



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. III NO. 75

THE HANSARD

Thursday, 19th September 2024

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, there is no quorum. Serjeant-at-Arms, ring the Bell for 10 minutes.

(The Quorum Bell was rung)

Hon. Members, we now have quorum. We may begin with the first Order. Stop the Bell.

PAPERS

Hon. Deputy Speaker: Hon. Pukose are you standing in for the Leader of the Majority Party? Proceed

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Deputy Speaker, on behalf of the Leader of the Majority Party, I beg to lay the following papers on the Table:

1. Reports of the Auditor-General and Financial Statements for the years ended 30th June 2021 and 30th June 2022, and the certificates therein in respect of:
 - (a) Miwani Sugar Company (1989) Limited (In Receivership);
 - (b) Muhoroni Sugar Company Limited (In Receivership); and,
 - (c) National Housing Development Fund.
2. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2023, and the certificates therein in respect of:
 - (a) Miwani Sugar Company (1989) Limited (In Receivership);
 - (b) Muhoroni Sugar Company Limited (In Receivership);
 - (c) National Housing Development Fund;
 - (d) Rift Valley Water Works Development Agency;
 - (e) Pamoja African Alliance Party;
 - (f) Democratic Action Party;
 - (g) The Service Party;
 - (h) Kenya Social Congress (KSC);
 - (i) National Ordinary People Empowerment Union;
 - (j) Progressive Party of Kenya;
 - (k) Kenya National Congress;
 - (l) Muungano Party;
 - (m) Communist Party of Kenya;
 - (n) Movement for Democratic and Growth Party;
 - (o) Jubilee Party;
 - (p) National Rainbow Coalition;

- (q) Maendeleo Chap Party;
- (r) United Democratic Alliance (UDA);
- (s) Peoples' Empowerment Party; and,
- (t) Party of Independent Candidates.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I think you need to repeat the last three for record purposes.

Hon. (Dr) Robert Pukose (Endebess, UDA): It is which number?

- (r) United Democratic Alliance (UDA);
- (s) People's Empowerment Party; and,
- (t) Party of Independent Candidates.

I read all of them and Ford Kenya is not in the list. Thank you.

Hon. Deputy Speaker: Next Order. Are there more papers? Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations. Hon. Nelson Koech, you may proceed.

Hon. Nelson Koech (Belgut, UDA): Thank you very much, Hon. Deputy Speaker. I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament.

Hon. Deputy Speaker: Next is the Chairperson of the Select Committee on National Cohesion and Equal Opportunity, Hon. Adan Yusuf.

Hon. Yusuf Adan (Mandera West, UDM): Hon. Deputy Speaker. I beg to lay the following Paper on the Table:

Report of the Select Committee on National Cohesion and Equal Opportunity on its consideration of the National Cohesion and Integration Bill, (National Assembly Bill, No 74 of 2023).

I thank you.

Hon. Deputy Speaker: Hon. Members, I wish to recognise the presence of the following schools that are seated in the Public Gallery: Nyanchwa Boys High School from Kisii Central Constituency in Kisii County; Karima Mixed Secondary School from Naivasha Constituency, Nakuru County; Fadhili Junior School from Embakasi West Constituency, Nairobi County; and Embakasi High School from Mavoko Constituency, Machakos County. On my behalf and that of the House, I welcome you all to Parliament.

Next Order.

NOTICE OF MOTION

RATIFICATION OF PROTOCOL TO THE CONSTITUTIVE ACT OF THE AU RELATING TO THE PAN-AFRICAN PARLIAMENT

Hon. Nelson Koech (Belgut, UDA): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament, laid on the Table of the House on Thursday, 19th September 2024 and, pursuant to the provisions of Section 8 (4) of the Treaty Making and Ratification Act, Cap 4 (d), approves the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament.

QUESTIONS AND STATEMENTS

Hon. Deputy Speaker: Let us have the Member for Malindi Constituency, Hon. Amina Mnyazi. The Member is not here. Next is a request for statement by Hon. William Kamket, the Member for Tiaty.

REQUEST FOR STATEMENTS

REVIEW OF SCHEMES OF SERVICE FOR APPOINTMENT OF CHIEFS AND ASSISTANT CHIEFS IN MARGINALISED AREAS

Hon. Kassait Kamket (Tiaty, KANU): Thank you, Hon. Deputy Speaker. Pursuant to Standing Order 44 (2) (c), I rise to request for a statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs regarding re-evaluation of the schemes of service for appointment of chiefs and assistant chiefs.

The pivotal role played by chiefs and assistant chiefs in maintaining social cohesion, dispute resolution and managing community dynamics cannot be overstated. However, it is worrisome that the appointment of those administrators has been limited through the schemes of service which were introduced by the Government in 2017. Some experienced individuals, particularly in marginalised communities who embody a repository of wisdom and possess invaluable insights into local customs, land management practices and conflict resolution mechanisms may not meet the minimum academic requirements for appointment to those higher positions. Due to this, the experienced individuals' reservoir of knowledge which is indispensable for navigating the intricate challenges of pastoralists and marginalised communities cannot be utilised.

Further, chiefs and assistant chiefs who are appointed to administer a location or sub-location ought to be residents of that particular area. However, due to the academic requirements, recent appointments have deviated from that essential criterion resulting in successful candidates being posted to areas where they are not residents, leading to dissatisfaction and silent protests among the affected communities.

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

1. Whether the Ministry of Interior and National Administration could consider a review of the academic qualifications for appointment of chiefs and assistant chiefs in marginalised areas and in the entire country; and,
2. Whether the Ministry could consider experienced individuals from the respective locations and sub-locations in the recruitment of chiefs and assistant chiefs on the basis of affirmative action.

Hon. Deputy Speaker, allow me to say something about this. In the past, one did not have to be educated for them to become chiefs. The position of a chief is important on the ground. In some communities, you cannot become a chief if you do not own more than 10 cows in your homestead. This often leads to lack of respect for chiefs who do not have significant wealth. This problem cuts across the country, and I urge the Ministry to seriously review this matter. Some of us come from places where there are serious security challenges and people with either a C- or C have been appointed as chiefs and yet, they have no knowledge of the area. This is part of the reason we have unending conflicts in the areas we come from. This issue not only affects the marginalised communities, but I believe it is crosscutting.

I thank you.

Hon. Deputy Speaker: Hon. KJ, the Member for Dagoretti South.

(Hon. Sunkuli raised his hand)

Hon. Sunkuli, I will give you a chance.

Hon. John Kiarie (Dagoretti South, UDA): Thank you, Hon. Deputy Speaker, for giving me the opportunity. I also thank the Member for Tiaty for raising this serious issue. I am sure that the substantive Speaker understands well how we came up with devolution. The National Government officers were the precursors of devolution. We wanted to devolve the Government to the grassroots for representation to get to the people. There is no better way for the Government to connect to the people on the ground than through chiefs, assistant chiefs and headmen.

I would like to raise two issues that the Committee should consider when they invite the Ministry of Interior and National Administration. First, it is discriminatory to have education qualifications as a disqualifier for the position of a chief or an assistant chief. We all know that some of those requirements are elitist. The population we have taken through our tertiary institutions and universities is smaller than the larger population out there. The chief represents the lowest level in our community. Secondly, the administration police were withdrawn from our National Government officers during the police reforms. The chiefs are now exposed and are ineffective on the ground. When the chiefs had two administration officers assigned to them, they had the power of the crown of Government when walking around the villages. Today, the chiefs stand very exposed in their communities as they execute their mandate.

Finally, as the Committee considers this request, they should also consider areas like Nairobi. In cities like Nairobi, there is a very inorganic way of appointing chiefs and administrators. It is funny that chiefs can be transferred or circulated from one area to another. Today, they could be serving in Ngando Ward and tomorrow, they could be transferred to Ngara Ward. How much understanding of an area do they have to represent the people effectively? Imagine if a chief is transferred from a Ward in Starehe and is taken to a Ward in Ruthimitu, where they have to administrate on issues like succession or land that they never dealt with in the cosmopolitan areas.

I thank Hon. Kamket for this timely request. I will be joining the Committee as a friend to see how they will transact this business.

Hon. Deputy Speaker: Hon. Sunkuli.

Hon. John Sunkuli (Kilgoris, KANU): Hon. Deputy Speaker, the request by my friend Hon. Kamket is timely. It is not that we do not want educated chiefs, but we need to consider that academic qualifications alone should not be the only requirement, especially since people can fake their papers. In Narok County, we are seeing qualified individuals being left out simply because they scored a D. The Cabinet Secretary should review those requirements and consider broader elements beyond academic qualifications. This will help us to select leaders who are fit for the purpose and who will resonate with the people on the ground.

I support the request.

Hon. Deputy Speaker: Hon. Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Deputy Speaker. I also join my colleagues in supporting this request for a statement by Hon. Kamket. The qualifications needed for management and administration at the grassroots level are different from those for a chief. In some areas, the people at the locations and sub-locations require an individual who resonates with them. Society values people with leadership characteristics, especially in the management of public affairs that are related to land, historical injustices and the distribution of resources. You can have a qualified individual who does not understand the dynamics on the ground.

Hon. Deputy Speaker, even in areas like my constituency, in two wards, if you bring those people whose lifestyles are in urban areas, they will not actually integrate with the society. So, we want this statement for most of us who come from marginalised areas and pastoralist communities because even trying to pursue a cow that has got lost or somebody is trying to disappear with it, requires knowledge. Sometimes, the case of loss of cows can go from morning up to around 3 o'clock when they finally decide and a solution will be found. Elders are very powerful in that particular engagement. In short, most of us are very keen and we want to be part of the team that will listen to what the Cabinet Secretary for Interior and National Administration will give us. I am very sure Prof. Kindiki is able to understand because he also comes from a very remote area called Tharaka-Nithi. Therefore, he will be able to make a decision that is good for Kenya.

Hon. Deputy Speaker: Maybe, it is useful for Members to know that less than half a million people in Kenya have degrees. That is according to the Kenya Bureau of Statistics as at 2013.

Is it Hon. Nanok, I cannot see you. Yes proceed.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you so much Hon. Deputy Speaker. First, maybe, the lighting system needs to be improved. We are a little bit marginalised on this end. Otherwise...

Hon. Deputy Speaker: No! My eyesight is getting poor and I am in denial.

Hon. Joseph Emathe (Turkana Central, UDA): Hon. Deputy Speaker, again I want to support the request for statement by Hon. Kamket and say that it is high time we reconsider the C- (minus). The C- (minus) is making the chiefs' administrative role to be elitist; someone who has gone to school, is educated but that is not the requirement. On the ground, there are people who understand the customs, they understand issues about land tenure, and they understand the nitty-gritties of how people live in those areas.

Secondly Hon. Deputy Speaker, is on the issue of protecting inclusion of those who are marginalised or the minority groups. I draw attention to Article 56 of our Constitution especially sub-article (c) that makes us to recognise the importance of affirmative action. It is important to understand that yes, persons in those areas are literally marginalised in the first place in terms of education levels or access to quality education and when this happens, they get marginalised.

Lastly, from experience, recently we were able to advertise seven positions for chiefs in my constituency. Out of seven, only four to-date have been filled but the remaining three up to now we are still requesting for re-advertisement. Even the four that we were able to do, we did more than three re-advertisements. So, it is high time to say congratulations to Hon. Kamket. This is timely and I submit.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: The Member for Endebess, Hon. (Dr) Pukose. I will get to you Hon. Abdikadir.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Deputy Speaker, I hear Hon. Kamket asking for review of the qualifications in marginalised areas. I think that is discrimination because even in marginalised areas, for a long time, we have taken advantage and have de-marginalised the rest of Kenya by asking for favouritism in other areas. I think this should not be the case. Everybody deserves equal opportunities and I think the only thing the Ministry can do is, maybe, if they assume the qualifications assumed is a C (plain), then if there is somebody with a C- (minus) and nobody has applied with a C (plain), then they should take the next qualification. However, issues of saying that in marginalised areas, we will be recruiting chiefs with minimum of C- (minus), I think that is not the right thing because we have people from marginalised areas who are performing very well. Prof. Jaldessa is from a marginalised area, but he is a professor of gynaecology. He did not come to do gynaecology

because his marks were low. He qualified like any other person from any other place. So, I think the issue should be if there is nobody with the qualification of C (plain), then go to the next most qualified person but not saying that you need now to lower the qualifications in marginalised areas. That should not be case. Let us give people from marginalised areas equal opportunities just like those who are not from the marginalised areas. I rest my case.

