

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 12<sup>th</sup> June, 2013

The House met at 2.30 p.m.

*[The Speaker (Hon. Muturi) in the Chair]*

### PRAYERS

### COMMUNICATION FROM THE CHAIR

**Hon. Speaker:** Hon. Members, there will be a Communication from the Chair, but not at this particular point.

### NOTICE OF MOTION

#### FINANCING OF TRAINING IN APPLIED SCIENCES

**Hon. Njenga:** Hon. Speaker, Sir, I beg to give notice of the following Motion:

THAT, aware that a majority of the residents of Kenya are youth under the age of 30 years whose numbers in the ranks of the unemployed are increasing every year after completion of primary and secondary school; further aware that the Government has invested a lot of money in them through free primary and secondary school education; also noting that the revenue collected by this economy is in excess of Kshs1 trillion, and that the country has immense opportunities available to create employment for the said youth, who contribute to the realization of Vision 2030, this House urges the Government to consider spending 0.1 per cent, or so, of its revenue to finance training in applied sciences in village polytechnics and institutes of technology within the country through soft repayable loans to be channeled through the Constituencies Development Fund (CDF) similar to how the Higher Education Loans Board (HELB) finances university education.

### REQUESTS FOR STATEMENTS

#### PROGRESS MADE IN IMPLEMENTATION OF GOVERNMENT MANIFESTO

**Hon. (Eng.) Gumbo:** Hon. Speaker, Sir, pursuant to Standing Order No.44(2)(b), I wish to request a Statement from the Leader of the Majority Party concerning the progress in the implementation of the ambitious programmes and promises that have been

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outlined in the Government's manifesto. In his inaugural Address to the nation, the President gave indications that concrete building blocks for some of those programmes and promises would be laid in the first 100 days of his term. The Government has now been in office for over 60 days and, therefore, it would be prudent for the House to be aware of the success and the achievements in implementing the following: providing security for all Kenyans, ensuring food security for all Kenyans, providing free laptops for all schoolgoing children, rolling out free maternity services at all public hospitals and other health facilities in Kenya and tackling youth unemployment in Kenya. I just want to add a little bit that the provision of free maternity services at all public hospitals is a matter that touches on both the maternal and the productive health of our mothers, daughters, sisters and children. As such, it is important that standards are as uniform as possible throughout the whole country. That is why as a further clarification, I want the Leader of the Majority Party to give statistics for all the 47 counties of Kenya for the following categories of medical personnel:

- (i) the total number of qualified nurses per county;
- (ii) the number of qualified clinical officers per county;
- (iii) the total number of qualified doctors per county;
- (iv) the total number of surgeons per county; and,
- (v) the total number of qualified obstetricians and gynecologists per county.

**Hon. A.B. Duale:** Hon. Speaker, Sir, that is a very comprehensive report that should go to a committee. Nevertheless, next week on Thursday I will present that comprehensive report to my good friend, Hon. (Eng.) Gumbo.

**Hon. Speaker:** There are some hon. Members who have indicated that they want to seek statements. One of them on the list here is Hon. George M. Wanjohi, but he has not handled the machine; I do not know whether he is in the House or not.

Are you the hon. Member for Mathare Constituency?

**Hon. Wanjohi:** Yes, I am hon. Speaker.

**Hon. Speaker:** And you do not have a card?

**Hon. Wanjohi:** Yes.

**Hon. Speaker:** That may speak volumes about you, is it not so? The hon. Member for Mathare Constituency got his card and in less than a week he is without it. Perhaps, that speaks volumes about your constituency. Maybe, you can seek the assistance of hon. Members to handle your constituency.

**Hon. Wanjohi:** Thank you hon. Speaker. I wish to present a statement pursuant to Standing Order---

**Hon. Speaker:** Are you presenting a statement?

**Hon. Wanjohi:** Yes, it is statement!

**Hon. Speaker:** Presenting it?

#### MEMORANDUM OF UNDERSTANDING ON MANAGEMENT OF NAIROBI CITY PARK

**Hon. Wanjohi:** It is a request for a statement, hon. Speaker.

Pursuant to Standing Order No. 44 (2)(c), I wish to request a statement from the Chairperson of the Committee on Lands regarding a memorandum of understanding signed between the Aga Khan Trust for Culture and the Government of Kenya, which

was represented by the Ministry of Local Government, Permanent Secretary, Ministry of State for National Heritage and Culture, the Town Clerk, Nairobi City Council, with regard to the reported rehabilitation and management of Nairobi City Park.

Hon. Speaker, Sir, an agreement signed on 16<sup>th</sup> April, 2012, gave the Aga Khan Trust powers, rights and responsibilities regarding the management and maintenance of City Park, which may cause a lot of disadvantages and restrictions to residents of Nairobi and Kenyans at large as to enjoyment of the facility.

Hon. Speaker, Sir, in his Statement the Chairman should:

(a) state clearly the particulars of the said agreement with regard to any possible restriction and access by the citizens of Kenya;

(b) explain why tendering was not employed in seeking partnership for the park in management contract;

(c) explain the fate of Kenyans already deriving their livelihood from the park, especially hawkers and how they have been incorporated in the partnership agreement;

(d) explain the benefits, financial or otherwise, the Aga Khan Trust will derive from the said agreement, and whether the lease documents have been prepared in favour of the Aga Khan Trust, and if so, for how many years;

(e) explain whether it is in order for Government Ministries and the former City Council of Nairobi to dispose of public land during the transition period against the advice of the Transition Authority.

Thank you, hon. Speaker, Sir.

**Hon. Speaker:** Is there any indication from the Committee on Lands? Is hon. Mwiru not here? Does he have a vice-chair who may wish to speak on his behalf?

Obviously, what the hon. Member is seeking is something very comprehensive. Actually, it is not a question and answer thing. It is something that can take quite some time. Maybe, the Leader of Majority Party then, as you can see, your troops have decided to be doing business other than House business.

**Hon. A.B. Duale:** Hon. Speaker, Sir, I can see that we are going back to the time of the 10<sup>th</sup> Parliament when there was a Grand Coalition Government and Ministers were never in the House. But this is not the behaviour that we shall entertain. Chairpersons from the Jubilee side of the Coalition, I will make sure that we crack the whip. But this Statement is very urgent and I think I will communicate to the Chair of the Committee on Lands and we will deliver it in three weeks.

**Hon. Speaker:** Very well. I can see the hon. Member for Mathare Constituency nodding in concurrence.

There are other hon. Members who put in requests for statements and I approved them, but I do not see their names on the paper that has the record. So, I do not know whether they are the ones who have now put in requests. The Hon. Lemanken Aramat, you have pressed your button. Where are you? Has he withdrawn or you were just playing with the machines? Then I can see the Hon. Moses Kipkemboi Cheboi.

**Hon. Cheboi:** Hon. Speaker, there must be something wrong with the gadgets. I have not made any request.

**Hon. Speaker:** The next one is Hon. Mwaura in that order. Just to be on the safe side, say you pressed it. Are you seeking a statement, hon. Mwaura or you are just being an earlier bird that catches the worm?

**Hon. Mwaura:** No, hon. Speaker, Sir.

**Hon. Speaker:** I have since learnt that is what clever persons do. Then the next one is Hon. Kenneth Odhiambo Okoth. Is it similar or you---

**Hon. Okoth:** Hon. Speaker, I want to request a statement.

**Hon. Speaker:** Okay. Go ahead.

#### OPERATIONS OF KDF DEPLOYED IN SOMALIA

**Hon. Okoth:** Thank you hon. Speaker, Sir. Actually, I have two requests.

Pursuant to Standing Order 44 (2)(c), I wish to request a statement from the Chairperson of the Committee on Defence and Foreign Relations regarding the operations of the Kenya Defence Forces deployed in Somalia.

Hon. Speaker, last week the British Government was compelled through a suit to compensate *Mau Mau* veterans to the tune of Kshs2.6 billion for the harm visited on Kenyans during the state of emergency from 1952 to 1959. So that the Kenya Government is not compelled to settle similar claims in future arising from malpractices, if any, by our soldiers, the Chairperson should indicate if our forces in Somalia have engaged in any act of malpractice since the incursion began, and what action has been taken and assure this House that Kenyan forces in Somalia are not and will not engage in malpractices similar to what British colonial forces engaged in, in Kenya between 1952 and 1959.

**Hon. A.B. Duale:** On a point of order, hon. Speaker, Sir.

**Hon. Speaker:** Yes, you have a point of order, Leader of Majority Party.

**Hon. A.B. Duale:** Hon. Speaker, with regard to the last statement that the hon. Member has sought there are no Kenyan forces in Somalia. There is the African Union Mission in Somalia (AMISOM). The Kenya soldiers in Somalia are under the umbrella of AMISOM and the UN authorities. So, I want that request for a statement to be clarified, that there are no KDF forces in Somalia. We have AMISOM forces from Uganda, Burundi and Kenya in the Republic of Somalia. So, that request for a statement from the Committee on Defence and Foreign Relations, I think by your indulgence, the hon. Member should clarify it.

**Hon. Speaker:** In fact, I am now being informed that actually what Hon. Okoth is doing is sneaking in without prior approval of the Chair. This is because the request had not been seen and the Clerk's Office has clarified that. So, it is disallowed. Use the normal channels available to request statements. Do not just jump up and start saying--- I must see what it is. If there is need I will advise that you go this way and that way.

For now it is disallowed but you can consult. Do not approach the Chair, but when I retreat from the Chair, you can come, we discuss and see how best it can be raised on the Floor of the House.

#### POINT OF ORDER

#### REMINDER OF NATIONAL PRAYER BREAKFAST DAY

**Hon. Wambugu:** Hon. Speaker, Sir, this is an announcement following your Communication from the Chair sometime last week regarding the National Prayer Breakfast. It is only a reminder that the event will still be held on 20<sup>th</sup> June, 2013, next Thursday. The Members are requested to pick their invitation cards from the Reception Desk. For information, there are some forms being circulated to ask Members for assistance. All the Members of Parliament, both in the National Assembly and the Senate, are very much welcome to the event.

**Hon. Speaker:** I hope Members have followed the announcement by Hon. Wambugu about the National Prayer Breakfast day on Thursday, 20<sup>th</sup> June, 2013 at the Safari Park Hotel. Members may pick their invitation cards. Hon. Wambugu, did you indicate where the cards are to be picked from?

**Hon. Wambugu:** Hon. Speaker, Sir, yes, indeed. This is a reminder of the National Prayer Breakfast day for all the Members of Parliament, in both the National Assembly and the Senate, to be held on 20<sup>th</sup> June, 2013, in the morning. The invitation cards for the Members of the National Assembly are to be picked at the Reception Desk, Main Parliament Buildings. Please, pick your cards there. Also, the Committee is circulating forms to the Members asking for assistance. This is an event wholly funded and sponsored by the Members of Parliament.

**Hon. Speaker:** Are there Statements which have matured? The Members who may have sought Statements are at liberty to indicate whether their Statements may have matured and have not been delivered. Are there any Members whose Statements have matured and have not been given?

Hon. Members who are coming in, you should take your seats because the Communication that I have is long. I do not want you to remain standing for too long. Please, walk in quickly.

### COMMUNICATION FROM THE CHAIR

#### PROCEDURE ON STATEMENTS UNDER STANDING ORDER No.44(2)

This is the Communication from the Chair regarding procedure on Statements under Standing Order No.44(2).

You may recall that the Deputy Leader of the Minority Party and Member for Gem, Hon. Midiwo, rose on a point of order on 23<sup>rd</sup> May, 2013, to seek the Speaker's guidance on status of Statements that were being sought in the House by hon. Members, pursuant to Standing Order No.44(2)(c).

The Deputy Minority Leader's request was based on the fact that in the new constitutional dispensation, the Executive is not in the House. In his request, he said: "I think it will be overreaching for a committee chair to purport to issue a Statement or answer on behalf of the Government". He also sought to know the role of the Majority Leader in the House as pertains to responses to Statements. Several Members have also approached me seeking guidance as to the best way a chairperson of a committee, the Leader of the Majority Party and the Leader of the Minority Party in particular may issue Statements and the scope, or limit of such Statements, if any. The issues raised by the

Deputy Leader of the Minority Party are fundamental, and will essentially determine how this House will operate in a presidential system of governance.

Hon. Members, before I give my guidance on this matter, let me take the House through the brief history of the place of the Order “Statements” and Statements Hour in Section 17(3) of the old Constitution, which provided that:

“The Cabinet shall be collectively responsible to the National Assembly for all things done by or under the authority of the President or the Vice-President or any other Minister in the execution of his office”.

It is, therefore, clear that in addition to being Members of the National Assembly, Ministers were, in the previous dispensation, responsible to the House. In this regard, the successive Parliaments under the previous constitutional order devised ways of holding the Cabinet Ministers to account on the Floor of the House. This gave rise to the famous Question Time. The practice of requesting for Statements started in the Eighth Parliament. At that time hon. Members would rise on a point of order to request for Statements. However, this was limited to matters of urgent national importance that would not wait, or await a response through normal Questions. The practice continued during the Ninth Parliament and was codified in the Standing Orders adopted by the 10<sup>th</sup> Parliament in January, 2008 as a separate Order named “Statements”.

During Statements time, the Ministers would respond to Statements requested by Members in the plenary. In addition, every Wednesday, at 3.30 p.m., the Prime Minister would also either respond to Questions or give Statements to the House. Indeed, this was a popular time in the House. However, this remained outside the matters considered as business of the House. Hon. Members, that is now history.

Allow me now to focus on the present circumstance. Article 136 of the Constitution provides for direct election of the President by the people of Kenya and he is both the Head of State and Head of Government. Cabinet Secretaries on the other hand, are appointed by the President with the approval of the National Assembly. Article 153(2) and (3) provide that Cabinet Secretaries are accountable individually and collectively to the President for the exercise of their powers and the performance of their functions.

It is therefore clear that the Executive branch, which the President heads, is distinct from the legislative and judicial branches of Government, which are all independent of one another. This separation of power serves to check and balance certain actions of either branch of Government. This is far different from the parliamentary system, where there is a clear fusion of powers between the executive and the legislative branches.

Hon. Members, in our case, therefore, the tools for holding the Government to account will significantly change to be in tandem with the new dispensation. Article 153(3) of the Constitution of Kenya provides that:

“A Cabinet Secretary shall attend before a committee of the National Assembly, or the Senate, when required by the Committee, and answer any question concerning a matter for which the Cabinet Secretary is responsible.”

Hon. Members, it is important to note that this in the Constitution. Thus, the interaction between the Executive and the Legislature is in the parliamentary committees.

Hon. Members, hitherto, and prior to the adoption of the current Standing Orders, we had Members' Half-Hour Statements, which was provided for under Standing Order No.24 of the 2008 Standing Orders where every Thursday at 6.30 pm or 7.00 pm, if it was an allotted day, the Speaker would interrupt the business of the House to allow Members to raise any matter. A Member would issue a written notification to the Speaker before 3.00 p.m. on the day the Statement was to be made or before 1.00 p.m. if the Statement required a response from the Government. We have retained this in Standing Order No. 43 of the current Standing Orders. The Speaker allows an interruption of business on Tuesdays at 6.00 p.m. to facilitate Members to make general statements of topical concern with a time limit of three minutes for contribution.

