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SNA  
30/9/25*


REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT – FOURTH SESSION – 2025

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON ENVIRONMENT, FORESTRY AND MINING

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REPORT ON THE  
CONSIDERATION OF THE PRIVILEGES AND IMMUNITIES (THE GLOBAL CENTRE  
FOR ADAPTATION) ORDER, 2025

 <b>THE NATIONAL ASSEMBLY PAPERS LAID</b>	
DATE: <b>30 SEP 2025</b>	DAY: <b>TUESDAY</b>
TABLED BY: <b>HON. VINCENT MUSYOKA, MP (CHAIRPERSON)</b>	
CLERK AT TABLE: <b>MROPV MWALE</b>	



DIRECTORATE OF DEPARTMENTAL COMMITTEES,  
CLERK'S CHAMBERS,  
PARLIAMENT BUILDINGS,  
NAIROBI.

SEPTEMBER, 2025

## TABLE OF CONTENTS

LIST OF ABBREVIATIONS AND ACRONYMS .....	3
LIST OF ANNEXURES .....	4
CHAIRPERSON'S FOREWORD .....	5
PART ONE .....	7
1.0 PREFACE.....	7
1.1 ESTABLISHMENT OF THE COMMITTEE .....	7
1.2 MANDATE OF THE COMMITTEE.....	7
1.3 COMMITTEE MEMBERSHIP .....	8
1.4 COMMITTEE SECRETARIAT .....	9
PART TWO.....	10
2.0 CONSIDERATION OF THE PRIVILEGES AND IMMUNITIES (THE GLOBAL CENTRE FOR ADAPTATION) ORDER, 2025 .....	10
2.1 BRIEF OVERVIEW .....	10
2.2 THE GLOBAL CENTRE FOR ADAPTATION (GCA) .....	11
2.3 THE EXPLANATORY MEMORANDUM ON THE HOST COUNTRY AGREEMENT (HCA) BETWEEN THE GOVERNMENT OF KENYA AND THE GLOBAL CENTRE FOR ADAPTATION (GCA) 11 .....	11
2.3.1 Benefits for Kenya .....	11
2.3.2 Financial Implications .....	12
2.3.3 Public Consultations .....	12
2.3.4 Monitoring and Review .....	12
PART FOUR .....	13
4.0 PUBLIC PARTICIPATION/STAKEHOLDERS CONSULTATION .....	13
4.1 SUBMISSIONS BY THE STATE DEPARTMENT FOR FOREIGN AFFAIRS.....	13
4.2 SUBMISSIONS BY THE MINISTRY OF ENVIRONMENT, CLIMATE CHANGE, AND FORESTRY .....	15
4.4 SUBMISSION BY THE ATTORNEY GENERAL .....	16
PART FIVE .....	17
2. COMMITTEE OBSERVATIONS.....	17
PART SIX.....	18
3. COMMITTEE RECOMMENDATION .....	18

## LIST OF ABBREVIATIONS AND ACRONYMS

AAAP	-	Africa Adaptation Acceleration Program
AFDB	-	African Development Bank
GCA	-	Global Centre for Adaptation

## **LIST OF ANNEXURES**

1. Report adoption Schedule
2. Minutes
3. Copy of the Newspaper Advertisement on Public Participation
4. Letter inviting stakeholders for meetings with the Committee
5. Stakeholder submissions

## CHAIRPERSON'S FOREWORD

The Cabinet Secretary for Foreign and Diaspora Affairs, in exercise of the powers conferred by section 11 of the Privileges and Immunities Act, Cap 179, published the Privileges and Immunities (Global Centre for Adaptation) Order, 2025 *vide Legal Notice Number 82 of 2025*.

The Order was published on 2<sup>nd</sup> May, 2025 and submitted to the Clerk of the National Assembly on 30<sup>th</sup> May, 2025 and tabled on 4<sup>th</sup> June 2025 by the Leader of the Deputy Majority Whip and subsequently referred to the Departmental Committee on Environment, Forestry and Mining for consideration.

The Privileges and Immunities (Global Centre for Adaptation) Order, 2025 indicates that the Government of Kenya has entered into an agreement for cooperation with the Global Centre for Adaptation (GCA), an international organization established with the aim of accelerating adaptation action and supporting climate adaptation solutions.