Hon. Deputy Speaker: Hon. Member for Seme, Hon. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Deputy Speaker. Whereas I do support this, but they are actually ignoring an extremely important fact that we should address. If in some parts of this country we are actually having a problem of getting people with qualifications of that level of C- (minus), the bigger problem in those areas is really that we must now look at the education system. Why is it that at this time, 60 years after Independence, it is still happening in those areas so that this is something that I think should be given a time limit and then look at it basically and asking why is that happening. This is because that is the bigger problem in those areas than just that the chiefs cannot be found because they do not have that qualification. It is the reason that those qualifications are not there that we should be addressing.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. Hon. Justice Kemei.

Hon. Justice Kemei (Sigowet/Soin, UDA): Thank you, Hon. Deputy Speaker for giving me this opportunity. I wish to support the request for statement by Hon. Kamket to lower the academic qualifications for chiefs and their assistants. We have a pool of human resource in this country known as village managers. The majority of them are not Form IV graduates. The majority of them probably went through primary school while quite a number of them did not even go to school. However, as a form of social control, they handle very intricate cases that academic qualification may not even be able to handle. Therefore, we must give those people the opportunity to rise to positions like those of assistant chief and the chief. Additionally, there is a panel which normally interviews those chiefs and their assistants. We want to ask the ministry responsible that, in those panels, let us not look at academic qualifications alone. Let us look at the administrative skills that people may possess such that even during interviews, you can be able to tell that this person is strong in terms of providing the kind of administration required at the rural areas. I want to join Hon. (Dr) Pukose and say that let us not make it discriminatory. Let us make it apply to all parts of this country because we are looking for skills to administer our nation and those skills may be with people who did not go to Form IV but they do possess them.

Hon. Deputy Speaker, I support. Thank you.

Hon. Deputy Speaker: Proceed Hon. Abdikadir.

Hon. Abdikadir Mohamed (Lagdera, ODM): Thank you, Hon. Deputy Speaker, for giving me the opportunity. I do rise to support the request for statement by Hon. Kamket. This has been an issue especially in marginalised areas because it is not only in qualifications, but also the age is a problem. For a chief, they say that he must be 35 years and must have a C (plain). For a marginalised area, someone who is above 35 years and has a C (plain) does not exist because that is almost 15 years ago. It is a long time ago. That is almost 15 years after he was through with his secondary school education. When you set the qualifications at Grade C and an age limit of over 35 years, you will likely never get anybody with that age and those qualifications. The qualification for an Assistant Chief is a C- (Minus) and an age limit of 30 years. It is not only the qualification that is a problem, but also the age.

Secondly, the best chiefs we have had and have even now are those with minimum educational qualifications. Even somebody with a D- (Minus) and a degree, or a D+ (Plus) and a degree is not hired because the basic secondary school qualification is a C Plain. If you do not have a C Plain, even if you have a Master's Degree or a PhD, you will not be employed as

a chief. Let them consider all other qualifications and age limits, so that they can, at least, get the right people.

Thank you.

Hon. Deputy Speaker: We can close with Hon. Ochieng'. There seems to be a lot of interest. Okay, we can agree to speak briefly, so that other people can have an opportunity too. I will give an opportunity to four other people. Hon. Ochieng' had pressed the intervention button. He is not here. I will give an opportunity to Prof. Bartoo.

(Hon. Gertrude Mwanyanje spoke off the record)

I will come to you, Hon. Mbeyu.

Hon. Phylis Bartoo (Moiben, UDA): Thank you, Hon. Deputy Speaker, for giving me the opportunity to contribute to this Statement. We cannot regress. We have come a long way in matters of academics. If there are regions that feel that they are marginalised because their people do not meet the qualifications, I propose that we become deliberate. Those regions should take their people to school to meet the qualifications. Otherwise, if we decide to revise the qualifications for every position, we will be regressing.

I do not support the case of Nairobi where chiefs are transferred. One of the qualifications for appointment as a chief is that you must have been a resident of the area for over six years. Let us take our people to school so that they can qualify. We have been appropriating a lot of money through the National Government Constituencies Development Fund (NG-CDF) for infrastructure development in schools. What are we saying? Should we stop going to school because we want to be chiefs? I do not agree.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: I am smiling because Members of Parliament are not required to have a degree. I am amused. Hon. Mbeyu, proceed.

Hon. Gertrude Mwanyanje (Kilifi County, ODM): Ahsante, Mheshimiwa Naibu Spika.

Hon. Adan Keynan (Eldas, JP): On a point of order, Hon. Deputy Speaker.

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

Hon. Adan Keynan (Eldas, JP): Hon. Deputy Speaker, this is a House of traditions. Hon. Kamket raised a pertinent issue directed to the Committee and to a member of the Executive. While we await the response, Members have taken it upon themselves to respond to themselves, which I find unparliamentary. We are debating. Will I be right to seek your guidance for Members to wait for the answer from the Ministry, which can then elicit a response? Otherwise, I find it un-procedural. Will I be right to suggest that we end this debate and wait for the response, which will give us a platform to debate?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: The tradition and precedent has been that whenever one makes a statement, the Speaker allows Members to ventilate on it. Remember, even if the Committee is seeking an answer, they will attach *the Hansard* so that it enriches the Member's Statement. I have exercised my discretion to allow Members to support and add to Hon. Kamket's Statement.

Proceed, Hon. Mbeyu.

Hon. Gertrude Mwanyanje (Kilifi County, ODM): Ahsante, Mheshimiwa Naibu Spika. Niruhusu nizungumze katika Kiswahili ili wale machifu wa kule Pwani na Kilifi wanielewe vizuri. Kila tunapokaa hapa, tunahimiza watoto wetu wasome. Wanafunzi wamekuja kutuangualia hapa. Haitakuwa sawa tukisema machifu wasiwe sawasawa na mizani ya kusoma, eti watoke tu ndani ya nyumba. Machifu wanafanya kazi nzuri. Mhe. Kamket anasema wawe na masomo ya hali ya chini ilhali hao ni watu sawasawa na viongozi wengine

wote. Wanakabiliana na masuala tofauti katika *location* zao, haswa elimu, mambo ya familia, na ardhi. Machifu hao lazima wawe na viwango vizuri vya masomo. Lazima waende shule.

Mhe. Kamket ako na kitita kizima cha pesa za *bursary* cha kila mwaka wa kifedha. Wacha awarejeshe machifu wake shuleni wakasome ili waweze kuwahudumia watoto vizuri. Hatutawaweka machifu ambao hawajui kusoma na kuandika kuwasimamia watoto ambao wameenda shule, ama kuwahudumia wazazi wenye shida ambao wameenda shule. Masuala mengi yanayokumba jamii zetu yanahitaji mtu ambaye amesoma. Kwa hivyo, napinga suala hili la Mhe. Kamket kuwa machifu wakae bila masomo. Waende shuleni.

Ahsante, Mheshimiwa Naibu Spika.

Hon. Deputy Speaker: I will give an opportunity to just two more people. Member for Turkana County, I have not heard you speak recently.

Hon. Cecilia A. Ngiti (Turkana County, UDA): Thank you, Hon. Deputy Speaker, for giving me this chance to add my voice to this discussion. I support Hon. Kamket. When we have discussions in this House about marginalisation, it is a fact. It is one issue that is still present in Kenya. If you think we lie to you, visit the north of Turkana. Visit Wajir and Garissa and then you will understand these things. There are villages where you cannot get a student who has finished Form IV. That is a fact. In that village, when a sub-chief is needed and there is no Form IV leaver, what are you supposed to do? Are you supposed to transfer a chief from another village to that village? You are not supposed to! Hon. Kamket is saying that we should be deliberate like Prof. Bartoo has said. We should adjust to the marginalisation levels. Of course, with time, we will take our people to school. We do not want to be marginalised. We found ourselves there and we are working very hard to take our people to school. However, we cannot be condemned. There are chiefs who are older than us, who have not gone to school, and they have to be respected as chiefs. We want to be considered as marginalised people, so that if our people have not attained those grades and are supposed to be chiefs, let them be chiefs in those villages. If your chiefs have degrees, well and good. Good for you. For us, we have entire villages that do not have a Form IV leaver. We are still working hard. Please give us a chance so that we can become part and parcel of Kenya.

I fully support Hon. Kamket. Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Lastly, I will give an opportunity to Hon. Liza Chelule, Member for Nakuru.

Hon. Liza Chelule (Nakuru County, UDA): Ahsante sana, Mheshimiwa Naibu Spika kwa kunipatia nafasi hii niunge mkono *Statement* ambayo imeletwa kwenye Bunge na Mhe. Kamket kuhusu mambo ya machifu.

Tunaelewa kuwa machifu wanafanya kazi ambayo ni tofauti na nyingine katika nchi yetu ya Kenya. Huwezi kumuondoa chifu kutoka sehemu moja na kumpeleka kwa sehemu nyingine. Chifu si kama daktari, *pilot* ama mtendakazi yeyote wa Serikali. Kazi ya chifu ni kukaa katika sehemu anayoelewa sana. Kazi yake inahusu wananchi. Kwa hivyo, ukimpatia nafasi katika sehemu yake, atakuambia *information* kuhusu *location* na *sub-location* yake. Si lazima uwe umeenda shule ili upate *information*. *Statement* ya Mhe. Kamket haijasema machifu wasisome lakini isiwe lazima uwe na *grade* fulani ili upewe nafasi ya kuwa chifu. Hii ni kazi ambayo unafanya uliko. Hutoki hapo. Ikiwa Chifu angetaka kuendelea na masomo yake mpaka apate *degree*, hakuna mtu amemkataza. Hilo litakuwa jambo zuri, lakini lisihitajike wakati anaomba kazi. Cha muhimu ni chifu kuwa na elimu itakayomwezesha kufanya kazi yake pale nyumbani. Kazi hiyo ni ya maana sana kuliko yoyote ile, hata ya Wajumbe ambao wako hapa. Kazi ya chifu ni tofauti na zingine zile. Kwa hivyo, naunga mkono Mhe. Kamket, lakini hatujasema wasiende shule. Ni vyema waende shule.

Mhe. mwenzangu kutoka Kilifi, naelewa kuwa eneo hilo ni *remote area* na kuna shida nyingi sana. Kuna shida kama zile zilizopo Kaunti za Turkana, Wajir na Mandera. Kule, watu

hawaendi shule kwa sababu ya uhaba wa maji na maisha ya kuhama kutoka sehemu moja hadi nyingine. Hali hiyo huwazuia kusoma kawaida kama watu wengine.

Mhe. Naibu Spika, naunga mkono Mhe. Kamket. Hatujasema machifu wasiendelee na masomo. Waendelee kusoma, lakini alama ya C isiwe kikwazo kwao kupata kazi.

Hon. Deputy Speaker: *Ahsante*. The next statement is by Hon. Amina Mnyazi, Member for Malindi. You were not here earlier. You may make your request for a statement now.

Hon. Amina Mnyazi (Malindi, ODM): Thank you, Hon. Deputy Speaker.

