seme, ODM): Hon. Speaker, I wish to respond to a Request of Statement by Hon. Adan Keynan, CBS, MP, before the Departmental Committee on Health on the status of the Kala-azar outbreak in Wajir County.

Hon. Members, I wish to bring to the attention of this House the current situation regarding the outbreak of Kala-azar, also known as Visceral Leishmaniasis, in Wajir. Kala-azar is a life-threatening parasitic disease caused by a parasite. It is transmitted through the bite of infected sand flies. It remains a serious public health concern, particularly in Kenya's North Eastern, Rift Valley, and Eastern regions. If left untreated, the disease has a fatality rate of 95 per cent. Common symptoms include prolonged fever, weight loss, diarrhoea, fatigue, anaemia, darkening of the skin, swollen glands, and enlargement of the spleen and the liver.

Kenya has over the past six years consistently reported between 500 and 1,300 cases of Kala-azar annually, largely concentrated in 11 endemic counties. Since September 2024, however, a significant surge in reported cases has been observed with Wajir County emerging as the epicentre. To date, Wajir has recorded 762 confirmed cases. That is the highest among affected counties. Of these, 85 per cent of patients have been successfully treated and recovered. Eleven per cent are undergoing treatment. Tragically, 29 lives have been lost. That represents a case fatality of 3.8 per cent. That means 38 people out of 1,000 people have died.

The most affected sub-counties are Wajir East, Wajir West and Eldas. Currently, 86 cases are on treatment across various sub-county health facilities: Wajir County Referral Hospital, 55 cases; Griftu Sub-county Hospital, 22; Eldas Sub-county Hospital, eight; and Bute Sub-county Hospital, one.

Visceral Leishmaniasis transmission in the affected regions is predominantly driven by the presence and proliferation of sand fly vectors known as *Phlebotomus*. They thrive in arid and semi-arid areas commonly found in northern Kenya. Human infections typically occur when individuals are exposed to these vectors while residing in or moving through those endemic areas. Particularly, near termite mounds, animal shelters, and cracks in walls in abandoned buildings.

The risk of infection and disease severity is significantly heightened by underlying vulnerabilities like malnutrition, weakened immunity, comorbidities like in people who are infected with diseases like HIV, and delayed health-seeking behaviour. The disease disproportionately affects marginalised populations living in remote, underserved areas where access to timely diagnosis and treatment is limited. Environmental and socio-economic factors further exacerbate the outbreak. These include poor housing conditions that offer little protection against sand flies, water scarcity, increased population mobility, and displacement due to conflict or climatic factors.

Additionally, low community awareness combined with high levels of cross-border movement complicates surveillance, control, and case management. Without sustained multi-sectoral interventions, including vector control, early detection, and continuous health system strengthening, the risk of recurrent outbreaks and higher mortality remains significant.

On intervention undertaken in Wajir so far in response to the ongoing Kala-azar outbreak in Wajir County, the Government of Kenya through the Ministry of Health (MOH) in

collaboration with the World Health Organisation (WHO) and other partners has activated a multi-sectoral coordinated public health response. The Ministry deployed a multidisciplinary team led by their field epidemiology team to conduct rapid field investigations and case management.

To bolster frontline capacity, they have trained over 30 healthcare workers in diagnosis, treatment, and case management of Visceral Leishmaniasis across the four affected centres. This is complemented by continuous medical education, targeted on-the-job mentorship, and training on case-based surveillance reporting through the Kenya Health Information System (KHIS) aimed at improving data accuracy and timelines.

To support the diagnostics and treatment, the Ministry of Health has distributed 768 boxes of rapid diagnostic test kits, 850 vials of sodium stibogluconate, 1,900 vials of paromomycin, and 840 vials of ambisome. Those are the three drugs used to treat. An additional 200 test kits and 400 more vials of drugs were also procured using supplementary funds.

Furthermore, in collaboration with partners such as the WHO and *Médecins Sans Frontières* (MSF), the Ministry coordinated delivery of these critical health products and technologies to Wajir County. That is to ensure uninterrupted availability of essential diagnostic and treatment supplies for affected population.

To strengthen inpatient cases, 100 hospital beds and mattresses were distributed to improve the quality of care and comfort in treatment facilities. Importantly, three mobile laboratory units were deployed in the most affected sub-counties to facilitate timely diagnosis, treatment, and on-site data collection.

In addition to the medical efforts, the ministry launched comprehensive vector control activities aimed at mitigating the spread of Visceral Leishmaniasis by targeting the sand fly vector responsible for the disease transmission. To this end, the Ministry procured 50 farm guard mist duster machines, 150 omni pumps and 141 two-stroke engine sprayers.

The sprayers are for the environment and inside houses. There are also 1,000 sachets of insecticides for the same. These integrated vector management strategies are crucial for reducing vector density and lowering transmission. In recognition of the current nature of visceral leishmaniasis and the broader and more resilient public health system, the Ministry has initiated long-term measures aimed at sustaining progress and preventing future outbreaks. These include a national strategic plan. The Ministry has also provided resources through the supplementary budget and this has been useful in containing the outbreak.

Looking forward, the Ministry has worked out a plan with Kenya Medical Supplies Authority (KEMSA) to distribute the required drugs and equipment in the affected areas. In the long term, the Kenya Medical Research Institute (KEMRI) will continue to play a central role to monitor disease outbreak and responses. This is not only for the regions affected but the country at large. The Ministry remains available to provide any further clarification that this House may require.

The response is signed by the Cabinet Secretary, Hon. Aden Duale.

Hon. Speaker: Hon. Keynan.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Speaker.

The answer given by the Chairman of the Departmental Committee on Health is comprehensive. But as usual, most of it is theoretical. The Kala-azar outbreak is not a matter of yesterday. It has been there for years. I am sure in your other life as a Lawyer and Magistrate, you know what happened in that particular area. Every year we are being told there is a strategic plan or something is being done. If you look at the answer, 95 per cent of all the Kala-azar reported cases are actually fatal. Wajir County alone has over 762 cases. We know health services are devolved. Equally, we also know that most county governments are not prepared for this critical function. Therefore, it behoves the national Government, notwithstanding this being a critical county function, to always be ready and prepared to attend to the innocent

people when they are infected by these sand flies. This happened many years ago. It happened last year. It is happening this year. Ideally, by now there should be a rapid response team at the Ministry of Health headquarters always be ready to attend to any part of the country that faces this challenge. So, what urgent measures has the Ministry put in place to make sure such outbreaks do not recur again in any part of the Republic of Kenya?

Hon. Speaker: Thank you. Dr. Nyikal, what urgent measures have been put in place?

Hon. (Dr) James Nyikal (Seme, ODM): According to this Report, the Ministry has an epidemiology team to respond to emergencies. They responded to this case and started by training county health workers. They also purchased drugs, test kits and equipment needed to spray houses and the environment where people live. Those are the measures they have taken as per this Report.

Hon. Speaker: Hon. Members, before the next Order, allow me to acknowledge in the Speaker's Gallery, Pare Council of Elders led by Mzee Rama Lukindo, Taveta Constituency, Taita Taveta County. *Simameni mshangiliwe.*

(Applause)

Ahsante sana. Mnakaribishwa katika Jumba la Bunge na mkae kwa starehe na fasaha.
Hon. Bwire.

Hon. John Bwire (Taveta, WDM): Hon. Speaker, Article 56 of the Constitution...

Hon. Speaker: Zungumza kwa Kiswahili ili wageni wako wakuelewe.

Hon. John Bwire (Taveta, WDM): Ahsante, Mhe. Spika. Kifungu cha 56 cha Katiba ya Kenya kinatoa mwelekeo kwamba Serikali itafanya mipango ya kutambua jamii ndogo nchini Kenya. Hiyo mipango itaongeza mambo ya utawala, kazi na kutambua mila na desturi zao.

Ninakumbuka ulipokuja Eneo Bunge langu mwaka wa 2023, wazee walio mbele yako leo walikueleza kwamba wangetamani sana watambulike kama moja ya makabila ya Kenya. Ninakumbuka hiyo siku uliwaeleza kwamba kuchelewa kutambulishwa kwao ni kinyume cha Katiba. Na kwamba, kama jamii zingine kama vile jamii ya Wasomali kwenye mpaka wa Kenya na Somalia, Waluo katika mpaka wa Kenya na Tanzania, na Wakuria katika mpaka wa Kenya na Tanzania, Wapare walioko kwenye mpaka wa Kenya na Tanzania kule Taveta, watambulike.

Leo hii, ninatoa shukrani kwa niaba ya kamati ya wazee wa Wapare wanaoishi sehemu zingine za Kenya na Eneo Bunge la Taveta. Ninakushukuru Mhe. Spika na Bunge hili la Kitaifa kwa kuwapatia nafasi ya kuleta malalamishi yao Bungeni. Wamesikilizwa na wamepewa hakikisho kwamba maombi yao yataangaliwa.

Ningependa kusema jambo moja tu kabla niketi. Mwaka wa 2022, mmoja wa jamii hii, alipendekezwa kuwa mwakilishi kata maalum kwa Chama cha Wiper ilhali nafasi ilichukuliwa. Baada ya kuenda kortini, korti ikasema kuwa kwa sababu Wapare wanatambulika kama wasio na nchi, waliwekwa kimakosa katika orodha ya jamii walio wachache nchini ilhali hali sio vile. Kwa hivyo, hatua hii ambayo imechukuliwa na Bunge la kitaifa leo ni ya kipekee sana.

Ninachukua nafasi hii kumshukuru Mhe. Spika na Wajumbe wenzangu kwa kuwapatia Wapare nafasi hata ya kufika Bunge leo. Wengine wao wameniambia hawajawahi kutambulika katika Bunge la Kitaifa. Mhe. Spika, asante kwa kuwatambua leo na Mwenyezi Mungu aendelee kukubariki.

Asante Sana.

Hon. Speaker: Ahsante Mhe. Bwire. Mhe. wa Kisauni.

Hon. Rashid Bedzimba (Kisauni, ODM): Asante sana, Mhe. Spika kwa kunipatia fursa hii ili nitilie nguvu swala la ndugu yetu, Mhe. Bwire.

Pia nami, ninawapongeza wazee Wapare waliopata nafasi ya kufika Bunge hili. Pia, natilia mkazo na nguvu kwamba watambuliwe. Kule mashinani, wanapata shida kubwa kuanzia hao wazee mpaka watoto wao. Hata katika shule ya msingi siku hizi, lazima uwe na stakabadhi ya kuzaliwa ndio usajiliwe kama mwanafunzi. Inakuwa ni vigumu kwa watoto na wajukuu wao. Hii ni jamii ya Kenya. Hawaishi mahali pengine. Wanaweza kuwa upande wa Tanzania, lakini Wapare wengine ni Wakenya, ambao tuko nao mpaka Eneo Bunge ya Kisauni na sehemu zingine. Kwa hivyo, nasimama hapa kutilia nguvu watambuliwe kama Wakenya kwa haraka kama jamii ya Pemba. Wale waliobaki waendeleo kutambuliwa, bora wako Kenya, ili kusudi waweze kuajiriwa na kufanya mambo yote raia wanafanya.

Mhe. Spika, nimesimama kuunga mkono na kusisitiza hili jambo lichukuliwe kwa haraka, ili wasipate tabu na adhabu wanazoendelea kupata.

Asante sana.

Hon. Speaker: Hon. Owen Baya.

Hon. Members: Ongea kwa Kiswahili.

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, allow me to express myself best in English.

(Loud consultation)

I want to address a broader issue.

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

Hon. Speaker: Yes, Hon. Millie Odhiambo.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. I wish to protest very strongly the attempt by Hon. Baya to speak in English. People like Hon. Millie Odhiambo, whom Kiswahili *sio mdomo wao*, are the ones who cannot speak Kiswahili today. But when he is here, we would like to sit here and be mesmerised, learn and be experts. When we get such an opportunity, can he at least speak in Kiswahili so that we learn? When we were in my primary school, we spoke English throughout except Wednesdays when we were told to speak in Kiswahili. The school was very silent on Wednesdays.

Hon. Speaker, I want to remember my primary school by being quiet today and partake in the knowledge of Kiswahili. Can you please declare him out of order so that he speaks in Kiswahili?

Hon. Speaker: Hon. Owen.

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I am not an expert at mesmerising people. Allow me to tell Hon. Millie that I can express myself best the way I would like to.

We must end statelessness in this country. It is a position where you belong nowhere. One of the greatest sufferings in the world is not to belong to a State. We have salvaged the Makonde, Shona and Pemba communities. The Pare, Rundi and Rwandese communities that are still in this country require affirmative action. We solved the Makonde problem. We still have a problem with the Nubians because of the accord. We also have a problem with the Watha and Sanya communities, but as a country, we should be at the forefront of solving statelessness. I have pushed a Bill in this House that has taken inordinately too long to finish to solve statelessness. Given an opportunity, I believe this 13th Parliament should be on record to finish statelessness.

We have a President who is not averse to these issues. When he went to Kilifi County to give the Pemba citizenship, he was very categorical: Let Parliament do its work to ensure that we have a law that does not allow a Kenyan who is discriminated against by being stateless. I have seen stateless people suffer. You cannot register a SIM card or have a bank account.

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You cannot even marry legally because you are stateless. Your children cannot be registered in your name. These are some of the vagaries that come with being stateless.

The Pare people deserve to be Kenyans and belong to Kenya. Let us use the opportunity that we, as leaders, have to ensure that we end statelessness. This is a group, tribe or community that must be given the due respect by being called Kenyans by registration and being Kenyans.

Hon. Speaker: Leader of the Minority Party.

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, firstly, I congratulate Hon. Bwire for taking this bold step of bringing to this House people who are marginalised and minorities in his constituency. This is what real representation is. Congratulations on the work you have done. This is how you represent your people; by taking care of the minorities.

Hon. Speaker: They are worse than minorities; they are stateless.

Hon. Junet Mohamed (Suna East, ODM): You are right, Hon. Speaker. They are stateless. They are worse than minorities. People only realise the enjoyment of a right when they lose it.

There are also people in this country who face a lot of discrimination. There are Kenyans who are unable to acquire national documents like an identity card and a passport. I was shocked when I saw a governor in this Republic of Kenya shouting at the top of his voice from somewhere in Mt. Elgon or Trans Nzoia saying that some Kenyans should not be given identity cards. I realised that the training of a person is very important in life. The way I am getting trained in this House is what has made me serve the people. Some of the people who have gone through the provincial administration and have served in the northern Kenya region...

Hon. Speaker: I started training you when you were a councillor.

Hon. Junet Mohamed (Suna East, ODM): *Kabisa*, Hon. Speaker. You took me to Malakisi in 2005 so that I could interact with the public. A whole governor stood in his place, addressed a gathering of Kenyans and said that other Kenyans must be discriminated against. He is a former Provincial Commissioner or District Commissioner. I know the culture that goes on when you are posted to northern Kenya, where you have to be paid to give somebody his identity card. That is how some of them made their money. This is a colonial mentality. That man does not deserve to lead anybody in Kenya. It is very disheartening. He does not even deserve to be a village elder if he can openly say that certain Kenyans should not be given identity cards because they border another country. He runs a county that borders Uganda. Shame on him.

(Applause)

I know that the community he is discriminating against lives in Trans Nzoia County. You are their leader, Hon. Speaker. You also come from there. I can assure you they will never vote for him again. He has lost those votes.

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

Hon. Junet Mohamed (Suna East, ODM): His name is Hon. Nakimbia. *Anakimbia tu*. He is just running everywhere. I was taken aback. I know what discriminated people go through in that region. Many children in northern Kenya have finished their education in colleges and university, but they cannot get employment because they do not have identity cards. They cannot even get admission to a university because they do not have identity cards. These are the kind of leaders we have in Kenya nowadays. They openly say in public fora that we should discriminate against a certain community. He calls himself a Governor who is supposed to lead a multi-society, multi-ethnic and multi-religious county.