Pursuant to section 11 of the Privileges and Immunities Act, Cap 179, the **Privileges and Immunities (Global Centre for Adaptation) Order, 2025** seeks to grant GCA the privileges and Immunities under Part I of the Fourth Schedule to the Act which include immunity from suit and legal process; inviolability of premises occupied as offices and official archives; exemption from rates and taxes on importation of goods; exemption from taxes on the goods or services imported or purchased locally by the organization for its official use in Kenya or for exportation, or on the importation of any publications of the organization directly by it, subject to conditions imposed in customs and excise; and exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organization for its official use and any publications of the organization directly imported or exported by it.

Additionally, the Order seeks to grant the GCA director, officials and staff the privileges and immunities specified under Part III of the Fourth Schedule to the Act, which include immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties, exemption from direct taxes upon emoluments received as an officer or servant of the organization; immunity from national service obligations; immunity from immigration restrictions and alien registration in respect of officers and servants and their spouses and dependent relatives; like privileges in respect of exchange control facilities as are accorded to officials of equivalent status forming part of diplomatic mission; like facilities for the officers and servants and their spouses and dependent relatives for repatriation in time of international crises as are afforded to diplomatic missions; and exemption from tax or duty on the importation of furniture, personal property and household effects of an officer or servant first arriving to take up his post in Kenya.

The Committee upon receipt of the Order, scrutinised the Order in accordance with the Constitution of Kenya, the Privileges and Immunities Act, Cap 179, the Interpretation and General Provisions Act, Cap 2 and the Statutory Instruments Act, Cap 2A which regulate the making, scrutiny and publication of the Order and made various observations which informed the decision to approve the submitted instrument.

Following the placement of advertisements in the print media on **Wednesday, 9<sup>th</sup> July, 2025**, seeking public and stakeholder views on the Order pursuant to Article 118(1) (b) of the Constitution and Standing Order 127(3), the Committee did not receive any memorandum.

Pursuant to section 16 of the Statutory Instruments Act, Cap 2A, which obligates the Committee to confer with the regulation making authority, the Committee held a consultative meeting with the Ministry of Foreign and Diaspora Affairs, the Ministry of Environment, Forestry and Climate Change and the Office of the Attorney General on Friday, 8<sup>th</sup> August 2025 to deliberate on the Privileges and Immunities (Global Centre for Adaptation) Order, 2025 and consider the underlying policy rationale.

Having examined the Privileges and Immunities (Global Centre for Adaptation) Order, 2025 against the Constitution of Kenya, the Privileges and Immunities Act, Cap 179, the Interpretation and General Provisions Act, Cap 2 and the Statutory Instruments Act, Cap 2A, the Committee is satisfied that the Order complies with the Constitution and the relevant enabling legislation. Further, the Committee confirms that the Order was submitted to the National Assembly within the statutory timelines, was accompanied by an explanatory memorandum and was subjected to adequate public participation. Accordingly, *the Committee recommends that the House APPROVES the Privileges and Immunities (Global Centre for Adaptation) Order, 2025 (Legal Notice No. 82 of 2025)*

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. Finally, I wish to express my appreciation to the Honorable Members of the Committee and Secretariat who made useful contributions towards the consideration and production of this report.

On behalf of the Departmental Committee on Environment, Forestry and Mining and pursuant to provisions of Standing Order 127 (4), it is my pleasure and honour to present to this House the Report of the Committee on its consideration of the Privileges and Immunities (Global Centre for Adaptation) Order, 2025.

**HON. VINCENT MUSYOKA MUSAU, CBS, MP**  
**CHAIRPERSON, DEPARTMENTAL COMMITTEE ON ENVIRONMENT, FORESTRY AND**  
**MINING**

## PART ONE

### 1.0 PREFACE

#### 1.1 ESTABLISHMENT OF THE COMMITTEE

1. The Departmental Committee on Environment, Forestry and Mining is one of the twenty Departmental Committees of the National Assembly established under **Standing Order 216**, whose mandate pursuant to the **Standing Order 216 (5)** is as follows:
  - i. *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
  - ii. *To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;*
  - iii. *On a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
  - iv. *To study and review all the legislation referred to it;*
  - v. *To study, assess and analyse the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;*
  - vi. *To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;*
  - vii. *To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on appointments);*
  - viii. *To examine treaties, agreements and conventions;*
  - ix. *To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
  - x. *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
  - xi. *To examine any questions raised by Members on a matter within its mandate.*