Hon. Ali Raso (Saku, UDA): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hold on, Hon. Amina. Hon. Raso, I hope you have an important point of order because it is unfair to interrupt your colleague's request for a statement. Proceed.

Hon. Ali Raso (Saku, UDA): Hon. Deputy Speaker, it is very important indeed. What Hon. Kamket has raised has been referred to our Committee. We will give a response in two weeks. However, coming from a marginalised area and as a pastoralist, it is his right to stand in his place to ask for the statement. However, that should not contradict the fact that there is Free Primary Education and the National Government Constituencies Development Fund (NG-CDF) in all the 290 constituencies. Today, education is not compulsory, but it is almost so because it is available. So, it is misleading to say that chiefs do not need to go to school. However, in areas where they do not get the right qualification, there is affirmative action. Hon. Kamket's request should not be a sweeping thing, but it has to be tailored to areas on a need basis.

Hon. Deputy Speaker, we will respond in two weeks.

Hon. Deputy Speaker: Thank you for standing in for the Chairman of the Departmental Committee on Administration and Internal Security.

(Hon. Kassait Kamket spoke off the record)

Hon. Deputy Speaker: Hon. Kamket, we have completed your matter. You are out of order. You have already made your request for a statement and Members have responded. Let us give the next Member a chance to read her statement.

Member for Malindi, you may proceed.

(Hon. Kassait Kamket spoke off the record)

Hon. Deputy Speaker: Hon. Kamket, I will rule you out of order. This goes as a first warning. Be quiet. Hon. Amina, proceed.

INVESTIGATION OF SEXUAL ASSAULT CASE INVOLVING
MR. MICHAEL JAMES BALANTINE NOBLE IN MALINDI

Hon. Amina Mnyazi (Malindi, ODM): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs regarding the status of investigations into sexual assault allegations committed by Mr. Michael James Ballantine Noble in Malindi Constituency.

There have been deeply concerning reports filed with Malindi law enforcement agencies regarding Mr. Michael James Ballantine Noble, a South African national. Those reports indicate that between 1st and 22nd August 2024, Mr. Michael Noble committed grave offenses against minors in Malindi. While the suspects who lured the victims to him have been apprehended, Mr. Noble remains at large, evading law enforcement efforts. That incident

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underscores a pressing situation in Malindi which necessitates prompt action by the Government, including the issuance of a red alert for the suspect. The residents of Malindi now continue to live in a state of fear and uncertainty, with no success in capturing the suspect or identifying his whereabouts by local law enforcement agents. The gravity of those alleged crimes, the vulnerability of the victims and the ongoing threat to community safety demand our utmost attention and immediate action.

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. Current status of the investigation into the alleged sexual assault and indecent acts committed by Mr. Michael Noble, including efforts made to locate and apprehend the suspect since the initial reports in August 2024.
2. Extent of engagement with international law enforcement agencies in the pursuit of the suspect, including issuance of a red alert.
3. Steps taken to ensure the safety of and provide support to the minor victims and their families and measures being taken to address the broader issue of child safety in Malindi and the country in light of those incidents.
4. Expected timelines for the conclusion of that investigation.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. I will allow two comments on that request for a statement. Is there anyone? Okay, there is no interest. Let us move to the next Order.

The request for a statement by Hon. Amina is committed to the Departmental Committee on Administration and Internal Affairs. Hon. Raso, are you representing the Chairman? How long will you take to give a response to Hon. Mnyazi?

Hon. Ali Raso (Saku, UDA): Hon. Deputy Speaker, we will need about two weeks to respond. What she has raised was in the media. It is a very unpleasant thing that can happen in Kenya in the modern times; that one individual can abuse so many children and get away with it. That situation should not be allowed to continue. So, with your indulgence, as a Committee, we ask for two weeks.

Hon. Deputy Speaker: Hon. Mbeyu.

Hon. Gertrude Mwanyanje (Kilifi County, ODM): Mhe. Naibu Spika, naungana na Mbunge wa Malindi, Mhe. Amina Mnyazi kwa kauli hii. Huyu mwanaume wa takriban miaka arobaini amekuwa na hiyo tabia ndani ya Malindi na Watamu, Kaunti ya Kilifi. Huwa anatomia watoto wadogo. Amefanya hivyo mara nyingi. Amekimbia kwa muda sasa zaidi ya takriban miezi miwili. Wanasema hawajui yuko wapi. Hajatafutwa lakini asili yake ni Afrika Kusini, hapa karibu tu. Hajaenda mbali. Tunataka vyombo vya usalama, hasa ndani ya Kilifi Kaunti, kumtafuta mtu huyo. Watoto ambao amewatumia ni wadogo sana, chini ya miaka saba. Kuna hatari kwa sababu tunahofia magonjwa, hata yale ya kiakili kwa hao watoto. *Trauma* ni kitu ambacho hatuwezi kukubali ndani ya jamii, hasa kwetu. Wazazi wengi wametumika hasa katika hizo kesi nne ambazo tumezigundua na kufuatilia na Mhe. Amina. Wazazi wanatumika ambapo wanapewa Ksh2,000 na *agent* na wanaachilia watoto wao kupelekwa kwa huyo jamaa. Hakuna hatua ya kuridhisha ya kutafuta huyo Mwafrika kutoka kule Afrika Kusini. Tunahimiza na kupeana makataa atafutwe na afunguliwe mashtaka. Vile vile, hao watoto na wazazi wao ambao wameathirika kwa jambo hili walindwe. Watoto watafutiwe matibabu na haki zao zizingatiwe.

Ahsante, Mhe Naibu Spika.

Hon. Deputy Speaker: *Ahsante*. Before we move to the answers to the Questions by the various chairpersons, we can have the request for a statement by the Member for Igembe Central, Hon. Karitho. Is he here? Proceed.

LAND DISPUTES IN NDOLELI-ATHIRU

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RUUJINE-KIRUGUGU VILLAGES

Hon. Daniel Karitho (Igembe Central, JP): Hon. Deputy Speaker, pursuant to Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs regarding criminal activities in Ndoleli-Athiru Ruujine-Kirugugu Villages in Igembe Central Constituency.

The Ndoleli-Athiru Ruujine in Kirugugu Villages in Igembe Central Constituency have been experiencing land disputes between the original residents and invaders from the neighbouring Tharaka and Eastern regions. There is an ongoing land dispute in those areas that has reached to a critical point, with reports indicating that the disputes have degenerated to violent confrontations between the invaders and original land owners. Those conflicts have resulted in displacement of people, numerous injuries and several fatalities.

Last week, a prominent business person, leader and politician called Mr. Morris Kimathi M'atingo of Identification Card Number 20611144 and Mr. Robert Mwithalii Mutuma, a village elder, of Identification Card Number 34906980 were killed by those invaders when they were attending to their farms. They all have title deeds, but the invaders have invaded them. There are no police officers who can venture into the disputed land areas because of insecurity. The groups are armed with poisonous arrows. They are killing everyone who tries to venture into the land.

The ongoing unrest has not only affected the individuals directly involved, but also it has disrupted the social fabric of the communities. Livelihoods have been threatened. There is an urgent need for intervention to restore peace and stability in the region.

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

1. Essential insights into the current state of the disputes, the underlying causes, and the measures being taken or proposed to address that urgent issue.
2. Steps that the Government has taken to ensure safety and well-being of the affected communities, including stating the frequency of inspections carried out to ensure compliance with the regulations and necessary measures against the invaders who are responsible for the insecurity.
3. Plans in place to ensure that all the displaced original residents who have genuine title deeds are resettled in their rightful lands.
4. Establishment of a General Service Unit (GSU) camp in the area to contain peace.

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

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

Hon. Temporary Speaker, the people who have been chased out of those farms are the genuine land owners with original and genuine documents. It is a matter of urgency. If the Government delays, we will have dangerous fatalities.

Thank you.

The Temporary Speaker (Hon. David Ochieng'): Hon. Raso, I hope you have heard the request for a statement.

(Hon. Moses Kirima spoke off the record)

Order, Hon. Kirima.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. Give us two weeks to respond.

The Temporary Speaker (Hon. David Ochieng’): Hon. Kirima, what do you want to say on this request for a statement? Give him the microphone.

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Temporary Speaker. I wanted to add a short comment to what my colleague has just said. This issue of people being shot in the Ndoleli area is rampant. It has caused a lot of harm to our people to an extent that we have lost about 20 people due to that conflict.

Lastly, I lost my church Chairman in that kind of an incident, while he was visiting his land. He was shot with a poisoned arrow. To date, those culprits have not been arrested and yet, they are known. I think they are enjoying some protection, because they have not been arrested and yet, they are known. No police officer can venture into that area to, at least, quell the problems that are existing there. It should be addressed without fear or favour from any quarter.

Thank you.

The Temporary Speaker (Hon. David Ochieng’): Hon. Member, I cannot see your card here. Hon. Ikiara.

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Temporary Speaker. I strongly support this request for a statement by Hon. Daniel Kiili Karitho.

Land matters are very emotive, especially in areas where land has title deeds. It is the duty of the Government to protect life and property of its citizens. I further propose that this matter be expedited, so that we do not continue losing lives in the pretence that people are invading other people's land. Let this matter be taken seriously by the Departmental Committee, so that we can get straight answers.

The Temporary Speaker (Hon. David Ochieng’): Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. I agree that title deeds are sacrosanct. Owners are always treated as the first owners of the particular land, especially where there is a dispute. But, interesting situations arise which are common between Tharaka-Nithi and Meru. This is where we have land owners who have title deeds, but they do not know where their lands are. That is because they were not properly obtained. As a result, when they go to look for the land, they find it occupied. The occupiers have the first right and claim to that land as the settlers of it. As a result, conflicts arise. It is incumbent on the Government to ensure that such conflicts are resolved.

The issue of title deeds which they call titles in the air is when you have the title deed but somebody else has the land. This has to be resolved because it is vitally important. The conflicts will not end purely because you have a title deed, while somebody else has lived on that land from time immemorial. We need to resolve the problem in one way or the other, so that the proper owner of the land is determined.

The Temporary Speaker (Hon. David Ochieng’): Hon. Mulyungi.

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you very much, Hon. Temporary Speaker. I rise to support this request for a statement. We have similar problems of land conflicts in Mwingi Central between Tana River and Mwingi, where camels come and graze on our land. Therefore, I support this request for a statement.

I also want to raise another matter. I requested for a statement from the Chairman of the Departmental Committee on Administration and Internal Affairs. It was brought to the House, but there were clarifications to be made. The ruling was that I would get them within one week. That was during the last session. Up to now, I have not received them.

The Temporary Speaker (Hon. David Ochieng’): You know what to do. You should not do that inside another request for a statement. This request for a statement is directed to the Departmental Committee on Administration and Internal Affairs. Hon. Raso has already said

that within two weeks, he will have brought a response back to the House. Let us rest this matter there.

Hon. Members, join me in welcoming students and pupils from Karuri High School, Kiambaa Constituency, Kiambu County; Kirarwa Secondary School, Kinangop Constituency, Nyandarua County; Kiliku Mixed Secondary School, Kibwezi West, Makueni County and Kirangari High School, Kabete Constituency, Kiambu County. They are seated in the Public Gallery. They are welcome to follow our proceedings in the National Assembly this afternoon.

Next Order.

We are dealing with responses to requests for statements. This afternoon, the House is expecting responses from the Departmental Committee on Administration and Internal Affairs, the Departmental Committee on Agriculture and Livestock, and the Departmental Committee on Sports and Culture.

We will start with the Departmental Committee on Administration and Internal Affairs. Hon. Raso, you have a response to give this afternoon.