Hon. Members also had an opportunity to make Personal Statements in the former dispensation provided for under Standing Order No. 76 of 2008 Standing Orders, whereby with indulgence of the House, a Member would explain matters of a personal nature, although there was no Question before the House, and without the House allowing any debate on the matter. This has been retained under the current Standing Order No. 84.

Hon. Members, I have had an opportunity to also benchmark our practice with other similar jurisdictions, and in particular noted that in the Philippines, which also has a bicameral Parliament and a presidential system like ours, most of these matters are dealt with in committees. However, if a Minister desires to appear before a committee, he or she may, with the concurrence of the House, set a date and hour for his appearance to answer to any matters pertaining to his or her department.

Once again, hon. Members, may I allow Members who are standing at the entrance to walk in.

*(Several Members entered the Chamber)*

Take your seats.

Hon. Members, quite new in our Standing Orders and practice is the Statements Hour, which is under Standing Order No.44; it comes every Thursday not later than 3.00 p.m. During the Statements Hour, three different types of business may be transacted.

One, a member of the House Business Committee (HBC), designated by the Committee for that purpose, has 10 minutes to present and lay on the Table a statement informing the House of the business coming before the House in the following week.

Two, the Leader of the Majority Party, or the Leader of the Minority Party as the case may be, or their designees, may make a statement relating to their responsibilities in the House or the activities of a committee;

Three, a member may request a statement from a committee chairperson relating to matters under the mandate of the committee and the Speaker may either appoint a day for the statement or direct that the statement be issued on the same day.

This is the part of our Standing Orders that the Deputy Leader of the Minority Party and, indeed, many hon. Members sought my clarification on. The House will agree with me that the use of parts two and three of that Standing Order is becoming quite controversial. There is a real threat of introducing Question Time, yet it is clear that no

Member can give answers for the Executive in this House. There is also the risk of pre-occupying committees with responding to Statements, other than focusing on their programmes. In any case, neither the Leader of the Majority Party nor chairs of committees can hold brief for the Executive. However, they can seek replies from the Executive and deliver such replies to the House.

Hon. Members, I now wish to guide the House on the matters raised by the Member for Gem regarding the roles of the Leader of the Majority Party as follows: From an institutional perspective, the Leader of Majority Party has a number of duties. Scheduling Floor business is a prime responsibility of the Leader of Majority Party. Although scheduling the House's business is a collective activity of the majority party, the Majority Party Leader has a large say in shaping the Chamber's overall agenda, in determining when, whether, how, or in what order legislation is taken up. In addition, the Leader of Majority Party is active in constructing winning coalitions for the party's legislative priorities; acting as a public spokesman, defending and explaining the party's programme and agenda, serving as an emissary to the President, especially when the President is of the same party, and facilitating the orderly conduct of the House's business.

Hon. Members, I now wish to issue guidelines on the use of Statements Hour under Standing Order 44 henceforth as follows-

(a) where a member of the HBC designated by the Committee presents and lays on the Table a statement informing the House of the business coming before the House in the following week, the statement must be strictly restricted to informing the House of the business coming to the House in the following week;

(b) where the Leader of the Majority Party, or the Leader of the Minority Party, as the case may be, or their designees, make a statement relating to their responsibilities in the House or the activities of a committee, their statements should be strictly restricted to their responsibilities in the House. However, the Leader of Majority Party may also respond to matters of urgent national scope, arising from Statements sought. However, this will be limited to matters of national scope that, in the opinion of Mr. Speaker, would not be referred to a particular committee, either due to their nature or due to their urgency. Further, the Statements should not be more than two, at any one particular time on Thursdays. In this case, the Leader of the Majority Party will be expected to seek an answer from the relevant arms of the Executive and read the Statement to the House.

The Speaker may allow minimal interventions thereafter. In this regard, I will require the Leader of Majority Party to restrict himself to the actual response given by the Executive as opposed to his own opinion.

*(Laughter)*

(c) Where a member requests a Statement from a committee chairperson relating to matters under the mandate of the committee, the Speaker may either appoint a day for the Statement, or direct that the Statement be issued on the same day. However, the Statement sought must be restricted to matters within the mandate of the committee, and which have been exhaustively dealt with and concluded by the committee, or where the chairperson is authorized by Members of that committee to issue preliminary reports to



the House. In this case Members will be allowed to seek Statements on Thursdays on the Floor of the House. Chairpersons will be required to take over the requests and prioritize them according to the committee's programme.

Committees, therefore, will not be obliged to deviate from their programmes to address Statements. The Member who requested the Statement will be expected to attend the meeting of the committee and also interrogate the matter requested. The Committee may, thereafter, choose to report back to the House by way of a Statement or a report in response. In this case, the discretion to report back to the House will, therefore, be that of the committee, and not of the chairperson. If a report of a committee arising from a Statement is adopted by the House, it will form part of the resolution of the House for the Committee on Implementation to follow up.

Hon. Members, this direction is meant to allow committees to conduct oversight functions without interference, or premature demands, in them from the House. The use of the Statements offered by chairpersons of committees to respond to Statements should not, therefore, be too regular a feature, but a rear intervention with the sanction of the committee.

Thank you very much.

## MOTIONS

### APPROVAL OF SUPPLEMENTARY ESTIMATES

**Hon. A.B. Duale:** Hon. Speaker, I beg to move the following Motion:

THAT, in accordance with the provisions of Article 223 of the Constitution of Kenya, the reduction in withdrawal from the Consolidated Fund a sum of Kshs.19,605,399,382 representing the total net Estimates of the Recurrent and Development Expenditure made up of the following:-

(i) a sum not exceeding Kshs.13,267,488,318 be granted from the Consolidated Fund to meet the expenditure during the year ending 30<sup>th</sup> June, 2013, in respect of Supplementary Estimates II of 2012/13 Financial Year (Recurrent) having regard to the proposed reduction of Kshs.3,752,372,182, therein appearing; and,

(ii) a sum not exceeding Kshs.4,711,241,884 be granted from the Consolidated Fund to meet the expenditure during the year ending 30<sup>th</sup> June, 2013 in respect of the Supplementary Estimates II of 2012/13 Financial Year (Development) having regard to the proposed reduction of Kshs.33,831,757,402 therein appearing.

Hon. Members are aware that in the last Parliament the House approved a Budget of Kshs.1.46 trillion for the Financial Year 2012/13 in June 2012. The Budget which was fully financed comprised of the following: Kshs.655.8 billion for Ministerial Recurrent Expenditure, Kshs.452.2 billion for Development Expenditure, Kshs.346 billion for Consolidated Fund Services and Kshs.5 billion for Civil Contingency Fund.

The National Treasury received a request for additional funding in excess of Ksh165 billion. This was to cater for the emerging shortfalls in that period. These requests were rationalized and priorities considered for funding, and they were approved by the 10<sup>th</sup> Parliament. To make it more clear, the priority areas that were allowed for funding under the additional request of Ksh165 billion included additional provision for salaries and allowances for teachers, doctors, nurses, university lecturers and staff, civil servants, and an additional funding for foreign service allowances, the County Government infrastructure, the rapid registration of persons, the Biometric Voter Registration kits that were used during the elections, civic and voter education related to the general election, the vetting of judges and magistrates, and lastly the Government counterpart funding of foreign financing projects.

In the month of January 2013, the National Treasury submitted a fully funded Supplementary Budget in accordance with Article 223 of the Constitution. Again the 10<sup>th</sup> Parliament approved this in that same month of January. The summary of that Supplementary Budget, which is an adjusted gross Budget, was as follows:

- (i) 710.7 billion for the Ministries recurrent expenditure;
- (ii) 455.3 billion for Development Expenditure;
- (iii) 46 billion for Consolidated Fund Services; and
- (iv) 5 billion for the Contingency Fund.

Since the approval of that Supplementary Budget in January, 2013, the Government continues to face a number of challenges and emerging priorities which were not anticipated, hence why this Supplementary Budget Estimates are here before this House. Again, the global economy remains very weak during this period, and this is likely to continue during the medium- term measures according to the IMF forecast that was presented in this quarter.

Our economic growth is resilient, but is accompanied by a period of uncertainty, just after the general election. This means that there is a huge fall from the revenue raising targets. Expenditure pressure has persisted over this period. Despite the revenue shortfalls during this period, the National Treasury has again received requests for additional funding in the excess of 46.9 billion to mainly cater for the ongoing security operations, for the payment of interest, purchase of subsidized fertilizer, the assumption of office, completion of the markets, that is the Economic Stimulus Programme (ESP) markets, which I am sure in a number of constituencies have stalled and for mitigation of adverse effects of floods that happened within this quarter. That is why these Supplementary Budget Estimates are before this House.

The Government has considered and recommended the use of Kshs31.9 billion, of which Kshs13.3 billion is for payment of interest.

Finally, I would like to give the House the highlights of these expenditures as contained in the estimates books. Interest payment, as I said, is Kshs13.9 billion. This is required to cater for domestic interest which is about Kshs13.6 billion and foreign interest, which takes about Kshs0.3 billion. Next is security and related operations, Kshs5.2 billion. This is an additional expenditure required for the homeland and internal security operations and for an intervention in Somalia. Hon. Members will agree with me that the President has made a commitment that security will be a priority for this country for the sake of investment. So, Kshs5.2 billion will be used. The purchase of

fertilizers will consume Kshs2.7 billion. This is required to cater for the provision of subsidized fertilizers. We want the Government to reduce fertilizer prices from Kshs3,800 for CAN to Kshs1,600. I want to thank the Cabinet Secretary for Agriculture, Livestock and Fisheries for attaining that.

The Independent Electoral and Boundaries Commission has been allocated Kshs0.95 billion. This is required to cater for the Makueni senatorial by-election and three by-elections held in Homabay, Kajiado and Murang'a in 2012. This money will be used to cover salary and voter education shortfall.

The completion of the Economic Stimulus Programme markets has been allocated Kshs0.65 billion. This is to cater for the stalled ESP markets before they are handed over to the county governments.

The health services have been allocated Kshs0.79 billion in respect of the legal compensation which is Kshs0.19 billion. Maternal health care has been allocated Kshs0.36 billion. Posting of intern doctors across the country has been allocated Kshs0.24 billion.

Relief activities will be allocated Kshs0.15 billion. This is to cater for the relief items for Kenyans affected by floods.

The Government has considered several options to fund these additional expenditures. Raising additional revenue through higher taxes is not feasible and we will not encourage it. More taxation will not help. There are limited options for the Government to fund these additional expenditures. This will be through the item on provision for contingency and deferring expenditures. The National Treasury will defer expenditure of some projects, which are unlikely to start this financial year. We also have reallocation of the Budget provisions, rationalization of the Budget and additional borrowing. This is what the National Treasury and the Government will consider to fund these supplementary expenditures.

Hon. Speaker, Sir, I rest my case. However, an item like the completion of the markets was a very hot debate in the 10<sup>th</sup> Parliament. Many markets were not completed, and it is only prudent that the national Government, through the National Treasury, allocates some money, so that these markets are completed for use by Kenyans and then handed over to the county governments. I ask hon. ole Metito to second the Motion.

**Hon. Katoo:** Hon. Speaker, Sir, as I second this Motion it is good to state that this House passed the Supplementary Budget in January, 2013. The Government has, however, continued to face major challenges. That has been contributed to largely by a weak global economy that has in a way affected our tax collection agency, which has so far not been able to register good, or very encouraging performance in terms of revenue collection. This Motion, therefore, is seeking the authority of this House to allow the Executive to look for ways of meeting this unanticipated expenditure through the ways the Mover of this Motion has highlighted. This will not be achieved by raising taxes, but rather through reorganization and rationalization of the Budget by deferring non-priority expenditure to the next financial year.

Therefore, as I support this Motion; it is good to note that some of these unanticipated expenditure includes the security operations that are very necessary. It is always very difficult to plan and anticipate security operations because sometimes unplanned things take place. That is why an extra Kshs5.2 billion was spent on security

operations, especially this time when we have a kind of insecure environment in the entire country. You know our region is highly threatened by the *Al Shabaab* and other insurgents. You may also not be able to anticipate when floods will occur. In the last three months this country has received good rains. At times the negative happens. Floods that wreak havoc on our roads, bridges and low lying areas like Tana River were not anticipated when we approved the Supplementary Budget in January, 2013. It is good that several measures were taken. We had both food and non-food services. This Motion is seeking authority to incur this expenditure.

There is the issue of free maternity services. In this financial year, which has about a month or less to end, those services had not been anticipated. The Supplementary Budget, therefore, comes in handy. Another issue is subsidized fertilizer. The by-election to be held in Makueni was not anticipated. The Supplementary Budget is asking this House to give the Executive an authority to meet this expenditure.

I would like to talk about the stalled market projects under the ESP. One of the projects is in my constituency, and I have not seen it really functioning. The Government initiated several ESP projects. We had schools, health centres, *jua kali* shades and markets. All of these were executed successfully apart from the markets. This, in my view, was as a result of failure to devolve those projects. Schools, health centers and the *jua kali* sector were being implemented at the constituency level all the way from the stages of awarding tenders, supervision to monitoring. This project was under the former Ministry of Local Government, where the tenders were awarded. All the procurement processes were undertaken. Supervision and monitoring was done from a central place. It is a good example from which to learn to devolve services, because centralising all these things in one place brings a lot of challenges, which may not be there if we devolve some functions to the lower levels.

I also wish to support what the Mover has said. This led to re-organisation of Government structures. The delay in declaration of the final presidential election results had some effect on these unforeseen expenditures. The delay in assumption of office by officers not only at the national-level but also at the county-level also contributed to this phenomenon. Hon. Members will agree with me that the entire transition will definitely come with so many unforeseen expenditures. This Motion is seeking the authority of this House to find ways of dealing with those uncertainties.

Therefore, I beg to second.

*(Question proposed)*

**Hon. Speaker:** There are people who have made requests. Are you on a point of order, Hon. Ng'ongo?

**Hon. Ng'ongo:** On a point of order, Hon. Speaker, Sir. This Motion is not pursuant to Article 223 of the Constitution. I would request that before we transact it, we should be sure that we are within the constitutional provision; the estimates should, first, be referred to the Budget and Appropriations Committee. Why do I say so? If you read Article 223(2), on which this Motion is based, it is very clear that approval by Parliament of any spending under this Article should be sought within two months after the first

withdraw of the money. If Parliament is not in session, then the problem should be solved two weeks after it reconvenes.