#### 1.2 MANDATE OF THE COMMITTEE

2. In accordance with the Second Schedule to the Standing Orders, the Committee is mandated to consider matters related to Climate change, environment management and conservation, forestry, mining and natural resources, pollution and waste management.
3. In executing its mandate, the Committee oversees the Ministry of Environment, Climate Change and Forestry and the State Department for Mining.

### 1.3 COMMITTEE MEMBERSHIP

4. The Departmental Committee on Environment, Forestry and Mining was constituted by the House on 27<sup>th</sup> October 2022 and on 5<sup>th</sup> March 2025 and comprises the following Members:

#### Chairperson

Hon. Vincent Musyoka Musau, MP  
Mwala Constituency

#### UDA Party

#### Vice-Chairperson

Hon. Charles Kamuren, MP  
Baringo South Constituency

#### UDA Party

#### Members

Hon. Mbalu Jessica Nduku Kiko, CBS, MP  
Kibwezi East Constituency  
WDP Party

Hon. Mohamed Ali Mohamed, MP  
Nyali Constituency  
UDA Party

Hon. Mwanyanje Gertrude Mbeyu, MP  
Kilifi County  
ODM Party

Hon. Masito Fatuma Hamisi, MP  
Kwale County  
ODM Party

Hon. Hiribae Said Buya, MP  
Galole Constituency  
ODM Party

Hon. Titus Lotee, MP  
Kachaliba Constituency  
KUP Party

Hon. Salim Feisal Bader, MP  
Msambweni Constituency  
UDA Party

Hon. Mohamed Tubi Bidu, MP  
Isiolo South Constituency  
Jubilee Party

Hon. Emathe Joseph Namuar, MP  
Turkana Central Constituency  
UDA Party

Hon. Yakub Adow Kuno, MP  
Bura Constituency  
UPIA Party

Hon. Joseph Wainaina Iraya, MP  
Nominated  
UDA Party

Hon. Kemei Beatrice Chepngeno, MP  
Kericho County  
UDA Party

Hon. Charity Kathambi Chepkwony, MP  
Njoro Constituency  
UDA Party

#### 1.4 COMMITTEE SECRETARIAT

5. The Committee is facilitated by the following staff:

Ms. Hellen Ekadeli  
**Senior Clerk Assistant/Head of Secretariat**

Ms. Mercy Wanyonyi  
**Senior Legal Counsel**

Mr. Hamdi Hassan Mohamed  
**Clerk Assistant III**

Dr. Joseph Kuria  
**Research Officer III**

Ms. Nancy Chamunga  
**Fiscal Analyst II**

Mr. Stephen Otieno  
**Senior Sergeant-At-Arms**

Mr. Kevin Obilo  
**Media Relations Officer III**

Mr. Eric Ogola  
**Public Communications Officer III**

## PART TWO

### 2.0 CONSIDERATION OF THE PRIVILEGES AND IMMUNITIES (THE GLOBAL CENTRE FOR ADAPTATION) ORDER, 2025

#### 2.1 BRIEF OVERVIEW

6. The Privileges and Immunities (Global Centre for Adaptation) Order, 2025 indicates that the Government of Kenya has entered into an agreement for cooperation with the Global Centre for Adaptation (GCA), an international organization established with the aim of accelerating adaptation action and supporting climate adaptation solutions.
7. Pursuant to section 11 of the Privileges and Immunities Act, Cap 179, the **Privileges and Immunities (Global Centre for Adaptation) Order, 2025** seeks to—
  - (a) Grant GCA the privileges and Immunities under Part I of the Fourth Schedule to the Act which include—
    - (i) Immunity from suit and legal process;
    - (ii) Inviolability of premises occupied as offices and official archives;
    - (iii) Exemption from rates and taxes on importation of goods;
    - (iv) Exemption from taxes on the goods or services imported or purchased locally by the organization for its official use in Kenya or for exportation, or on the importation of any publications of the organization directly by it, subject to conditions imposed in customs and excise; and
    - (v) Exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organization for its official use and any publications of the organization directly imported or exported by it; and
  - (b) Grant the GCA director, officials and staff the privileges and immunities specified under Part III of the Fourth Schedule to the Act, which include—
    - (i) Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties, exemption from direct taxes upon emoluments received as an officer or servant of the organization;
    - (ii) Immunity from national service obligations;
    - (iii) Immunity from immigration restrictions and alien registration in respect of officers and servants and their spouses and dependent relatives;