LANDSLIDE IN BARINGO NORTH CONSTITUENCY

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

The Member of Parliament for Baringo North Constituency requested for a statement regarding the recent landslide in Kapchebogel Village in Kasisit Sub-location, Baringo North Constituency, following unprecedented heavy rains. The Hon. Member particularly sought to be informed:

1. The status of deployment of multi-agency teams to address the deplorable state in the affected areas.
2. The steps the Government has taken to ensure that all affected families are facilitated with items such as food, clothing, medication and shelter.
3. Plans to reconstruct or repair damaged roads and other critical infrastructure.
4. Long-term solutions that have been put in place by the Government to resettle the people living in landslide-prone areas of Saimo Hills in Baringo North Constituency.

The Statement on the status of deployment of multi-agency teams to address the deplorable state in the affected areas is as follows.

On 6th August 2024, Baringo County experienced heavy rains leading to a devastating landslide that struck the villages of Kapkombe and Kapchebogel in Kasisit Sub-location of Kabartonjo Division in Baringo North Sub-county. The incident claimed five lives, whose bodies were later retrieved by a multi-agency response team. The landslide caused extensive destruction to homes, farmlands and critical infrastructure, including roads, that left parts of the region inaccessible. Several families were displaced, crops destroyed and access to basic services disrupted. That exacerbated the challenges already faced by the affected communities.

In Kasisit Sub-location, the landslide swept away three homesteads lying on the very steep land on the edges of Saimo Forest. Deaths of four persons were recorded. In Kapkombe Sub-location, the landslide swept away one homestead causing the death of one person. The deceased are Zipporah Tungo Chebon, Gladys Chepkangor who was 38 years old, Evans Chimwoto Katamei, Hilary Kabutuei and Jonathan Chelimo Katamei.

A prompt and coordinated response was initiated following the incident. The multi-agency team consisted of:

1. Red Cross Society, which was the lead agency on rescue and relief operation.
2. Baringo County Government's department of disaster risk management that coordinated logistics and disaster management.

3. Ministry of Interior and Coordination of National Government that provided security, logistics and disaster management.
4. Local leadership that included the Deputy Governor, County Commissioner, Members of County Assembly, and other officials.

The key actions undertaken by the response team on 6th August 2024 was led by the first responders comprising of National Government Administrative Officers (NGAO) who are the chiefs. The residents managed to rescue Margaret Rotich, Maureen Jepkoech Jebii who is a Form I student from Tirindoni Primary School, Mercy Jelimo Jebii who is a Grade 7 pupil at Kisit Primary School, and Vincent Jemaiwa Jebii who is a Form II student at Kapchepkulei Secondary School.

On the early morning of 7th August 2024, the Baringo County Security and Intelligence Committee (CSIC) members mobilised a rescue team to the scene of the landslide in Kapkombe and Kasisit. Officers of the National Police Service (NPS) from Kabartonjo, the Kenya Red Cross team from Baringo branch, county government officers and disaster committee members worked on the scene of the landslide. The rescue team retrieved from the landslide the bodies of Zipporah Tungo Chebon in Kapkombe and Gladys Chepkangor and Evans Simotwo Katamei in Kasisit. Later, the dismembered body of Hilary Kabutuei was retrieved downstream. The search operation was suspended at the fall of darkness until the following day, 8th August 2024, when the body of Jonathan Chelimo Katamei was retrieved downstream.

The response team successfully recovered the bodies of all five victims from the landslide site. The team promptly evacuated families residing near unstable areas to temporarily shelter at Kasisit Primary School to prevent further casualties until the rain subsided. Residents of landslide-prone areas were advised to monitor signs of imminent danger such as deep cracks or soil movement. Public announcements were made, urging residents to report any observations to local authorities.

The Temporary Speaker (Hon. David Ochieng’): Order, Hon. Raso. I do not mean to interrupt you. Can you summarise?

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Temporary Speaker. I am well guided.

The Government has taken steps to ensure that all affected families are facilitated with items such as food, clothing, medication and shelter. There was immediate humanitarian assistance that involved relief supplies, including foodstuffs, medication, blankets, mattresses and mosquito nets. Secondly, there was shelter support and barrier assistance by the Government. In addition, there were plans to reconstruct or repair the damaged roads and other critical infrastructure.

Affected roads include Kosoiyo-Tenges-Saos Society Road, Kabarnet-Kabartonjo-Kapsaraman Road, Sigowo-Tabagon, Kapkombe-Tirimionin, Kapki-Ng’ietmoi Girls Secondary School and Sacho-Bakwanin Road. This was with the support of the county government in collaboration with the Kenya Rural Roads Authority (KeRRA). They initiated plans to reconstruct the damaged roads. Assessment teams were also deployed to evaluate damage to other public utilities, including water supply systems.

The Government is committed to implementing sustainable solutions to prevent further and future disasters and enhance the resilience of communities in landslide-prone areas through reforestation, implementing watershed management programmes and engineering solutions such as retaining walls. Regular geological surveys and risk management is recommended to identify and monitor landslide-prone zones.

Hon. Temporary Speaker, I beg to submit.

The Temporary Speaker (Hon. David Ochieng’): Hon. Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Temporary Speaker.

I have two things to say. I thank the Ministry of Interior and National Administration through the Cabinet Secretary for their quick response during that time. Today is 19th

September 2024. That incident happened in August. You can look at the time it took to respond to an emergency issue. However, since I have been to the ground, I thank them for the efforts the Government has done.

In fact, Hon. Speaker, other than future solutions, the national Government in particular, was proactive and provided food to the victims who were living in Kasisit Primary School for almost a month, where I visited twice and even attended a funeral. The Government donated relief food not only to the people who were in Kasisit and Kapkombe, but also in Kapkwang areas of Baringo North that were terribly affected. Despite the fact that there were no fatalities, the landmass and crops were destroyed. So, I can say that the Government response was very good. Even when we had a meeting with the President, he supported the families during their burials. His Excellency President William Ruto, together with the Cabinet Secretary, supported us to ensure that the families are supported to restore their livelihoods.

Currently, the infrastructure, especially power, electricity and water in Kimoi area of Bartolimo and the Tugen Hills is still having a challenge, which I can pursue further with the relevant ministries because that may not be directly through the Ministry for Interior and National Administration.

Lastly, about the 35 people who are living in dangerous areas, we are pursuing what is called land exchange with the Ministry of Environment and Forestry, so that we can resettle those people elsewhere. This will enable us convert the land where they have been living to a forest because it is prone to landslides. The people can be compensated using the other stable forest areas, which again I will follow up with the respective ministries. This will ensure that the people of Baringo North, who have suffered from landslides that have destroyed their crops, homes and livelihoods, can finally get justice in Kenya.

With that, I am satisfied with all matters related to the Ministry of Interior and National Administration, and I thank the Ministry for the quick response during that time.

The Temporary Speaker (Hon. David Ochieng’): Thank you. The next Statement to be issued would be by the Departmental Committee on Agriculture and Livestock.

Hon. Adan Keynan (Eldas, JP): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng’): What is out of order, Hon. Keynan?

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Speaker. Yesterday, I sought a statement from the same Committee regarding the brazen, cowardly abduction and detention without trial of Hon. Yusuf Hussein, Member of County Assembly (MCA), Eldas Constituency but, I can see the Vice-Chairman of the Departmental Committee on Administration and Internal Affairs seems unprepared. Can he give us the answer?

The Temporary Speaker (Hon. David Ochieng’): Hon. Raso, this was a commitment that was made yesterday, and you are behaving as if you did not even make it.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. Yesterday, we were in the House and Hon. Keynan raised a fundamental issue on human rights, violation of the law, and what is considered unprocedural. Indeed, the Committee was seized of the matter, and we were able to talk to the Cabinet Secretary for Interior and National Administration and the Director of Criminal Investigations, and we told them that we wanted answers on the whereabouts of the Member of the Country Assembly from the Hon. Member from Eldas in Wajir. The only thing that was missing from the House is the signed statement from the Speaker. But the two promised us to work on the matter and to look for the missing person. So far, that is what we can report to the House. They said they had heard us and asked for more time. That is what we want to report back to the House.

The Temporary Speaker (Hon. David Ochieng’): Yes, Hon. Keynan.

Hon. Adan Keynan (Eldas, JP): Hon. Temporary Speaker, this is the august House, and we all understand the definition and meaning of an august House. You also, as a seasoned lawyer, understand what constitutes an emergency response. Here is the life of not only an

ordinary citizen, but a leader who was abducted on 13th, seven days ago, and here we have our colleague who has just responded callously. We need to bring back the glory of this House. We are losing our stature and the flair of that entitlement of being an august House. That is why the Senate is doing very well.

Will I be right to suggest that when the citizens on the ground see such a callous response, and you understand the rights... We are not talking about an ordinary citizen — and every Kenyan has the right to be protected — but an elected leader. The abduction is unconstitutional. The response clearly demonstrates lack of responsiveness. Will I be right? Today, they are not even saying...

(Loud consultations)

Can you please ask my colleagues here to consult in low tones?

The Temporary Speaker (Hon. David Ochieng’): They have heard you. Go ahead.

Hon. Adan Keynan (Eldas, JP): Hon. Temporary Speaker, I want you to put yourself in the shoes of that elected leader. I want all of us as elected leaders and as politicians, to be conscious of what we go through. This is an elected leader, a family man, a Kenyan citizen. He has been missing. He has been abducted. It is on record from Friday last week to date, but there is yet to be an official response from the Government or those who are tasked with this. We have asked our colleagues who are the interluders between Parliament and the Executive and the response that we have got from the Vice-Chair right now does not have a timeline. So, will I be right, through you, to ask the Chair of this Committee to bring a written response on Tuesday at 2.30 p.m. without fail?

The Temporary Speaker (Hon. David Ochieng’): Thank you. Hon. Raso, you have listened to the Member for Eldas and, from where I sit, this cannot be handled in the casual manner that the Committee wants to handle it. I would not want you to say anything on this matter, but I will order that on Tuesday, when the House next sits, you bring to this House a comprehensive answer on the issue raised yesterday. I would request that the Committee takes this matter with the seriousness that it deserves.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Temporary Speaker. I really do not want to say much based on your ruling. The only thing I want to say is that the Committee is serious about the lives of Kenyans. He is from the constituency of Hon. Keynan, but he could have as well come from my constituency or your constituency. That is how important those lives are. But I am well guided. I will pursue the Cabinet Secretary for Interior and National Coordination of Government to give us a response by that time.

Thank you.

The Temporary Speaker (Hon. David Ochieng’): Thank you. Note also, that there is more than one question before your Committee dealing with abductions and disappearances, and not just this one. That is why I think it is important that the Committee takes this matter seriously.

Before we go to the next response, Hon. Members, it used to be a tradition that when you are welcoming students to come here, when their names of their schools are called, you thump your feet so that they recognize that they are here. So, we have students from the Caroline School, Kabete Constituency, Kiambu County; students from St. Joseph, Roman Catholic, Webuye East, from Bungoma County; and students from Kiamuturi Secondary School, Mathioya, Murang’a County. They are seated in the Public Gallery, and they are welcome to observe the proceedings this afternoon.

(Applause)

Next is the Vice-Chairperson for Agriculture and Livestock, Hon. Yegon. You are sitting in for the Chairperson. Go ahead.

Hon. Brighton Yegon (Konoin, UDA): Yes, Hon. Temporary Speaker. The first statement is by Hon. Martha Wangari, MP Gilgil, regarding the distribution of organic fertilisers, GPC brand, to farmers across the country.

The Temporary Speaker (Hon. David Ochieng'): Hold on! Is the Member for Gilgil in the House? What about the Member for West Pokot? I suggest you go on with the response to the statement by the Member for West Pokot, Hon. Rael Kasiwai, if you have it. Proceed with it instead of the one you have just mentioned.