This will enable us ascertain that every item that the Government is asking us to approve expenditure for was incurred within two months, or if the House was not in session, approval was sought within two weeks. I know we are beyond this because we have been in session for more than two weeks. If the expenditure was incurred within two months, then we need a committee to scrutinise every item, so that this House does not violate the provisions of the Constitution. The Constitution dictates that we can only approve expenditure through Supplementary Estimates only if it was incurred within two months prior to the approval. Therefore, this House will be in the wrong if we just go ahead to transact this business in plenary without due regard to that provision of the Constitution. Therefore, I request that this matter be referred to a committee that can keenly look at it.

Thank you.

**Hon. Speaker:** Maybe, the Leader of the Majority Party, who is the Mover of the Motion, needs to clarify the issue raised by Hon. Ng'ongo. If it was not in accordance with what Hon. Ng'ongo has said then, obviously, the House may be wrong to proceed to give its approval. Even though, as you remember, this particular Article 223 keeps on referring to Parliament, but you can see from it that it is the National Assembly which is supposed to give that approval. Even though the word used is "Parliament" sub-clauses (2), (3) and (4) are very clear that those approvals are supposed to be given by this House.

Leader of the Majority Party, perhaps, you could address the point raised by Hon. Ng'ongo.

**Hon. A.B. Duale:** Hon. Speaker, Sir, of course the reference to "Parliament" is something I would not want to dwell on, because when you talk of Parliament, then the Senate comes in. The word "parliament" has brought conflict between us and the Senate.

Having said so, I presume that this is under Article 223(2), approval for which is supposed to be given within two months after the first withdrawal of the money. However, Article 223(3) applies when Parliament was not in session. All this is happening because we had elections in March. Observance of the timelines provided for in the whole chapter on Public Finance, under which provisions on the Supplementary Appropriation fall, has been an issue. Of course, I have discussed this with the Chairman of the Budget and Appropriations Committee and we agreed. I am sure that he has a reply to give for this debate. If we give him a chance as the Chairperson of that Committee, he will shed more light on this matter. So, what Hon. Mbadi has said is valid under Article 223(2) and (3).

**Hon. Speaker:** Please go ahead, Hon. Musyimi.

**Hon. Musyimi:** Thank you very much, hon. Speaker, Sir. I need the attention of the Leader of the Majority Party. I take note of what Hon. Ng'ongo, who is a Member of my Committee, has said. Perhaps, Hon. A.B. Duale can tell us whether the House stands disadvantaged, if we bring the Report of the Committee to this House on Tuesday, next week.

**Hon. Speaker:** Hon. Members, I imagine that what the Chair of the Budget and Appropriations Committee is requesting is perhaps agreeing with what Hon. Ng'ongo was suggesting, that certain clarifications may need to be made and particularly – I wish Hon. Ng'ongo was not being distracted – in Committee. That way it becomes much easier because I think the Budget and Appropriations Committee will then be able to guide this House in debating properly this Motion. This is because they will go through every expenditure with a toothcomb and, hopefully, tell the House when certain expenditures happened, and whether the explanations, if any given, fall within the requirements of the Constitution, particularly Article 223. That is why the Chairman, Hon. Musyimi, is asking the Leader of the Majority Party whether the House would be disadvantaged if the report of the Committee were to be brought here on Tuesday next week. I think that is basically concurring with what Hon. Ng'ongo was suggesting, if I understood him correctly, that we adjourn this debate and refer this matter to the Budget and Appropriations Committee, which then will help the House understand better this Motion. I appreciate that even when the notice of the Motion was given, several hon. Members did not seem to have picked the Printed Estimates on this particular Motion;

perhaps, that may explain it. We do not want a situation where hon. Members will be discussing generalities. We would want to be better informed by that Committee.

Leader of the Majority Party, would you like to say something?

**Hon. A.B. Duale:** Hon. Speaker, Sir, I tabled the Supplementary Budget Estimates yesterday. I moved the Motion. This is a House of records; this Motion was prioritized in the House Business Committee, which you Chair. I do not think there will be harm if the Budget and Appropriations Committee assures the House that by Tuesday they will bring the report. The only fundamental issue is that with the approval of these Estimates, we need to prepare the Supplementary Estimates Appropriations Bill, which will also come before this House next week. But because we have a number of issues, once we have the Budget tomorrow, then next week we will be dealing with the Vote on Account. So, I concur with the Chair and Hon. Ng'ongo that we can wait until Tuesday. We expect the report then from the Budget and Appropriations Committee.

**Hon. Speaker:** Hon. Members, then I am assuming that you have looked at your Standing Orders. Since the Motion had already been moved and seconded, then either the Chair of the Budget and Appropriations Committee or Hon. Ng'ongo should move, under Standing Order No.96, for adjournment of debate on a Motion that has already been moved and seconded.

**Hon. Ng'ongo:** Hon. Speaker, Sir, given the discussion that has gone on this afternoon, I wish to request that the debate be now adjourned to future time. I do not know whether I need to say anything but let me just remind this House that there was a time Supplementary Budget Estimates were brought to the 10<sup>th</sup> Parliament and you remember they had a computer error. We do not want to get embarrassed again if there are such errors in this Supplementary Budget Estimates. Some could be very innocent errors, and if the Committee of the House can have time to scrutinize this Budget, then it would be useful and helpful.

Finally, I just want to repeat that the use of the word "Parliament" is one of the things that we have been discussing. If you go to paragraph (4) of that Article, it clarifies that it is the National Assembly and you can see that the word "National Assembly" and "Parliament" are used interchangeably. So, this is perfectly within the docket of the National Assembly and does not need to be referred to any other House. I know now there is this problem of the Senate and the National Assembly; who is superior and who is not, even though the Constitution is very clear that none is superior.

With those few remarks, I beg to move.

**Hon. Speaker:** Obviously, there will be no need to allow for any dilatory motion.

*(Question, that debate be adjourned, put and agreed to)*

*(Debate on the Motion was adjourned)*

#### ALLOCATION OF FUNDS TO NATIONAL YOUTH COUNCIL

**Hon. (Ms.) Juma:** Hon. Speaker, Sir, before I continue I wanted to say that I had not moved the Motion, although the Order Paper shows that I did so.

**Hon. Speaker:** It shows that it is resumption of debate interrupted on Wednesday morning. So you had not moved it?

**Hon. (Ms.) Juma:** No, Hon. Speaker, Sir.

**Hon. Speaker:** It is correct that you had not moved it; go ahead and move it.

**Hon. (Ms.) Juma:** Hon. Speaker, Sir, I beg to move the following Motion:

THAT, aware that the National Youth Council (NYC) was established by the National Youth Council Act 2009; further aware that the Council was gazetted in November 2012; concerned that the Treasury is yet to release the required funds to establish the council secretariat as provided by Section 10 of the Act; noting that the Council is unable to perform its functions as stated in Section 4 of the Act due to lack of funds, thus disadvantaging the youth of this country, this House urges the Government to immediately allocate and release funds to the Council for it to discharge its mandate.

The NYC is a statutory organ established pursuant to the Kenya National Youth Council, No.10 of 2009, to act as an advisory body, research and policy institution on youth affairs in the country. The Council, a corporate body, is primarily designed to be the official voice and negotiator for the youth of Kenya. The Council is tasked, among other things, to regulate and co-ordinate activities and initiatives relating to the youth, and being undertaken by youth groups, youth focus community based organizations, NGOs, civil society movements and other organizations.

The idea of coming up with the NYC first came to be about two decades ago. The vibrant youth movements were inspired by the then active civil society seeking mainstreaming of youth in matters Government, and a general desire for youth participation and empowerment.

There were several initiatives to convince the Government at different times to establish a National Youth Council (NYC), starting with the national youth conference in Limuru in March, 1997. That is NYC I, and then NYC II, again in Limuru in 1998 and later NYC III at KICC in Nairobi and finally NYC IV meeting in September, 2008 at the Bomas of Kenya.

Hon. Speaker, Sir, the NYC Bill first made its way to Parliament in 2004 but it was not until 2008, after the 2007/2008 Post Election Violence (PEV) that the Bill was given priority through the National Accord that created the Coalition Government.

Agenda Four of the National Accord and Reconciliation Agreement, solving youth issues, is one of the long-term solutions there. One of the specific recommendations was developing and enacting the National Youth Council Bill to stem youth engagement in PEV in future amongst other benefits. Fortunately, within a year the Ministry of Youth Affairs and Sports sponsored the NYC Bill in Parliament and on 30<sup>th</sup> December, 2009 the former President, Hon. Mwai Kibaki, assented it into law.

Hon. Speaker, after the President assented to the Bill, problems for the NYC started. The Government through the Ministry of Youth Affairs and Sports at the time, lead by Hon. Paul Otuoma tried to operationalise the NYC by carrying out NYC grassroots elections in May 2011. However, the exercise was marred by a lot of controversy and High Court petitions and the exercise was stopped and then it resumed again from November to December in 2012. Over 1000 NYC delegates from over 275---



**Hon. Speaker:** Just a second Hon. Juma Zuleikha, Hon. Jonathan Lati Lelelit, you have indicated that you have an intervention. Is it a point of order?

**Hon. Lati:** On a point of order, hon. Speaker, Sir. While I do not want to undermine the debate on the NYC because it is really important, but when we adjourned the House today, we were debating the Motion on roads which is something that is very dear to some of our constituents. I just wanted to know from the Chair whether that debate is still there.

Thank you.

**Hon. Speaker:** The issue has been brought to my attention; the Order Paper that I am using is the one that reads: "Wednesday June, 2013 at 2.30 p.m. and after Motion on Order No.8, the next Motion is the one being moved by the Hon. Juma Zuleikha; that is according to the Order Paper that I have here. You may be having the Order Paper that was there at 9.00 a.m.

Whatever may have happened, I think the Clerk informs me that it looks like there was a mistake. The Motion which was being debated when the House rose in the morning was not concluded and has not found its way here. But they had assumed that debate on that Motion would have been completed by the time the House was to rise at 12.30 p.m. That never happened and they had already prepared this Order Paper. I have since directed that, that Motion be reinstated on the Order Paper for tomorrow. No, no, not tomorrow, but next week Tuesday. We know what is coming up tomorrow. So it is not possible. We cannot act in vain.

Proceed, Hon. Juma Zuleikha.

**Hon. (Ms.) Juma:** Thank you, hon. Speaker. I was saying that, after assenting into law the NYC Act, 2009, the problems of the NYC started to emerge. After the elections of May, 2011, the exercise was marred by controversy and High Court petition and then they resumed the exercise again at the end of 2012. Over 1000 NYC delegates from over 275 districts in Kenya met at the Kenya High School to elect the 16 youth to the NYC as required by the NYC Act. The Council members were consequently gazetted vide Gazette Notice No.19047 on 21<sup>st</sup> December 2012. They are: Clement Ayungo, Chairman; Fatuma Harrow Abubakar, Deputy Chairperson. Nesphory Nyange, Rose Komu, Vallene Yiaile, Arnold Maliba, Benson Kitoo Mutemi, Mary Achieng, Billy Graham Okumu, Jullie Njeri Waweru, Samuel Kipkurui Chepkwony, Rahow Abdi Jimale, Dishon Memo, Maganda Jackline, Paul Mugambi and Edwin Palapala.

Hon. Speaker, Sir, since the Council was gazetted six months ago, the Government has not facilitated its operations at all. In fact, at times they have been told by members of the relevant Ministry that they should use money from their own pocket in the meantime to hold their meetings. Which money are they told to use? The youth as we all know are greatly disadvantaged economically in this country. The NYC does not even have office space until now and neither do they have a secretariat.

Hon. Speaker, these young leaders who have been elected by the youth all over the country are facing big challenges. Since the NYC is a great platform from the national level to the grassroots level, for the youth of this country to participate in their own development, they will contribute positively to the country's development. This is platform where young people will come up with solutions for themselves, just the same way we keep saying that Africa should come up with solutions for Africa. It will go a

long way also in reducing idleness amongst the youth in our country. It will help reduce crime levels among the youth and even prevent youth from being taken up by terrorist groups due to desperation. It will encourage the youth of Kenya to tap their creativity and entrepreneurship skills to globally competitive levels.

Hon. Speaker, Sir, with the operationalization of the NYC, the glass ceiling that the young people have been feeling is restricting development in this country for many years will finally be broken.

In concluding, the youth of this country are not an alien species or some strange form of the human race. We are very much part of the fabric of society. In fact, in Kenya we are a very large piece of that fabric. The only problem is that we are not the ones controlling the past strings but now we want to change our marginalized status and take control of our collective destiny as youth of this country.

Apart from the fact that we contribute a substantial chunk of the country's revenues, we ask the Government to allocate funds to the NYC immediately to be able to set up its own national and county functional secretariats.

With these few remarks, I would like to urge my fellow hon. Members to relieve the anxiety of hundreds of thousands of youth around the country by supporting this Motion, therefore, contributing to the operationalization of the NYC Act, which a majority of us have been waiting for years.

I beg to move and request hon. Mwaura to second the Motion.

Thank you.

**Hon. Mwaura:** Asante sana mhe. Spika. Ningependa kuunga mkono Hoja hii ilioko mbele ya Bunge hili letu, kama kijana wa miaka 31 ambaye anahisi kudhulumiwa. Tumefanya kazi kubwa kuhakikisha kwamba kuna halmashauri ya kitaifa kuhusu vijana, ambayo tulianza kuitetea tangu mwaka wa 2004 na ambayo ilipitishwa miaka minane baadaye; na haijawahi kupatiwa pesa na Serikali tukufu.

Mhe. Spika, hili ni jambo la kushangaza kwa sababu ni jana tu Bunge hili liliweza kupitisha makadirio ya Serikali ya mwaka wa 2013/2014. Na hii halmashauri ni mojawapo ya taasisi za Serikali.

Mhe. Spika, vijana walirauka na kupigania nafasi za uongozi kutoka mashinani hadi kiwango cha taifa wakati wa uchaguzi wa halmashauri hii. Uchaguzi ulipoitishwa na Waziri aliyekuwemo, kulikuwa na tetezi kubwa sana; kulikuwa na makabiliano.

Kuwapatia vijana nafasi ilikuwa ni njia moja ya kuwahusisha katika siasa lakini wakaonekana kama watu mboga uongozini. Lakini siyo hivyo. Hii halmashauri ya Kitaifa ya Vijana ni kama ile Maendeleo ya Wanawake. Inawapa vijana wasia mwafaka kujionyesha kwamba wao wana demokrasia na wanaweza kuwa na viongozi ambao watazungumza kwa niaba yao kwa sababu wamechaguliwa na vijana kama wao.

Bw. Spika, kipengele cha nne cha sheria ambayo imetengeneza hili baraza imesema kinaga ubaga yale mambo ambayo litafanya. Kwa mfano, inasema kwamba baraza hili litakuwa likihusika katika kushirikisha miradi na mikakati ya kitaifa kwa vijana. Hili ni jambo muhimu kwa sababu watu wengi wamekuwa wakijaribu kuwasaidia vijana wetu, lakini hata Serikali haijui ni nani anayefanya lipi na wapi. Kwa hivyo, baraza hili litaweza kuwa na orodha ya miradi na mikakati na hata fedha ambazo zimetengewa vijana ndio tuwe na uiano kwamba tunaweza kuwasaidia vijana kama taifa.