I know he will shout at a burial in Bukusu land in Trans Nzoia abusing me tomorrow. I do not care. This is where I will speak. People of Suna East, whom I represent, include Luos,

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Kurias, Subas, Somalis, Luhyas, Giriamas and everybody. They told me to speak here and tell the Governor that he is wrong. He cannot discriminate against other Kenyans. Who is he? Who the hell does he think he is? He talked openly about this. I do not know why the National Cohesion and Integration Commission (NCIC) is no longer functioning. I thought the first person they would arrest or summon is that rogue Governor.

Bordering another country does not mean you must be discriminated against. How many counties border other countries? Mandera and Busia border other countries. Where I come from, Migori County, borders Tanzania. Narok County borders Tanzania. Trans Nzoia County borders Uganda. Kwale County borders Tanzania. This does not mean that you have to discriminate against Kenyans who stay in those counties. If he fears that the community will have numbers in the next election and they may vote in a certain way, let him tell his community to give birth to more children.

(Laughter)

I will bring a petition to this House to discuss that matter. He is a national leader who is running a multi-ethnic and multi-denominational county. That should not be ignored. He talked a lot during the burial of the mother of the Speaker of the National Assembly. I kept quiet and did not respond to him. I remembered what he said about my ancestral community and just stared at him wondering why he wants to deny my people national identity (ID) cards. He wants to discriminate against other Kenyans. He wants some Kenyans to be referred to as non-Kenyans. He used to be a former Regional Commissioner. If we start talking about what happened during his leadership in the Rift Valley, we will speak for the whole day. People were tortured and killed. People were removed from the Mau Forest at night and their houses were burnt. People died, yet he still has the audacity to tell everyone who cares that they are stupid and that he can talk however he wants. You cannot discriminate against other Kenyans and expect us to keep quiet. You will not do that. I will say whatever I have said in this House outside there, including in Kitale Town, in Trans Nzoia County.

Hon. Speaker: Hon. Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Speaker. I take this opportunity to congratulate Hon. Bwire for the bold step of bringing the people of Pare ancestry to the National Assembly. Our job as leaders is to find solutions. That is why we are here. We can ventilate as much as we want, but if we do not offer solutions, then we are not rendering the services that we are expected to. We already have solutions to these two issues, which I have already proposed, and which are being processed with the help of the Speaker and the Clerk.

On the issue of the Pare people and other stateless people, I have already proposed the Kenya Citizenship and Immigration Bill, 2023, which will create a new category of acquiring citizenship by ancestry in terms of historical connection, lineage, affinity and consanguinity. We will also implement the right of return for all Africans who are exported out of Africa. That is a solution which this House should support.

The second issue is the aspect of IDs. I have already proposed the Registration of Persons (Amendment) Bill, which will enable students to get ID cards and voters' cards while they are still in school. This afternoon, we reiterated what we said in Naivasha that we should prioritise Private Members' Bills. We have the solutions; it is up to us to actualise them. I want to assure the Pare people that this House will come up with solutions. They will not be stateless. We will pass this Bill and they will get the citizenship.

I know the Pare people very well. There is a famous joke in Tanzania that says, "My mother was from there." I do not intend to demean anybody. That means that if you want to send money to your mother in the village and you give it to a Pare, it will get to your mother,

but if you give it to a Chagga, it will not get to your mother. If you have a beautiful sister-in-law and ask a Chagga to escort her to your mother, she will reach there, but she will not reach there if you ask a Pare to escort her.

Thank you very much, Hon. Speaker.

(Laughter)

Hon. Speaker: Hon. Benja.

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you, Hon. Speaker, for giving me this opportunity.

Hon. Speaker: *Chukua dakika moja.*

Hon. Benjamin Lang'at (Ainamoi, UDA): I want to first welcome the guests in the Speaker's Gallery. Their visit will go down in history as having brought the necessary changes to this republic. Being stateless is the worst form of discrimination. I am talking as a former Ambassador of Kenya to the Republic of Namibia. There are some Kenyans who find themselves in another country without the necessary documents and they are treated very badly. I support the comments by my colleagues.

There is also a community from Rwanda which was brought to Kericho to pick tea and because of one or two reasons, they remained in Kenya and are now facing discrimination. They cannot get IDs. They have been forced to change their names so that they can fit in.

Hon. Speaker: Hon. Farah Maalim.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, I want to add my voice to the issue of statelessness and discrimination in our country. You started your legal career way back in the early 1980s, when you used to travel all the way to the North Eastern Province and you remember the kind of discrimination that existed then where a District Commissioner or a District Officer was also a judge or a magistrate. You would be arrested by Administration Police (AP) officers and brought before a DO to sentence you on the charges preferred against you by the people he sent to you. We have seen a lot in this country.

In 1980, when I was going to go... Give me another five minutes. Whenever I travelled out of the country, I was supposed to fill a P7 form to get a passport. It was supposed to be filled by non-indigenous Kenyans like Asians, Arabs and Somalis. When you say the residents of Wajir, Garissa and Mandera are non-indigenous Kenyans, who is indigenous to Mandera or Wajir? Is it the Kikuyu, the Luo, or the Luhya?

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

(Laughter)

Hon. Farah Maalim (Dadaab, WDM): Is it the Suba? You then claim that North Eastern is part of Kenya. If they are Somalis, why not send them back to Somalia? It is good for us to understand history. Remember this, Hon. Millie...

Hon. Speaker: Give him one minute. Finish up.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, the Democratic Republic of Congo (DRC) has suffered. More than six million people have died. That problem started with the Banyamulenge people when Mobutu Sese Seko said that they were neither Zairians nor Congolese, and that they should go to Rwanda because they looked like the Tutsis of Rwanda, which resulted in a war that is still ongoing. The M23 you are hearing about is as a result of the problem that started at that time. Just 100,000 people who are discriminated against can destroy a nation of 60 million people. The Pare people do not have any other country. They should be given citizenship. We should protect our country and our nationals because nobody

will accept to be discriminated against. Mr Natembeya belongs somewhere else. He does not belong to Kenya. His ideas are crooked. *Wacha akimbie aende kwingine. Atoke hapa...*

(Laughter)

Hon. Speaker: Hon. Mayaka, you have one minute.

Hon. Irene Mayaka (Nominated, ODM): Ahsante sana, Mheshimiwa Spika, kwa kunipatia fursa hii ili nijiunge na Wabunge wenzangu kuwakaribisha wenzetu kutoka Pare katika Bunge hili. Nawahimiza wajisikie huru na wajisikie nyumbani. Kama Bunge, tunawakataza wale wanaotaka kuwabagua wenzetu wameotoka katika sehemu za mipaka. Tunawashurutisha viongozi katika kaunti wawe katika mstari wa mbele wa kuwatetea wenzetu wanaotoka mipakani ili wawe hapa.

Hata hivyo, nataka kuwahimiza wenzetu kutoka Pare kuwa wakija Bunge siku nyingine, waje na vijana wachanga ili wenzetu ambao hawana mabwana wapate mabwana ili Wapare waongezeke na wapate mabibi kutoka kwingine.

(Laughter)

Hon. Speaker: *Wewe wacha hiyo.* We are not hawking girls. They are looking for statehood. A person who is stranded and is looking for statehood cannot hawk women around.

(Laughter)

Let us have the Member for Busia.

Hon. Catherine Omany (Busia County, ODM): Thank you, Hon. Speaker. First of all, *poleni ndugu zetu kutoka kule Coast.* This issue has been there for a long time. They suffer in the same way our brothers and sisters married at the border suffer. They have to prove many things. For instance, they are told to prove that they Kenyans, and the only proof is that you gave birth. They also want a certificate, and perhaps you met in a bush, loved each other, and made babies. And because many people do not go through the formal marriage process, the only proof is children, along with public acknowledgment. The chiefs know how these people started living together, their story, their history, and so, I want to thank the President for easing it.

Hon. Speaker: Hon. Members, we will have to stop there. As many of you have said, I want to encourage you to eliminate statelessness in our country. There are people, even here in Kabete here, such as the Shona Community who came to Kenya from Zimbabwe, who remain stateless. They were given some recognition, which is very good, but we must eliminate statelessness. As African people, we must look at our history and remember. In the early 1900s, in Namibia, where Hon. Benja says he was an ambassador, the Germans issued licences to hunters. The licences read that you were free to shoot elephants, rhinos, lions, buffaloes and bushmen. The bushmen referred to were the Herero People. They were licenced to shoot them on sight. The same thing happened to other people elsewhere. As Africans, we must love each other regardless. Whether an African found himself here from Senegal, Sudan, Ethiopia, or anywhere else, they are our brothers and sisters. There is no right for them to be stateless.

As Members of Parliament, you must live up to the billing. Young Hon. John Bwire has brought a Petition and the Petitions Committee should expedite it. These Pare elders have the same right as any one of us to be in this country and to enjoy the benefits of citizenship. Hon. John Bwire, you have a duty, together with the Parliamentary leadership... In fact, you should have a catalogue of all stateless communities in the country and put them in one basket. We encourage our President to accede to giving them citizenship all at once so that we eliminate

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statelessness. They include the Rwandese who came to weed maize in Trans Nzoia, the Burundese who came to pluck tea in Kericho, and the Nubians who came to Kenya to guard the British. They brought you Nubian gin, the forerunner to *chang'aa*, which many of you enjoy and many other things.

Next Order.

BILL

Second reading

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BILL (Senate Bill No.1 of 2025)

Hon. Speaker: As I invite Hon. Sirma to move a Motion, I note that it is a quick one. It is just moving and seconding. I do not think there will be much debate on it.

I want to advise the House that Order No.10 is stood down to tomorrow afternoon.

(Applause)

I will invite Hon. Junet Mohamed and Hon. Owen Baya to say something on that so that you understand why I am stepping it down. I will give you two minutes each. After that, Hon. Musa Sirma will move his Motion.

The County Governments Additional Allocations Bill is being stepped down on the understanding you had in the morning, and as leaders, you have a duty to inform the House.

Hon. Junet Mohamed, you may start. You have two minutes. Give Hon. Junet the microphone.

Hon. Junet Mohamed (Suna East, ODM): Thank you, Hon. Speaker. As Members are aware, this has been a very contentious Bill. Yesterday, after the quorum was raised by none other than myself, the Speaker called for a meeting in his office with the leadership of Parliament. We discussed the matter at length with the Speaker. He then invited the Council of Governors to a meeting held this morning at 8.00 a.m., which was attended by all the leadership in Parliament including Hon. Baya, Hon. Millie, Hon. Osoro, other Members and the Chairperson of the Budget and Appropriations Committee. The Council of Governors was represented in that meeting by their Chairman and the Chairman of the Legal Committee, I believe Governor Mutula Kilonzo Jr. We discussed the matter at length and compromises were made on both sides.

One of the issues we agreed on was the matter currently pending in court which is expected for judgement on 28th... We agreed in the meeting that the judgement should be arrested or pended. The Speaker advises me that in law it is referred to as 'stay of judgement' so that we can engage constructively on the matter of the Roads Maintenance Levy Fund (RMLF). Once that judgement is stayed, as a House, we can proceed to pass the Bill. The Bill does not contain provisions on the RMLF. It majorly contains donor-funded projects and related matters. Therefore, if a consent is filed in court by the two parties to stay the judgement, we can pass the Bill allowing donor funding to be disbursed to counties. That is what we agreed this morning, and that is what is being implemented. We hope that the matter will be resolved by the end of business today. Tomorrow, we can return to the business of the House and bring back the Bill on the Order Paper.

My last point is that no one in the country, whether governors, other leaders, or even the citizenry, should ever think that this House is opposed to devolution. This House completely supports devolution. That is why every year we support the Division of Revenue

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Bill. We have supported every Bill that concerns counties whether it originated from this House or from the Senate. We support devolution completely because we know that its intention is to make the lives of our citizens better.

The soul of this Constitution is devolution. There are counties that would never have received Ksh1 billion in their history if devolution had not happened. So, no one should give a notion that the National Assembly is against devolution. We support devolution and will ensure it thrives in our country. However, we want the Constitution to be respected holistically so that the National Assembly can do its work, the Senate can do its work, and the counties can do theirs. That way, we create a win-win situation for the country. You will recall that we used to have a tug of war with the Senate on issues of functions - debates over which House is upper, which is lower, which functions belong to this House, and which belong to the Senate. Luckily the Senators, on their own volition, went to court. They filed a case to nullify 23 statutes passed by this House. They went to the High Court where they lost. They proceeded to the Court of Appeal and again lost. They then went to the Supreme Court which in the end rendered a judgement three weeks ago and brought clarity on the functions of the Senate and the National Assembly. There is no more ambiguity. The issue of money Bills has been sorted. The Supreme Court, in its own ruling, declared that a money Bill is the domain of the National Assembly. It cannot originate from the Senate. They have said any Bill...

Hon. Speaker: It cannot originate anywhere else.

Hon. Junet Mohamed (Suna East, ODM): My teacher, who is the Speaker, has taught me that it cannot originate from anywhere else other than the National Assembly. Bills concerning counties can originate from the National Assembly and the Senate. It also said that the National Government Constituencies Development Fund (NG-CDF) is constitutional. It almost described the National Assembly as the upper House. The Supreme Court declared. It is not my own making. The ruling is in public.

Hon. Speaker: It is a judgement; not a ruling.

Hon. Junet Mohamed (Suna East, ODM): The judgement is in public and anyone can access and read it. It is no longer a secret. Even this county government issue can go to the Supreme Court. I am sure it will declare the position. Please, we want to develop our country, support devolution and support all institutions of this country to function in accordance with the Constitution. Nobody should badmouth the National Assembly by saying that we are doing anything wrong or it is an affront to devolution.

With those few remarks, Hon. Speaker, that is the position of the National Assembly.

Hon. Speaker: Hon. Owen.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker, for taking leadership in this matter. I also thank the leaders of the National Assembly, Hon. Junet, Hon. Millie, the Chairman of Budget and Appropriations Committee, Hon. Osoro, and myself, who sat in that meeting in the morning to come up with resolutions that take a firm position that everybody should respect their positions.

First, I reiterate the sentiments by Hon. Junet. As a House, we support devolution and we will go out of our way to ensure that it works. However, that should not be used to arm-twist the National Assembly and say that we do not support devolution. One of the things was that this case must be rested so that a judgement does not ensue so that we can deal with the county Bill that is before us.

As a House, we will stand very firm on this matter and governors must respect the space of the National Assembly as we respect theirs. We shall ensure that what is due to Members of the National Assembly or the national Government remains in the national Government because the funds they are fighting for are national Government funds that are available to the Kenya Rural Roads Authority (KERRA) and the Kenya Urban Roads Authority (KURA). Therefore, as I reiterate the position, Members yesterday felt very aggrieved, but the leadership

of the House will protect Members and ensure that what they will require as funds for roads will remain there.

Lastly, governors have for a long time tried to poke holes to get much more every time. It is time we rested this matter. We pass a law, they go to court. They even want to go court on the National Government Constituencies Development Fund (NG-CDF). It is time they stopped doing that to ensure that we have a smooth country where everybody remains on his lane and does the functions that they have been given.

We wish the governors well. When they get money, let them implement projects that help their constituents; the county. They should allow the national Government to also do its work so that all this put together takes our country forward.

Again, I reiterate what Hon. Junet said. The letter that was published by Hon. Anyang' Nyong'o yesterday was in bad faith. As the National Assembly, we condemn it and it must remain condemned. Every governor must take their position as it is and do their work instead of spending a lot of time trying to do things that are unnecessary.