Hon. Brighton Yegon (Konoin, UDA): Thank you, Hon. Temporary Speaker. I am informed that the Member has received the response *via* digital means. I will go to statement number two, by Hon. Rael Kasiwai, on the critical shortage of maize seeds in the North Rift Region and the report is as follows:

CRITICAL SHORTAGE OF MAIZE SEEDS IN NORTH RIFT

Maize is the national staple food in Kenya. It has been identified as a priority value chain by the Kenya Kwanza Government. The Government's push on the implementation of the Bottom-up Economic Transformation Agenda (BETA) on agricultural transformation has deliberately focused on initiatives and plans to increase the national production of maize in the pursuit of addressing food security. Due to the Government interventions geared towards increasing production of maize, many farmers have been registered and supported to engage in maize farming.

The National Government initiative such as the subsidised fertiliser programme to enhance maize production has triggered increased demand for maize seeds, among other types of seeds. The national maize seeds requirement for the 2024 long rains period is 40,000 metric tonnes. The seeds stock supplied by seed companies for the period is 35,833,900 metric tonnes.

There is maize seeds deficit of approximately 5 million kilos for the period 2024 long rains season. The 35,833,900 kilograms of maize seeds can approximately be planted on 3.5 million acres of land against the Government target of 4 million acres. The North Rift Region is the main maize growing zone in Kenya.

The region has also experienced shortage of maize seeds. Kenya Seed Company has established distribution networks to enhance availability and access of maize seeds by farmers. It has registered about 400 seeds distributors across the North Rift. Supply of maize seeds to the distributors has been rationed because some of them are holding and selling the seeds to farmers at exorbitant prices. This year's distribution of maize seeds to the North Rift Region has surpassed last year's by more than 400 metric tonnes.

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

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

The second question is: What measures have been put in place by the Ministry of Agriculture and Livestock Development and the Kenya Seed Company to deal with the maize seeds shortage crisis and ensure timely and equitable access of quality seeds to farmers?

The Ministry of Agriculture and Livestock Development in collaboration with various stakeholders has held forums to analyse the maize seeds sector and advise the Government accordingly. Through those forums, the Ministry has been able to align the maize seeds production figures to the BETA programs. The Government has put in place measures to ensure

the limited available maize seeds stocks are not exported to safeguard seeds requirement in the year 2024.

The maize seeds industry has initiated a rapid results initiative approach in pursuit of addressing the shortage. Under this approach, 37,500 acres of land are required for the maize seeds production. Kenya Seed Company has dedicated 33,000 acres of land for maize seeds production and meet the demand for the 2025 season. The Kenya Seed Company has been tasked to scout for land and advise the Government for facilitation.

The Government is in the process of identifying suitable land that is held by the public institution for maize seeds production in collaboration with the Ministry of Agriculture and Livestock Development and relevant stakeholders, to increase seed production from the current target of 27 million kilos to 49 million kilos in 2025. Due to low seed producer price, growers contracted pulled away from seeds production in 2022/2023. However, the Kenya Seed Company has reviewed upwards the contracted seeds growers' prices to motivate them to allocate more land to maize seeds production in 2024.

The Kenya Seed Company has increased and enhanced maize seeds varieties through targeted research as per the ecological zones. Finally, the Kenya Seed Company is working with the National Irrigation Authority to grow seeds in various suitable regions to increase production and enhance access to seeds.

Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Okay. Let us have Hon. Kasiwai. Please proceed.

Hon. Rael Kasiwai (West Pokot, KUP): Thank you, Hon. Temporary Speaker. I want to thank the Chairperson for the response and good report explaining the factors that contributed to the maize seed shortage in the North Rift Region. Although the answer is coming late, it will help us in the next planting season. Of concern, are the 400 registered seeds distributors in the North Rift Region who are holding the maize seeds and selling them to farmers at exorbitant prices. Why is the Ministry not punishing them? They hold the maize seeds in their stores and sell to farmers at high prices. I am not satisfied with that answer.

Thank, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Proceed, Chairperson. Do you want to weigh in again?

Hon. Brighton Yegon (Konoin, UDA): Thank you, Hon. Temporary Speaker. There are 400 certified seed distributors across North Rift who supply certified seeds. We have noted that they are selling those seeds to farmers at exorbitant prices. That is why the Ministry is trying to curb that malpractice in the market. It is taking proper measures to ensure that prices are regulated as per the indicated market price for maize seeds so that unscrupulous sellers do not take advantage of the farmers.

The Temporary Speaker (Hon. Farah Maalim): Hon. Kasiwai, are you satisfied? Proceed.

Hon. Rael Kasiwai (West Pokot County, KUP): I am waiting to see that happening, Hon. Temporary Speaker.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): There being no other interest on this matter, we will have a response to a statement request by Hon. Irene Mayaka from the Chairperson of the Departmental Committee on Sports and Culture. Could we have that response Committee Chair or a representative of the Committee?

POSITION OF KENYA NATIONAL UNDER-17 YEARS FOOTBALL TEAM

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Temporary Speaker, on Wednesday, 24th July 2024, during the afternoon sitting, Hon. Irene Mayaka requested for a statement regarding the position of the Kenya National Under-17 years football team. Specifically, the Member sought a response to two issues. One of the issues was plans that the Ministry of Youth Affairs, Sports and Arts, in consultation with the Ministry of Education, has made to ensure that the players have the opportunity to take their exams at a time that does not conflict with their participation in the World Cup. The other issue was the measures being taken by the Ministry of Youth Affairs, Sports and Arts and other stakeholders, including the Federation Internationale de Football Association (FIFA) and ensure that the team goes back to camp for preparation. I have since received a comprehensive response from the Ministry of Youth Affairs, Creative Economy and Sports, which I have shared with the Hon. Member. I beg to read the key points of the Report before I table it.

On plans that the Ministry has, the Junior Starlets secured an impressive 3-0 victory against Ethiopia, allowing Kenya to advance to the final round with a 3-0 goal aggregate. The fourth and final round of the qualifiers saw the Junior Starlets face Burundi in the first leg, once again in Addis Ababa. Kenya dominated with another 3-0 win, showcasing their ability to perform under pressure. The second leg, played in Nairobi, resulted in a 2-0 victory for Kenya culminating in a 5-0 aggregate win and securing their place in the World Cup.

Concerning making sure that the players have an opportunity to take their exams as per the Kenyan National Examination Council policy of handling hardship cases for affected candidates sitting national examinations, the Council will liaise with the centre managers of the affected six secondary schools and make appropriate arrangements within the examination period for administration of the 2024 Kenya Certificate of Secondary Education (KCSE) papers that clashes with the World Cup fixtures for the Kenyan team. Further, the Kenya National Examination Council wishes to bring to your attention the fact that there will be no national assessment for Grade Eight students in October 2024 and therefore the Grade Eight learner in the team will not be affected by the World Cup schedule.

About the preparation for the World Cup, the team has developed a comprehensive preparation plan focussing on both physical readiness and strategic refinement in anticipation for the FIFA World Cup. The plan is as elaborated in the schedule, of which the Hon. Member has a copy. Despite that plan, some Junior Starlet players are candidates who are awaiting the national exams. To address this, the Federation wrote to the Ministry of Sports and the Ministry wrote to the Kenyan National Examination Council with a copy to the Ministry of Education requesting special arrangements for the eight players to undertake the KCSE and Grade Eight examinations. Copies are attached and the Hon. Member has the same. The Ministry is consulting with the Ministry of Education to ensure that the players not only participate in the World Cup, but also sit for their national examinations through a special arrangement. All the necessary preparations are in place for the team to start their residential local camp. Actually, the residential camp started on 18th August and will continue all the way to 1st of October. The Member has been given a schedule and a roadmap for the same.

I submit, Hon. Temporary Speaker.

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

Hon. Irene Mayaka (Nominated, UDA): Thank you, Hon. Temporary Speaker. Let me take this opportunity to thank the Chairperson of the Departmental Committee, Hon. Dan Wanyama, for ensuring that we got an appropriate response despite the fact that we were on recess.

I am very happy now because yesterday, together with Hon. Elachi who has just walked in, I was able to witness the official flag off of the Harambee Starlets under 17 team. This morning, the team flew out to Spain for 10 days' practice before proceeding to the Dominican Republic. We are grateful to the Ministry of Sports and Ministry of Education for allowing the

girls to participate in that global event. I especially thank the relevant authorities for making arrangements to ensure that the six girls who will miss the KCSE exams which will be administered during the World Cup period, sit for the exams when they come back to the country.

Secondly, I appreciate the support that the girls have received from the Ministries and the Presidency. Thirdly, I wish our young girls the very best of luck because, for the first time in the history of Kenya, we have a team representing the country in soccer in the World Cup. It is the girls' under 17 soccer team that has taken us to the World Cup. So, I wish the team all the best. I want to make a special mention to the coach, Ms. Mildred Cheche; and the young captain, Elizabeth, for their good leadership. I hope the rest of this House will join me in wishing our young starlets the very best as they carry the flag of Kenya in Spain and in the Dominican Republic later in October.

I thank you and thank you, Chairperson, for your dedication to have this request responded to.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. I think you are not seeking any more clarification and, therefore, we are safe to go to the next Statement. Hon. Keynan has a Statement to make on behalf of the House Business Committee.

Please, proceed.

BUSINESS FOR WEEK COMMENCING 23RD TO 27TH SEPTEMBER 2024

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Temporary Speaker. I would like to make a Statement on behalf of the House Business Committee.

Pursuant to the provisions of Standing Order 44(2)(a), I rise to give a Statement on behalf of the House Business Committee, which met on Tuesday, 17th September to prioritise business for consideration during the coming week. But, first, I wish to take this opportunity to welcome Members back to the House after the just concluded short recess. As we reflect on what has been achieved, I wish to point out that our mission is far from over. We still have a significant number of legislative proposals, Bills, statutory instruments and reports that most certainly need our keen attention. I, therefore, urge Members to rise to the occasion when the business is presented before the House and remain diligent in its consideration.

With regard to the business for Tuesday next week, the House is expected to consider the Second Reading of the Equalisation Fund (Administration) Bill, Senate Bill No.14 of 2023, and Kenya National Library Service Bill, 2023, if not concluded today. Additionally, debate will be undertaken on the following Motions, should they not be concluded today:

1. Report on the Consideration of the Consolidated Fund Services Expenditure for the Supplementary Estimates I, for the Financial Year 2024/2025.
2. Report on consideration of Public Petition on funds spent contrary to the provisions of Article 223 of the Constitution.
3. Report on the implementation status of reports on Petitions and Resolutions passed by the House.
4. Report on alleged unfair trade practices by foreign investors in Kenya.
5. Second Reading of Employment Diversity Audit (Public Institutions) Bill.
6. Report of the Extraordinary Session of the Sixth Pan-African Parliament (PAP).
7. Consideration of Reports on Financial Statements of State Corporations (Nyanza Region).
8. Ratification of the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament.
9. Consideration of Sessional Paper No.5 of 2023 on the National Policy on Labour Migration.

Hon. Temporary Speaker, in accordance with the provisions of Standing Orders 42(a)(5) and (6), I wish to convey that the Cabinet Secretary for Environment, Climate Change and Forestry is scheduled to appear before the House on the afternoon of Wednesday, 25th September 2024 to respond to the following Questions:

1. Question No.304 of 2023 by the Member for Alego Usonga, Hon. Samuel Atandi, MP, regarding the issuing of licences by the National Environment Management Authority (NEMA).
2. Question No.029 of 2024 by the Member of Maragwa, Hon. Mary Wamaua, MP, regarding the Landfill Project in Maragwa Constituency.
3. Question No.105 of 2024 by the Member for Chepalungu, Hon. Victor Koech, MP, regarding the presence of Lalela Company Limited and Naratoi Company Limited conducting large-scale irrigation-based farming.
4. Question No.106 of 2024 by the Member for Westlands, Hon. Timothy Wanyonyi, regarding depletion of rivers and measures for sustaining riparian areas.
5. Question No.107 of 2024 by the Member for Nakuru County, Hon. Liza Chelule, MP, regarding wetlands and catchment areas.