    - (iv) Like privileges in respect of exchange control facilities as are accorded to officials of equivalent status forming part of diplomatic mission;
    - (v) Like facilities for the officers and servants and their spouses and dependent relatives for repatriation in time of international crises as are afforded to diplomatic missions; and
    - (vi) Exemption from tax or duty on the importation of furniture, personal property and household effects of an officer or servant first arriving to take up his post in Kenya.

## **2.2 THE GLOBAL CENTRE FOR ADAPTATION (GCA)**

8. The GCA is an international organization established with the aim of accelerating adaptation action and supporting climate adaptation solutions which is registered in the **Netherlands**.
9. The GCA—
  - (a) Is a development partner that operates through regional offices and partner institutions to facilitate knowledge sharing and learning and enable implementation of adaptation solutions, provide a coherent global perspective on adaptation and mobilize resources for adaptation;
  - (b) Works to promote global cooperation and collaboration on adaptation, bringing together governments, international organizations, the private sector, civil society and other stakeholders toward common adaptation goals; and
  - (c) Aims to catalyze action on adaptation by providing tools, support and resources to those who are most vulnerable to the impacts of climate change.
10. The GCA has been working in collaboration with the Government of Kenya, local and international partners in Kenya since 2021.

## **2.3 THE EXPLANATORY MEMORANDUM ON THE HOST COUNTRY AGREEMENT (HCA) BETWEEN THE GOVERNMENT OF KENYA AND THE GLOBAL CENTRE FOR ADAPTATION (GCA)**

11. The Agreement is entered into pursuant to Kenya's international commitments on climate action, including the Paris Agreement and national climate adaptation policies.
12. The Agreement—
  - (a) establishes a Regional Office of the GCA in Nairobi to enhance Kenya's role in climate adaptation and resilience building efforts across Africa;
  - (b) recognizes GCA as an international organization with legal personality i.e it can enter into contracts, acquire property and institute legal proceedings;
  - (c) GCA's property will be immune from legal processes except where immunity is expressly waived. Similarly, officials of GCA will be granted tax exemptions, work permits and other privileges similar to those of other international organizations;
  - (d) Official GCA activities will be exempt from taxes. Additionally, goods and services imported for official use will be exempt from custom duty and VAT;
  - (e) GCA will recruit both international and local personnel. Kenyan citizens will be given priority and recruited across all levels where applicable;
  - (f) Any disputes arising from the implementation of the Agreement will be resolved through consultations and if necessary through Kenyan courts; and
  - (g) The Agreement takes effect provisionally upon signature and definitively upon gazette and will remain in force for ten (10) years, renewable by mutual agreement of the Parties.

### **2.3.1 Benefits for Kenya**

13. The Host Country Agreement with GCA is a strategic initiative aligned with Kenya's climate change agenda. It provides an opportunity for Kenya to benefit from global expertise and resources in climate adaptation while reinforcing Nairobi's status as a hub for international organizations.
14. Additionally, it will—
  - (a) Enhance Kenya's international profile as a leader in climate adaptation;
  - (b) Strengthen cooperation with global stakeholders in climate resilience;
  - (c) Create job opportunities and capacity building opportunities for Kenyan professionals;

- (d) Increase investment in climate adaptation projects in Kenya and Africa; and
- (e) Facilitate knowledge-sharing and learning, guide and enable the implementation of adaptation solutions, provide a coherent global perspective on adaptation and mobilize for resources

### **2.3.2 Financial Implications**

15. The Agreement does not impose any direct financial obligations on the Government of Kenya beyond facilitating the operations of the Regional Office.