Pia, tumekuwa na sera ya kitaifa kuhusu vijana ama ukipenda kwa kimombo “the National Youth Policy”. Lakini hii sera, ambayo pia mimi nilikuwa mmoja wa waliohusika kuitengeneza, hatujaona ikitekelezwa na Serikali. Kwa hivyo, baraza hili lina jukumu la kueneza na kutangaza yale mapendekezo, maafikio ama ile ndoto ambayo iko katika hii sera ili tuweze kuinua kiwango cha uchumi na uwakilishaji wa vijana katika mambo ya kitaifa. Kwa hivyo, ni jambo muhimu sana kuhakikisha kwamba hili barasa limetengewa hela ndio liweze kufanya kazi yake.

Baraza la Vijana la Kitaifa pia limepatiwa jukumu la kutafuta rasilimali na fedha ili kuipatia nguvu miradi ya vijana. Hii ni kusema kwamba hili baraza linaweza kufadhili mikakati ama miradi ya vijana hata katika maeneo Bunge ambapo Wabunge wetu wanatoka. Kwa hivyo, ni jambo la muhimu tuwe na baraza hili ili liweze kuangalia ni njia zipi tutatumia kuhakikisha kwamba miradi ya vijana haibaki nyuma ili tuweze kuondoa umaskini kati ya vijana na kufatufa ajira. Vijana wetu wana taranta na wanaweza kusoma. Wanafaa kupatiwa nafasi ya kuonyesha ni nini ambacho wanaweza kufanya ili kuchangia kuendeleza uchumi wa nchi yetu.

Hili baraza pia limepatiwa nafasi ya kupigia upato sheria zile ambazo zitakuwa zikizungumzia maswala ya vijana. Wengi wetu tumepigiwa simu na vijana wetu wakituuliza, kwa mfano, ni vipengele vipi vinavyomfanya kijana akose ajira kwa sababu hana uzoovu wa kufanya ile kazi. Hiki ni kikwazo kikubwa kwa vijana wengi ambao wanatafuta kazi ilhali ukiangalia kazi nyingi hakuna mtu yuko na ule uzoefu isipokuwa apatiwe nafasi ili apate ule uzoovu. Kwa hivyo, hili baraza linahitaji kuwepo na nafasi ya kutazama ni vipi, kwa mfano, vijana watapata nafasi kupitia sheria ambazo sisi kama Wabunge na Bunge zijazo tutapitisha.

Hili Baraza la Vijana la Kitaifa pia limepatiwa nguvu za kutafuta nafasi ya vijana kupata rasilimali ili waweze kupata huduma za kijamii. Ukiangalia huduma za kijamii na ufukara utapata kuwa vijana ndio maskini zaidi kwa sababu hawajapata riziki yao ya kila siku. Asilimia sabini ya vijana katika nchi hii hawana ajira yoyote. Huduma za kijamii hata mikopo inahitaji uwe na mali ama una pesa kidogo za kulipia zile ada ambazo zinatozwa. Kwa hivyo, ni lazima hili Baraza liwepo ili liweze kuwa na mikakati ya kuhakikisha kwamba vijana hawatupiliwi mbali wakijaribu kujisatiti kuchangia katika mambo ya kitaifa. Jambo lingine ambalo ni la muhimu mno ni kuwa tumetoka tu katika uchaguzi ambapo kulikuwa na mgawanyiko mkubwa wa kikabila. Kumekuwa na tetezi kwamba vijana ndio wametumiwa kufanya ghasia na kuweka bughudha katika nchi. Lakini sheria hii inatoa uwezo kwa hili baraza kuhakikisha kwamba vijana wamehusishwa kuleta utengamano na umoja na hata kuhakikisha kwamba wanashiriki katika huduma za jamii au *community development*.

Hii sheria inanua kuhakikisha kwamba zile nguvu za vijana sizitumiwe vibaya. Ukiangalia pale chini, inasema kwamba hili baraza litoe mikakati ama muongozo wa kuhakikisha kwamba vijana hawatumiwi na watu ambao wanajitakia mambo yao. Utakuta kwamba wale ambao wananawiri katika biashara, kwa mfano, za mihadarati, wanatumia hawa vijana kujitajirisha. Kwa hivyo, hili baraza lina umuhimu na wakati wake umefika. Huu ndio wakati mwafaka wa kuhakikisha kwamba hili baraza limepatiwa zile fedha linalohitaji. Ukiangalia, tumekuwa tukitengeza sheria ambazo zinatengeza mabaraza tofauti tofauti itakuwaje hili baraza ndilo litakuwa tofauti?

Kama hili baraza litapatiwa nguvu, litaongeza sauti ya vijana katika mashirika ya maamuzi ya umma. Pia, itakuwa sauti nzito ambayo itasikika kuhakikisha kwamba asilimia sabini na tano ya wakenya ambao wako chini ya miaka 35 wanahusishwa katika shughuli za nchi hii. Ni muhimu kufanya vile kwa sababu kama vile takwimu zinaonyesha, kufikia mwaka wa 2017, kutakuwa na vijana zaidi ya milioni 24 ambao watakuwa chini ya miaka 35. Kama hatutaangazia sana maswala ya vijana, basi ni kama tutakuwa tumekalia bomu la muda.

Ningependa kuhimiza Serikali ya Jubilee ambayo imechaguliwa kwa kusema sana kuhusu vijana na akina mama, kwamba inafaa kuchukua nafasi hii kuhakikisha kwamba baraza hili la vijana limepewa nguvu. Wanafaa kufuatilia maneno yao na vitendo. Wametambua “*I believe* kusema na kutenda”. Basi tunawaambia kwamba waseme na watende na wawapatie vijana nafasi. Hili litakuwa jambo muhimu kwa sababu, kwa mfano, hatujaona Waziri au Katibu ambaye ni kijana. Kwa hivyo, kulipatia baraza hili fedha kutakuwa ni kupigia upato na kuonyesha kwamba kuna kujitolea kwa Serikali kuhakikisha kwamba vijana wana nafasi. Hili baraza pia lina nafasi ya kuhakikisha kwamba Hazina ya Biashara ya Vijana imeimarishwa, kusawazishwa na kufikisha hela mashinani. Kwa hivyo, hatuwezi kusema kuwa hili baraza halina kazi au ni la kisiasa. Hatuwezi tukasema kwamba hili baraza ni la vijana ambao tu ni kama msala upitao. Lakini tuseme kwamba ni mbachao kwa sababu vijana wataendelea kuishi katika nchi hii.

Mheshimiwa Spika, ninasimama kuunga mkono Hoja hii. Asante.

*(Question proposed)*

**Hon. Speaker:** I will go to the requests made. It shows there is somebody by the name, Hon. David Kangogo Bowen. He walked in and left? I think we really must be serious. Next is Hon. Yusuf Kifuma Chanzu.

**Hon. Chanzu:** Thank you, hon. Speaker, Sir. I rise to support this Motion on the National Youth Council and for the Government to allocate and release funds to it for it to discharge its mandate. It is a very good and important initiative. I want to congratulate Hon. Zuleikha Hassan Juma for bringing this Motion. We talk about issues to do with the youth particularly when it comes to times of campaigns. The people we see running up and down to make our campaign messages to be felt are the youth but immediately after that, everything about them is forgotten. In fact, I believe the Mover of this Motion in her brief historical background and statement that she made, she missed one thing. This is that the election of the youth to these positions was being done as we approached the general elections and I believe that was one way of trying to mobilise the youth to be able to be used and then in the middle they were abandoned. In fact, some of us had a lot of problems with the youth because the moment they were told to come to Kasarani, others came and others got lost. There was a lot of chaos.

So, I believe there must be time when we must put this in place – some kind of institutional arrangement which can cater for the youth. In fact, we keep on talking about approximations. Sometimes we say that the youth constitute 70 per cent of the population. Sometimes we talk about 75 per cent. Today, I am happy since I have heard *Mheshimiwa Mwaura* talking about approaching a figure of 24 million out of the 40 million population that we have now, which is a large number. Considering the numbers

of the youth and the fact that they expect a lot any time, it is just important that we have some kind of organised arrangement whereby we can take care of their needs.

Hon. Speaker, Sir, one thing which is also true is that when we leaders and politicians are campaigning we keep on promising the youth that we are going to get them employment. Sometimes you create something in their minds which is not realistic because we do not give them the steps through which they are likely to go through before they get to where we are. This is because some of them imagine that it is just going to happen like that. Even if you gave them money and they do not have skills to manage the funds, that will still be a problem and that is the reason why it is very important that we have some kind of institutional arrangement whereby the youth can also be properly utilised.

There have been quite a number of initiatives and I want to congratulate the former President, Mwai Kibaki for the programmes that he brought after the election of 2003 including this one, for example, the Women Enterprise Development Fund, Free Primary Education (FPE) and Free Secondary Education (FSE). However, the only problem was that there was lack of a follow up by those who were entrusted with running these ministries. The Government has set aside money to be utilised by the youth but we have not been able to encourage them and show them how they can make use of it. For example in my Vihiga Constituency, the youth do not take the money because they fear that when they take it there is going to be a problem. In other areas, the youth take the money and then the issue of repayment becomes a problem.

Hon. Speaker, Sir, the other problem are the intermediaries which are the banks. I am happy that yesterday we were talking about the Budget Statement which will be read here tomorrow. The money that should be used by the youth must not be channeled through these financial institutions which charge very exorbitant rates to the extent that when it comes to paying back, it is a loss since the youth have not made meaningful use of the money.

Hon. Speaker, Sir, the other thing which also came up and it is almost becoming a white elephant project involves youth empowerment centres. Over the last five years the Government came up with a project of youth empowerment centres. This project was not properly funded maybe because there was not enough money. You will find that these projects have stalled and I thought that these would be some of the areas where the youth can be brought together so that they can be given some skills or directions on what should be done.

So, as we work on this Motion until it is ultimately realised, the issue of funding youth empowerment centres where these youth can gain some skills or even get information about what is happening should be encouraged. So, that should also be taken into account when funds are being allocated and released. We found that this would be better if it is done at the constituency level. It is much easier because it is closer to the people.

Hon. Speaker, Sir, yesterday there was some contribution and somebody talked about call centres as creation of employment. I think we have not gone into this and I am only hoping that the new Cabinet Secretary for Information and Communication Technology (ICT) takes this into account because this is another area which can also be established and will create employment for the youth. So, the youth should understand

that what we are looking for is not for them to get white collar jobs but trying to get them to be self employed. So, it is very important that they understand that because some of the messages we receive from the youth after elections usually request us to get jobs for them but we do not have those opportunities. So, we should be directing their minds to situations where we can create employment.

The *Jua Kali* programme that was started in Nairobi here many years ago by the Moi Government was a very good idea but unfortunately when a project is started and somebody else takes over that Ministry, he starts something else which is new and then it is abandoned. If the Muthurwa *Jua Kali* shades were well maintained, by now this country would have been exporting some of these items we make here. There are *sandukus*, beds and a number of things that are made here but the problem is that we do not deal with these issues with precision, whereby we can fine tune them and sell to other places.

So, if many youth are engaged this country can prosper. We could make funds available through the very good Motion that our dear lady has brought here. It will be very useful. When we came here we went through induction so that we are able to use these facilities. So, we need to have money allocated for training.

There is need for the youth to be organized in groups. It will help us a lot. The other day there was a big congregation in Kasarani which the President was inaugurating. I want to congratulate him for the Speech that he made that day. We are talking about money, but we are not able to utilize what we have first. If we pass this Motion we will be in a position to control the issue of drug and alcohol abuse especially by the youth.

Hon. Speaker, Sir, I beg to support this Motion and urge hon. Members to do the same. That way we will have our youth organized and we will have a better Kenya.

**Hon. (Ms.) Chidzuga:** Ahsante sana Mheshimiwa Spika. Nasimama kuunga mkono Hoja hii inayohusu vijana. Hii ni kwa sababu tukiweza kutimiza yale yaliyo katika hii Hoja tutakuwa tumewasaidia vijana wetu kwa vile wametufanyia kazi nzuri.

Wakati wa kura za 2007 tuliambiwa kwamba vijana walifanya fujo. Tulirudi mashinani tukaongea nao. Wakati huu tulipiga kura na hapakutokea fujo yoyote. Hii itakuwa ni zawadi kubwa sana kwa watoto wetu. Hii Hoja itawarekebisha vijana kinyume na wanavyofikiria wengi. Wabunge wenzangu, huko Kwale vijana wangu walisema kwamba Wabunge wapewe pesa. Hii ni kwa sababu kila uchao vijana wako mlangoni. Asubuhi ukiamka unapata SMS zaidi ya 1000 kwenye simu, "Twataka kazi." Tukipitisha hii Hoja, nafikiri hizo SMS hazitaonekana tena katika simu zetu.

Wakati ilipotangazwa kwamba pesa za vijana zimetolewa ama kwa kweli zile pesa hazikuwa zimemlenga kijana. Zilikuwa zimelenga wengine wajitajirishe. Kwa nini hizi pesa zilipelekwa kwenye mabenki na hali wanajua wazi kwamba hakuna kijana Mkenya ambaye ana *security*? Kijana hana *title deed*. Shamba ni la babake ama ndugu zake. Hizo pesa zimetajirisha wengine na vijana wetu wamebakia mtaani.

Naiomba hii Serikali kupitia Rais Uhuru ambaye pia ni kijana ijitolee mhanga ili wazitoe zile pesa kutoka kwenye mikono ya mabwanyenye. Wafanye vile vile pesa za akina mama. Hizo pesa ziwekwe kwenye mikono ya Wabunge wa majimbo. Huyu mama ataweza kulinda wanawake kwa sababu anajua kugawa. Hawezi kumaliza chakula kwenye chungu; hubakisha akamwekea mwanawe. Hizo pesa zikiwa katika mikono yetu vijana wataweza kufanya miradi yao na tutakuwa pale kumwonyesha njia.

Naunga mkono Hoja hii kwa sababu itatatuwa tatizo kubwa tulilionalo humu nchini. Tumezungumza hapa kwamba vijana wengi wameingilia mambo ya mihadarati. Wakipewa pesa hizi wao wenyewe wana lugha zao. Wataongea wenyewe kwa wenyewe na watatua shida hii ya matumizi ya mihadarati. Naomba tutilie maanani wazo kuwa kijana akipewa chombo cha kujiendeleza kimaisha hatarudi tena mtaani kuvuta unga ama kupiga watu kabari. Atarudi shambani ama kwenye kufanya biashara. Baadaye tutakuwa na viongozi walio na nidhamu.

Naunga mkono.

**Hon. Speaker:** Hon. Members, the next request to speak is from Benson Makali Mulu. However, before he makes his contribution I have a communication to make.