In conclusion, the House Business Committee will reconvene on Tuesday, 24th September 2024 to schedule business for the rest of that week.

I now lay the Statement on the Table of the House, on behalf of the Leader of the Majority Party, Hon. Kimani Ichung'wah.

Thank you, Hon. Temporary Speaker.

(Hon. Adan Keynan laid the Statement on the Table)

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Before we go to the next Order, I wish to acknowledge the presence of students or pupils from Nzouni Comprehensive School from Mwingi Central Constituency, Kitui County. Is there any Member of Parliament from Kitui who would want to say a word or two to motivate these young Kenyans who have come to see how our Parliament works?

Yes, proceed, Hon. KJ.

Hon. John Kiarie (Dagoretti South, UDA): Are we welcoming the students?

The Temporary Speaker (Hon. Farah Maalim): Yes, proceed and welcome the students. The Temporary Speaker has already welcomed them, but of course you can...

Hon. John Kiarie (Dagoretti South, UDA): Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): As a young man and a legislator, you must have some wise words for these young people.

Proceed.

Hon. John Kiarie (Dagoretti South, UDA): Thank you very much, Hon. Temporary Speaker. It may be lost to many how I would have any connections to the former Eastern Province, but let me declare my interest that my birth mother, Hannah Ndindi Mutiso, actually hails from what was the then larger Machakos County, which has since been divided into Makueni and Machakos counties.

It is amazing to have a whole contingent of young people joining us here in Parliament. I would like to welcome the students to the 13th Parliament of the National Assembly of Kenya and to let them know that this is the House that was created by Articles 95 and 96 of our Constitution. I would like to tell the students that what they see here is the plenary of a National Assembly of Members who represent constituencies from every corner of this country. They are here to discuss and resolve all matters that concern Kenyans, as the Constitution provides.

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So, issues to do with education, the plight of the youth, their welfare, and everything else that concerns a Kenyan are canvassed on the Floor of this House. Resolutions emerge, deliberations are made, and we pass laws and Motions. All that is done because of what they read on the banner that we see at the door as we enter the Chamber that states that we are here for the welfare of society and the just government of the people.

I ask all Members of Parliament to join me in welcoming the learners who are seated in the Gallery. Thank you very much, Hon. Temporary Speaker, for the opportunity.

The Temporary Speaker (Hon. Farah Maalim): Hon. Basil, I am looking for Members from the larger Kitui County. Do you come from Machakos County?

Hon. Robert Basil (Yatta, WDM): Yes, I come from Machakos County, but I can welcome them.

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

Hon. Robert Basil (Yatta, WDM): There is a Member from Kitui County who is present, Hon. Nzengu.

The Temporary Speaker (Hon. Farah Maalim): Take a minute and then I can give an opportunity to Hon. Nzengu before we proceed to other substantive business.

Hon. Robert Basil (Yatta, WDM): Although I cannot see the students from where I am, I welcome them to Parliament.

The Temporary Speaker (Hon. Farah Maalim): Go to a place where they can see you so that they know who you are. They can see the screens, but just go to a place where they can also see you.

Hon. Robert Basil (Yatta, WDM): Hon. Temporary Speaker, I also represent the Gen Zs in Parliament. To the young students, *karibuni sana*. This is the august House, the 13th Parliament. I represent Yatta Constituency. Do not feel like you are too far from being here. We all went through the same process. When we came here to visit, we used to wonder whether we would ever find ourselves in this House. You are on the right path. Just put in the effort and commitment and one day you will be here with us.

Thank you and *karibuni sana*.

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

Hon. (Eng.) Paul Nzengu (Mwingi North, WDM): Thank you, Hon. Temporary Speaker, for giving me the opportunity to welcome the students from Mwingi Central to the 13th Parliament. Congratulations for making it to this place.

In 1988, I was a Class 8 student. During the transition period from primary school to secondary school, I used to come here and sit in that Public Gallery and watch the likes of Hon. Martin Shikuku debate. So, you are in a nice place. Not every student makes it here. So, you should be encouraged that one day you could also represent Mwingi Central Constituency.

I know Hon. Mulyungi would have loved to be here but because of other commitments, I take the responsibility to congratulate you and welcome you as the Member for Mwingi North.

Karibuni sana.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Let us go to the next Order.

BILL

Second Reading

THE MUNG BEANS BILL (Senate Bill No.13 of 2022)

(Moved by Hon. (Eng.) Paul Nzengu on 14.8.2024 – Afternoon Sitting)

(Resumption of Debate interrupted on 17.9.2024)

The Temporary Speaker (Hon. Farah Maalim): Where is the Mover? Proceed.

Hon. (Eng.) Paul Nzengu (Mwingi North, WDM): Thank you, Hon. Temporary Speaker. I take this opportunity to thank the Members who have contributed to the debate on the Bill. I want to particularly thank the Chairperson of the Departmental Committee on Agriculture and Livestock, who took a lot of time to go through the Bill and elaborate its advantages. I know that most Members did not get the opportunity to interact with the Bill, but it is a nice piece of legislation contrary to the notion that farmers will have to register or pay to farm mung beans. That is not true. We want farmers to be registered at the county level so that when the county is planning for resources to support agriculture, the county knows exactly how many farmers will be involved and what kind of yields to expect. This is so that we set targets even as we procure farm inputs and provide support to the farmers. We do not just leave it open to whoever wants to do farming and does not register. We may experience a lot of pressure on the actual support that we are envisaging in this Bill.

Hon. Temporary Speaker, some cartels have misled Kenyans into thinking that one has to pay to grow mung beans or *ndengu*. We are trying to remove the middlemen who operate between farmers and the market. For instance, during the planting season, you find that the price of *ndengu* is about Ksh200 per kilogram. But when the farmers harvest, some cartels force the price down to about Ksh40 or even Ksh30 per kilogram. We are trying to protect the farmers from exploitation by middlemen.

We are proposing that farmers form co-operatives. The county governments will now be required by law to do marketing so that we do not leave farmers on their own, just like is done for any other cash crops. I wanted to clarify that some people have misunderstood the Bill. There is also a claim that the Bill has not been subjected to public participation. I did not see the report from the Committee. Maybe, it will go back to the Committee, which will then conduct the public participation that some Members have voiced concern about.

With those remarks, I beg to reply.

The Temporary Speaker (Hon. Farah Maalim): We are not going to put the Question on this debate. It is deferred to another appropriate date to be determined by the Speaker.

(Putting of the Question deferred)

Next Order.

MOTION

ADOPTION OF REPORT ON ENHANCING REPORTING OF PARLIAMENTARY BUSINESS ON ONLINE PLATFORMS

THAT, this House adopts the Report of the Select Committee on Parliamentary Broadcasting and Library on Enhancing Reporting of Parliamentary Business on Online Platforms, laid on the Table of the House on Wednesday, 4th October 2023.

(Moved by Hon. Daniel Nanok on 8.8.2024)

(Resumption of Debate interrupted on 8.8.2024)

The Temporary Speaker (Hon. Farah Maalim): This Motion was moved and seconded. Is there anyone who wants to contribute? Hon. Moses Kirima, are you on the screen because you want to contribute to this Motion or your card was put in earlier for other reasons?

Hon. Moses Kirima (Central Imenti, UDA): I wanted to speak earlier on.

The Temporary Speaker (Hon. Farah Maalim): Okay. How about Hon. Beatrice Elachi? Proceed. This is the Motion on the Report.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I was waiting to get a copy, but I will proceed by appreciating that this is a Government that saw it important for us to go digital. Most of the work in Government is digital, and even the President himself will always be on his iPad. As we now look at digitising our business in Parliament, and we have partly done so; it is important for us to ask ourselves whether we want to continue to have it partially or fully digitized, because you will always find us struggling looking for the papers.

Today, in a meeting of the Members Services and Facilities Committee, we were asking why we did not digitise nearly everything at the Bunge Tower? Until now, we still have to wait for each other to finish meetings instead of having a digital platform that shows on the screen that you are supposed to finish business and the next Committee that is about to occupy the meeting room is the Departmental Committee on Labour, and so on. This will give the Committee time for planning to enhance efficiency so that we do not take so long on manual process. I am just giving an example.

We need to ask ourselves many questions. This is the House that presents all the laws that we have in the country. We are pushing ourselves to have all constituencies fully digitised. We must be serious if we want to be very clear in open Government partnerships. If you want to have transparency and efficiency, it is good to use different digital applications.

There are a few interesting things that we have to push for in the services sector and the way we look at our Human Resources (HR). We need to question and have good answers from all our departments. If we were fully digitised, you would not be wondering why you do not know the number of staff in the whole of the Parliament. I doubt any Member of Parliament knows the exact number of staff this institution has. If we had a digitised platform, people would even get to know when they are about to retire and that gives you a way of planning. That is what all civil servants are doing now.

We have to come out clearly on the way forward on this matter. We should avoid signing the attendance sheets. Members should be able to receive some of these things on their iPads at a click on their portals. They should be able to tell the number of times they have been in *Bunge*, and attendance in committee sittings. If we had such system in place, it would help and guide us as we move forward.

In this 13th Parliament, we must ensure that photocopying of papers become a thing of the past. I hope the Parliamentary Service Commission will also help us in this regard. They also have to look at the new Tower and bring in that excellent example that they are telling us about.

With those few remarks, I beg to support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Kipsanai Adams.

Hon. Adams Korir (Keiyo North, UDA): Thank you very much, Hon. Temporary Speaker.

I rise to support the Motion on enhancing reporting of parliamentary business on online platforms. As you are aware, the world of today is run through technology. Kenya being one of the countries that is ahead in terms of technology in Africa, I want to state that this is the only way that can help us grow our economy and create many opportunities.

Enhancing reporting of parliamentary work will help showcase the work that is done by Members of Parliament. Apart from contributing in this Plenary, Members of Parliament

are doing a lot of work, especially during committee meetings. However, because we are only using the traditional way of reporting – televised reporting – many people at the grassroots are not able to follow what Members of Parliament do at any other particular time. This has become a problem.

The other day, Kenya lost a very good Bill – the Finance Bill, 2024 – because of lack of communication. Many Kenyans were saying that they were not told about the contents of this Bill because they only depend on what the media, especially the mainstream media, reports.

Secondly, enhancing reporting will give real-time information. If we use social media platforms like Facebook, X, and so on, a Kenyan who is not glued on a television set can get to know what is happening in this House, and maybe he or she can give feedback that can help Members in delivering their work.

Members can also get direct feedback. We have a very educated young generation in this country, some calling themselves Gen Zs. They have very important points and input that can help our country to grow. If we enhance such platforms, they will help us to have one country where we can bring together all the thoughts and ideas from members of the public.

There are about 400 Members of Parliament here. If we can enhance social media reporting, whereby a Member of Parliament like me from Keiyo North is able to see what is happening in Mathira or Ugunja, it will help us in terms of challenging ourselves in economic growth and development in our respective constituencies.

Lastly, we must enhance this way of technology because it saves time and cuts costs in terms of paperwork and time in delivering our mandate. I urge the Parliamentary Service Commission to support the Select Committee on Parliamentary Broadcasting and Library in implementing its recommendations. We are here today, but we are still using around 80 per cent of our transmission via Kenya Broadcasting Corporation (KBC). A young person in the upcountry and others who are in universities want to know what is happening. They want real-time information. That young person will not stay there and wait for 9.00 p.m. news to be broadcasted. Perhaps, they will capture one or two Members, but they will not get what is happening in the entire House.