### **2.3.3 Public Consultations**

16. The Agreement incorporated the views of the key stakeholders such as the National Treasury and Economic Planning, Office of the Attorney General, Directorate of Immigration, Kenya Revenue Authority and the Ministry of Environment, Climate Change and Forestry.

### **2.3.4 Monitoring and Review.**

17. The Ministry of Foreign and Diaspora Affairs will monitor the activities of GCA together with the relevant Ministry.

## PART FOUR

### 4.0 PUBLIC PARTICIPATION/STAKEHOLDERS CONSULTATION

18. Following the call for memoranda from the public through placement of adverts in the print media on **6<sup>th</sup> December 2024** and vide letters **REF: NA/DDC/ EF&M/2025/41, REF: NA/DDC/ EF&M/2025/42** dated **30<sup>th</sup> July 2025**, **REF: NA/DDC/ EF&M/2025/46**, dated **29<sup>th</sup> July 2025**, inviting stakeholders for a meeting, the Committee received submissions from the following stakeholders:
- i) The Office of the Attorney General;
  - ii) Ministry of Environment, Forestry and Climate Change; and
  - iii) The State Department for Foreign Affairs

### 4.1 SUBMISSIONS BY THE STATE DEPARTMENT FOR FOREIGN AFFAIRS

19. In a meeting with the Committee held on **Friday, 8<sup>th</sup> August 2025**, **Dr. Korir Sing'Oei**, the Principal Secretary, State Department for Foreign Affairs made the following submissions:

#### Background

20. The Global Centre on Adaptation (GCA) is an international organization registered and headquartered in the Netherlands. It is established with the aim of accelerating adaptation action and supporting climate adaptation solutions.
21. The GCA is a development partner which operates through regional offices and partner institutions to facilitate knowledge-sharing and learning, guide and enable the implementation of adaptation solutions, provide a coherent global perspective on adaptation, and mobilize resources for adaptation.
22. The GCA works to promote global cooperation and collaboration on adaptation, bringing together governments, international organizations, the private sector, civil society, and other stakeholders to work towards common climate adaptation goals. It aims to catalyze action on adaptation by providing tools, support, and resources to those who are most vulnerable to the impacts of climate change.

#### GCA's activities in Kenya

23. GCA is supporting the Government of Kenya to provide an investment roadmap for climate resilient infrastructure, in partnership with the University of Nairobi. Through a risk and resilience assessment, this project aims to produce an investment roadmap that will guide the development of climate resilient infrastructure systems in Kenya. The roadmap will influence the national commitment of investing \$20.3 billion to enhance climate proofing of infrastructure by 2030 under the National Adaptation Plan.
24. The GCA is working with the African Development Bank (AfDB), under the African Adaptation Acceleration Program (AAAP), and **Kenya National Highways Authority (KeNHA)** to mainstream climate adaptation investing US\$ 223 million to upgrade critical sections of the **Kenya to South-Sudan road corridor**. This will boost the movement of goods, persons (service provision) and improves overall security.
25. The GCA is working with the World Bank Group (WBG) to **strengthen the public sector capacity of Kenyan counties and municipal boards to implement climate resilient urban services and planning under the US\$350m Kenya Urban Support Program – II (KUSP2)**.