Thank you, Hon. Speaker.

(Bill deferred)

Hon. Speaker: Hon. Musa Sirma, you can now move the Motion at Order No.8.

(Hon. Adan Keynan spoke off the record)

I do not want to open debate on it. They are your leaders, you should trust them. Let Musa Sirma move his Motion. Hon. Keynan, let Hon. Musa Sirma move his Motion.

Hon. Musa Sirma (Eldama Ravine, UDA): Hon. Speaker...

(Hon. Adan Keynan spoke off the record)

Hon. Speaker: Take your seat.

MOTION

APPROVAL OF NOMINEES FOR APPOINTMENT TO NG-CDF COMMITTEES

Hon. Musa Sirma (Eldama Ravine, UDA): Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the National Government Constituencies Development Fund Committee on its consideration of nominees to 31 constituencies committees, laid on the Table of the House on Tuesday, 22nd April 2025, and pursuant to the provisions of Section 43(4) of the National Government Constituencies Development Fund Act, Cap. 414A and Paragraphs 5(2) and (10) of the National Government Constituencies Development Fund Regulations, 2016, approves the list of nominees for appointment to the following 31 Constituencies Committees of the National Government Constituencies Development Fund—

1. AWENDO CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|--------------------------|---|--|
| 1. | Osawah Jared | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Jacob Ongango Jenga | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Alex Okello Ogwari | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Mourine Awuor Oluoch | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Zippy Aoko Ayieko | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Ivone Atieno Onyango | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Augustine Wasonga Ochola | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

2. BARINGO NORTH CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-------------------------------|---|--|
| 1. | Elijah Yator Rotich | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Fredrick Kiprof Kiptoo | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Noel Chelimo | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Rodah Jesire Kangogo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Jeniffer Chemjor | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Cherutoi Brenda Jemuge | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Robert Koech Charles Chepkuto | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

3. BUMULA CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|---------------------------|------------------------------------|--|
| 1. | Mark Agala Wafula Weloba | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Joseph Shikuku Watula | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Powell Wangila Silisisi | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Elizabeth Nabwile Wabomba | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |

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| 5. | Susan Nafula Wasike | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Nancy Jesang Chirchir | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Wilfred Mayende Wamalwa | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

4. CHANGAMWE CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|---------------------------|---|--|
| 1. | Khalidi Ali Kabanda | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Patrick Ochieng Okeyo | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Fadhili Abdallah Iddy | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Khalida Hussein Mwinyi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Hannington Damaris Wandoe | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Fatuma Mohamed Ramadhan | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Sarah Mueni Odhiambo | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

5. EMUHAYA CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|---------------------------|---|--|
| 1. | Makanga Enos Marindi | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Ongaya Kelvin Etalia | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Hillary Mahindu Amahwa | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Mariam Nyarotso Ekambi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Sophia Mical Analo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Ahono Josephine Omukhango | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Wellington Ekhuya Ingati | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

6. FAFI CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|--------------------|----------------------------------|---------------------------------------|
| 1. | Mohamed Aden Dubow | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |

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|----|---------------------------|---|--|
| 2. | Abdirahman Yussuf Ibrahim | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Abdi Aden Ahmed | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Zeinab Moulid Abdi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Sahara Abdullahi Abdi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Hodhan Noor Bare | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Abdirahman Mohamed Gure | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

7. GARSEN CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|----------------------|---|--|
| 1. | Dandy Annar Gayoye | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Hashako Mohamed Abdi | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Daudi Dube Mukulo | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Warda Mohamed Mbwana | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Mariam Saida Kokane | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Amran Juweria Sheikh | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Yusuf Salim Barisa | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

8. HAMISI CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|---------------------------|---|--|
| 1. | Isaiah Kipsang Rotich | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Owen Kasiera Majani | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Bilventure Amulavu | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Grace Espirah Tsimbagi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Sharon Beru Likhagasi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Barbrah Natolo Shisanya | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Josphat Musagame Chingara | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

9. IGEMBE CENTRAL CONSTITUENCY

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| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|--------------------------|---|--|
| 1. | Reuben Kaberia Bariu | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Meeme Isaac Mutembei | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Raphael Kiramana Thiaine | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Jane Karimbi Murungi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Rose Mwari Kaumbuthu | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Mutuma Gladys Makena | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Charles Mwenda Alaine | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

10. KACHELIBA CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|--------------------------|---|--|
| 1. | Anthony Kibet Mayech | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Lopusingiro Korunon Paul | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Peter Rionongole | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Rebecca Tinyang Nariwo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Irene Cheptoo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Alice Chelimo Kiran | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Joseph Loitamar Lopakale | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

11. KIAMBU TOWN CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-------------------------|------------------------------------|--|
| 1. | Joseph Kariuki Karanja | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Peter Wangai Muindo | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Gabriel Kaberia Karanja | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Lucy Wambui Nyota | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Veronica Wanjiru Wambui | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |

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| 6. | Margaret Nyagathu Nduta | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Francis Ndungu Mbugua | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

12. KIPIPIRI CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-------------------------|---|--|
| 1. | Patrick Ngotho Chege | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Isaac Maina | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Stephen Maina Kariuki | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Mary Karungari Njiriri | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Mary Waithiegeni Mwangi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Maria Wangeci Kinuthia | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Moses Macharia Kamau | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

13. KISUMU CENTRAL CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-------------------------|---|--|
| 1. | William Oduori Otaya | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Silas Omondi Diang'a | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Ahamed Siyat Muhumed | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Millicent Atieno Omollo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Judith Adhiambo Onyango | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Ann Adhiambo Ochieng | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Pius Otieno Ochieng | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

14. KISUMU EAST CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-------------------------|------------------------------------|--|
| 1. | Jackton Odhiambo Achola | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Titus Omondi Nyaguti | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 3. | Susan Awiti Nunda | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |

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|----|-----------------------|---|--|
| 4. | Lilian Adhiambo Aloys | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Mercy Akoth Odhiambo | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | George Omondi Pete | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

15. KITUI EAST CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-----------------------|------------------------------------|--|
| 1. | Vincent Kyalo Mwandia | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Paul Kimeu Kitutu | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | John Kilonzo | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Joyce Mueni Mumo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Bretta Mbesa Simba | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Ruth Mbeti Mulatya | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |

16. KITUI SOUTH CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|---------------------------|---|--|
| 1. | Kenneth Musee Kitonyo | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Peter Mwangangi Mbiti | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Jonathan Mawioo Muthangya | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Florence Mbesa Martin | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Evelyn Syombua Mutua | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Lesley Sherinah Kineene | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Christopher Ngumbi Mwanja | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

17. KITUTU CHACHE NORTH CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-------------------------|----------------------------------|--|
| 1. | Mose Simeon Mbaka | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Kennedy Nyarunda Bosire | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Asuma Alfred Mayieka | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |

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|----|---------------------------|---|--|
| 4. | Betty Mong'ina Orina | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Marcleana Kerubo Nyamboga | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Maorine Orega Michieka | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Onchieku Henry Amemo | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

18. KITUTU CHACHE SOUTH CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-------------------------|---|--|
| 1. | Onsongo Omae Alphonse | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Walter Nyakundi Kiyondi | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Brian Guto Ogoro | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Perez Anyango Aomo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Alice Kemunto Moogi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Nancy Gesare Nyamweya | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Julius Reuben Maobe | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

19. KURESOI SOUTH CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|----------------------|---|--|
| 1. | Wilson Kipsigei Bii | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | David Kiprono Langat | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Kiplangat Japhet | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Rael Chepkoech Keter | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Betty Jebet Kemboi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Chepkurui Mercy | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Lenox Kimutai Koech | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

20. LUNGALUNGA CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|--------------------------|----------------------------------|---------------------------------------|
| 1. | Thomas Mwachenda Chaniro | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |

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|----|----------------------------|------------------------------------|--|
| 2. | Sabastian Kombeti Jeremiah | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Abdul Malik Saidi Mwalim | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Beatrice Wavinya Mbindyo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Selina Santo Nambula | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Zuhura Ali Kombo | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |

21. MACHAKOS TOWN CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|------------|--------------------------|---|---|
| 1. | Joseph Mbola Mathew | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Francis Muli Nzomo | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Martin Kii Mwanja | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Judith Mwendu Ngute | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Theresia Ngina Peter | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Rose Chebet Ndunge | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Francis Mutinda Kanyambu | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

22. MALINDI CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|------------|-----------------------|---|---|
| 1. | Sammy Kazungu Kaingu | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Ibrahim Rashid Rocha | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Emmanuel Wanje Ziro | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Irene David Bomu | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Beatrice Sidi Kahindi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Charity Sanita Katana | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Elijah Odhiambo Ochoo | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

23. MANYATTA CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|---------------------------|---|--|
| 1. | Raphael Ngari Njiru | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Fredrick Fundi Mutua | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Eliphaz Murimi Ireri | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Lucy Njoki Nicholas | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Caroline Njeri Ndwiga | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Kauthar Nyawira Aziz | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Boniface Mugendi Muriithi | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

24. NAROK EAST CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|----------------------------|---|--|
| 1. | Tapaiya Olngashar Punyua | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | John Salaton Swakei | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Oropi Ole Matuyia Meshuko | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Pilale Ene Kashanga Kisotu | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Gladys Wanjiru Soitara | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Hanah Naishipae Kusero | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Leshinka Mututua | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

25. NAROK NORTH CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|---------------------------|------------------------------------|--|
| 1. | Sankok Jackson Kipiri Ole | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Metekai Ole Kool | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Shadrack Ndelai Makoi | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Lilian Sambo Kariankei | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Kimaren Masikonte | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Nelly Sintoyia Kamaamia | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |

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7. Joseph Kasaine Masikonde *Representative of Persons Living with Disability* Appointment, pursuant to Sec. 43(2)(d)

26. NAVAKHOLO CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|-----------------------------|---|--|
| 1. | Kennedy Ngao Barasa | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Chrispino Ndombi Makokha | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Antony Makuto Siminyu | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Hellane Namwaya Nanjakululu | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Jackline Khavetsa Omurunga | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Naomi Nafuna Mutebi | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Annah Mwenyekombo | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

27. TIGANIA EAST CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|------------------------|---|--|
| 1. | George Kalera Munyi | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Gerald Tulatia Naituli | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Mathew Mwenda Igweta | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Hellen Kanana Joel | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Irene Gatumwa | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Ruth Gacheri Muciri | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Priscilla Mithika | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

28. UGENYA CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|------------------------|----------------------------------|--|
| 1. | Alfred Opondo Adala | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | George Otieno Onyango | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Clinton Odhiambo Okoth | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |

| | | | |
|----|-----------------------|---|--|
| 4. | Diana Awino Odhiambo | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Everlyne Awuor Omondi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Tecline Awuor Madara | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Emma Atieno Opondo | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

29. URIRI CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|------------------------|---|--|
| 1. | Joseph Opiyo Mica | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Harison Obado Owuodho | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Onyando Odindo Ambrose | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Joyce Mukiza Ngusare | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Pamela Atieno Owino | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Jane Anyango Okeyo | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Charles Oloo Nyariaro | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

30. WAJIR NORTH CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|----------------------------|---|--|
| 1. | Noor Ali Omar | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 2. | Ali Mohamed S Salat | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Adanur Hassan Hussein | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Habiba Abdiladif Abdullahi | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Isnina Bishar Alasow | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Suleka Kulow Nurow | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Suleiman Gosar Mohamed | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

31. WUNDANYI CONSTITUENCY

| No. | Name | Category | Statutory Provision Under NG-CDF Act |
|-----|------------------|--|---------------------------------------|
| 1. | Kennedy Mwashako | Mwanyange <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |

| | | | |
|----|----------------------------|---|--|
| 2. | Patrick Soghona Zighani | <i>Male Adult Representative</i> | Appointment, pursuant to Sec.43(2)(b) |
| 3. | Charles Kilelu Mwawasi | <i>Male Youth Representative</i> | Appointment, pursuant to Sec. 43(2)(b) |
| 4. | Evelyn Sambo Mwakandu | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 5. | Janellizah Chunghu Ngereri | <i>Female Adult Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 6. | Josephine Chao Righa | <i>Female Youth Representative</i> | Appointment, pursuant to Sec.43(2)(c) |
| 7. | Clemence Mambori Toto | <i>Representative of Persons Living with Disability</i> | Appointment, pursuant to Sec. 43(2)(d) |

I assure Members that the Cabinet Secretary made good his promise due to respect of the Hon. Speaker. It is important that funds are released to constituencies before we go on recess. As I move this Motion, we want prudent use of these funds which will make development in this country better.

Without much ado, I beg to move that this House approves. I ask Hon. Wangwe, Member for Navakholo to second. Thank you.

Hon. Emmanuel Wangwe (Navakholo, ODM): Hon. Speaker. I beg to second the Motion as moved by the great by Hon. Chairman.

I would like emphasise a point which I want to bring to your attention and that of the House as we approve the names. The next stage is normally gazettelement of the names. Colleagues, as we sit here, most names to the constituencies committees that have so far been approved are yet to be gazetted. This delay is being caused on the gazettelement side. My request to whoever is concerned, I believe the Attorney-General, and to yourself and the House, you or we come in, so that the Attorney-General moves with the speed, gazettes the names, and let our constituents enjoy the funds that we have been pushing to get to the ground.

Thank you, Hon. Speaker. I beg to second.

(Hon. George Sunkuyia stood in his place)

Hon. Speaker: Thank you. Member on his feet, take your seat. Is that Hon. Sunkuyia? Take your seat.

(Question proposed)

Hon. Members: Put the Question.

(Question put and agreed to)

BILL

Second Reading

THE SOCIAL PROTECTION BILL
(National Assembly Bill No.12 of 2025)

(Moved by Hon. Owen Baya on 22.4.2025)

(Resumption of debate interrupted on 23.4.2025 - Morning Sitting)

Hon. Speaker: Hon. Caroli Omondi, my record shows that you had seven minutes to wind up your contribution.

Hon. Caroli Omondi (Suba South, ODM): Thank you, Hon. Speaker. I pointed out in the morning that the measure of poverty is called the foot poverty line, which calculates what the nutrition or food energy requirements are per person. It is weighed against the actual food expenditure of a household or a person and then we put you either above or below the poverty line. According to the Kenya National Bureau of Statistics (KNBS) in their study of 2022, the poverty rates are lowest in Nairobi at 16.5 per cent and highest at 82.7 per cent in Turkana County. I am giving this background so that we can understand how to identify those we classify as needy. When I read this proposed Bill, I am a little worried that the classification may not be very scientific because we are using very general terms like “persons in need, orphans or vulnerable children.”

Hon. Samuel Atandi (Alego Usonga, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: There is a point of order from, Hon. Atandi.

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Speaker, this Bill was moved yesterday and we have been discussing it this morning. Most Members are in agreement that the Bill needs to be passed. I was going to urge you to ask the Mover to reply.

Hon. Speaker: Hon. Atandi, it is out of order for the proponent of the Bill to move closure of debate. Get another Member to do so. You are legitimately right, but the procedure is wrong.

Hon. Caroli Omondi (Suba South, ODM): Thank you and sorry for that rude interruption. He wanted to oust...

Hon. Speaker: The Bill was moved by the Leader of the Majority Party. Sorry, I was looking at the wrong Order. Anyway, let us allow Hon. Caroli Omondi to finish then we will put it to the House. If it agrees, we will then call the Mover to reply.

Hon. Caroli Omondi (Suba South, ODM): Hon. Speaker, therefore, the categorisation under Section 28 may not be accurate. Somebody could be an orphan, but he is not below the poverty line. You could be an old person, but you are not below the poverty line. You could be a person with disability, but you are not below the poverty line. I think there is some serious work we need to do here to avoid controversies in the future.