I, therefore, support the Motion. The Committee is doing good work. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Hon. Naomi Waqo, Member for Marsabit County.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for allowing me to add my voice to this very important debate on enhancing reporting of parliamentary business on online platforms. We know very well during the COVID-19 time, most of the time, we were forced to have online meetings and also conduct our businesses online. That helped us and saved the situation. Today, the world is moving very fast. Some of us are still analogue, but many people are digital. That is why we need to move as Members of Parliament, so that most of our businesses can be transacted through online platforms.

When we have our committee meetings, Members deal with issues that affect our people at the grassroots level. Different committees handle different matters that touch on the lives of Kenyans. A lot of our debates or discussions are not covered. But when this happens, then our people will follow the progress and see even some of the things that we discuss at the national level on their behalf. Today, we might say that the people in the villages have no time or televisions. However, you will be surprised everybody in the far north knows what is happening in the United States of America (USA) today. It is high time for us to approve this Motion and go online in terms of our businesses so that our people can be educated through our debates and deliberations. They can also see the resolutions we make as they wait for the different State departments to act and offer services to them.

With those few remarks, I support this Motion. Thank you.

The Temporary Speaker (Hon. Farah Maalim): Member for Yatta, followed by the Member for Dagoretti South and then Hon. John Kiragu, Member for Limuru. Proceed.

Hon. Robert Basil (Yatta, WDM): Thank you, Hon. Temporary Speaker, for giving me the Floor of the House. Allow me to thank the Chairman of the Select Committee on Parliamentary Broadcasting and Library for bringing this Motion.

Truly, we are in the exponential age of technology. Today, everyone is on Instagram, X and many other platforms. Ideally, by having this Motion, it means the majority of our people will access information online. Very importantly, through this Motion, we will make ourselves more transparent and make people understand what Parliament does very well. This will enhance accountability because our people will access information online. Through online platforms, our people will connect very well with Parliament. As we speak, many of our people, particularly those who are not in the House and those who are unable to read or watch media, do not access what is being discussed in Parliament electronically. Enhancing online platforms will make sure that those people will access those reports and know what this august House is doing, the pertinent issues that are being discussed, and how they need to connect with that information.

Some of the flaws that I have witnessed in this Motion include marginalising the rural people because most of them have limited access to the internet. Lack of reliable internet in rural areas will discriminate those people and make them unable to access online information as we intend or want them to do it. Another important element that we need to consider, which I find as a flaw in regard to this Motion, involves the people who are computer illiterate. We know we have a significant proportion of our people who are not computer savvy. They will not access the online information or reports that come from Parliament. This is a flaw or flip-side in this Motion.

I am looking at the costs that will be involved when we are talking about upgrading our online infrastructure to be able to compete with the rest of the world. The cost involved is something to consider because, in principle, our economy is not performing well. I know the Government's approach is the 'bottom-up', which has a very ambitious plan to connect most of our regions through the digital superhighway. This is something which we encourage. However, our concern is the cost involved and where we are in the performance of the economy.

Otherwise, as a millennial and someone who fits well within the contemporary world of technology, I support the Motion. As I said, the world is moving to technology. We can all attest to this because most of the Members here have smartphones. I support the Motion. We have to consider the flaws that I have said, so that we do not discriminate people, contrary to Article 10 of the Constitution, which encourages inclusivity in governance and information sharing.

With those few remarks, I support the Motion. Thank you.

The Temporary Speaker (Hon. Farah Maalim): Member for Dagoretti South.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I thank you. Communicators tell us that if you do not tell your story the way you want to tell it, someone will tell it the way you do not want it to be told. That is why I stand to support this Motion on enhancing reporting of parliamentary business on online platforms.

I am informed by Article 118 of the Constitution that says that Parliament shall conduct its business in an open manner, and its sittings and those of its committees shall be in public. If the world is moving towards newer methods of communicating, then Parliament is moving in the right direction by onboarding its communication to online platforms. This gives it an opportunity for public participation.

I can see my very good friend, Hon. George Koimhuri, in the House. We both know the dangers that Parliament runs into when we do not communicate our story the way we want, as we witnessed during the Finance Bill. Some issues that had been canvassed outside this House, which were not in the Bill, ended up becoming a matter of life and death. The failure here was not on any Member who said yes or no. There was a big failure in how we communicated as Parliament.

In communication, we say that the way to communicate is when there is a channel and a receiver. Then there is a mechanism loop to ensure that the receiver has received the message so that the message can be corrected for effective communication if it is not correct. As it is, Parliament is speaking on platforms where Kenyans are not there. Kenyans are speaking in spaces where Parliament is not there. That is why Parliament is one of the biggest punching bags today. It is the boogieman of this country.

The limited visibility Parliament has been enjoying is not favourable for any Member of Parliament. I can tell you that the ladies and gentlemen that are seated in this House are actually very popular in their constituencies, even if Parliament seems so unpopular. Otherwise, they would not be here. It means that Parliament needs to reorganise the way it is engaging the different publics to give them the right information so that the popularity that those Members have on the ground can be translated to the institution of Parliament.

I went through this Report with a fine toothcomb and saw that it is recommending that we review the existing platforms of Parliament. It is recommending that we develop guidelines that will allow us even have communication officers in our different constituencies so that they can feed the content generation of the news that Parliament will be putting out there. I saw this Report recommending something critical. That, our Parliament must invest in communication. Communication is investing in a bank of goodwill. One should invest in that bank of goodwill in fair weather. The wise man says that one should make hay while the sun shines. Using communication, you invest in that bank of goodwill in the good times. There is a time you will not have goodwill with the people. That is when you start withdrawing from the bank of goodwill. This Parliament went into such attack because we had not invested into that bank of goodwill.

Finally, even as we are onboarding our communication onto new platforms, the last point I would like to make is that we should be alive to the realities of the new world. Things called cybercrimes and cyberattacks are all realities that exist in the world that we want to import our things into. My recommendation is that, even as we think about onboarding to other proprietary existing platforms like have been named here, Kenya should also think about making its own Facebook, TikTok and Twitter, so that we own the content and the platforms that exist. We know the danger of putting our information out there on platforms that we do not own. Parliament is capable of developing its own digital platforms and digital spaces.

The Temporary Speaker (Hon. Farah Maalim): You can have an additional one minute.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, you are very kind and I appreciate that.

The point I was making is that information is power. We are in what is being referred to as the Fourth Industrial Revolution. The Fourth Industrial Revolution shall be fuelled by data. When you generate data today, it becomes a currency. The data that we generate with the content that we are putting on those new online platforms should be content that we are able to manage from the beginning to the end. That is why I request that Parliament consider building its own platforms beyond just onboarding onto existing international, multinational and big tech platforms. Let us own platforms so that can we secure our information from people who have bad intentions against this institution.

The Temporary Speaker (Hon. Farah Maalim): Member of Parliament of Limuru Constituency, Hon. John Kiragu. Please, give the microphone to Hon. John Kiragu. Okay, proceed.

Hon. (Eng.) John Kiragu (Limuru, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Report on enhancing reporting and broadcasting.

(Hon. Alice Ng'ang'a spoke off record)

Please, I need your help here. My good friend, Hon. Alice, is very close to me.

(Laughter)

I rise to support this Report on enhancing reporting of parliamentary business on online platforms. As I do so, I refer to the fact that the Constitution provides the public a right to information or the proceedings that go on in the National Assembly and the Senate. As we are aware, the National Assembly and Senate have been sharing broadcasting platforms through Signet Television. That is in limited areas in Nairobi. As my colleagues have said, I know there have been developments. Technology has changed. Things have changed since 2016 when we had a social media policy for this House. Technology has changed. It is about time we realigned our social platforms with the technology that has so far been developed.

As my friends have mentioned, there is TikTok, Facebook and YouTube. All those platforms have been used within Parliament and outside. However, it is about time we reviewed how we have been utilising them. The numbers do not show that we have been utilising the platforms that we have. If you look at numbers on the YouTube, you will find that we have not been actively involved.

I acknowledge the support that our Committee on Parliamentary Broadcasting and Library received when we were discussing this Report. Particularly, from the Departmental Committee on Communication, Information and Innovation, the Parliamentary Service Commission, and personnel from the Kenya Broadcasting Corporation (KBC), who are contracted to cover the proceedings of this House. Their contribution has really helped us to put up some specific recommendations. Those recommendations are directed to making sure that we align this Parliament with other Parliaments in the world. We cannot afford to be left behind in matters of disseminating information to the public.

We also noted that the people know about the happenings of Parliament through the covering they get, particularly on plenary sessions. However, you know that a lot happens in committees and yet, they are not covered adequately. We know that the activities of Members of Parliament are not only restricted within the precincts of Parliament. Each one of us has an office out there in our constituencies. Those constituency offices also manage our parliamentary duties - whether it is giving bursaries or providing services to our people.

Therefore, we are providing guidelines to make sure that whatever happens in our constituencies is also covered. That is the reason why we are calling for a review of the social media policy. We need to review our social media policy quickly, within six months. We need to review our website to make sure that we align it with the activities we have. We are allocating three months to developing guidelines and packaging content. We should review the parliamentary social media policy within six months.

The Temporary Speaker (Hon. Farah Maalim): Hon. Member for Limuru Constituency, proceed. I am giving you an additional one minute.

Hon. (Eng.) John Kiragu (Limuru, UDA): We should have a social media policy to include provisions of publishing information on Members of Parliament. We should adopt a reviewed report within six months.

Hon. Temporary Speaker, we can develop guidelines for the designation of one staff among the existing staff in our constituencies to make sure that the content that comes from the constituency and is transmitted to Parliament is one that is not fake, that it is traceable, and that we have somebody who is qualified to carry out that responsibility. We can ensure that the Media Relations Department provides a structure for media coverage and verification. We think we can also do it within a very short time.

Let me emphasise what has been said. We must allocate resources to ensure that all the necessary things to enhance the social media platforms are funded adequately. As you may be aware, even some gadgets that are here are not working when we need them to work. I think it is important for us to make sure that resources are provided so that we can support the platforms we have and make sure that, as a country and as a Parliament, we are not left behind by the rest of the other Parliaments around the world.

The Temporary Speaker (Hon. Farah Maalim): Well, there being no interest, I will call upon the Mover to reply. Where is the Chairman? Hon. David Nanok, proceed.

Hon. David Nanok (Turkana West, UDA): Thank you for giving me the opportunity to reply to this Motion. Allow me to donate some of my time to one of my Members here, who wants to speak to the Motion. Kindly, if you can allow that.

The Temporary Speaker (Hon. Farah Maalim): Yes. It is just that we did not have any registered interest here.

Hon. David Nanok (Turkana West, UDA): Hon. George Gachagua. Thank you.

The Temporary Speaker (Hon. Farah Maalim): Proceed, Hon. George Gachagua.

Hon. George Gachagua (Ndaragwa, UDA): I rise to support this Motion. Considering that Article 118 of our Constitution requires Parliament to conduct its activities in the open, I believe this will promote transparency in all our deliberations. The online platforms will enhance visibility of the works that is being done by the Members of Parliament in plenary and in the committee meetings. The online platforms will capture a lot of attention of many Kenyans and I believe that, once it is undertaken, many Kenyans will be in a position to comment on what we shall be doing here.

It will also enhance public participation because it has been realised that most Kenyans do not know what goes on inside here. But through online platforms, I believe that we will be in a position to let Kenyans know what we do here in Parliament and many questions will be answered through the social platforms.

The Temporary Speaker (Hon. Farah Maalim): Do you still wish to donate some more minutes to any other colleague?

Hon. Daniel Nanok (Turkana West, UDA): No.

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

Hon. Daniel Nanok (Turkana West, UDA): Thank you. At the outset, I wish to register my appreciation and gratitude to the Members of the House who have spoken in support of this Motion, seeing how important this Motion is to this House or to Parliament generally. The Members have pointed out the contribution that this Motion can make in terms of improving the visibility of this House, and the public participation enhancement that will be seen in the public, if this House adopts this Motion.