26. In collaboration with the African Development Bank (AfDB) and the Alliance of Biodiversity International and the International Center for Tropical Agriculture (CIAT) GCA, works to mainstream climate adaptation solutions and resilience measures to climate-proof investments under the AfDB's Program to **Build Resilience for Food and Nutritional Security in the Horn of Africa (BREFONS)**. This US\$226 million investment program contributes to improving food and nutrition security and increasing resilience in the Horn of Africa. By strengthening the resilience and adaptive capacity of pastoral and agropastoral communities and production systems to climate change, the program also contributes to improving peace and security in the region. The countries covered by the program are Djibouti, Ethiopia, Kenya, South Sudan, Sudan, Eritrea.
27. The **African Youth Adaptation Solutions Challenge (YouthADAPT)** is an annual competition and awards program that supports youth-led enterprises with innovative climate adaptation and resilience solutions. Each winner of the Challenge receives a **\$100,000 grant and mentorship, enabling them to expand their solutions**. The winners also gain business support through a 12-month accelerator program.
28. Among the over forty winners of the AAAP's African Youth Adaptation Solutions Challenge (YouthADAPT Challenge), eight of them are from Kenya, some of the programs include:
- (i) **Agritech Analytics** developed a crop and soil management tool that leverages data from AI powered satellite analytics driven by ML algorithms and data from solar-powered IoT sensor to tackle water deficit, unpredictable weather events, plant and soil diseases.
  - (ii) **Kisumeo Organics** empowers smallholder farmers to create sustainable and climate-resilient aquatic food systems by leveraging artificial intelligence to produce crawfish fries all year round.
  - (iii) **Farmer Lifeline Technologies** helps farmers to get ahead of pests and pathogens with a proprietary disease detection device. The enterprise also reduces greenhouse gas emissions from synthetic fertilizers and farm chemicals by creating more environmentally friendly versions.
29. The intended Nairobi Regional Office will oversee the Africa Adaptation Acceleration Program (AAAP). The AAAP focuses on transformational pillars applicable to the region including Kenya where investments in adaptation and resilience building can yield high economic dividends for African nations and can accelerate the achievement of the Sustainable Development Goals.
30. These pillars include:
- (i) Food security;
  - (ii) Infrastructure and Nature-based Solutions;
  - (iii) Youth Entrepreneurship and Adaptation Jobs;
  - (iv) Adaptation Finance Research for Impact; and
  - (v) Agenda Setting and Advocacy.
  - (vi) To actualize the Regional Office, the GCA has requested to conclude a Host Country Agreement with the Government of Kenya, which agreement will provide an enabling, requisite and appropriate legal and institutional framework to enhance the co-operation and ensure more efficient and effective operations by GCA, within the Republic of Kenya.

### **Benefits of Hosting the Global Center on Adaptation in Kenya**

31. He noted that since 2021 GCA, has committed over EUR 3 million to programs for food security, infrastructure and nature-based solutions, and adaptation jobs in Kenya.
32. These investments will directly influence almost \$800 million in downstream investments, with significantly higher impact on the implementation of the GoK National Adaptation Plan, which has allocated \$20bn for resilient infrastructure.
33. GCA's strategy draws from Kenyan solutions and expertise, including through the domestic private sector and institutions of excellence, including the University of Nairobi.
34. Kenya plays host to numerous strong implementing partners many of whom collaborate with GCA to execute projects on its behalf. The opening a regional office in Kenya will undoubtedly present opportunities for deeper partnership and collaboration.

### **Additional benefits on the opening of GCA's Regional Office**

35. Increase the number of jobs for local Kenyans across all levels, spur development and humanitarian projects and increase foreign exchange earnings for the country. Further it will safeguard employment opportunities for the current and future workforce that will be based in Kenya.
36. Support the Government's focus and strategies around the reduction of the Country's vulnerabilities to climate change and harness the economic growth opportunities that result from effective climate adaptation.
37. Increase investment in the country which will spur economic growth through investments in adaptation and resilience building.
38. The establishment of the regional office in Nairobi will be an important step in enabling GCA to deepen our programs and impact in Kenya and the Eastern Africa region.
39. Continue to elevate Nairobi as a hub for multi-cultural diplomacy and also increase foreign currency cash flows which is necessary in boosting the local economy.
40. Nairobi has been chosen for the Regional Office because of its relative peace, geographical location, besides being a key financial, transportation, business and economic hub, thus providing excellent regional base to support its programs.

### **Financial Implications**

41. The Government of Kenya will not incur any immediate financial implications by hosting the Global Center on Adaptation in Kenya. However, as the Global Center on Adaptation has been published in the Gazette under the Privileges and Immunities Act, the Government will incur loss of revenue through tax exemptions granted. This will however be recouped through the investments GCA will carry out in Kenya.

### **Legal Implications**

42. There are no legal implications requiring change or creation of new law, on the grant of the Host Country Agreement to the Global Center on Adaptation.