## COMMUNICATION FROM THE CHAIR

### PRESENTATION OF THE BUDGET HIGHLIGHTS

**Hon. Speaker:** Hon. Members, Standing Order No.241 provides as follows: “The Cabinet Secretary responsible for finance shall appear before the Budget and Appropriations Committee for the purposes of making a public announcement of the budget policy highlights and revenue raising measures for the national Government.”

Hon. Members, the House Business Committee (HBC) has since received a request from the Budget and Appropriations Committee seeking to be allowed to use the Chamber tomorrow 13<sup>th</sup> June, 2013. The Committee intends to hold a sitting to receive the budget highlights and revenue raising measures for the year 2013/2014 from the Cabinet Secretary for National Treasury. The HBC considered the request and resolved to ask the House to adjourn tomorrow at 3.00 p.m.

Hon. Members are therefore notified that pursuant to Standing Order No.31 tomorrow Thursday 13<sup>th</sup> June, 2013 the Chairperson of the Budget and Appropriations Committee or his designee will move a Motion requesting the House to adjourn its sitting for the day. It is, therefore, expected that the House will adjourn at 3.00 p.m. to give way to this important national event. Thereafter, hon. Members are invited to attend the sitting of the Budget and Appropriations Committee in the Chamber.

In this regard, hon. Members are also reminded to use the main public car park and the rear car park since the front courtyard will be reserved for a cocktail to be hosted by the Committee after the event.

Hon. Members what that means is that the sitting after 3.00 p.m. tomorrow will not be a sitting of the House; rather it will be a sitting of the Budget and Appropriations Committee, but which every hon. Member is invited and expected to attend to listen to the Budget highlights and revenue raising measures that the Cabinet Secretary for Treasury will be making to the House and nation.

*(Remption of Debate on the Motion)*

**Hon. Mulu:** Hon. Speaker, Sir, I rise to support this Motion because these issues are very close to my heart. This Motion is timely. We all know that the youth of this country are slightly over 70 per cent of our population. It is, therefore, important that they

be supported. Since this Council was put in place after the elections it is unfortunate that no money has been released to them despite the fact that they have been ready to start their activities.

Hon. Speaker, Sir, we know that as politicians we used the youth to assist us during the campaigns. It is important that they get supported. When you look at the youth we are talking about you will realize that they are very educated. They are in a position to plan their own activities and organize their own issues. Most of them have the potential to be politicians just as we are today. Bearing that in mind, we need to support this Council by allocating money to it so that it establishes a secretariat.

So, it is important for us to bear this in mind because it will enable them to relate to the other youth who are in the rural setting. In Kitui Central, where I come from, the youth are anxiously waiting for this money because they want to use it to start their own activities. They want to organise their activities in terms of what they want to do and also be able to come together, as youth, and discuss what they want to do.

When we were campaigning, we made some promises to the youth. Some of them were depending on us when we were campaigning. Now that the campaigns are over, we have a situation which can pose challenges in terms of security because the youth are no longer getting the kind of support that we used to give them during the campaign period. They have now become a security threat. The faster we get the youth of this country organised, the better for us, as Members of Parliament, and for other Kenyans.

The Council made a very detailed presentation to the Budget and Appropriations Committee, in which I sit. From the presentation, it was very clear that they were very much aware of the programmes they want to implement. On the basis of that presentation, I thought it would be very important for them to be given the money because they will start implementing their work plan, which they shared with us, as a Committee. The only challenge we had with the Council at that time is that it looked like they did not have a Ministry that had given them a Vote Head for their money to be released. Therefore, this group needs to be supported.

*[The Speaker (Hon. Muturi) left the Chair]*

*[The Temporary Deputy Speaker  
(Hon. (Ms.) Shabesh) took the Chair]*

Hon. Temporary Deputy Speaker, another thing we need to note is that this Council is quite representative. The current Council members are quite well distributed within the country. So, these people come from different parts of the country. Therefore, the youth in this country are fairly represented in the Council. Our support will enable all the youth in this country to benefit from their activities. They will be able to share information. Hon. Members realise that the youth are actually ahead of most of us in terms of use of IT to share information. With the support they will get from the Government, they will be able to reach their colleagues easily and share information.

With those few remarks, I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shabesh): Yes, Hon. Junet.



**Hon. Nuh:** Thank you, hon. Temporary Deputy Speaker, for giving me the opportunity. I rise to support this Motion because one thing which needs to be addressed urgently in this country is the welfare of the youth. As we all know, the youth of this country have been anxiously waiting for the day when the Government will take them more seriously.

The issue of operationalisation of this Council is very important for the youth to meet their expectations. If you look at the Act that created the Youth Council, among the functions it has given to the Council is promotion of inclusion of the youth in decisionmaking bodies, agencies and other public institutions and organisations; promote and popularise the Youth Enterprise Development Fund and other devolved funds; and act as a voice and bridge to ensure that the Government and policy makers are kept informed of the views and aspirations of the youth. If this Council is not operationalised, it will be very difficult for it to perform the functions stipulated in the Act.

Hon. Temporary Deputy Speaker, as you are aware, the Youth Enterprise Development Fund, which is meant to help the youth, has not been as effective as it was supposed to be because of some conditions and hefty interest rates imposed by banks on that money. You must agree with me that most of us are here, courtesy of the youth of this country. They have helped us run our campaigns and make sure that we win. So, we are duty-bound to make sure, as an institution that the Act that was passed by this House is operationalised, so that the youth of this country can have a structure which can help realise their aspirations.

The fact of the youth being the majority of this country's population, standing at over 70 per cent, has been stated many times. It is time that the Government gets into some serious business about the youth of this country. In many times, the youth have been allocated funds but those funds have not reached the youth as expected, the reason being that the youth has never had a structure that is legally mandated to make sure that those funds are utilised properly. It is now time that the Act is operationalised, so that the youth can have a way of conducting their business.

Hon. Temporary Deputy Speaker, the youth are the biggest resource that this country has because the majority of the people who live in this country are youth. You can even see that many of the Members of this august House, including me, this time round, are youthful. So, it is time we made sure that the youth get their due because they have been promised the same for many years. It looks like the Government has not taken them very seriously even this time round because there is no specific Ministry to deal with youth and gender affairs, as we have known before. However, I am sure that they are part of these other Ministries that have been formed. I would not want youth issues to take the back banner. We want to make sure that matters relating to the youth are prioritised in Government agenda because, as I have said, the youth are the biggest resource that this country has. I am sure that if, as a country, we utilise this resource in a proper way, this country will go to the next level of economic growth.

As hon. Members are aware, many of the youth are not even seeking white collar jobs. Most of them want to be self employed. They want to run their own businesses. So, they want the Government to create a conducive environment for them to employ themselves. It is, therefore, the duty of the Government to create such environment for

the youth, so that they can do their own business. They should be facilitated, so that they can have their earning for daily living.

Hon. Temporary Deputy Speaker, the Government cannot absorb all the youth of this country. So, the best way to deal with them is to create for them the kind of environment I am talking about, so that they can employ themselves. For that to be achieved, the funds that the Government has allocated for that purpose must reach the targeted groups of the youth. Most of the funds allocated to the youth are normally “eaten” in Nairobi. They never reach the rural areas. Most of the leaders of youth groups are urban-based. So, they use the money allocated to the youth in Nairobi, and nothing reaches the rural areas. The leadership of the Youth Council has representation from all over the country. So, I believe that operationalising the Council is the solution that the youth have been waiting for.

With those few remarks, I beg to support.

**Hon. (Ms.) Mbarire:** Hon. Temporary Deputy Speaker, thank you for giving me this opportunity to contribute to this Motion. I wish to begin by congratulating the Mover of this Motion that is timely. It is about time we intervened on behalf of the youth of this country to ensure that issues concerning the youth are taken seriously. If you look at the time that the Kenya National Youth Council Act was enacted, it was in 2009 and since then elections were held sometime last year, I remember. That was about 2012, three years later and until now the Council has not been operationalized. So I think it is important that we begin by first urging the Government and all concerned to take matters concerning the youth very seriously. Now that we have a very clear manifesto of the ruling party, the Jubilee Party, that has put youth issues at the forefront, it is time to walk the talk. It is time for the Jubilee Government to prove to the youth of this country that they meant exactly what they told them during the campaign period.

The NYC having been established, if you remember and I think most hon. Members are aware, elections were held starting from sub-locational level to division level, district level, provincial level and finally national level. All these are structures that are very key for the growth and development of the youth in this country. The youth for a very long time have had no voice of their own; they did not have a formal structure that would have enabled them to meaningfully participate in the development and policy process of this country. I remember way back when I was working within the youth movement, we had an occasion where we managed to visit the Uganda Youth Council, a council that has been very active in the country and we learnt a few best practices on how the UYC worked. That is why we came back and started putting up the NYC Bill. Many of us seated here, I can see Hon. Oyugi and Hon. (Ms.) Wanga, were actively involved at the very inception in ensuring that we had a NYC. Now that it is there and many of us are already here in this House where we can meaningfully push for issues affecting young people, I think it calls upon us to come out and support issues affecting young people and ensuring that the Council becomes not just any other organ that has no power or resources to operate. We should ensure that all those structures that were formed from the sub-locational level become structures that make a difference to the young people of this country.

I also want to say that I have heard many hon. Members talk about the issue of unemployment in this country. It is very high but we need to now seriously focus on how

to deal with unemployment. I personally had issues with a manifesto stating that we shall create one million jobs per year. Personally, I was keen on knowing how the one million jobs would be created. I think it is up to us, as hon. Members, to start looking for avenues of ensuring that those jobs are created. If we are saying that the youth fund has not achieved its intended purpose, then there is need to restructure the youth fund so that it becomes useful to the youth in Nairobi as well as to those in the village. Since we are saying that 30 per cent of Government procurement must go to the youth and women, then we must ensure that we prepare our young people adequately so that first of all, they are able to register companies that can do business with the Government. Secondly, we need to reduce the amount of bureaucracy between business people and the Government so that young people can access that business without being unnecessarily burdened with bureaucracy and are unable to tender for Government business. Thirdly, we need to improve the capacity of young people to understand the procurement process that is in the Government. We are looking forward to the amendment to the Procurement Act so that we ensure that it becomes law and not just a policy statement; a law that will allow 30 per cent of Government business to go to young people and women. However, I think that 30 per cent is still low considering that it is for the youth and women. We would like it to be at 40 per cent.

Therefore, the restructuring of the youth fund must be aimed at ensuring that once they access Government business, they can access credit and pay after they have been paid by the Government so that an LPO should stand as a guarantee for your credit as a young person. I think it is important that the restructuring of the youth fund should be along constituency and county lines. It is important if hon. Members would be given the power to oversee the management of the youth fund because we work directly with young people, we know what their issues are and we know that they want to access this fund. We want a Member of Parliament who is able to ensure that the young person accesses the youth fund.

Hon. Temporary Deputy Speaker, in the last Parliament, I took very young people from my constituency to Equity Bank, Family Bank and the KCB to access the youth fund but they did not access it. Why? They were asked first of all to open an account and on top of that they were told that they had to be members of those banks for six consecutive months and were required to deposit some amount so that they could eventually get the money. Many young people found that very discouraging and many of them did not get the money. So we need to have an easy way of accessing this credit so that there is no bureaucracy. We need to make it easier for young people to have entrepreneurial skills and in the same line as the CDF Act, we need to see how we can have a kitty for training young people in entrepreneurial skills in simple bookkeeping skills so that we can empower them with the necessary skills to begin business.

Even as we do that, I think it is important to realize and accept that there are many young people whose certificates are still in secondary schools because the parents could not clear the school fees so that they could access the certificates and get basic skills in, maybe, carpentry, masonry and things like that in polytechnics. As a House, we need to seriously ask this Government to waive the fee balances and make certificates available to young people so that they can access skills at polytechnics level and, therefore, access the youth fund. This is because the youth fund without skills will not help the young

person. We must build entrepreneurial skills in young people so that they can begin business. I look forward to working with the youth in my constituency. I am sure many hon. Members appreciate the burden we have of young people. They are all asking for jobs from us every single day through SMS. They come to us with their certificates and CVs and the time is up for us to ensure that they have a means of livelihood; ensure that they are able to live with dignity like young men and women and, therefore, get them out of crime and drug abuse.

With those many or few remarks, I beg to support.

**Hon. Wanyonyi:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this Motion. First, I would like to congratulate Hon. Zuleikha for bringing this Motion.

Hon. Temporary Deputy Speaker, most of us are in this august House courtesy of the youth support. It is only good for us to support this Motion for youth empowerment. I remember I participated actively in facilitating the election of the youth from the grassroots level when they were electing officials to this National Youth Council. Surprisingly, the Government shelved this important function of our youth and did not give money to functionalize the NYC.

Hon. Temporary Deputy Speaker, we look at some of our priorities and we tend to have our priorities upside down. If you remember the Post-election Violence (PEV) of 2007/2008, the people who participated actively were our youth just because this is a hungry lot of people who have been used by us politicians and then dumped immediately after we have ascended to power. It is important that this segment of the population is empowered and given the mandate to operationalise this Council.

Hon. Temporary Deputy Speaker, if you look at the current budgetary estimates, there is no provision for this NYC. So, it just looks like the Government is still not serious about empowering the youth despite having come to power on the platform of going to empower the youth.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Just a minute, Hon. Wanyonyi. Hon. Sambili, are you on a point of order? I have seen your intervention. Are you on a point of order or you wanted to contribute?

**Hon. (Prof.) Sambili:** No, hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Okay. Go on, Hon. Wanyonyi.

**Hon. Wanyonyi:** Thank you. It will be good for us to have our youth empowered and we shall have eliminated one of their survival tactics; which is resorting to crime for survival. It is not by choice that the youth resort to crime but because they lack something to do. The youth is a very active group of people with a lot of energy which, if not properly tapped, shall be wasted in crime. Therefore, I support this Motion knowing very well that this country will only progress if we empower our youth who comprise about 65 per cent of our population. If we neglect this segment of our population we are courting danger. When the youth are hungry, the whole country can go on fire.

I support this Motion and urge the Government to take this matter very seriously and empower the youth. We, hon. Members of Parliament, should not sit back and wait; we must put the Government on toes to make sure that funds are made available to operationalise the NYC thereby empowering them to be relevant in our Government.

Thank you.

I support this Motion.

**Hon. ole Ntutu:** Thank you hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this very important Motion. From the outset, I would like to thank Hon. Juma Zuleikha for bringing this Motion.

I think time has come for this country to take very seriously the youth issues. Honestly, I do not think we are serious. If in this year's Budget we have not allocated money for the National Youth Council (NYC), then how will the youth have a forum to address their issues?

Hon. Temporary Deputy Speaker, this august House needs to bring a supplementary budget which will cater for this important Council. Otherwise, we will pass this Motion because I know no hon. Member is going to oppose it unless he does not know how important the youth are in this country.