Secondly, as a House, it would have been better to understand the full cost implication of implementing this Bill and the social programmes contemplated there under. You realise that it talks about Non-contributory Universal Social Protection Programme. We do not know whether this will take Ksh100 billion or Ksh200 billion. As a House, the Leader of the Majority Party should have informed us in the memorandum so that we could debate from a position of knowledge. It is going to apply to everybody. Those who will be excluded can easily go to court and claim discrimination and basically derail the entire system.

Therefore, we need to do additional work. In any event, if you are talking about Universal Non-contributory Protection Programme, there are so many forms of social protection that already exist. We have schemes by the Government where we give subsidised food stuffs, waive fees or give free medical care. We have community health workers who offer assistance and service to those in need, bursaries, free education in some components and emergency funds which are not included in this new proposal. I am wondering where all this will sit. I thought we should have a comprehensive Bill that is dealing with social protection in all the spheres where Government funds are being spent.

However, if you look at Section 31, we are being told that the board that is being proposed to be established will conduct an assessment to verify whether applicants are eligible for protection. In a country where over 50 per cent are below the poverty line, what kind of

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bureaucracy are we going to create that can access all applications? Is this really practical? I am just wondering how this monster will function in a place like Turkana where the poverty prevalence is 82.7 per cent of the population. How many forms or what system will they have to help us do this assessment?

I understand very well that this is part of the conditionalities with our relationship with the World Bank. However, I think it is better that we do good work and improve on this Bill so that we do not create a monster that will not work, but will just create acrimony in society and eventually will be a conduit for corruption. I think we really need to do a lot of work.

Thank you, Hon. Speaker.

Hon. Speaker: I will give Hon. Timothy Kipchumba a chance as the last contributor to the Bill. Hon. Tim, you will have five minutes then we can ask the House if we can call the mover to reply.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Speaker. I rise to support the letter, intent and purpose of this progressive piece of legislation.

This Bill collapses the Social Assistance Act. It says that when it is passed, it repeals the Social Assistance Act which, in my opinion had a lot of loopholes. Therefore, this is a very progressive piece of legislation that we should support as a House. It addresses the issue of second generation rights - social and economic rights. Those are rights that are provided for by the Constitution and, therefore, we cannot ignore them as a nation.

Clause 28(3) of this Bill widens the scope of those who are entitled to social and financial assistance at the age that they attain. It expands that scope to include orphans and vulnerable children, poor old members of society, persons with disabilities, persons in extreme poverty and persons affected by shocks. That category of persons was not assisted under the Social Assistance Act which will be repealed once this progressive piece of legislation is passed.

Apart from that, if you read Clause 30 of this Bill, it also includes a special category of non-Kenyan citizens in an emergency situation. There has been a challenge on how to handle non-citizens who have an emergency in this country. I believe that once this Bill is passed, that category of people will be provided for and, therefore, would be subject to assistance. Of great importance is in Part IV, on the issue of offences. For the first time, many vulnerable people have been a subject of fraud by those who collect money on their behalf pretending that they are the ones entitled to it. I have read Clause 35 on the issue of fraud which provides that any person who defrauds the board, conspires, aides or abets another person to defraud the board, commits an offence and is liable on conviction to a fine not exceeding Ksh2 million or imprisonment for a term not exceeding five years. That provision was not there under the current Social Assistance Act. Therefore, for me it is a progressive provision under this particular statute which will assist or curb the issue of fraud.

Finally, in terms of transition under Part VI, there is a provision on repeal savings and transition provisions. Since we are repealing the Social Assistance Act and replacing it with this Social Protection Bill of 2025, it provides very clearly that any person who immediately before the coming into force of this Act was an officer or member of staff of the Directorate of Social Assistance of the National Social Protection Secretariat, not being under a notice of dismissal or resignation, shall, upon commencement of this Act, become an officer of the board.

Hon. Speaker, many are the times, as a House, we have passed legislations that have ignored the issue of transition. I remember the issue of the Social Health Authority (SHA). We passed a Bill here, but we were not very clear on the issue of transition, such that officers from the National Hospital Insurance Fund (NHIF) would have been taken to work under SHA. The officers who were under the NHIF were not transitioned to the Social Health Authority (SHA) since there was no clear transition provision. This is progressive because the officers or any

person who had been appointed to work under the Social Assistance Act that we shall repeal, shall now work under this statute.

I submit and second this Bill. I urge the House to proceed to pass this piece of legislation. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Members.

(Hon. Julius Mawathe consulted Hon. Owen Baya in the aisle)

Order, Hon. Mawathe. Take a seat. Following the request by Hon. Atandi, I now put the Question to the House that the Mover be now called upon to reply

(Question, that the Mover be now called upon to reply, put and agreed to)

Mover.

Hon. Owen Baya (Kilifi North, UDA): In replying to the Social Protection Bill, I thank Hon. Members for their robust contributions. We have had incisive thoughts on this Bill. I think we will have a very good Committee of the whole House on the same to ensure that we give Kenya a good Social Protection Bill. As billed by Hon. Toroitich, this is a very progressive Bill. It unshackles and unhinges many things in social protection.

I beg to reply.

Hon. Speaker: Hon. Members, we will put the Question to this Bill tomorrow at 2.30 p.m.

(Putting of the question deferred)

We will now proceed to Order No. 11.

BILL

Second reading

THE VALUE-ADDED TAX (AMENDMENT) BILL (National Assembly Bill No. 11 of 2025)

Hon. Speaker: Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): I beg to move that the Value-Added Tax (Amendment) Bill, (National Assembly Bill No. 11 of 2025), be now read a Second Time.

This is a very short piece of legislation and a small amendment to the legislation that is required to ensure that we remove some ambiguities in the Value-Added Tax Act. As I do that, I want to prepare Hon. Junet to second. The Bill needs to do a small thing. It wants to amend the Value-Added Tax Act. The Bill amends the First Schedule in Paragraph 146 of Part I to remove the ambiguity that is caused by the use of the words ‘after this date’. The words ‘after this date’ were included when this Bill was passed. That created ambiguity such that it was not clear which date the Bill would take effect. Therefore, we want to substitute that small bit with the exact date of when the Bill will take effect.

During the implementation of the Tax Laws (Amendment) Bill of 2024, it became evident that the changes that were made introduced some ambiguity. The proviso that is added to Paragraph 146 states: “Provided that the value of such investment is not less than Ksh2

billion and the exemption was granted before 1st of January, and shall continue to apply for 12 months after this date.”

This House is aware that the Tax (Amendment) Act took effect on 27th December 2024. As currently worded, the amendment appears to apply retrospectively. It implies that the Cabinet Secretary should not have granted exemption after January 2024 and that only exemptions granted before this date are valid for 12 months ending in January 2024. This does not reflect the intended purpose of providing a transition period of VAT exemption. Instead, it inadvertently suggests that the Cabinet Secretary acted contrary to the law by granting exemptions through 2024, despite the law permitting such grants at the time.

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

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

Hon. Deputy Speaker, what are we doing in this amendment? If you look at it, we are trying to amend the First Schedule to the Value-Added Tax Act in Paragraph 146 of Part I by deleting the words “12 months after this date” and substituting therefore the words “12 months from the date of commencement of this Act”. That is what we are doing in this small amendment.

What we want to do as Parliament is straightforward. Therefore, I do not want to belabour the point. We should not take much time. I request Hon. Junet Mohamed to second. After seconding, we can have about three contributions before we call the Mover to reply and go ahead. I am just making a suggestion.

Hon. Deputy Speaker: Hon. Junet, you may proceed.

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

I stand to second the Value-Added Tax (Amendment) Bill, (National Assembly Bill No.11 of 2025). This is a very small amendment that is rectifying what happened in the Tax (Amendment) Act that we passed in December. It is very controversial, but also a necessity because it is helping manufacturing by big investors who have put faith and decided to take the risk of investing in our country. It is part of the incentives that are being offered to big investors who have invested huge sums of money so that they can put up industries in our country.

As you know, the manufacturing sector is not doing very well in the country at the moment. It is at 3 per cent. With those kinds of incentives, we expect manufacturers to be enticed to invest more money to create jobs for our people.

With those few remarks, I second.

(Question proposed)

Hon. Deputy Speaker: Yes, Hon. Murugara. What would you like to say?

Hon. George Murugara (Tharaka, UDA): Thank you. I rise to support this Value-Added Tax (Amendment) Bill, (National Assembly Bill No. 11 of 2025). As explained by the Deputy Leader of the Majority Party and the Leader of the Minority Party, it is a small Bill, but it has great impact on what it makes provision for, especially if you look at the First Schedule to Cap 476 that we are trying to amend. Clause 146 deals with exempt supplies. The provision that was made here is that the Cabinet Secretary has to make a determination on what to exempt from VAT to the provided magnitude to promote investment in manufacturing in the country or in a sector.

Every moment we pass these tax laws, it is important that we look at what investment we are promoting and what manufacturing is to be promoted. For purposes of legislation, it is vitally important that pieces of legislation have to be clear so that everyone who is reading the

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law understands exactly when that law is going to affect him or her. The provision in the Act is that provided the value of such investment is not less than Ksh2 billion and the exemption was granted before 1st January 2024, it shall continue to apply for 12 months after that date. That is where the proposed amendment comes in.

We now have to substitute 12 months after this date, which is the 1st of January 2024, with 12 months from the date of commencement of the Act. The date of commencement of the Act is actually the most important. In fact, the 1st of January 2024 may actually have been eaten into by the time the Bill was assented to. Therefore, the new date of commencement will actually give the relevant 12 months, which have to be considered as concessionary.

Therefore, this is a good amendment and I support it.

Hon. Deputy Speaker: Hon. Atandi, you can proceed.

Hon. Samuel Atandi (Alego Usonga, ODM): Hon. Deputy Speaker, I rise to also support the Bill as presented by the Deputy Leader of the Majority Party. There are many ways of growing the economy. One of the ways is giving tax incentives to potential sectors that are important for generating more revenue and creating job opportunities. This year, the economy is projected to grow on the back of manufacturing. We project that manufacturing will help us to collect more taxes and create job opportunities. Therefore, we need to strongly support the incentive to manufacturers in the steel sector to enable them to defer taxes, specifically VAT, on their products. In the past, I have said that tax incentives should be abolished to save the Ksh300 billion that we lose through VAT waivers. However, because of the prospects of job creation and growth that is presented by the manufacturing sector, I urge the House to pass this Bill to allow investors, both local and foreign, to pump in resources. We believe they are going to create the jobs that we need for our people. In line with the Bottom-Up Economic Transformation Agenda (BETA) we are championing as the Broad-Based Government, this Bill will help the economy.

Hon. Deputy Speaker, I support.

Hon. Deputy Speaker: I can see Hon. Emaase has pressed the intervention button. She is not present. How about Hon. Sunkuyia or Hon. Irene Mayaka? Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Deputy Speaker. I support this Bill that seeks to rectify the omission that was occasioned when we passed the Tax Laws (Amendment) Bill. We should have picked this issue out but, sometimes, the process is rushed in this House and some basic things are left out.

The Bill proposes to extend tax incentives to investors. In such an arrangement, this amounts to tax expenditures, where a country foregoes revenue with the hope that the investment will result in higher revenue. I have attended many forums on this subject and the truth of the matter is that it does not result in any significant changes. We will only end up enriching manufacturers and leave the country poorer. EPZs have been with us for many years. We have granted them tax incentives and yet, they have not contributed significantly to improving GDP, capital growth or per capita income in this country. Many of us are always apprehensive when these kinds of amendments are brought to the House, especially when there is no study to determine their long-term impact. The tax incentives basically milk and transfer benefits from the people of Kenya to some amorphous institutions that are based outside the country. These incentives should only last for the period that is intended and not go beyond the particular timelines.

Tellingly, the incentives are targeted to a certain sector. Many Kenyans know the investors in the steel sector. We must stop passing laws that please certain quarters for their personal gains. At this rate, we will legislate on anything and everything to support certain forms of businesses and forget to look at the multiplier effects of those changes.

With those few remarks, I support with obvious reservations. We need to pass the Bill and get moving.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Who else wants to contribute? Hon. Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Deputy Speaker. I also support this particular amendment. As indicated by the Mover, the amendment will, in essence, help to correct the ambiguity that was caused by the previous Bill. It will also promote investment. One year is a very long time for a manufacturer, especially in the steel industry. It is one industry that does not have many investors, though they make a huge impact. We are largely an assembling nation rather than a manufacturing one. Therefore, incentives that encourage people to invest in the manufacturing sector are always welcome. This is a very brief amendment and I support it.

I thank you.

Hon. Deputy Speaker: It seems there is no further interest. The Mover can reply.

Hon. Owen Baya (Kilifi North, UDA): Hon. Deputy Speaker, in replying, the Bill gives incentives to manufacturers to turn Kenya into the manufacturing hub we have always wanted to be. It is an important piece of legislation that encourages manufacturing. It is, therefore, important that we pass it.

We are also correcting the ambiguity that was created when we passed the Business Laws (Amendment) Act. We need to be more careful in future so that we do not create these kinds of errors that put cabinet secretaries, who are the implementers of the laws, in an awkward position.

Hon. Deputy Speaker, I reply.

Hon. Deputy Speaker: Thank you. We shall defer putting the Question to a later time.

(Putting of the Question deferred)

Next Order.

MOTIONS

ANNULMENT OF THE PREVENTION OF TERRORISM (IMPLEMENTATION OF THE UNSC RESOLUTIONS ON SUPPRESSION OF TERRORISM) REGULATIONS

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on the Suppression of Terrorism) Regulations, 2024, laid on the Table of the House on Thursday, 17th April 2025 and, pursuant to the provisions of section 18 of the Statutory Instruments Act (Cap 2A), annuls in entirety the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on the Suppression of Terrorism) Regulations, published as Legal Notice No. 187 of 2024.

Hon. Deputy Speaker: The Chairperson of the Committee on Delegated Legislation is not present. We defer the Motion.

(Motion deferred)

Next Order.

ANNULMENT OF THE PREVENTION OF TERRORISM (IMPLEMENTATION OF THE UNSC RESOLUTIONS ON PREVENTION, SUPPRESSION AND DISRUPTION OF

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PROLIFERATION FINANCING (AMENDMENT) REGULATIONS

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on the Prevention, Suppression and Disruption of Proliferation Financing (Amendment) Regulations, 2024, laid on the Table of the House on Thursday, 17th April 2025 and, pursuant to the provisions of section 18 of the Statutory Instruments Act (Cap 2A), annuls in entirety the Prevention of Terrorism (Implementation of the United Nations Security Council Resolutions on the Prevention, Suppression and Disruption of Proliferation Financing (Amendment) Regulations, published as Legal Notice No. 188 of 2024.

Hon. Deputy Speaker: This is also supposed to be moved by the Chairperson of the Committee on Delegated Legislation and so, we defer it.

(Motion deferred)

Next Order.

ADOPTION OF REPORT ON THE APPROVAL OF SESSIONAL
PAPER ON KENYA FOREIGN POLICY

Hon. Deputy Speaker: Hon. Abdullahi, you may proceed.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Hon. Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Committee on Defence, Intelligence and Foreign Relations on its consideration of Sessional Paper No.1 of 2025 on the Foreign Policy of the Republic of Kenya, laid on the Table of the House on Tuesday, 22nd April 2025, and approves Sessional Paper No.1 of 2025 on the Foreign Policy of the Republic of Kenya.

Hon. Deputy Speaker, Kenya's place in the world is neither accidental nor static. It is shaped by a deliberate constitutionally-grounded foreign policy. Sessional Paper No.1 of 2025 on the Foreign Policy of Republic of Kenya was laid on the Table of the House on Thursday, 13th February 2025 and, thereafter, committed to the Departmental Committee on Defence, Intelligence and Foreign Relations for consideration.