One of the Members who contributed here today, has questioned us on the cost of upgrading the online infrastructure in Parliament, and the same has also been rebutted by the importance of investing in that infrastructure. The Parliament of Kenya is in a position and is able to plan for that online infrastructure in a staggered manner so as to achieve the intended goal. The world of technology is moving very fast and this has been observed in communication. Therefore, we cannot afford to be left behind. We have to move along with the current technological improvements as a Parliament. Most importantly, online platform

reporting will give us the platform to say our own story as Parliament. This is the gist of this Report.

I do not want to belabour the points that the Members have made here in support of the Motion. Therefore, I would ask that this House supports this Motion so that we can move on with what needs to be done to help us improve our online reporting.

I beg to reply. Thank you.

The Temporary Speaker (Hon. Farah Maalim): The question will not be put today. The Chair directs that the question will be put at an appropriate time.

Next Order.

(Putting of the Question deferred)

ADOPTION OF REPORT ON THE CONSOLIDATED FUND
SERVICES EXPENDITURES FOR THE FIRST SUPPLEMENTARY
ESTIMATES FOR 2024/2025

THAT, this House adopts the Report of the Public Debt and Privatization Committee on its consideration of the Consolidated Fund Services for the Supplementary Estimates I for FY 2024/2025, laid on the Table of the House on Wednesday, 24th July 2024.

(Moved by Hon. (Dr) Makali Mulu on 8.8.2024)

(Resumption of Debate adjourned on 8.8.2024)

The Temporary Speaker (Hon. Farah Maalim): I do not see any interest on the screen. Hon. Beatrice Elachi, is this an old request or you intend to contribute?

Hon. Beatrice Elachi (Dagoretti North, ODM): It is old.

The Temporary Speaker (Hon. Farah Maalim): Okay. Under the circumstances, we shall have to call upon the Mover to reply. Where is the Mover? Is he in the House? This is also now deferred to another date.

(Motion deferred)

ADOPTION OF REPORT ON FUNDS SPENT CONTRARY TO
PROVISIONS OF ARTICLE 223 OF THE CONSTITUTION

THAT, this House adopts the Report of the Public Petitions Committee on its consideration of Public Petition No.4 of 2022 regarding Funds Spent by the National Government Contrary to the Provisions of Article 223 of the Constitution, laid on the Table of the House on Tuesday, 12th March 2024.

(Moved by Hon. Nimrod Mbai on 20.6.2024 – Afternoon Sitting)

(Resumption of Debate adjourned on 8.8.2024)

The Temporary Speaker (Hon. Farah Maalim): This is also an old debate, and there is no interest except Hon. Beatrice Elachi. Are you interested?

(Hon. Beatrice Elachi spoke off the record)

It is an old one. Okay. Under the circumstances, I also call upon the Mover to reply. Where is the Mover? The Mover is not in. So, that business is deferred to another date when the Mover will reply and the Question will be put.

(Motion deferred)

Next Order.

ADOPTION OF REPORT ON IMPLEMENTATION STATUS OF
REPORTS, PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE

The Temporary Speaker (Hon. Farah Maalim): Is the Chairperson of the Committee on Implementation in the House?

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Temporary Speaker, I beg to move the following Motion:

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

Hon. Temporary Speaker, the Committee on Implementation is established under Standing Order 209 of the National Assembly Standing Orders. The Committee scrutinises House resolutions (including adopted Committee Reports), petitions and undertakings that are given by the National Executive. It examines whether such decisions and undertakings have been implemented and whether such implementation has taken place within the minimum time necessary, and it provides a satisfactory explanation for the delay in full implementation.

The mandate of the Committee is further elucidated by Standing Order 201 of the National Assembly Standing Orders, which provide that within 60 days of a resolution of the House or adoption of a report of a select committee, the relevant Cabinet Secretary under whose portfolio the implementation of the resolution falls shall provide a report to the appropriate committee of the House.

In consonance with Article 153(4) (b) of the Constitution, Cabinet Secretaries are required to provide Parliament with full and regular reports concerning matters under their control. Thus, the Committee plays a pivotal role in ensuring that the National Assembly resolves issues of concern to the people by holding the Executive to account through the implementation of House resolutions. This ultimately ensures that the National Assembly executes its constitutional mandate effectively and efficiently and does not act in vain.

In the execution of its mandate, the Committee wrote to various ministries, state corporations and agencies requesting the implementation status of resolutions, petitions and adopted committee reports that are passed by this House. The Committee received both oral and written submissions from the cabinet secretaries and accounting officers of the State corporations providing the implementation status of the recommendations contained in the reports adopted by the House in the Sittings held from February to April 2023 as follows:

1. Report of the Departmental Committee on Education and Research on Public Petition No. 047 of 2021 regarding the suspension of the Teacher Professional Development (TPD) program;
2. Report by the Departmental Committee on Education and Research on Public Petition regarding the repeal of sections of the Universities Act 2012;
3. The Special Fund Accounts Committee Report on the Examination of Audited Financial Statements for Financial Years 2013/14 to 2015/16 for the National Government Constituency Development Fund (NG-CDF) for constituencies in

Nairobi County;

4. The Public Investments Committee Report on the Inquiry into the Safety of Ferries as observed in the Audited Accounts for Financial Year 2016/17; and,
5. Report by the Departmental Committee on Labour and Social Welfare on its consideration of the Petition by the Kenya Association of Retired Officers (KARO) on improved terms for pensioners in Kenya.

In addition, the Committee undertook inspection visits to some projects and corporations to ascertain the progress made in implementing the recommendations of the various reports. This Report entails a compilation of the responses received and their status of implementation as at the time of the adoption of the Report, Committee observations and recommendations.

Hon. Temporary Speaker, in consideration of the implementation status of House resolutions pursuant to its mandate under Standing Order 209 of the National Assembly Standing Orders, the Committee made the following general observations which have a direct impact on the implementation of House resolutions:

1. Implementation of the majority of the House Resolutions has budgetary implications for their effective implementation. For this reason, there is a need for appropriation of funds in subsequent financial years to ensure House Resolutions are implemented as directed. However, in most instances, inadequate budgetary allocation is the major hindrance to effective implementation of the same by Ministries, Departments and Agencies (MDAs);
2. There was no adequate budget allocated to the MDAs to implement some of the recommendations; and,
3. Some recommendations were generalised and not specific, measurable, achievable, realistic, and time-bound (SMART) to facilitate the smooth implementation of House resolutions.

In order to address those challenges, the Committee made the following general recommendations:

1. That the accounting officers of MDAs should factor resolutions with budgetary implications in the subsequent financial year budgets for effective implementation;
2. That, the accounting officers of MDAs should incorporate House resolutions in their work plans for effective and efficient delivery of the implementations. This should include timelines for the achievement of specific deliverables and assignment of responsibility; and,
3. That, the EACC should provide a status report of all pending investigations stated in this Report within 60 days of the adoption of this Report by the House.
4. The National Treasury and Economic Planning should ensure appropriations of funds for the implementation of House resolutions within one financial year following the adoption of a House resolution for the public to derive the intended benefits. Further, the National Assembly should allocate sufficient funds to the implementing agencies for the effective implementation of reports that are passed by the House; and,
5. Government Agencies and Departments directed to implement House resolutions should endeavour to incorporate the resolutions into their work plans and deliver them within the stipulated time frame. If they fail to do so, sanctions should be imposed against the responsible officials.

If considered and implemented, these observations and recommendations will enhance accountability, effectiveness, transparency, efficiency, prudent management, commercial viability and value for money in State corporations.

Having noted the proceedings of the Select Committee on Implementation on the examination of the various reports, I beg to move and urge the House to adopt this Report.

The Temporary Speaker (Hon. Farah Maalim): You have to be seconded.

Hon. Raphael Wanjala (Budalangi, ODM): I now request Hon. Koimburi to second the Motion.

(An hon. Member spoke off the record)

I request Hon. Mwalyo to second the Motion.

The Temporary Speaker (Hon. Farah Maalim): Hon. Mwalyo, proceed. Give him the microphone.

Hon. Joshua Mwalyo (Masinga, Independent): Hon. Temporary Speaker, I second.

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

(Question proposed)

Hon. David Ochieng' (Ugenya, MDG): Thank you very much, Hon. Temporary Speaker. I thank the Committee chaired by Hon. Wanjala, my neighbour at home, for a good Report.

The National Assembly, and Parliament as a whole, operates through Bills, resolutions and petitions. To know how effective our role is and that Parliament has "teeth" depends almost entirely on the adherence to and implementation of the resolutions that are made by this House. It is extremely disturbing that we take so long to make a resolution and then, even when we make those resolutions, if you listen to the Report that has been presented to this House this evening, and if you check the history of the implementation of resolutions of this House, including Private Members' Bills that become law, it is like we are begging. It is like this House has no capacity to ensure that our resolutions are implemented. We have passed very many resolutions, but you can count on your fingers how many have been implemented to the end. It will be upon this House to ensure that if it passes resolutions in future, they are implemented by Government Ministries, Departments and Agencies (MDAs) and the Semi-Autonomous State Agencies (SAGAs).

If you look at the Order Papers for this week, next week and even the previous weeks, this House works through Motions. Most of those Motions propose resolutions to ensure the country moves in the right direction. If the Assembly or the people of this country make a resolution that is not implemented, we are working in vain. We must find a way to ensure that our resolutions are implemented. Failure to implement them results in sanctions.

You have heard the Hon. Chairperson present his Report, and there are myriads of things that this House resolves every day. Just this afternoon, we had a case where a gentleman, a Member of a County Assembly (MCA), has been abducted. No one knows where he is. The police do not know. The Committee of Parliament concerned does not know. We have had many cases like this, and when they are brought to the House, we make resolutions, but nothing happens. So, this House has become like a talk shop. We talk and talk and then talk some more. We then come back and raise the same issues in the next Session.

The Temporary Speaker (Hon. Farah Maalim): Proceed. Give him an additional two or three minutes.

Hon. David Ochieng' (Ugenya, MDG): The same issues are even brought to the next Parliament, and again, we talk. This is because we have not given our Committees "teeth", or even if we have given them "teeth", they are not "biting" with the "teeth" that the Constitution has given them. Our Committees are not using their "teeth".

Hon. John Kiarie (Dagoretti South, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Member for Dagoretti South?

QUORUM

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, as you know, I would be hesitant to interrupt the Member for Ugenya when he is debating because of the quality of his debate. You can tell from his contribution and the points he is raising how important this Motion is to our Republic. We are in Order No.11, the Motion on the Public Petition on Funds Spent Contrary to the Provisions of Article 223 of the Constitution. Sorry, we are on the Implementation Status of Reports on Petitions and Resolutions Passed by the House, a very important agenda before this House.

Hon. Temporary Speaker, your seat is blind, but from where I am seated, I can tell you that we are running into quorum hitches. I would like to bring to your attention that if you look around the House, we do not have a quorum while debating such an important matter before this House. Again, I apologise because I am always hesitant to be on my feet when the Member for Ugenya is on his feet because of the substance he brings to this House.

Thank you very much.

The Temporary Speaker (Hon. Farah Maalim): Under the circumstances, it is crystal clear that we do not have a quorum. I direct that the Quorum Bell be rung for 10 minutes. I also direct the Whips to do their job of whipping Members of Parliament into the House.

(The Quorum Bell was rung)

While the Quorum Bell is being rung, only the Whips are allowed to go out and whip Members of Parliament.

Order, Hon. Members.

ADJOURNMENT

Hon. Temporary Speaker (Hon. Farah Maalim): Hon. Members, there being no requisite quorum and the time being 5.38 p.m., this House stands adjourned until Tuesday, 24th September 2024, at 2.30 p.m.

The House rose at 5.38 p.m.

Published by
Clerk of the National Assembly
Parliament Buildings
Nairobi