I will talk with Hon. Juma Zuleikha and see how we can fix a supplementary budget so that we have this very important NYC benefiting. Having graduated from National Youth Service recently, I am very happy to see that the youth of this country are being taken care of through this Motion. We all know the biggest problem in this country is unemployment. The moment you do not address unemployment, we are not going anywhere. No matter how many hospitals and roads we construct, time has come for us to make sure that our youth are taken care of. Otherwise, I do not see the need of having all those elections from the grassroots and when it reaches at the national level, nobody is taking care of the youth. If we have the NYC Motion passed, then we will have a forum where the youth can be organized and be taken care of

Hon. Temporary Deputy Speaker, the same thing applies to the money that we have heard about; Kshs6 billion shillings that was intended for runoff during the last election. If that money is going to be given to banks, it is the same as that of the National Youth Enterprise Development Fund which went unused because of the many bureaucracies in banks. We all know that our youth do not have securities to use in order to borrow money from banks. So, I do not see the need of putting this money through the banks whereby our youth and women cannot actually access it.

Hon. Temporary Deputy Speaker, the same thing applies to insecurity. In this country we keep talking about the incidents that are happening in North Eastern, Western Kenya, Narok County and elsewhere in the country. It does not matter how much we have put into our security, if the issues of the youth are not taken care of, we might as well say that we are not ready to address these issues. This is because we all know that these incidents particularly the ones that are happening in western Kenya – we are told and we even see them on TV, it is a group or gang. I am not very sure, but there is nobody who is 50 or 70 years old going around killing people. I do not want to blame our youth but because they are idle and they are not attending school or tertiary institutions, anything is possible.

Hon. Temporary Deputy Speaker, most of you hon. Members know, we have just come from an election. The youth helped us to come to this House. So, any hon. Member who will not support the Motion for youth let him know that he will not make it to this House again.

**Hon. Oyugi:** Thank you, hon. Temporary Deputy Speaker, for giving me this chance. It is with immense nostalgia that I rise to support this particular Motion. If you listened to the history of the National Youth Council, the Mover of this Motion alluded to the National Youth Convention that took place in Limuru in 1997. History gave me a chance to be part of that convention and amongst those who we were with is Hon. Mbarire and other Members.

At that particular youth convention, it is important to note that a group of young people from across the country came together having felt very marginalized and sidelined and they thought that the country was not supporting them in any way. That convention almost produced a youth presidential candidate because they thought that the political powers that were, were not interested in matters of the young people. History also gave me a chance now to talk on the actualization of the National Youth Council and to make sure that the Council is operationalised and given money so that it can manage the affairs of the young people of this country.

It is a little bit worrying that the Government took the youth in an election that it did not take into consideration. The young people were left alone to elect themselves and yet no regard was paid to that exercise. Time is ripe now. As the other Members have said, it is unfortunate that even in the budgetary allocation that we will discuss tomorrow and the days moving forward, nothing has been given to the National Youth Council. Most of the money that has been alluded to is towards things like dam construction and technical institution instructors. If you look at Section 4 of the Act, it is very robust. One of the things that need to happen is some sort of an amendment because it is also very broad and half of the things that it proposes cannot be implemented.

It captures a wide range of the things that affect the youth of this country. If we could then give capacity to the National Youth Council the same way other countries like Uganda have done, Kenya will be moving towards the right direction. Kenya should have been the first in this region paving way for a national youth council that is robust and one that is in charge of the young people's affairs unlike other jurisdictions like Uganda that now we have to copy.

Jurisdictions like Uganda have robust national youth councils and the members of the council are the ones who select the people who would be Members of the National Assembly. I look forward to a day when the Kenya National Youth Council will be the body that nominates the youthful members of their membership to be part of any august House. We need to do whatever it takes to make sure that the National Youth Council is in operation. If it is about money and the Supplementary Budget, we as Members, must then move forward to implement that. The National Youth Fund that is supposed to be supporting the youth, we know very well, has been subject of misappropriations. Huge funds always disappear from the kitty and half of it goes into administrative functions that do not help the youth. We should enhance the capacity of the National Youth Council, so that it is able to manage funds like the Youth Fund and any other money that this particular administration will put in place.

Hon. Temporary Deputy Speaker, one of the things that we need to ensure is that the National Youth Council measures up to the aspirations of Article 55 of the Constitution that hopes that this Government will place special attention to youthful people and youthful activities. We must be sure that unemployment and youth

hopelessness that is currently attendant across the country does not catch up with us. The youth bulge, if we saw anything else from what happened in the northern part of Africa and other parts of the world, it is something that we must be careful about. If we do not take care of our youth right now, unfortunately, they will take care of themselves and they will be taking care of us in manners that we would not want to imagine. I support this Motion and I really urge that we do whatever is possible to ensure that the National Youth Council Act is operationalized. We should give money to the youth and let them manage it.

**Hon. Gikaria:** Thank you, hon. Temporary Deputy Speaker for giving me this opportunity. I want to thank the Mover of the Motion for having brought a very timely Motion that this House needs to discuss and make some resolutions.

I happen to have been one of the people at the grassroots who attended these elections. The hope of the young people when they were doing the elections was so high such that it is very sad that whatever they were fighting for has not been actualized. I am a Member of the Committee on Implementation and I will also indulge the Mover of the Motion to follow up as to whether money has indeed, been set aside for the Youth Council and establish why it has never been submitted or allocated for them to start working. Like some papers that we have just been given indicate, even last year not even a single coin was allocated to the youth.

I am not a youth, but so many youths are always requesting for assistance. They assisted me to come to this august House and they have also endeavored to initiate some projects. I want to concur with my colleagues that the youth empowerment funds that are going to be given this year be given to our Women Representative colleagues and it can be channeled through the constituencies, so that we can assist the young people to continue to actualize their aspirations. Giving the money to banks is very sad. These banks have made it difficult for the youth to access these funds. I also want to agree that it is our responsibility to encourage the young people to determine their future through their own sweat and think in terms of starting small businesses at the grassroots level.

It is true that the young people of this country have always been misused. For example, the people who were protesting yesterday outside Parliament, none of them was of my age. In fact, all of them were young people and they were protesting because, maybe, they do not have anything to do. So, if they are promised Kshs500 or Kshs1,000 to come and protest outside Parliament Buildings, they will do it. I saw a few lying on the sheep that they had brought at the gate. It was very sad to note that those young people are very intelligent. They have qualifications from universities. They have degrees. Other have even masters degrees but they are not engaged appropriately.

Secondly, the Jubilee Government, through its manifesto, has already made it very clear that they want to jump-start the welfare of the young people in this country and they have already made it very clear that the one million jobs they intend to create will be actualised by putting up a budget through the Ministry of Devolution and Planning. I want to say that if the young people can be given an opportunity to do businesses, then they can lead good lives and offer very productive outputs and increase the production of this country.

Hon. Temporary Deputy Speaker, it is true that most of them again have not been able to get enough experience to do business. Maybe, it is also true that the National

Youth Council might be able to advise them on starting their businesses. They can begin some capacity building on how to manage businesses at the grassroots so that they do not misappropriate the funding that is going to be given to them. It is sad especially in Nakuru and I want to admit. Nakuru County and, more so, my constituency, Nakuru Town East, has seen a huge influx of young people arising from the post-election violence since 1992. If you look at those young people, most of them have not had an opportunity to go to school for the period that they were displaced. So, most of them are still trying to do some informal businesses on the streets of Nakuru Town and that is also becoming a little bit worrying. Recently, I read in one of the newspapers that it is a time bomb for those young people who are not engaged.

So, I want to support this Motion and ask the House, as the Mover has urged, to also support it. As my hon. Colleague hon. ole Ntutu has said, if there will be no budgetary allocation for the youth in the Budget that we are going to discuss after tomorrow, then we should push to have some money allocated to the National Youth Council for it to start working.

I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Fatuma Ibrahim Ali. She is not here? Hon. Bishop Robert Mutua.

**Hon. (Bishop) Mutua:** Thank you, hon. Temporary Deputy Speaker. I rise to support this particular Motion for a number of reasons. One, if we would like to realise Vision 2030, then it is not going to be realised by the people that are quite elderly. It is the young people that are really going to be able to get to the driver's seat and drive Vision 2030 into reality.

Secondly, the National Youth Council is the only council that can articulate the issue of unemployment well because this country, for many years, has been preparing young people to become employees. I think it is about time we changed and begun preparing the young people to become employers. Innovative young people in Kenya are capable of doing wonders. We are talking about Konza City which is the Information and Communications Technology (ICT) centre. Who does it belong to? It will relate better with young people. So, making the National Youth Council---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Bishop, just give me a minute please. Hon. Sunjeev Kour, are you on a point of order?

**Hon. (Ms.) Sunjeev:** Yes, hon. Temporary Deputy Speaker. I am on a point of order. I would like to seek your guidance because I know there are so many Members of Parliament who would wish to contribute to this Motion but, since there are quite a number of people, I was wondering if you could restrict Members to speak for five minutes. Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I would like to allow the Bishop to complete his contribution and then we will get the opinion of the Floor but, because I had given him his time, let him complete and then we will decide after his contribution.

**Hon. (Bishop) Mutua:** Thank you, hon. Temporary Deputy Speaker for coming to my rescue. Yes, I was saying that the young people are supposed to be in the driver's seat for the Konza City in terms of the ICT project of this nation. For that to happen, then the National Youth Council has to play a leading role and this is why it is quite important



at this particular point in the history of this country for us to be seen to be getting our priorities right. The right way of getting our priorities right is to get good funding for the National Youth Council to begin operations and actualise its activities and begin setting the priorities for the young generation of this nation.

Hon. Temporary Deputy Speaker, you remember for many years in this country, we used to say that young people are the leaders of tomorrow. I want to announce that tomorrow came a long time ago and the young people are supposed to be the leaders of today and not tomorrow. So, for us to realise this particular dream, I would like to see young people empowered, motivated and given an environment that is conducive for doing business. I want to say that the business environment in this country discriminates against the young people in a number of ways. One, the young people do not have the capital to get started and every time we give them funds, we say they are for youth and women. Let me say that even though we always bring them together, they are not equal when it comes to empowerment levels. For example, right now, we have young people in this House, but they are not given the right forum to address issues with their other young constituents.

Hon. Temporary Deputy Speaker, so, this Motion is supposed to be not only supported, but it is also supposed to be funded during this particular financial year. When we say there is no money for such an important Motion like this one on the National Youth Council, then what are we saying? Actually there is money. It is only that our prioritisation has not been right and the young people cannot wait now. We have got to give them money. We have got to fight unemployment. Let me say that if we are serious about fighting poverty in this country, then we can only fight it well if we target the largest population of our nation - and that is the young people.

So, by making that National Youth Council operational, we are actually tackling poverty right from where it actually bites most, and those are the young people. The young people are able to promote the national cohesion and integration better than the old people. Why? They have the potential to move across this nation interacting from a point of mutual understanding. So, if we are serious about creating a country that enjoys national integration, then it is going to be through the young people. So, the young people to me are the vehicle. This National Youth Council is a vehicle towards achieving very many things in this country.

Hon. Temporary Deputy Speaker, I, therefore, want to support this Motion and say that we better bring to the House a supplementary budget to make sure the National Youth Council is actually in operation.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, we are now going to have contributions of five minutes per person.

**Hon. (Ms.) Emanikor:** Hon. Temporary Deputy Speaker, I stand to support this Motion. It is because the youth form a critical mass of our population. A lot of the things happening in Kenya are done by the youth. They are the nation builders. They are an active and vibrant section of our society. Our youth have untapped immense energy. We witnessed that yesterday when they were being misused in an undignified manner during the protests. It is largely because the youth are idle.

In the ASAL areas where we have cattle rustling, raids, highway banditry and so on, all those things thrive because our youth are idle. If we are talking about a healthy

nation, development, equity, wealth creation, jobs for the youth, poverty alleviation and posterity, reduced crime, the Jubilee manifesto and dreams, realizing the Vision 2030 and the Millenium Development Goals (MDGs), then there is need to provide a platform for the youth to release their energies. The people of Kenya need to harness and nurture the potential of our youth.

There are many organizations in this country which are engaged in the youth agenda. I know that the United Nations Children's Fund (UNICEF) has a vibrant section that deals with the youth. It has been working with the then Ministry of Youth Affairs and Sports. It is sad to learn that the Government used a lot of resources to organize the youth from the village to the national level to form those councils that are now rendered useless because they are not working. This is a waste of public resources. However, we still have time to protect the National Youth Council and those in our villages and constituencies.

Many leaders in this House were voted in by the youth. You can see the roles the youth are playing even when it comes to leadership and governance in this country. I would like to urge the Government to bring in a supplementary budget to support the youth.

### QUORUM

**Hon. Opiyo:** On a point of order, hon. Temporary Deputy Speaker. I just wanted to inquire from the Chair if, indeed, we have the right quorum to transact this business.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, I am made aware that we do not have quorum. I order that the Quorum Bell be rung.

*(The Quorum Bell was rung)*

Hon. Members, we do now have quorum.

**Hon. Sakaja:** Thank you, hon. Temporary Deputy Speaker. I would like to sincerely thank the Mover for the timely presentation of this Motion. It comes at a time when the young people of this country are readying themselves to take part in building our nation. It is unfortunate that such a discussion that affects the young people of this country can lack quorum. I want to thank hon. Members who are participating.

The youth of a nation are the trustees of its posterity. We need to look at the young people of this country as the beacons of hope on which we will anchor the promises of the future, including Vision 2030. The youth of this country are yearning to be defined by something more than just over-quoted statistics and figures. They want to be defined by solutions. The youth of this country should not be looked at as a problem to be dealt with. They must be recognized as a force to be reckoned with.

I stand here not just as a Member of Parliament, but also a young person who is here to represent the interests of young people. Article 95(1) of the Constitution says that the National Assembly represents the people of constituencies and special interests. Article 96 goes further to show that, indeed, the youth is one of those special interest groups. Even as we say this, we must realise and remember that 50 years ago, this country was delivered from the shackles of colonialism by young people. Again, today,

we need young people to sort out the problems that are affecting this country. The National Youth Council is, indeed, the appropriate forum through which young people – their own elected leaders – will propagate and champion their rights in Government and other agencies. Many young people are, indeed, suffering from unemployment. If we want to deal with the issue of unemployment, we must focus on young people.

Hon. Temporary Deputy Speaker, young people also deal with issues of moral standards. We saw recently a case of young girls in school participating in prostitution. All this is because our young people have lost hope. I left campus just a few years ago. I know that many of my classmates who graduated with first class honours are still “tarmacking” along the streets of Nairobi. It is an unfortunate circumstance. Indeed, this House must be seen to not only support the youth, but also to push for the issue of young people being mainstreamed in Government and getting opportunities.