As Kwame Nkrumah once said and reminded us powerfully so, we face neither East nor West, but we face forward. This Sessional Paper embodies that forward-looking stance. It provides a bold, coherent and adaptive road map for Kenya's Foreign Policy that is anchored in our history, aligned with our developmental aspirations and calibrated for a rapidly shifting international landscape. With strategic themes such as digital diplomacy, science and ocean diplomacy, and multilateral engagement, it positions Kenya not only as a defender of its own interests, but also as a credible global voice for Africa's collective future.

Kenya's Foreign Policy was consolidated into a single framework in 2014. It brought together provisions from various sources, including the Constitution, treaties and political pronouncements. The Sessional Paper updates this fundamental document to reflect the evolving global and domestic context, climate change, geo-political shifts, digital disruption and pandemics. It aligns Kenya's external relations with the national agenda like Vision 2030 and the Bottom-up Economic Transformation Agenda (BETA). It modernises the foreign service and broadens engagement in emerging democratic spheres. The Policy is structured

across eight chapters. It outlines Kenya's democratic history, key influences, thematic priorities, institutional frameworks and strategies for effective implementation and evaluation.

The Sessional Paper addresses gaps in coordination, funding and risk management that hindered the 2014 framework. It proposes institutional reforms, legal adjustments and new focus areas to ensure responsive and inclusive diplomacy. Emphasis is placed on integrating diaspora, environmental and digital initiatives to better Kenya's influence and protect its interest in an unpredictable global arena.

Hon. Deputy Speaker, to ensure transparency and results, the Committee observed that the Sessional Paper is anchored in a rigorous results framework. This includes both mid-term and end-term reviews that are aligned with the national integrated monitoring and evaluation systems, ministerial strategic plans and annual performance contracts. Those tools will not only ensure institutional accountability, but also allow Parliament to track the implementation of foreign policy goals in measurable terms.

Legislatively, the Policy calls for updates to the Foreign Service Act (Cap.185E) and Privileges and Immunities Act (Cap.179) to institutionalise professionalism, enhance Nairobi's role as a diplomatic hub and align Kenya's diplomacy with international standards.

In line with Article 118(1)(b) of the Constitution, the Committee ensured robust public participation in its review of the Sessional Paper. A public call for memoranda published on 19th February 2025 yielded six submissions from key stakeholders. While some proposals echoed existing policy provisions or lay outside the Sessional Paper's scope, all contributions enriched the Committee's deliberations. They reinforced transparency, accountability and institutional integrity in Kenya's foreign policy-making process.

The Committee observed that the Policy is forward-looking and constitutionally grounded. It positions Kenya as a strategic global actor, anchored in peace and security, economic diplomacy, oceans and blue economy, multilateralism, climate action, innovation, diaspora engagement and socio-cultural diplomacy, which are all aligned with our constitutional mandates.

However, the Committee noted the implementation hurdles of this Sessional Paper No.1. Weak legal frameworks, institutional inefficiencies, underfunded missions, lack of labour migration policies and poor strategic communication hinder its impact. Those gaps undermine Articles 10, 16, 19 and 232 of our Constitution which call for reforms, increased funding and coherent public diplomacy strategy to protect national interest.

Hon. Deputy Speaker, in conclusion, the Committee urges the House to adopt this Report and approve Sessional Paper No.1 of 2025 on the Foreign Policy of the Republic of Kenya as Kenya's Alternative Foreign Policy. Its adoption will ensure coherence across all democratic legislation and initiatives. It will fortify Kenya's voice on the global stage, advance national interest and anchor international engagement in constitutional values and strategic clarity.

It is the first time we have a Sessional Paper that talks about Kenya's Foreign Policy. As a Committee, we looked at it, engaged all the stakeholders and had a retreat with the Ministry of Foreign and Diaspora Affairs. We agreed that this is the right way to go. The document is a bit voluminous. From time to time, Kenyans and even Members of Parliament ask about Kenya's Foreign Policy. Is it documented? Is it in writing? Is it anchored in the Constitution? We now have a document that is well-grounded with a Sessional Paper. Any person who wants to discuss Kenya's Foreign Policy will refer to the Sessional Paper.

People talk about Kenya. Where do we lie? Do we look East or West? I mentioned this before. As Kwame Nkrumah said, we look neither East nor West, but forward. This means that, as a country, we engage with any country that has Kenya's best interests at heart. This means our interests come first so that we can serve Kenyans, whether they are in Kenya or in the diaspora.

With those few remarks, I beg to move and ask Hon. Kandie to second this Motion. Thank you.

Hon. Joseph Kandie (Baringo Central, UDA): Thank you, Hon. Deputy Speaker. I rise to second the Motion on the Adoption of Sessional Paper No.1 of 2025 on Kenya's Foreign Policy. It is titled: "The Grand Strategy to Position Kenya's Foreign Policy in the Global Landscape."

I commend the Departmental Committee on Defence, Intelligence and Foreign Relations for its robust review and strategic recommendations. The Committee observed that the Sessional Paper does not shy away from confronting reality. It identifies key structural and systemic risks that are facing Kenya's foreign policy. These are apparatus ranging from legal and regulatory misalignments, forex fluctuations, shrinking global markets to climate shocks, rising cyber vulnerabilities, fiscal austerity and persistent regional instability. Those are not abstract concerns, but are real threats to Kenya's economic diplomacy, regional leadership and citizen welfare.

The Sessional Paper recommends the adoption of Public Private Partnerships (PPPs) to optimise diplomatic assets. It is an innovative move that responds to budgetary constraints without compromising Kenya's global visibility. Most notably, the reclassification of the Ministry of Foreign and Diaspora Affairs under the security sector, already approved by the Cabinet, acknowledges the evolving nexus between diplomacy, national security and strategic economic engagement. To sum up, the Committee is persuaded that this Sessional Paper is not merely a bureaucratic document. It is a blueprint for re-imagining Kenya's place in the world with clarity, courage and constitutional fidelity. It lays the foundation for foreign policy, which is principled, pragmatic, and future-proof.

Therefore, I urge this House to adopt the Paper as a strategic compass for Kenya's diplomacy in the 21st Century.

I beg to second.

(Question proposed)

Hon. Deputy Speaker: Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Deputy Speaker. I support the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding this Sessional Paper, which has been brought to the House. Sometimes, the country is taken aback when we discuss sessional papers because they are not well-versed or well-informed about them. We have also not done much public participation regarding the same.

I will give an example of Sessional Paper No.1 of 1965 on African Socialism. The Paper was laid by the then Minister for Economic Planning, the late Mr Joseph Thomas Mboya. It outlined how the country was to move forward as regards African socialism *vis-a-vis* its economic development. It was a good Paper and has brought us quite far. However, just because it was not well elaborated on, one Opposer of that Paper was the late Mr J.M. Kariuki, who in his debate in the House, made a point that, that Paper was creating 10 millionaires amongst 10 million poor Kenyans. That was taken to be the gospel truth and yet, it was misinformation.

As we debate this Paper today, we must admit that we have not had a good foreign relations policy, especially a sessional paper on it, which is what this Paper tries to do. It will govern how our country will proceed with its foreign relations *vis-a-vis* the constitutional provisions and the statutes that relate to various Acts on foreign matters.

Sometimes, it comes as a surprise when our own foreign relations personnel do not know what our foreign relations policy is. That cannot be encouraged. This Paper will now form part of the education to be given to those appointed to serve in our foreign missions out

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there as ambassadors, high commissioners and attachés. This is a good Paper, which I propose we support and adopt. We should then proceed to familiarise ourselves with what our foreign policy will be from now on.

With those few remarks, I support the Sessional Paper.

Hon. Deputy Speaker: Is there any other Member who wants to contribute? Hon. Millie Odhiambo, Member for Suba North.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Deputy Speaker, for giving me this opportunity. I am a member of the Committee and I support this Paper. I agree with our Chairperson that we have no choice but to look forward as a country. In Kenya, we have no choice but to look forward to a rapidly changing world. It would only require a stranger in the world not to know that things are happening very fast globally. If you see what is going on in the United States of America, it is only countries that are strategic that are likely to survive economically. Kenya must also reform its foreign policy to conform with what is going on in the USA. In conforming with what is going on in the USA, we must place Kenyans first. We know many Kenyans have preferred the United States of America as a strategic destination for both tourism and education. However, given that there are challenges now in that direction, we must put Kenyans first.

President Donald Trump is putting America first. Kenya must put Kenyans first. That will not mean that if we discover new frontiers, we will be ignoring the USA. If you have a friend who maybe... If I may give an example, as a woman, if you have a boyfriend that you love and you see him courting another girl and starting to look elsewhere, you do not bury your head in the sand. You start looking for options so that if he bolts, you have choices. So, Kenya should open its eyes.

We have just come from Tashkent, Uzbekistan, where we were a form of tourism attraction in that place. Most Uzbekistans have never seen black people. We were being stopped for photos. As a leader, I looked at the strategic things that Kenya can get from that country. Uzbekistan has international schools that are teaching English. That is an opportunity that we can exploit by taking our teachers there to teach English. There is an opportunity there for trade in that country. It is a virgin area that Kenya can consider. We cannot put all our eggs in one basket. So, Kenya must actually look forward. We cannot look East or West. We have no choice but to look forward.

The other issue is that, as a country, we must be consistent. We are very good at coming up with very good legislations and policies. For them to be sellable, we must be convinced about what we pass as a nation, be it laws or policies. We must own and practice them. We must walk the talk. If Kenya says it is looking forward, then we should look forward. We should not look confused. As a country, we should see what works for us and put the interests of Kenyans first.

The other issue that I want to say is that Kenya must also undertake a strategic review. Maybe, we did it when we were coming up with this policy. We are stuck many years back. When you hear Kenyans speaking, they keep talking about being the greatest economic hub. However, have they been to Ethiopia of late? When were they last in Arusha and Rwanda? While we sleep, our neighbours are rising. Kenya must place itself strategically economically, knowing that this is just like any business venture.

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

[The Temporary Speaker (Hon. Omboko Milemba) took the Chair]

Hon. Temporary Speaker, when others see that we are doing well, they look for different ways to go ahead of us. If you go to Rwanda, it is the same thing you will see when

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you go to Tashkent. When you step in Kigali, the first thing you will see is how clean, tidy and safe the city is. Those are concepts that must be infused in any foreign policy document. We cannot say that we will promote tourism and people will come to Kenya when they are fearful that when they are in our country, somebody might grab their bags.

Hon. Temporary Speaker, when we were in Tashkent, I was amazed. There were people assigned to us as translators, and they did an amazing job. And in our typical Kenyan way, we wanted to say thank you by tipping them. But they did not allow us to tip them. They said in their culture, a thank you suffices. Why can we not have those uniquely African Kenyan cultures that we are losing? They made us so attractive. For instance, teaching people to smile used to come naturally, but we are having challenges. It is fading away. Another unique culture we have is our hospitable nature, but it seems to be going out of the window.

We need to leverage on technology, especially if you are talking about making Kenya a serious economic hub. I have also heard the Chairman speak about the Public-Private Partnerships (PPPs). I thank the Parliament of Kenya and ask that we take most Members of Parliament through the training on PPPs. Also, let us let the public know. If you look at what is happening in Ethiopia and other countries, it is because of PPPs. Unfortunately, we are so opaque in the way we do things. Maybe, because some few people want to steal from here and there. PPPs are the way to go, especially when we do not have other means of getting resources apart from taxing Kenyans immediately. That is because they will be taxed eventually.

Finally, I suggest that Kenya must work stealthily, carefully and strategically as we forge ahead. We must walk the talk. Madam Speaker, I was giving an example here to Hon. Junet, as we are seated here, that there is a lot that is changing in the world, and we do not realise it...

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

[The Temporary Speaker (Hon. Omboko Milemba) took the Chair]

The Temporary Speaker (Hon. Omboko Milemba): Hon. Millie, I am here now. There is no Madam Speaker.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Oh! Sorry, Mr Temporary Speaker. It is good, once in a while, for us to discriminate. You are always discriminating against us. Now that Madam Speaker has left, I was talking to Hon. Junet here earlier, and I was telling him that when I studied my Master's at New York University, I had to go physically to the University's library and study. When I was at the University of Nairobi, we would go to the library and we would get the books, and when you open a page, you would discover that some malicious guy had chopped off the relevant pages that you were referred to. You spend all your entire life finding out: "Did anybody make a copy?"

Right now, I am doing my PhD at Daystar University on leadership and governance. When I go online as I study, Artificial Intelligence (AI) tells me: "Why are you struggling while you can do X, Y and Z?" It is very tempting, but because I come from the traditional school, I want to study a journal. I actually love it, even when I have a book and a real journal in my hand, I read and highlight. That is my kind of thing. Now, the library has come to me. I do not have to go to the library and look for those pages. Our mind as a country is still where we used to go to the library to read journals where somebody has plucked off some pages. We cannot say we are technological as a country, but our psyche is still very analogue. We must know the world is moving extremely fast.

When I was at New York University, if it were summer and you made reference to a study from the last summer, it would be outdated. The last ones you would refer to are the studies that were done in the winter. That is how fast the world is moving. In Kenya, we are

trying to catch up. I can even see in my university, we are still referring to X, Y and Z, but we are not moving that fast. What I am saying is that we must change our psyche as a nation in the way we pass laws. We are doing excellent, because the majority or the average age of this Parliament is fairly young, and extremely well educated. Nowadays, I see Members bringing so many Bills. When I first came into this Parliament, if you brought a Bill, it was like performing a “miracle”. Now, it is different. We need to move from the “miracle” of passing laws and policies to implementing them. This is sometimes where the technocrats fail us. I encourage us to be true patriots. My little actions may not directly affect my child’s job prospects or my neighbour’s hospital bills, but I broke a piece of the complete whole when I did one wrong thing. Let us all learn to do things in the right way so that we can move the country forward.

With those many remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. (Dr) Wilberforce Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I also rise to support Sessional Paper No.1 of 2025 on Kenyan Foreign Policy.

As a country, we must leverage our strategic location, history and our connections. Our foreign policy should, first and foremost, be for the benefit of the people of Kenya. We must see tangible results and guard against any form of subjugation that might occur as we pursue particular foreign policies. Ideally, when a policy is being developed, there is abundant public participation where issues are deliberated on and resolved. When I was involved in developing the National Land Policy and the Housing Policy, we conducted desk research to find out the best practices. We collected data, which we compiled to create a roadmap.

Ordinarily, a policy needs to be formulated and approved before subsequent legislation is passed. Unfortunately, we passed a Bill on foreign relations last year without a supporting foreign policy. Of course, everyone asked about the anchor. Or is this the typical Kenyan way of doing things, where we start with the end and claim that the end justifies the means? I hope that there have been adequate consultations with the ordinary mwananchi, the experts and those who serve in foreign missions.

Hon. Temporary Speaker, I have had the occasion to travel before and after becoming a Member of Parliament. We have commendable people serving in our foreign missions abroad and yet, one of their greatest challenges is inadequate funding. I hope and pray that this policy has addressed the issue of facilitation to enable them to carry out their assigned functions effectively. It would be a terrible miss on our part if we have not addressed that challenge.

The issue of strategic missions is critical. Kenya can exploit various areas to enhance tourism, trade and other related activities and yet, we do not have adequate physical presence. Sometimes, those we send to foreign missions - though I hesitate to use the term “political rejects” - often lack the necessary training in diplomacy. They merely seek employment. Diplomacy is not a career calling for them. They report to their stations, sit around, go to their offices, walk around and do nothing. I hope the Chairperson and the Committee are aware of those challenges, and will resolve them.