## **4.2 SUBMISSIONS BY THE MINISTRY OF ENVIRONMENT, CLIMATE CHANGE, AND FORESTRY**

43. In a meeting with the Committee held on **Friday, 8<sup>th</sup> August 2025**, the **Cabinet Secretary, Dr. Beborah Barasa**, highlighted the following:

- i) The building that's being build by GCA will host both the GCA Offices and will serve as the Headquarters of the Ministry of Environment, Climate Change and Forestry. The building will be christened Mazingira House.
- ii) Africa remains the most vulnerable continent to the adverse impacts of climate change, yet it currently receives only 3% of global climate finance directed towards adaptation. The presence of the Global Centre for Adaptation in Nairobi, widely regarded as the environmental capital of the world, is therefore of strategic importance. It positions Kenya not only as a leader in environmental governance but also as a continental hub for adaptation finance and resilience-building efforts.
- iii) That the Ministry welcomes and supports the hosting of the GCA headquarters in Kenya.

#### **4.4 SUBMISSION BY THE OFFICE OF THE ATTORNEY GENERAL**

44. In a meeting with the Committee held on **Friday, 8<sup>th</sup> August 2025**, **Ms. Olivia Simiyu**, representative of the Solicitor General, submitted that the Office had reviewed the Privileges and Immunities (Global Centre for Adaptation) Order, 2025 and approved the attendant Cabinet Memorandum on the same. She further noted that the Order complies with the provisions of the Privileges and Immunities Act, Cap 179 and that the Host Country Agreement was approved by the Cabinet vide Cabinet Dispatch No. 13 of 2024 and that the Order was published as Legal Notice No. 82 of 2025.

## PART FIVE

### 5.0 COMMITTEE OBSERVATIONS

45. Upon scrutinizing the Privileges and Immunities (Global Centre for Adaptation) Order, 2025, the Committee made the following observations:

- (i) The Host Country Agreement (HCA) between the Government of Kenya and the Global Centre for Adaptation (GCA) does not require ratification by Parliament in accordance with Article 2(6) of the Constitution which integrates international agreements into law.
- (ii) The Privileges and Immunities (Global Centre for Adaptation) Order, 2025, Legal Notice No. 82 of 2025 is a statutory instrument and has the force of law within the meaning of section 2 of the Statutory Instruments Act, Cap 2A to the extent that it is an Order made pursuant to the powers conferred to the Cabinet Secretary under section 9 of the Privileges and Immunities Act, Cap 179.
- (iii) The Order was submitted to the Clerk of the National Assembly within the statutory timelines set out under section 11(1) of the Statutory Instruments Act, Cap. 2A. The Order was published in the *Gazette* as Legal Notice No. 82 of 2025 on 2<sup>nd</sup> May, 2025 and tabled on the 4<sup>th</sup> of June, 2025.
- (iv) In compliance with section 5A of the Statutory Instruments Act, Cap 2A, the Order was accompanied by an explanatory memorandum.
- (v) The Ministry of Foreign and Diaspora Affairs considered the views of the key stakeholders on the Host Country Agreement (HCA) between the Government of Kenya and the Global Centre for Adaptation (GCA) such as the National Treasury and Economic Planning, Office of the Attorney General, the Directorate of Immigration, Kenya Revenue Authority and the Ministry of Environment, Climate Change and Forestry.

PART SIX

6.0 COMMITTEE RECOMMENDATION

46. Having examined the Privileges and Immunities (Global Centre for Adaptation) Order, 2025 in accordance with the Constitution of Kenya, the Interpretation and General Provisions Act, Cap 2, the Privileges and Immunities Act, Cap 179, and the Statutory Instruments Act, Cap 2A, the Committee recommends that the House APPROVES the Privileges and Immunities (Global Centre for Adaptation) Order, 2025 (Legal Notice No. 82 of 2025) in its entirety pursuant to section 11 of the Privileges and Immunities Act, Cap 179 and section 11(4) of the Statutory Instruments Act, Cap 2A.

SIGNED.......... DATE 25 | 09 | 2025  
HON. VINCENT MUSYOKA MUSAU, CBS, M.P.  
CHAIRPERSON,  
DEPARTMENTAL COMMITTEE ON ENVIRONMENT, FORESTRY AND MINING.

THE NATIONAL ASSEMBLY  
PAPERS PAID  
DATE 30 SEP 2025 TUESDAY  
TABLED BY: HON. VINCENT MUSYOKA (CHAIRPERSON)  
IMZOFU MWALE