Without anticipating debate, I intend to bring a Bill that will eventually put into law the 30 per cent promise that was given to the youth on procurement. Unless we amend the Procurement and Disposal Act, that will just remain a promise. Young people are used to getting promises which are never actualised. As I say so, I must applaud the Jubilee Government because, for a long time, we have seen young people being used in politics. However, in this instance, I am personally a living testimony of the fact that young people have found their space. Young people are no longer errand boys and just bouncers to be used by political parties and their leaders. Young people have come to the table to claim their stake. The large number of young people in this House is testimony to that fact.

Hon. Temporary Deputy Speaker, as a House, we must also consider re-working the Youth Enterprise Development Fund and the entire programme of the youth fund because throwing money at young people will not solve their problems. Telling young people to form groups of 10 so that they can be given money will not solve their problems. We need modern digital solutions to address the issue of youth unemployment. If they are, indeed, going to be equipped to qualify for both jobs and 30 per cent of Government tenders, which amount to about Kshs105 billion, we need to empower them. We can have a youth capital fund for building the skills of young people through training and mentoring of their businesses or having incubators for their businesses such that by the time a young person owns a business, he knows how to handle the accounts, how his products will sell and how to balance his costs.

As I say so, I also want to note very deeply and strongly that the young people of this country are probably our last line of defence when it comes to fighting tribalism. On Sunday and Saturday, I was in the great County of Kisumu where I interacted with many young people. As the Chairman of TNA, I have gone round this country and I have seen young people. I can say unequivocally that the issues of the young people I saw in Kibos, Kisumu, are very similar to the issues of the young people I have interacted with in Kiambu, Mombasa and Mandera. In this country, there is a new tribe called “youth”, which does not look at one’s skin colour or one’s background but rather, at one’s qualities and character.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Sakaja, your time is up.

**Hon. Sakaja:** Hon. Temporary Deputy Speaker, I will appreciate if you allow me---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Sakaja, I am sorry, your time is up.

**Hon. Sakaja:** Hon. Temporary Deputy Speaker, without belabouring the points that I have raised, I support the Motion and thank the Mover for bringing it to the House.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Yes, Hon. Cyprian Kubai Iringo.

**Hon. Kubai Iringo:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity. I would like to thank Hon. Hassan Juma for bringing this Motion. I rise to support it.

First and foremost, it is clear that the National Youth Council was established in 2009 and gazetted in 2012, after a spell of three years. After gazettelement, the Council complied with all the requirements in order for it to be registered. The process was completed and it met all the provisions of the Act. It beats logic as to why the Treasury should still be holding that money, instead of giving it to the Council for the purpose of establishing a Secretariat, which should be moving round the country with a view of understanding the issues appertaining to the youth.

The Ministry of Devolution and Planning has come up with a list showing how the money is going to be distributed to the youth. If you look at that list, you will see that the money is apportioned to various arms and aspects of the youth. However, I do not understand why the money should not be forwarded to the National Youth Council since they are the ones who know the needs of the youth. When they formed the Council, they knew the needs of the youth. I do not know who is going to apportion this money to the various categories of the youth, if it is not the National Youth Council. Therefore, the Secretariat should be supported so that it can establish a framework through which to apportion the money to the youth and ensure that it is used effectively.

Hon. Temporary Deputy Speaker, we have seen instances where the Ministry gave money to certain people, who did not know exactly what to do with it. That is why we ended up coming up with things like *Kazi Kwa Vijana* (KKV) programme. Under the KKV, children would be taken to the roadside, where they would just cut some bushes. They would then be told that they had done some work and get paid a few coins. The balance of the programme money would be spent mysteriously without being accounted for. Let us have projects and activities that are sustainable, and which can be quantified socially and economically as having benefited the youth. The only way to do this is for the Treasury to release the money for the operationalisation of the National Youth Council Secretariat, so that the money can be disseminated to the youth in our various communities. I support an idea which was brought here by an hon. Member---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Yes, Prof. Helen Sambili.

**Hon. (Prof.) Sambili:** Thank you, hon. Temporary Deputy Speaker, for giving me the opportunity to strongly support this Motion. I want to state from the start that I am happy to have been the Minister for Youth Affairs and Sports when the National Youth Council was established in 2009. I want to really appreciate the hon. Members who supported me, as the Minister in charge of youth affairs at that time, to move the Motion

that eventually resulted in the establishment of the National Youth Council. I would like to single you out as one of the people who supported me that famous afternoon.

I would also like to congratulate the youth of Kenya for conducting peaceful elections at the end of last year to come up with the leadership of the National Youth Council which reflect the face of Kenya. Unfortunately, they have not been facilitated to do what they needed to do. Therefore, they have not been able to do what they are supposed to have done. As we all know, the youth of this country comprise a large proportion of our population. The youth of this country have great potential. We can only see what they have done. They have done us proud in the area of sports, for example. I remember what the youth did in 2008, during the Olympics in China. I remember those Olympic Games and feel very proud. I would like to really thank them.

The youth have a lot of talents in areas of innovation and science. Some of us, who have been teachers, will remember the National Science Congress that is held annually, and the innovations that our young people show. I would like to thank the former Minister for Higher Education, Science and Technology for establishing a fund which encourages young people who have talent to develop those talents. We have also seen the contribution of young people in technology.

Hon. Temporary Deputy Speaker, we are also saying that when it comes to technology, they are the real digital people. For example, in the area of *M-Pesa* that has greatly revolutionized the financial money transfer sector in this country, it was discovered by the youth although they may not have been given the respect and property right. They may not have been given due recognition and those are some of the things that we would like this National Youth Council (NYC) to be supported for. We support our young people to show their contribution and benefit from what they contribute. I would like to say that we need to support the young people. In my constituency, I started – and I am not showing off – schools that gave a second chance to young people to go back to school. Some of you will have heard a school where young people who may have been married early have gone back to school. I am proud to say that we have done so well. I have a mother of four, a young person who is now in university and she got a scholarship because she got a second chance. So, hon. Members know that they can support the young people. I appeal that even the money that was put aside to support the young people; the money that would have been used for a run-off, let hon. Members of this House be given the money to manage because they know the young people in their constituencies and counties. They understand county members and constituency members. They know the needs of young people and we can develop and support the young people of this country, so that they can contribute to development and nobody will say they are here to do useless things that do not help them. They are frustrated but I am a believer of the potential of those young people.

So, I also want to suggest that the young people---

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Your time is up but I have the discretion and I will give you one minute to complete your contribution.

**Hon. (Prof.) Sambili:** Hon. Temporary Deputy Speaker, I am really proud of you. So, I was going to suggest that, because I do not want to take all the time, we need to support this. The *boda boda* young people we have and many of them get accidents and suffer, can we support them? Can we give them helmets? Can we train them properly so

that they do not suffer? Let us have driving schools in constituencies and let them be trained. Let them get helmets. Let us help them. They have potential.

With those few remarks, I beg to support and congratulate the Mover.

**Hon. (Dr.) Nyikal:** Hon. Temporary Deputy Speaker, thank you for giving me the opportunity. I must start by congratulating Hon. (Ms.) Juma for this. May I just say this: Neglect of the youth and youth unemployment is perhaps the greatest threat to development of this country? At the time of Independence, we said we had three enemies; ignorance, disease and poverty. I know over time we have added two; corruption and tribalism and unless we do something, we are going to have a sixth one which is neglect and unemployment amongst the youth. We seem like we are scared. We treat the issues of the youth as a problem. The youth are the greatest resource and potential for development of this country. See what they have done in the ICT. We have not really enabled, empowered and facilitated our youth to take part in the agricultural industry even in value addition. Those are areas if we look at, they can really employ the youth. As an hon. Member said, our youth are coming out to be employed. We have not facilitated and empowered them to be employers. This has led to great exploitation of our youth in politics. I do not have to say that because we know it. In drug trafficking, they are victims and couriers at the same time. In terrorism, you know what has happened to the young people and even in the formal industry, they are now being used as non-paid interns and volunteers. Even Government institutions in the health sector have young people working; trained, qualified young people working without payment because they are interns. I think we must stop this. The efforts we have made like the Youth Enterprise Development Fund (YEDF) the *Kazi kwa Vijana* and the empowerment centers that we have put in place have really not worked. It is my contention that this is because we have not included youth participation and there can be no bigger participation of the youth than operationalising and putting funds in the NYC. Let us do that and we will see what the youth will do in mobilizing the youth fund and those empowerment centers and looking at areas where they can take part in the development of this country.

We see in the Budget or the appropriate Ministry that a lot of money has been put in. I do not understand where you will put Kshs458 million for youth development if there is no funding for NYC. I think Kshs100 million to Kshs200 million of that money can be safely moved and put in the operationalisation of NYC. We have no option but to operationalise NYC. Even during the public hearings, this matter came up and we promised Kshs6 billion. We must get money somewhere and operationalise it. I am also concerned that it is not clear that the youth agenda is now going to be a department and we are saying that we are going to streamline. Even if you want to streamline an issue, there must be a concrete well funded department that looks at that issue and in this case, it is the youth. Therefore, I have looked at this Budget and I am worried that youth issues will be lost. I think if we have this Council working, they will ensure that it is not lost.

With those few remarks, I beg to support.

**Hon. Lati:** Thank you Temporary Deputy Speaker, for giving this opportunity to contribute to this important Motion. I am really worried because I have received several messages from the youth in Samburu, telling me to stand up and support their course. It is becoming very difficult to speak in this House. I am not sure how many votes I have

lost today. Hopefully, because we still have many years to go to elections, maybe, I will have recovered then.

Having said that, I want to thank the Mover of this important Motion. I am hoping at some point it can progress into a Bill. I know that one of the biggest factors of production in any economy is labour. In our country today, if we look at the number of youth that we have, it is very clear that as we get closer to the 2030 Vision, the youth will form a greater part of this factor of production.

Hon. Temporary Deputy Speaker, I saw during the last public holiday that the President will be meeting his promise that he will release Kshs6 billion for the youth and women empowerment programmes. It was also stated that it will go down to the constituencies. So, to me, for us hon. Members who have Constituencies Development Fund (CDF), I would have preferred if the youth and women fund would have been given to our colleagues who are representing counties in terms of women representatives seats so that they can also take care of the youth and women.

*(Applause)*

I know that they can do better than me handling those ladies and gentlemen.

I am worried because I am in the Budget Committee and I have not seen any allocation to the National Youth Council. I hope there is something to do as a House and as country so that we can have that money for the youth.

The other thing that worries me is the marginalization of the youth within the youth group. For some of us who come from rural areas, particularly the ASAL areas of our country, we know that there is very little information that goes down to the youth in those parts of the country. I have a firm belief that they are not only youth in the cities; we do also have active youth who are very needy in the rural areas of our country. Apart from giving the secretariat the money, I hope that they will be accountable on their diversity. How they are inclusive, including all the youth of our country, including those who are in very rural areas like in Samburu.

When I was coming to Parliament yesterday I saw those people carrying pigs and most of them were youths. I want to advise our youth that we want to empower them. We want them to be strong and be part of our country's development. In fact, in front, I do not want to see my youth carrying pigs and being used the way they had been used yesterday.

*(Applause)*

Hon. Temporary Deputy Speaker, the other thing I want to say is that our needs as a country are very diverse. The youth in Samburu are probably a lot different from the youth of Nairobi in terms of needs. I want to ask the secretariat that, with our support, we will probably get the money and we will start working. I want to say that the youth programme should be tailor-made on the needs of the youth wherever they are. That is what we call blanket programmes where the youth in Samburu are told to do *Jua Kali*. In my community, when you do things like *Jua Kali* - I am sorry to say this - they call them blacksmiths and it is not something that they like. That is just my community. In places

where I come, we encourage people to buy livestock and sell cows. That way, they will look good.

Finally, I want to say that, when doing youth elections, they should be announced very clearly so that all people know the elections day. The elections should be done, probably, in a way that is transparent. It can be better if IEBC is involved - like we do when we come here to Parliament. I remember when the youth were being elected in Samburu there was a lot of chaos. There were no ballot boxes, there was nothing and you know you will always have strongest youth taking everything.

I want to thank you, hon. Temporary Deputy Speaker. I hope another day you will give me a chance when the Samburu are watching on television.

Thank you.

**Hon. (Ms.) Khamisi:** Ahsante sana mhe. Naibu Spika wa Muda. Nimesimama hapa kuunga mkono Hoja hii ambayo inazungumzia swala la baraza la vijana. Kwa hakika, ni masikitiko makubwa kuona katika nchi yetu mpaka sasa hivi, baada ya kuwa tumelipitisha baraza hili, hatujalipatia ufadhili wa kuweza kufanya utendaji kazi.

Tunajua vijana katika nchi hii yetu Kenya ni zaidi ya asilimia 70. Hivyo basi, wao ndio wengi katika asilimia ya wakenya wote. Ni masikitiko kwamba mashirika yasiyo ya kiserikali yamechukua kipao mbele kuunganisha vijana kuliko sisi wenyewe ambao ndio tunatawala nchi yetu ya Kenya.

Kwa mfano, kuna mashirika kama Youth Agenda ama Youth Assembly. Hayo yote ni mashirika ambayo yanapata ufadhili kwa mashirika yasio ya kiserikali. Yafaa sisi wakenya tuchukue jukumu la kuangalia vijana wetu. Kwanza kabisa, wakati tunapata baraza hili, ni sawa na kupata sauti ya vijana. Kupata sauti ya vijana, haitakuwa sauti, ikiwa haitakuwa na hazina ama fedha za kuwawezesha kutatua matatizo yao na changamoto zao ambazo zinawakumba katika maisha yao.

Mhe. Naibu Spika wa Muda, tunajua ile hazina ya pesa za vijana ambayo kwa Kiingereza ni Youth Enterprise Development Fund. Fedha hizi zimekumbwa na changamoto nyingi kwa sababu wakati vijana wanapewa pesa hizo kupitia mikopo, wanatumia vibaya. Pia, kwa sababu hawana mbinu nzuri za kutumia vizuri katika upande wa biashara, hivyo basi pesa hizo hazirudi. Pesa hizi zinatumiwa kwa njia ya mvingo; yaani kwa Kiingereza, revolving fund. Pesa ambazo utachukua na urejeshe na pia vijana wengine waweze kuzichukua.

Mhe. Naibu Spika wa Muda, baraza hilo likiwa limepatiwa fedha na kuweza kujimudu, litaweza kuwafuatilia vijana hao ama vikundi vya vijana ambao wanachukua pesa kama hizo na kuweza kusaidia Serikali yetu katika mpango kama huo.

Vile vile, tunajua hivi sasa hakuna Wizara ambayo inasimamia mambo kuhusu jinsia, watoto na hata vijana. Hivyo basi, Wizara kama ya michezo ikiweza kushirikiana na baraza kama hili, itaweza kutafuta vijana ambao wana talanta. Hivi sasa tuna vijana ambao wameingia katika michezo sana, kuna kama dada zetu kama Wahu Mathenge, Jua Kali, Fisherman na kadhalika. Hawa ni vijana wametoboa katika mambo ya uimbaji. Lakini masikitiko ni kwamba, uimbaji wao ama talanta hizo zinapotea bure na wala haziwafaidi. Hayo yote ni kwa sababu hawana chombo cha kuzungumzia.