If you speak to career diplomats in the Ministry of Foreign Affairs, they present a case of a very frustrated lot. They have the skills, experience and the drive but, when it comes to the appointment of ambassadors and high commissioners to missions abroad, anyone can be picked from anywhere at any time as long as they are ‘politically correct’. No wonder this country has made so many diplomatic goofs that literally embarrass Kenyans. We are left to ask very simple questions like: Do we have a Ministry of Foreign Affairs? Do we have a robust diplomatic position that guides us on what to say and what not to say?

It was written by Chinua Achebe that when you talk about dry bones, old women become upset, and the same applies to old men. You want those old women to support you and

yet, you make reckless statements and manoeuvres that leave one wondering what it is all about.

Hon. Millie Odhiambo gave an example of having a boyfriend who starts looking for another girl. I just want to correct her that it may not necessarily be because you have a problem. It may simply be that the man wants to sample other girls. In any case, sharing at times is caring. Kenya and the world should not have a problem with sharing because we are supposed to interact and do business with everybody. Therefore, we must anchor our foreign policy in such a way that, as we deal with the East, we do not antagonise the West. The West should not feel as though we are abandoning them for the East. That requires tact, skill, training and experience. However, the people who are making those top-level decisions do not have the training and experience. That is why we keep oscillating. We find ourselves leaning towards the West in one regime and towards the East in the next regime. We get stuck on one side, and when we try to go back to the other side, we end up with very expensive loans and programs that are of no value to the people of Kenya.

A foreign policy should transcend personal interests. The tiff we have with Sudan was avoidable. A personal business relationship between two people should not have led us to where we are now. The fact that a foreign country can petition the national parliament of a country to intervene is a very telling statement. We need to put our act together. Kenya was highly rated many years ago but that is no longer the case now. Kenya is no longer revered or respected as it once was. If we were, we would not have been taken on a roulette route in Addis Ababa, where *Baba* Raila Odinga, with his status on this Continent, could have been made to concede defeat in favour of an unknown individual from a small country in order to avoid a lengthy process. This shows that much needs to be done in our foreign policy. I call upon the oversight committee to ensure that we get our act together. We must truly oversee and not pander to the Executive. We should not be ‘yes people’, going to praise and worship even where the mistakes and shortcomings are seen. We must have the guts and courage to point them out so that we address the issues.

Of course, a sessional paper on foreign policy is not static. It must be alive to changing circumstances. Donald Trump has turned the world upside down. He says, “America first”, and for the rest of you, he does not care. He can impose tariffs on any country because he knows that the American economy is strong enough to withstand any shocks. As we go along, I hope we will be alive to the changes in the world and how world leaders respond to them. How will world leaders perceive them and us? We need to re-assess and realign our foreign policy to the changing international arena.

With those many remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Very well. I do not see any more Members interested in speaking to this Motion. Interested Members, please, insert your cards in the gadgets. I cannot see your names on my screen.

Proceed, Hon. Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): I thought I had keyed it in. Thank you very much Hon. Temporary Speaker.

It gives me great pleasure to comment on our proposed Sessional Paper on the Foreign Policy of the Republic of Kenya, 2025. I think this is the second one. The first one was published in 2014. Until then, we did not have any particular policy document regulating our foreign policy or international relations.

Hon. Temporary Speaker, when I got this document, I quickly perused through it. My expectation was that I would see a certain set of goals defining the anchor of our foreign policy or how we intend to conduct our foreign relations. I also took time to look at what other countries have done. For example, Americans were among the very first in 1918, when President Woodrow Wilson published the first 14 points of US Foreign Policy. This is a very

large document. Even if you read through it, it is very difficult to understand what the core pillars of our foreign policy are.

Foreign policy is simply a set of principles and objectives that guide the conduct of a State in terms of relations with other States or international organisations at bilateral or multilateral level. So, my proposal is that we need to do a bit of refinement. This is a very lengthy document but if you look at it keenly, you will see that the key objective of our foreign policy is the pursuit, protection and promotion of the national interest. That interest could be military interest, economic interest or political interest. That is the overarching objective. If you read this document, you will clearly see what you may call ‘traditional values’ that have anchored our policy since Independence. Those traditional values are reciprocity, non-alignment, Pan-Africanism, non-interference and good neighbourliness. Modern foreign policy has adopted – if you study other countries’ foreign policies – new non-traditional values and principles upon which they anchor their foreign policy. For example, today, countries anchor their foreign policy on certain values like democracy.

If you adopt such values, you will not associate with pariah States that kill their citizens as they stifle democracies, or countries which do not respect human rights and the rule of law; countries that do not pursue peace and peaceful resolution of conflicts and are always at war; countries that dismember the environment; countries that do not respect the international law and international decisions or countries that undermine multilateralism. Why am I saying this? Our foreign policy should not just set the objective of promotion, protection and pursuit of the national interest. It must send a very clear light of what our country’s value system is. What is it that we want to promote in relations we have with other States and international organisations? We need that clarity in this Sessional Paper. We must clearly state what the objectives are and what the values are.

Secondly, from the current observations in our country, Nairobi is supposed to be a diplomatic hub. We host many international organisations but there is a trend where we are not respecting what are called diplomatic privileges and immunities for the international organisations that we host. In particular, there is the question of taxation.

The Vienna Convention on Diplomatic Relations extends to those international organisations certain privileges because the money they bring into this country is collected from several countries and, therefore, tax exemption is granted. Today, we are harassing many international organisations. Some are established by African countries while others are more global in nature and yet, we are bringing in a lot of conditionalities around them. This makes Nairobi not attractive to host international organisations. The Ministry of Foreign and Diaspora Affairs should get its hands on this matter.

International organisations not only bring multiculturalism to Kenya and create Nairobi as a good centre for people of the world to come and work; they also bring jobs and money. We get more out of hosting them than tax collection from members of staff. We even harass Kenyan staff in those organisations by insisting on taxing them. However, when you tax them, it is the organisation that will compensate them for the tax. Other countries that are putting their money in those organisations would not want to pay tax. There is a lot of work that the Ministry of Foreign Affairs needs to do to maintain the status of Nairobi as a diplomatic hub.

Thirdly, I am a little disappointed that the Ministry of Foreign and Diaspora Affairs has literally remained mute on the impact of Trump-related policies on our diaspora. Kenyans are being harassed in the United States of America. Some Kenyans are facing deportation. Some are hiding in churches. They cannot even go to pray for fear of deportation. I have not heard any comments or interventions and yet, this policy document talks a lot about the diaspora.

On the element of diaspora, we are talking about Kenyans who are living and working outside the country, and sending money back home. But we are not talking about other people who could become Kenyans, who are also Kenyans in diaspora. We talked about this earlier

on when we discussed the issue of the Wapare and their right of return. There are people in the Caribbean, America and Latin America with their ancestry in Kenya. The ancestors of those people left Kenya as slaves. It is now recognised under international law, including through agreements signed at the African Union (AU) that, such people should be accorded the right of return, if they wish to become citizens of their respective ancestors' countries. While dealing with diaspora diplomacy, this policy document ought to have included that particular angle.

Finally, I want to associate myself with what my good brother, Hon. Oundo, has said. Good diplomacy requires competent diplomats. We are beginning to undermine that fact a lot. There is a problem. Even when we were in the Grand Coalition, we agreed with Ambassador Muthaura that we would never dilute the presence of career diplomats in our Foreign Service. There is a lot of political convenience today. We appoint unqualified persons to take charge of foreign stations that require highly trained diplomats with the necessary sophistication and domain knowledge of what goes on in international relations.

This policy should also have indicated clearly that certain foreign stations should be reserved for career diplomats or people who truly meet the required qualifications. There is no point in sending somebody to a station that is so important, but without the necessary qualifications or domain knowledge.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Mover. Where is the Mover? I call upon the Mover to reply.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you very much, Hon. Temporary Speaker. I thank Hon. Members for raising a number of issues. I do not want to speak to each one of those issues. I will focus on the specific issue of ignoring career diplomats and instead appointing persons based on political interests to head our foreign missions abroad.

Hon. Temporary Speaker, it is not good to use the words "political rejects" to refer to people who have unsuccessfully vied for political positions. They are not political rejects. The voters just decided that this is not their time, and that somebody else should serve in those positions. It is not about being a political reject. It is a matter of going for election and the electorate deciding that you need to take a break. If you look at...

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Oundo, there is nothing that is out of order. The Mover is just putting it in a language...

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): I am trying to put it in a polite language.

(Hon. Oundo spoke off the record)

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Oundo! You were even reluctant to use that word since you knew very well that it was not appropriate.

Proceed, Mover.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Thank you, Hon. Temporary Speaker.

The current Foreign Service Act talks about a ratio of 70:30. It provides for 70 per cent career diplomats and 30 per cent from outside. Initially, it was about 40 per cent career diplomats and 60 per cent from outside. The Foreign Service Act that we have in place, which is also scheduled in Sessional Paper No.1 of 2025, talks about 70 per cent against 30 per cent. That cures the issue of saying we need to have career diplomats in most stations. It is something that we are looking forward to as we try our level best to ensure that the Foreign Policy of the

Republic of Kenya is a living document. Other Members have also talked about it as being a living document. That means it is not cast in stone. It is something that changes with realities. Thank you very much. We have taken note of your contributions.

I beg to reply.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, we shall put the question during the next Sitting.

(Putting of the Question deferred)

Next Order.

BILLS

Second Readings

THE LEARNERS WITH DISABILITIES BILL (Senate Bill No.4 of 2023)

The Temporary Speaker (Hon. Omboko Milemba): Where is the Chairperson of the Departmental Committee on Education? Is any Member of the Committee present? I think the Chairperson of the Committee is away on some official business.

Therefore, the Bill is deferred.

(Bill deferred)

Next Order.

THE TREATY-MAKING AND RATIFICATION (AMENDMENT) (NO. 2) BILL (National Assembly Bill No. 9 of 2024)

Hon. George Murugara (Tharaka, UDA): Hon. Temporary Speaker, I beg to move that the Treaty-making and Ratification (Amendment) (No. 2) Bill, (National Assembly Bill No. 9 of 2024), be now read a Second Time.

The principal object of this Bill is to amend the Treaty-making and Ratification Act, Chapter 4(d) of the Laws of Kenya, to include a special enactment procedure for economic treaties to strengthen participation of the National Assembly in treaty-making and enhance efficiency in the process.

As the House is very much aware, all international treaties, conventions and agreements that our country ratifies become part of our domestic laws. They become part of domestic laws because they have to be brought to Parliament for ratification or approval. Once the country signs a treaty, it is brought to the House to be ratified so that it becomes part of our domestic laws.

The problem we have had is that the treaties ratified since Independence became part of our domestic laws upon commencement of the current Constitution. After the commencement of the current Constitution, all treaties must come to the House for ratification. They are confirmed as part of our laws once that is done.

However, there comes a time when this House must ask questions regarding what exactly those treaties are. We have to live with it since the input of the House is minimal and since it has no room to amend such treaties. Therefore, we have to live with it and ratify the treaties as they are. They are binding on us in their form. We are in breach of our own laws if

we breach them. That is why this proposal to amend the Act has been brought to the House. This is a very good Bill that seeks to make certain provisions that are peculiar to certain circumstances. Upon the passage of this Bill, this House will be involved in the treaty-making process.

Hon. Temporary Speaker, Clause 3 proposes to amend section 3 of the principle Act by deleting its provisions and introducing new provisions to pave way for the House to consider multilateral treaties, including treaties which deal with trade agreements, where Kenya undertakes to engage in fewer trade protections with other countries to promote more trade. The House will also consider treaties that relate to taxation, trade and investment or bilateral trade agreements between Kenya and any other countries that are involving in one-sided arrangement in which Kenya benefits from lower trade barriers from the other countries. There are four specific categories of agreements that will be required to be brought to the House not for ratification, but as the process begins.

Clause 4 introduces new section 5A. This is where you find the objects of the Bill. It states that within 14 days of commencing negotiations for a treaty, the Cabinet Secretary responsible for matters relating to treaty-making shall notify the National Assembly. What is to be brought to the attention of the House include:

- (a) the negotiation objectives;
- (b) the proposed heads of agreement;
- (c) the need for the treaty;
- (d) the potential benefits of the treaty to Kenya;
- (e) the implications of the agreement on—
 - (i) the economy;
 - (ii) existing agreements;
 - (iii) laws; and,
 - (iv) taxes.

The new section 5A(2) states that the relevant Cabinet Secretary shall notify the National Assembly of any changes to information relating to the negotiation of a treaty within seven days of such change. That means once we begin negotiating a treaty, the information must be brought to the House. This applies to economic treaties, and not every treaty. As the process continues, there are possible changes that will be made to the provisions of the treaty. Within seven days of the occurrence of those changes, the House must be informed.

The new section 5A(3) states that the relevant Committee of the National Assembly, in so far as is practically possible, shall confer with the Cabinet Secretary once the treaty is brought to the House. This is similar to pre-publication scrutiny, where we look at proposed laws or by-laws before they are published, so that any input from the House is included.

The new section 5A(4) is very important. It provides that the relevant Cabinet Secretary shall table an annual report to the National Assembly on the status of the ongoing negotiation of treaties. All the treaties that have to be brought to this House will have a record or register so that every year, the Cabinet Secretary will give us a report on the status of each of the treaties being negotiated.

Hon. Temporary Speaker, Clause 5 of the Bill proposes to amend Section 6 of the Principal Act to compel the National Executive or the relevant State Department, while negotiating an economic treaty, to ensure that the terms of the treaty do not adversely affect—

- (a) The ability of the country to mobilize domestic revenue. The treaty should not curtail our ability to raise money internally through taxes.
- (b) The food security of the country. Nobody should force us into agreements where the food situation in the country is compromised.

(c) The establishment and growth of local industries. We are looking into this to develop and industrialise the country. We will not allow any treaties that try to curtail this from coming into being.

(d) The ability of the Government to regulate an industry in the public interest. If the treaty brings in a new industry or economic sector, the Government will have residual powers to regulate it purely because of public interest.

Clause 6 of the Bill proposes to amend Section 6 of the Principal Act and introduce New Section 6A, which provides as follows—

‘6A. (1) The relevant Cabinet Secretary shall, prior to signing an economic treaty, prepare a regulatory impact statement. It will put down the impact of that agreement.

(2) A regulatory impact statement shall contain information in respect to the proposed economic treaty in clear and precise language, including the various areas that are set out in New Clause 6A(2)(a)(b)(c)(d)(e). This will establish the economic effect of an agreement to the country and how it will benefit.’

There is also a proposal to introduce New Clause 6B, which provides that the notification of the regulatory impact statement will be gazetted. That means the public will be informed on what we are negotiating on, and the impact the treaty will have in the country. This is taken to be information that will be accessible to every Kenyan regarding to a particular treaty. We go on with what is required in the regulations, including the consultations that are necessary to bring into effect a particular treaty.

Clause 7 of the Bill proposes to amend Section 8 of the Principal Act. The provision here is that the National Assembly may introduce any reservation as a proviso into a treaty. This opens up the process of negotiating treaties to the National Assembly. It means our hands will not be as tied as they are today. When this Bill comes into force, where we feel that there is need for us to make reservations to protect the interests of the country, we will be allowed to do so.

Clause 8 of the Bill proposes to amend Section 9 of the Principal Act by introducing a procedure during the ratification process in the National Assembly. Once a treaty is introduced in the National Assembly, it is supposed to be committed to the relevant Committee for consideration. In addition to the information required to be submitted to the National Assembly under written law, the Committee may require the relevant Cabinet Secretary to submit further information relating to what the treaty is all about, specifically what is set out in Sections 9A(3)(a) and (b). Once that is done, a report is prepared and brought to the House, which will adopt the report, in which case the treaty will come into force.

Clause 9 seeks to make a provision for amending Section 10 of the principal Act. This is a new provision we intend to introduce so that the relevant Cabinet Secretary may, at the point of ratifying a treaty under this Act, be accompanied by the Leader of the Majority Party or the Leader of the Minority Party of the party forming the government or a representative. That is purely formal as the treaty heads towards ratification. That is what the Bill is all about.

Hon. Temporary Speaker, the National Assembly is charged with all the economic matters of the country right from budgeting and taxation to appropriation. All those factors need to be involved in the making of treaties. This is purely because of public interest and the sovereignty of the State to ensure that the laws that we make and those that we domesticate from outside are all in conformity with our Constitution, statutes and regulations.

With those very many remarks, I beg to move and invite the Chief Whip of the Minority Party, the gracious lady, Hon. Millie Odhiambo, a seasoned lawyer who is now doing her PhD in something serious and relevant to what we do and say in the House, to second the Bill.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. I rise to second the Bill. I thank the Chairperson of the Departmental Committee on Justice and Legal Affairs for tabling it at this time. I know that Hon. Kaluma had brought similar amendments. I hope his proposed amendments have been consolidated into the Bill.

I am honoured because I came up with the Treaty-Making and Ratification Act that is now being amended. It is said that the proof of the pudding is in the eating. There has been a lot of “eating” of this Act. It is time we amended it because as you “eat”, you discover gaps. I am glad that the Ministry has seen several gaps that require amendment.

I am also happy that the amendment Bill will be coming up shortly after we adopt Kenya’s foreign policy, which touches on fairly similar issues. I know I have previously talked about how I came up with the Act, but I will just repeat what I said on the Floor of the House. I sat in the Select Committee on Constitutional Review – a process which culminated in the promulgation of the current Constitution.

Hon. Temporary Speaker, the religious sector, especially the representatives of churches, came out very strongly against Articles 2(6) and (7) of the Constitution, which provide that treaties that are ratified by Kenya shall become part of the laws of Kenya. They were opposed to the idea of giving an individual power to enact laws without involving Members of Parliament, who are the elected representatives of the people. One of the things that I promised the church then was to bring a law that would bring that authority back to Parliament. By introducing the Treaty-Making and Ratification Act, we did exactly that. We sought to give that power back to Parliament. However, one thing became very clear. When you are dealing with international law, once a country ratifies a treaty, it becomes law. During the negotiations between countries, Parliament is not involved. So, when they come to tell us that they are about to ratify, Parliament can only put reservations. It has been a problem whether to reject a treaty entirely or recommend reservations. However, this Bill seeks to get Parliament to be involved in the positions prior to ratification so that when it comes to Parliament, we do not find ourselves in a dilemma. At the same time, it still gives the power to negotiate treaties primarily to the Executive, as it should be. That is the role of the Executive. But since treaties eventually become law, the voice of Parliament must be seen to be heard.

I support most of the provisions in this Bill. There were a few gaps because my mind was focused on areas where I have expertise, such as human rights and social justice. My mind was focused on treaties like the Conventions on the Elimination of All Forms of Discrimination Against Women, and the Conventions on the Rights of the Child, among others. However, this proposal comes in with economic treaties, which is not my *forte*, and because of that, we did not put a lot of emphasis. This proposal now brings in the aspect of economic treaties. What I like about the issues included is that they align with what we are talking about in foreign policy and putting the interest of Kenyans first.

Hon. Temporary Speaker, the Mover has also mentioned something that is very dear to me on negotiating treaties that may compromise the country’s food security. I would like to request the technocrats that are working in the Ministries not to only look out for words like ‘food security’. Sometimes, the things that compromise food security come in very interesting ways that you might not see. For instance, when I was studying at the University of Nairobi a long time ago, some of the treaties that we got involved in at that time compromised our ability as a country to replant our traditional food varieties. We needed to get authorization from other countries to use our own traditional varieties. There are areas where you cannot easily get the new varieties. Therefore, by doing that, you end up making our country slaves in terms of food varieties.

I used to visit my grandmother when I was a little girl, and she had a little mud-walled and grass-thatched kitchen. She always had maize hanging on the roof, and I had no clue why. I was told that was how they stocked seed varieties. If you visit any homestead nowadays, there

may no longer be any mud-walled kitchens or granaries. That is because of the treaties that we passed that compromised our food security. I am happy that you have brought this proposal that puts Kenyans first.

I commend you on the notification of regulatory impact statements in the proposed New Clause (b), which states that the preparation of a regulatory impact statement for an economic treaty shall be notified in the gazette and in a newspaper likely to be read by people who may be particularly affected by the proposed treaty. We are going beyond making this a business of Parliament by also making it a business of Kenyans. When we make a treaty, Kenyans must know and must be involved. What a tragedy that in implementing projects, we do not do the same.

I will propose a Bill, and in it, we will force the Government – I am still looking for an appropriate name for that Bill – to ensure that if the National Government Constituencies Development Fund (NG-CDF) has implemented projects, it must be published in the Gazette.

For example, if Suba North Constituency NG-CDF has completed a specific number of projects in a particular financial year, it must be published. If a county has done projects in a financial year, by village, by ward, by sub-county and by county, they should be known. There is a lot of pilferage because we do not have that step of accountability. Kenya is not a poor country. What we have is poverty of commitment and poverty of integrity. What we need to do is to enhance accountability so that when we have monies from NG-CDF, from the counties, from NGOs and from any other source, we account for it. How do we account for monies that go to the ground? Kenyans should be made aware, but not by information that I voluntarily give as a Member of Parliament, telling them that our NG-CDF has done a certain number of building or blocks. I may choose what to show appropriately or I may show but leave out the core issues that the public needs to know.

Therefore, I laud the Mover very much because this regulatory impact statement will empower Kenyans so that when we get into an economic treaty, Kenyans will know. Similarly, let us have, as part of our oversight role; as part of the Senate's oversight role and as part of oversight role in the counties – a way that Kenyans must know exactly what has been done in the country. I see that my time is up.

With those few remarks, I beg to second.

(Question proposed)

The Temporary Speaker (Hon. Omboko Milemba): The first Member on my list is Hon. Wilberforce Oundo.

Hon. Ojiambo Oundo (Funyula, ODM). Thank you, Hon. Temporary Speaker for allowing me to support the Treaty-Making and Ratification (Amendment) (No.2) Bill, (National Assembly Bill No.9 of 2024).

Let me, speak from two points of view. I sat in the Committee on Delegated Legislation in the 12th Parliament. The saddest moment was when we had to annul regulations simply because there was no form of parliamentary participation in the process.

I have also sat in the Departmental Committee on Trade, Industry and Co-operatives, and I have been involved in the ratification of several treaties, notably with the European Union and another by UAE, which is ongoing. A few issues, as my colleagues have pointed out, have come out very clear.

One of them is the opaque way of negotiating, signing the treaties and then dumping them in Parliament, while telling Members to ratify them. We have had no role to play at all but to ratify the treaties as they are.

I am happy that the Departmental Committee on Justice and Legal Affairs under the good leadership of Sir. George has found it wise to bring these amendments so that there is

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some semblance of the National Assembly participation in the treaty-making process. I say so in recognition to the statement by Hon. Millie Odhiambo. She indicated as it is written in the Constitution that, all treaties that are ratified by Kenya should become part and parcel of the laws of this country. Indeed, in the Constitution, the only body that is authorised to make laws is the National Assembly. The Senate just participates. For example, when you go to play a football match, there is a cheering squad. So, the Senate is like a cheering squad. Occasionally, the county assemblies make laws, but those are localized laws. The only body that can make laws for the country which bind everybody is the National Assembly.

I have some points of concern. One, this elaborate mechanism for participation by the National Assembly is only restricted to economic-related treaties. Therefore, the country can proceed and enter into treaties that legalise deviant social activities like the lesbian, gay, bisexual, trans-gender and queer (LGBTQ). I imagined this Bill would have opened all forms of treaties. So, our country will continue to enter into treaties like establishing military bases that insulate the military from foreign countries who harass, kill and maim ordinary *wananchi* like the case in Laikipia. We could also get into a situation where after the country signs treaties, the ‘Jonnies’ are allowed to impregnate our women under no subjective paternity test and are not held liable for the child protection. This is a source of worry. I hope that during the public participation on the Bill, the Committee received such concerns. When we get to the Committee of the whole House, we will have a chance to review that matter critically.

Clause 4 seeks to amend Clause 5 by including Clause 5a. This is a checklist of the issues to be checked and considered. The procedures are fairly elaborate but, at times, they can be cumbersome or onerous. This is the price we have to pay to ensure that whatever we legislate and approve in this country, has very clear provisions on the interests of Kenyans.

I have two other concerns. If you may allow me, without interfering with my timing, I want the Chairman, at the appropriate time, to come out clearly on what is negotiation, execution of the treaty and ratification. In my understanding - and that brings me to Clause 9 - ratification is done by the National Assembly. I need to be guided and educated. I do not understand why the Leader of the Majority Party or the Minority Party forming the Government has to accompany the Cabinet Secretary in ratifying the treaty. I thought that Parliament ratifies. That is the reason why the Bill is about treaty-making and ratification. This is something we need to understand clearly. At the point of the Cabinet Secretary informing the National Assembly, they have already commenced the process of negotiating a treaty. Then, next is the issue of regulatory impact assessment. Inevitably, it will follow with some element of public participation. I am not so sure whether this is good use of public resources because when the treaty comes to Parliament, it will still be subjected to public participation. I need to be guided whether the Public Participation Bill that we attempted to discuss here was finally enacted. It set the threshold, modalities and process of public participation so that we can lift the views of the people, synthesise the same and clearly inform without wasting more public resources.

Clause 7 of the Bill seeks to amend Section 8 of the Principal Act by deleting subsection (5) and substituting therefor the following new subsections—

“(5) the National Assembly may introduce any reservations as a provision into a treaty.
(5A) Where the National Assembly introduces a reservation under this section, the Clerk of the National Assembly shall indicate, in writing, to the relevant Cabinet Secretary the specific clause or clauses of a treaty for which the National Assembly proposes to make reservations and shall specify the reasons for which the reservations are made.”

In the Bill before us, there seems to be nothing compelling the Cabinet Secretary to ensure the reservations of the National Assembly are incorporated before the negotiations are completed and the treaty is signed. We should seek an amendment to make it compulsory. The

National Assembly represents the people. We presume the Act on behalf of the people and, consequently, whatever recommendations we make must be carried. This brings me to another similar issue, “that might be considered” does not make it mandatory.

Clause 6B in page 293 states:

(6) The responsible Cabinet Secretary shall ensure that –

(a) all comments or submissions are considered before an economic treaty is made.”

The word “considered” does not mean it is mandatory, unless in legal terms it is different from the typical English word. One can simply say, “I will consider but I am not duty-bound to include the recommendations”. Also, one can consider and disregard by saying: “What you asked me to consider, I did so but did not find any merit in it. Hence, I disregarded and proceeded to sign”.

The danger is once a treaty is signed... Most could be multilateral treaties involving very many countries and different organisations. So, even if the National Assembly makes reservations, it will be very difficult to implement them within the given time. This will be a big issue. So, Hon. Temporary Speaker...

(Hon. (Dr) Ojiambo Oundo spoke off the record)

The Temporary Speaker (Hon. Omboko Milemba): You have had your bite. You indicated that you support the Bill. Let us have the next speaker, Hon. Mary Emaase.

Hon. Mary Emaase (Teso South, UDA): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute to this Bill. From the onset, I support the Treaty-making and Ratification (Amendment) (No.2) Bill, 2024. It is very timely and important.

Firstly, it gives Parliament the opportunity to represent and protect the people of Kenya by allowing the National Assembly to scrutinise a treaty before it is approved. We know that all treaties that are signed have some ramifications. They have multifaceted impacts, economically and politically. Echoing what Hon. Oundo has said, sometimes, some agreed-upon treaties have some political implications that can mess up the relationship between nations. This Bill is important because Parliament will have an opportunity to look at the objectives. Do we need this as a country? Will the passing of this treaty increase trade? Will it help the country access new markets? Will it increase investment flow into the country or shall it have other effects in terms of curtailing other policies and laws that directly impact the economy and affect taxes?

Clause 5 (a) gives Parliament the opportunity to scrutinise treaties before they are approved. At the same time, the clause recommends timelines within which the House needs to be notified for any changes to be made to any treaty. Clause 5 (a) (ii) provides for seven days within which notification for such a change should be brought to the National Assembly.

The other good thing about this Bill is that it gives room for consultations between the National Assembly and the Cabinet Secretary. This is for Parliament to register its reservations. This is further addressed in clause 7 where we can give our reservations as Parliament, with reasons. The Cabinet Secretary must also give an annual report of the status of all treaties.

Hon. Temporary Speaker, this is a good Bill and I support.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Next is Hon. Mishi Mboko.

Hon. Mishi Mboko (Likoni, ODM): Ahsante sana, Mhe. Spika wa Muda. Naunga mkono Mswada huu unaozungumzia kutengenezwa na kudhibitishwa kwa mikataba ya kiulimwengu.

Kama tunavyofahamu, taifa letu lina sheria zinazotokana na sheria mama ya Katiba yetu. Pia, tunazo sheria ambazo zimetokana na mikataba ya kiulimwengu ambapo nchi yetu

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hutia sahihi. Kwa hivyo, ni muhimu sana sheria hizo kutambulika kinaga ubaga haswa na Bunge la Kitaifa. Ili mikataba hii ikubalike, ni mujibu wa Bunge kutengeneza sheria nchini ambazo pia zinaambatana na Katiba yetu. Hivyo, nchi yetu inatambulika ulimwengu mzima kukubaliana.

Mhe. Murugara amezungumzia kwa uwazi vifungu ambavyo vinahusiana na Mswada huu. Vifungu hivi vimeguzia maswala muhimu sana. Kwa sababu, ni lazima tujue faida na madhara ya mikataba hii katika taifa letu. Mfano ni sheria za mikataba ya kibiashara kama zile zinazohusiana na maswala ya ushuru. Je, tukikubaliana na mikataba hii, tutaboresha au kudidimiza uchumi wetu? Vile vile, mikataba hii huwa na mambo ya kisiasa yanayopinzana na tamaduni zetu. Mikataba mingi huzungumzia haki za kibinadamu. Hivi majuzi, tumeona nchi kadhaa zimekubaliana na ndoa za kijinsia. Je, iwapo mkataba kama huu hautaletwa Bungeni na sisi kufanya mashauriano, basi unaweza kutuleta madhara katika mila na tamaduni zetu za kidini za Kiisilamu na Kikristo. Kwa hivyo, suala kama hili ni suala muhimu sana.

Pili, wakati wa kuadhimisha siku ya kina mama, huwa tunaenda mkutano mkubwa kule Amerika ili kuzungumzia haki za kimsingi, haswa haki ambazo zinaangalia masuala ya akina mama, watoto na walemavu. Siyo Wabunge wote wanaenda pale. Ni wachache ambao wanachaguliwa kuhudhuria mkutano ule. Wakati mwingi, unapata nchi yetu inaweka sahihi bila kuangalia mkataba vizuri. Halafu, baadaye tunaona unakiuka mila na desturi zetu ama Katiba ya taifa letu la Kenya.

Mswada huu pia umezungumzia kwamba utatengeneza wakala ama gazeti ambalo litatangaza mkataba wa sheria ya kiulimwengu kuhusu jambo fulani. Kwa hivyo, Wakenya wataweza kuelewa na kufahamu. Kama Katiba inavyosema, Wakenya wapate uhuru na nafasi ya ufahamu ama kuelezwa mambo yanajiri na kupata mawasiliano ya mambo ambayo yanayotukabili katika taifa letu la Kenya. Kwa hivyo, gazeti hilo likitolewa wakati unaofaa, Wakenya watalipitia na kuwafahamisha Wabunge wao kuwa mkataba huo una madhara ama faida gani, na iwapo wanaukubali au la. Hili ni jambo la maana sana.

Vile vile, Wabunge wataweza kushauriana na Waziri mhusika kama mkataba wa kimataifa unalingana na sheria na sera zetu, kabla haujaidhinishwa kikamilifu na kuchapishwa. Hivi sasa, nafikiri suala hili haliko. Tukipitisha Mswada huu na kutiwa sahihi na Rais wetu, ambaye tunamheshimu sana, utapatia nafasi Waziri na Wabunge kushirikiana na kufanya mazungumzo ili kupata mwongozo kuhusu iwapo tufuate sheria hiyo na kuithibitisha au tukatae kuithibitisha.

Vile vile, tutaweza kupata nafasi muafaka ya kupiga msasa. Hii mikataba huwa kama sheria ambazo tunatengeneza katika hili Bunge la Kitaifa. Mikataba hiyo ina vifungu na maneno mengi sana kama sheria nyingine. Tutaangalia iwapo, baada ya kuikubali mikataba hiyo, tuna uwezo wa kuunda sheria katika Bunge letu ili uthibitisho uwe sawia. Hii itahakikisha kuwa tupo pamoja na yale mataifa yaliyokubaliana na mikataba hiyo.

Mara nyingi, sheria hizi huwa zinakuja kisiasa sana. Unapata nchi ambazo zimejiweka pamoja, zina ushirikiano fulani wa kisiasa ama wa kibiashara na wanakubali mkataba huo. Unapata kuna nchi zingine ambazo hazishirikiani na baadhi ya mataifa katika masuala ya kisiasa ama wana mizozo au tofauti za kibiashara na, kwa hivyo, hawaungi mkono. Wakati mwingine mnajipata mumeingizwa katika mkataba na kumbe wale ambao wamekubaliana na mkataba ule ni mahasimu wa marafiki wenu katika nchi kadhaa.

Kwa hivyo, hili ni suala nyeti sana. Sio jambo rahisi. Ni suala nyeti ambalo linahitaji mazungumzo ya kina na ushirikiano wa karibu kati ya Wakenya na Wabunge wanaowawakilisha ili kusudi wakati tunathibitisha ile tunaita kwa lugha ya Kiingereza *ratification* ama *treaty-making*, tuwe tumefuata mazungumzo. Mara nyingi sisi hatutengenezi, lakini ni vizuri kuwe na uwakilishi wa watu ambao watatoa mapendekezo. Wakati huo ni muafaka wa kuyajua yale mapendekezo kabla ya ule mkataba kutengenezwa na kuletwa kwetu na kuambiwa tuweke sahihi kama taifa. Kwa sababu mkataba unazungumzia haki za

kibanadamu na haki za kimsingi. Kwa kweli, haki za kibanadamu ni muhimu sana. Lakini, katika hizo haki za kibanadamu, kuna haki nyingine ambazo zinakiuka mila na tamaduni zetu, dini zetu na Afrika ama Uafrika.

Kwa hivyo, lazima kila jambo lifanywe kwa utaratibu ufaao ndiposa tuwe tukiweka sahihi katika mikataba inaofaa. Namaanisha mikataba ambayo inasaidia Wakenya ambao hawana nafasi ya kuwa katika Bunge hili, ili waweze kusema kama wamekubali au kukataa mikataba hiyo.

Kuna muda wa siku saba uliowekwa kama lazima kwa Bunge kujulishwa na watu. Ni vizuri kuwepo muda, bali sio kuletewa tu na kuambiwa tuweke sahihi ama tupatiwe vikwazo. Mara nyingi, hii mikataba ya kiulimwengu na kimataifa huja na vikwazo. Huenda wakasema hawatatupa msaada ambao wamekuwa wakitupatia.

Kwa hivyo, Mswada huu ni wa muhimu sana na naunga mkono. Mhe. Murugara, ahsante sana kwa ufasaha wako ulivyoelezea kinaga-ubaga. Ahsante sana, Mheshimiwa Spika wa Muda.

The Temporary Speaker (Hon. Omboko Milemba): Very well. *Ahsante sana*. Mover.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker.

Allow me to thank everyone who has contributed to this Bill, which is a very important Bill. Openly and candidly, Members have stated how important it is for this House to be involved in treaty-making, instead of just doing ratification alone. We should also be making treaties. I was keen to what Hon. Oundo has said, that we must be very clear on what we are doing and when the accompanying will be done. Let it be clear whether it will be at the time of signing or ratification. This will be amended further at the Committee of the whole House. Some words may have been interchanged. We will be looking at this as we move to the Committee of the whole House so that we get it right.

Thank you. I beg to reply.

The Temporary Speaker (Hon. Omboko Milemba): Very well. It is a very progressive law. Next Order.

BILL

Second Reading

THE KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL (National Assembly Bill No. 72 of 2023)

The Temporary Speaker (Hon. Omboko Milemba): Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): I beg to move that the Kenya National Council for Population and Development Bill, (National Assembly Bill No. 72 of 2023), be now read a Second Time.

I want to say that the gist of this Bill is very simple. It is to anchor the National Council for Population and Development (NCPD) in law. It has existed because of a Legal Notice. As we know, Legal Notices only exist up to 10 years only. Then, they collapse beyond 10 years. Therefore, the NCPD requires a legal instrument to allow it exist in perpetuity. We need to put it in law and develop an Act. For those who are asking the questions, that is the gist of the matter.

The NCPD has been there for many years. It was set up in 2004. It has existed based on a Legal Notice. We now want to transform this Legal Notice into an Act of Parliament to give the NCPD a better platform to exist. It is a Semi-Autonomous Government Agency

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(SAGA) within the Ministry of National Treasury and Economic Planning. If you allow me, I can go into the details a little bit, and then I will ask Hon. Bashir to second.

By way of introduction, the NCPD was established in 1982, as a department in the then Office of the Vice-President and Ministry of Home Affairs. It was set up to formulate population policies, strategies and coordinate population-related activities. In 2004, the Council gained the status of a Semi-Autonomous Government Agency (SAGA) under the name National Coordinating Agency for Population and Development (NCAPD), through Legal Notice No.120 of 2004. In 2011, NCAPD reverted to its original name, NCPD, through Legal Notice No.172 of 2011.

Initially, the role and mandate of NCPD was contained in Sessional Paper No. 4 of 1994 on Population Policy Guidelines. The policy guidelines were later revised and formed the backbone of the Sessional Paper No.1 of 2000 on National Population Policy for Sustainable Development (NPPSD). In 2012, the Government issued Sessional Paper No. 2 of 2012 on Population Policy for National Development (PPND). Subsequently, Sessional Paper No.3 of 2012 on PPND was revised, leading to the issuance and adoption of Sessional Paper No.1 of 2023 on the Kenya National Population Policy for Sustainable Development that recommended the establishment of NCPD through an Act of Parliament. You can see how late we are.

In 2023, a recommendation was made to transform NCPD through an Act of Parliament. This is a 2023 Bill and so, we are late on this matter. Presently, Executive Order No.1 of 2023 on Organisation of Government, dated 23rd January 2023, recognises NCPD as a SAGA under the National Treasury and Economic Planning, State Department for Economic Planning.

As you may be aware, section 21(1) of the Statutory Instruments Act, 2013 provides for the automatic revocation of statutory instruments after 10 years have elapsed. In view of the above historical background, the principal object of this Bill is to anchor the NCPD under an Act of Parliament to ensure its perpetuity. The same was to be cured by the Finance Bill, 2024, which deleted section 21 of the Statutory Instruments Act, but you know what happened to the Finance Bill. Therefore, we have to do it independently.

I would like to make a few highlights of the Bill, which are very important for Members. The principal object of the Bill is to anchor NCPD in law. Part I has Clauses 1 to 3 of the Bill which contains preliminary matters including the interpretation of terms that have been used and the guiding principles.

Part II has Clauses 4 to 20 of the Bill which provides for the establishment, composition and administration of NCPD. The objects of the Council are to:

1. Act as the focal point on matters relating to population and development in the country.
2. Develop a National Population Policy.
3. Coordinate the implementation of population and development activities being carried out by various stakeholders in Kenya.

The functions of the Council are contained in Clause 6. There are additional functions to those that are set out in the Legal Notice. The additional functions include resource mobilisation and establishment of standards for population programmes in the country.

Governance structures are in Clause 7. The State Corporations Act (Cap. 446) provides that membership of boards of body corporates should include the principal secretary of the relevant parent ministry.

The Bill further seeks to establish an audit committee and any other committee that will enhance the council's performance under Clause 12 of the Bill which seeks to strengthen its role to enable it perform its duties.

Hon. Temporary Speaker, Part III has Clauses 21 to 26 of the Bill which provides for financial provisions, just like other SAGAs. Part IV of the Bill has Clauses 27 to 31 of the Bill

which sets out general provisions. Clause 27 of the Bill provides for the seal of the council. Clause 29 of the Bill allows the council to engage persons or organisations with specialised knowledge and skills in different areas where necessary for it to discharge its functions. It also allows the council to offer consultancy services to other institutions.

Clause 30 of the Bill provides for services and documentation. It says that a notice or document shall be served on the council by delivering them at the office of the director-general. The last part of the Bill that is clauses 32 to 33 of the Bill, proposes transitional provisions. We need to transit from the Secretariat that sits at the National Treasury to a full autonomous organisation, the NCPD, that is established and anchored in law. Therefore, the current secretariat and members that are there will transition to the new organisation.

In conclusion, I urge Members to support this Bill as it strengthens the implementation of the population programmes, and enhances inter-agency collaboration. This Bill is an important piece of legislation to ensure that all the gains we have had through the NCPD, which has been there for many years, can now be anchored in law for perpetuity. It will also ensure that we have an organisation that looks at the population policy in this country.

We do not want to end up the Chinese way. We are Africans and children are a blessing. Bigger population is good for a country. However, we need to control it in such a way that development programmes financing and other factors come together in a harmonised way. What we do in our schools, universities, food production and economic activities that we have in the country are about the population size. Therefore, this is an important Bill that we must anchor in law to ensure the perpetuity of that organisation. More importantly, we need to deal firmly with population matters and development.

I thank you and request Hon. Bashir to second.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Bashir.

Hon. Major (Rtd) Abdullahi Sheikh (Mandera North, UDM): Hon. Temporary Speaker, I beg to second.

(Question proposed)

The Temporary Speaker (Hon. Omboko Milemba): The first Member to speak on this Bill is Hon. Mary Emaase.

Hon. Mary Emaase (Teso South, UDA): Thank you, Hon. Temporary Speaker. I support this Bill, which is very straightforward. It seeks to give the NCPD legal standing so that it becomes a corporate body.

Secondly, it seeks to give it a new lease of life after the expiry of 10 years, as stipulated by the Policy or the Act at formation. Issues of population, especially population census, are very emotive. We have cases in the country where even after a population census, some Kenyans in some areas feel that it was not done properly. Therefore, this Bill seeks to give that council a legal status so that it can be properly constituted and staffed with the employees that are required in terms of qualifications so that they do a good job for this country and make a good budget.

Once it has been given a legal standing, it will be possible for this House to give it an independent budget. Like I said, the Bill is straightforward. The rest of the clauses as moved by the Mover speak to the functions, duties, administration issues, audit, general provisions and further future transitions of the NCPD.

I support the Bill.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Gitonga Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Temporary Speaker. I support this Bill, which seeks to establish the Kenya National Council for Population and

Development in the country. We have considered the Bill for quite some time and we are now in the final stages of passing it.

The country cannot boast of a good population development policy, especially bearing in mind that we began with a Sessional Paper. Thereafter, we had a legal notice, which is a subsidiary legislation. After a lull of over 60 years, we are now coming up with an Act of Parliament, which will regulate policy on population in the country.

I recently watched a clip of the late President Mwai Kibaki when he was our Minister for Finance in 1974, where he eloquently articulated the population policy of our country. We had to plan our families during that time. This meant you ensured the number of children you got were commensurate with your income. That is how the country's family planning policy came to be. I am not sure whether that is still the policy today. Therefore, we need an entity to tell us exactly how we can go about planning our families and the population. Population is a human resource and so, it has to be properly planned. It is an important resource for the country. That is why China is in the first place today and Africa may be leading 50 years from today. We want more people on the continent to boost our production and markets, so that we can compete relatively well with other continents.

We are now establishing this council, whose main function will be to plan on issues relating to population. As stated, it is a straightforward Bill. After forming and determining the functions and responsibilities of that entity, we will set up the council. It will be governed by a board of directors consisting of several members, who will be appointed as set out in the Act. The Bill also elaborates on the functions of the board, which is the day-to-day running of the council, so that relevant reports are made and presented. This council will also advise us on the periodical census we have to do every 10 years. One is looming because the last one we had was highly discredited purely because we did not have a policy to govern how it should be done. We hope this is the solution to that problem. We also hope that counties will not dispute their population figures, with some claiming they are deflated and others saying they are inflated. We have the financial provisions purely in accordance with our Constitution. This is the House that allocates and appropriates money. So, we will appropriate money to that council once it is established. Once the monies are appropriated, the board will be responsible.

We have made general provisions regarding the council, which make it an offence to act contrary to the Act. We also have a provision to make subsidiary legislation regarding the Act, which will be done by the cabinet secretary responsible for such matters. He or she will have to do this in consultation with the board, which is the governing body of the council. We have several schedules that must be read together with the Act after the transitional provisions, which is the format in which the laws are made.

This is a straightforward Bill that we need to pass as a House. I support it and urge that, if there are any issues to be considered during the Third Reading, they should be highlighted quickly so that we can establish the council and start planning for our population census using an agency established by an Act of Parliament.

With those remarks, I beg to support.

The Temporary Speaker (Hon. Omboko Milemba): Very well. There being no further interest in this Bill, I call upon the Mover to reply.

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, as I reply, I thank the Members who have made contributions to this Bill. I also thank them for recognising that this is a very important piece of legislation that we must have as a country in order to anchor the NCPD into law.

As mentioned by Hon. Murugara, it is very important that the country plans its families and population. As Hon. Mary Emaase has asserted, population matters are very emotive. We recently saw a case that took a long time in court involving population issues in the North-

Eastern region. So, we need a policy-making body that will give directives on population issues in this country.

I am a big believer that this country should have as many people as possible. We should have a huge population because it presents a good market for our products and supports productivity. However, having a large population without proper planning can strain our schools, markets, transport system and housing. Those systems must be put in place as we project and look forward to having a larger population. We cannot just have a large population; we must properly plan for it. The NCPD will have the mandate to do that.

Hon. Temporary Speaker, I reply.

The Temporary Speaker (Hon. Omboko Milemba): Very well.

Hon. Members, we shall defer the putting of the Question on Order Nos. 16 and 17 to the next sitting.

(Putting of the Questions deferred)

Next Order.

BILL

Second Reading

THE NATIONAL COHESION AND INTEGRATION BILL (National Assembly Bill No. 74 of 2023)

The Temporary Speaker (Hon. Omboko Milemba): The Chairperson of the Committee on National Cohesion and Equal Opportunity gave a notification that he will be away on other important matters affecting that particular Committee. Therefore, we shall defer this Order to the next sitting.

(Bill deferred)

ADJOURNMENT

The Temporary Speaker (Hon. Omboko Milemba): Hon. Members, having completed all the business on the Order Paper, and the time being 7.24 p.m., the House stands adjourned until Thursday, 24th April 2025, at 2.30 p.m.

The House rose at 7.24 p.m.

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