Mhe. Bi. Naibu Spika wa Muda, pia vijana wana changamoto katika dawa za kulevya, mvinyo na pia sasa hivi tunaona vijana wanatumia katika ngono zisizo halali kama vile matukio ya juzi katika upande wa Mombasa ambapo dada zetu, ambao ni



vijana, walitumika katika mambo kama hayo mabaya. Hadi sasa, hakuna chombo chochote cha vijana ama baraza lolote la vijana ambalo limesimama kidete na kusema: Ijapokuwa watu hawa walikuwa ni watalii wanaokuja nchi yetu, wametenda jambo ambalo si la halali. Hayo yote ni kwamba tulikosa kwa kutowajumuisha na kuwapatia mwelekeo. Kwa vijana kuendelea, lazima wapate mwongozo.

Mhe. Bi. Naibu Spika wa Muda, tunataka kazi kwa vijana. Hapo awali tulikuwa na kazi kwa vijana ambayo ilikuwa ni kazi ya ajira ya siku kadhaa ama kibarua. Sasa hivi, tunapolipatia uwezo baraza la vijana, tutaweza kuja na ajira gani ambazo zitakuwa za kupitia kandarasi? Vijana wapewe kandarasi ya miaka miwili, mitatu au mitano. Pia, vijana waweze kutengeneza kampuni ili waweze kupata zabuni kupitia Serikali yetu ambayo inatoa Zabuni nyingi kila wakati kuweza kuwaboresha na kujenga ajira kwa vijana wetu.

Kenya ni nchi ambayo hivi sasa haitataka kutumia vijana wakati tumeshikwa na dharura ama wakati wa majanga. Kwa mfano, tukisikia kumekuwa na shida ya Mombasa Republic Council (MRC); tukisikia kuna shida ya *Al Shabaab*, ndio tunakumbuka vijana. Lazima tuipatie hazina baraza hili ili iwe na mikakati ya kuweza kuwafunza hawa vijana na kuwabadilisha mawazo yao. Wawe ni vijana ambao wanajua ni Kenya kwanza na wao ni wa pili. Bila ya kufanya hivyo, ikiwa tutakuwa tu ni wakati wa majanga basi siku zote vijana watabadilisha mawazo na watakuwa MRC, *Al Shabaab* na watakuwa katika matukio hayo yote. Sisi ndio wa kwanza kusema vijana wanatumiwa vibaya.

**Hon. Theuri:** Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion. Considering the fact that the Council was gazetted in 2012, It has been unable to perform its functions due to lack of funding. I would ask the Government to release the funds to the youth since most of them are unemployed.

**Hon. (Ms.) Kedogo:** Hon. Temporary Deputy Speaker, I rise to support the Motion. First, I congratulate the Mover, Hon. Zuleikha. Our youth are idle in our counties because of poverty and some of them have gone into crime. Some of them are even taking drugs. Our youths have become stubborn because they have no money. They have no funds to initiate projects. If we support this Motion and if the Government is for the youth as the Jubilee Government has been saying, they will be able to raise their families.

Some youths fear to even marry because they have no money to raise families. Therefore, we need to empower the youth through creating jobs for them. Through the Fund, they can get skills which will enable them to get jobs. This will build capacity in the youth and this will improve their standard of living. The Government has not put funds in TVET which has been training the youth. We should make sure that the National Council for the Youth is given funds, so that it can empower the youth.

The youths are being trained at the National Youth Service and youth polytechnics, but those youths do not have funds to start projects. So, let us give the youth the capital to initiate projects, so that they can sustain themselves. We should stop saying that the youths are the leaders of tomorrow. We should empower them right now. This is the time for the youth to be empowered. We train many youths at the National Youth Service and the Government should set up something for them to do. When they come out, they are trained but they have no capital to start small businesses.

I support the Motion. I know that when it is passed and enacted, our youth will be empowered.

**Hon. (Ms.) Sunjeev:** Thank you, hon. Temporary Deputy Speaker. I also wish to thank the Mover of this Motion, Hon. Zuleikha Juma, who has done a good job in bringing this Motion at the right time.

As we all know, at this point in time, we are all being watched on television screens. So, I would like to take this opportunity to thank all the youths who have stood by my fellow Members of Parliament. Our hearts go out to them because they really try very hard. I would like to bring some statistics before this House. Youths aged 15 to 24 years are highly infected with HIV/AIDS. How do they get it? This is a question that we need to be asking ourselves. Those are the issues that we need to be sorting out at this point in time. As much as I am commending and backing what each and every Member in this House has said, I would also like to urge the Government to be pro-active because our youths are pro-active. They are our real supporters.

I was on the ground in Makadara and I met youths who are doing small things, in whatever they could, for the communities in the slums. There are very many people who have the means of helping the people, but they have never done it. My heart goes out to those youths who want to do so much and yet they cannot. This Motion is timely because it is going to provide them with funds to start businesses. I was also part of a programme where we were teaching youths how to write CVs, so that we could open doors for them to apply for jobs with dignity. I wanted them to stop standing outside gates and waiting for the human resource managers to come out and then they flag their CVs. That is something that we also need to consider. Perhaps, when the National Youth Council gets those funds, it might want to look into such programmes.

Lastly, recently, I was at a school in Mukuru and the students there asked the right questions. They are intelligent people and we should give them the dignity that they deserve.

I fully support this Motion.

**Hon. (Ms.) Kanyua:** Hon. Temporary Deputy Speaker. I also rise to support the Motion and congratulate Hon. Zuleikha for bringing this Motion.

As I support the Motion, I also want to note that this House has passed many laws that have not been implemented. The style of the Executive many times is to get Parliament to pass laws and then fail to give funding to effect the intentions of Parliament. The intention of this Parliament was to have a National Youth Council where the young people would contribute, participate, elect their own leaders and start to develop into a youth movement of sorts. As I support, I urge that this law is implemented. Otherwise, it will make a joke of the independence of Parliament to continuously pass laws which the Executive does not fund.

I also support the funding of this law because in the past, there was the Persons with Disabilities Act, 2003, which was passed by this House, but was not implemented. So, if we have a pattern of passing laws for the marginalized which do not get implemented, then there will be a problem. I also support the marginalized groups as per Article 27 of the Constitution. Many of those groups participate in paying taxes and they, indeed, raise money for this country. So, it is not too much to ask that a fund like this be formed to support the youth. In the end, as we support the Council, we should look at our Penal Code. We have a country that criminalizes loitering, walking with intent and

touting. Many of the things that the young people are doing to earn a living in the informal sector are criminalized in our Penal Code.

I support that the National Youth Council is given enough funds to start looking at such laws, so that we can have real crimes and the young people who are engaging in criminal activities punished, but the ones who engage in gainful activities are supported through the National Youth Council.

I support the Motion and the allocation of funds to the Council.

**Hon. Mohammed Abass:** Thank you, hon. Temporary Deputy Speaker. I rise to support the Motion. First and foremost, I want to congratulate the Mover. As you are aware, 65 per cent of the population of this country consists of the youth and majority of them are not employed. I want also to inform the House that it is so unfortunate today that the youth agenda is being discussed as a Private Member's Motion. As you are aware, the entire economy is driven by the youth and I want to thank the youth for the civil manner in which they have conducted themselves against all odds during the just concluded elections. I also want to thank them and particularly those in my constituency for the support they gave me. About 65 per cent of my supporters were the youth and I want to thank them very much.

Hon. Temporary Deputy Speaker, funds have not been factored in for the National Youth Council to operate and it has been established under a Parliamentary Act. I, therefore, wish to support the Motion and request the Chairman of the Budget and Appropriations Committee to, at least, factor in some money for those youth.

Thank you very much.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Daniel Kazungu Muzee.

**Hon. Muzee:** Thank you, hon. Temporary Deputy Speaker, for giving me this opportunity. I rise to support the Motion and thank sincerely Hon. Juma for bringing this Motion to this House. Like many honourable Members who have just stated their views here, I sincerely hope that this Private Member's Motion will become a Government Bill some day so that we can discuss, pass it and give hope to millions and millions of youth in this country. I am sitting here in this august House courtesy of many thousands of youths in Malindi and women who said this time round: "You are young. You are not known in this part of the world but we will take you to the House to represent our views."

A lot has been said about the youth agenda and I think the Jubilee Government has a unique opportunity to make the youth empowerment a reality sooner than later. As we know, during campaigns, some of us faced so many questions. I remember I was addressing a group of pastors down in Malindi and they asked me one question which was: "Young man, what are you going to do about this culture of dependency among the youth on handouts?" I know I must have said a couple of things to get away with the situation there. However, I think for us to focus on the National Youth Council and the youth agenda is one of the best ways to help our youth out there. They have ideas. They are willing to work. I know some of them are very poor in terms of financial capacity but they have ideas to take themselves and this country forward. If we are dreaming as a country to talk about double digit growth and maintaining that going forward, it is the youth of this country who will do that for us.

Hon. Temporary Deputy Speaker, let us be very clear that there is no dignity in poverty and the youth of this country are poor. Believe me, most of the homes where those youth come from are wanting and it is very important for this august House to rise to the occasion and give the youth a chance. It should support their initiatives and ideas to take this country forward when some of us will be old enough not to be able to come here to drive the agenda forward.

I am here for the youth and I know this august House is really keen on that. I support this Motion and congratulate you again, *Mheshimiwa*, for bringing this Motion here on the Floor and hopefully going forward, all of us as leaders will see that the future is in the youth and all of us must come together to drive that agenda. All the stories we hear about the youth especially those in my constituency, about them taking drugs, getting into unlawful groups like the Mombasa Republican Council (MRC) and all the others that have been mentioned before is because the youth have lost hope. There is no chance for them and they have to find an option. However, I know and believe in the promises of the Jubilee Government that they want to do right for this country and for the youth and for that, we will support you and we want to see how best we can work together to realise the dream of the youth.

So, I support. Thank you very much.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Roselinda Soipan Tuya.

**Hon. (Ms.) Tuya:** Thank you, hon. Temporary Deputy Speaker. I rise to support this Motion very passionately and wish to congratulate *Mheshimiwa* Zuleikha for bringing this very important Motion to the Floor of this House. I am also glad to say that the Mover of this Motion has actually placed a very important task on the table of my Committee. I chair the Committee on Implementation and I can assure you that this is going to be an issue of priority that we are going to take up.

Hon. Temporary Deputy Speaker, as I support this Motion, I wish to say that matters of the youth are no longer just aspirations. They are no longer just wishes. Article 55 of our Constitution actually does recognise the youth - and this is the Bill of Rights - as a very important category of citizens who need special attention by the Government and this particular provision goes ahead to actually mandate the Government to do a number of things to pay special focus on the youth. Any continued neglect of the youth actually amounts to outright violation of our Constitution. It actually amounts to discrimination on the basis of age which is outlawed in our Constitution.

We know very well from statistics that the youth of this country are faced with multiple problems; top of which is unemployment. About 70 per cent of unemployed Kenyans are young people and we still have an education system which is not market-oriented. So, you find that 90 per cent of that 70 per cent of youth who are unemployed actually have some form of education but which is not sufficient to make them marketable or to make them get jobs that they can support themselves with in the job market of this country.

The other category of youth that actually needs special attention is the pastoralists. We know that majority of the youth of this country are not educated and it is because of lack of an opportunity to get sufficient education to be able to get a formal job. This is a category of youth and I can speak authoritatively for the county I come

from – Narok County. We have a majority of youth who, although not educated, are very enterprising and are actually contributing to the Gross Domestic Product (GDP) of this country without any form of support from the Government. Those are examples of pastoralist youth who are involved in cattle trading and farming and they need to be supported to be able to continue to sustain their own livelihoods and those of their families and, indeed, contributing to the economic enhancement of our country.

Hon. Temporary Deputy Speaker, we know that we have a multiplicity of organisations and agencies who are involved in youth programmes and purporting to be supporting the welfare of the youth in uncoordinated manner, the result of which is no tangible change in the welfare of the youth despite having those multiplicity of organisations and agencies. What the National Youth Council provides is actually a democratic agency driven by the youth. So, it presents an opportunity for the youth to actually drive their own agenda for their own wellbeing and it is the first of its kind in this country. It needs to be supported with sufficient funding because it promises to actually minimise duplicity of programmes targeted for the youth and ensures that we have enhanced efficiency and effectiveness in service delivery to the youth of this country.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh: Your time is up, Hon. Tuya. Hon. Manga.

**Hon. (Eng.) Manga:** Thank you, hon. Temporary Deputy Speaker, you have saved my evening because as I was sitting here, I got a call from my youths in Kuria who were telling me that I must rise and support them. I am surprised to read this paper which has been circulated. It shows that this Council having been created by an Act of Parliament has not got even a single cent.

I want to thank *Mheshimiwa* Juma for bringing this Motion, although it has come a little bit late. She should have brought it before we went to deal with the budget issues. However, we can still chip in something in the supplementary budget. This is a very important organ. The youth know what they want. It is through Council that people can organize training programmes that are appropriate for themselves.

In this country, we have misused the youth. We do that during the campaigns and then we forget them after the campaigns are over. This is a very bad thing. We really want to support them by putting some resources in their organizations. The President promised that the money that was to be used for a re-run will be given to the women and the youth. How is that going to be organized? Who is going to do that? It is through this Council that they can organize themselves on how to use that money.

Therefore, it is important that we support the youth not just by words and small tips. We need to empower them to organize themselves.

With those few remarks, I beg to support this Motion.

**Hon. (Ms.) Ali:** Thank you, hon. Temporary Deputy Speaker. I stand to support this Motion strongly. If you look at this country's history in terms of formulating policies and legislation, I think we are very strong and we will score very high. There are many great legislations and policies lying everywhere but we are very weak in implementing them.

Under the circumstances, regarding this Motion, Kenya has fallen short of the implementation performance. This National Youth Council is supposed to implement the

National Youth Policy. In the absence of that, the policy is dormant, ineffective and it will not benefit the large majority of this country.

Paralyzing this Council means killing the expectations, hopes and focus of the youth of this country. This country, it is unfortunate, creates laws--- This law was enacted in December, 2009, but up to now, there has been no single resource allocated to the National Youth Council. This means that the structures that were supposed to be put in place are still not there. Imagine if this Parliament did not have a functioning Parliamentary Service Commission. There would be no Clerks and other staff. There would be no budget and nothing would be working. Everything would be dead. You can equate that kind of paralysis to the National Youth Council which is now dormant.

I strongly support the funding of that Council and fast-tracking of the work of that Council so that the advisory board is up and about. The secretariat needs to be effectively working so that the youth can connect with it. The Council has 15 core functions. Who is performing all those functions? There is nobody and that is why the youth are wallowing in poverty and unemployment. They are trapped in negative practices.

I come from Wajir County. The youth there are recruited and motivated to join those criminal groups like *Al Shabaab*. This is because their opportunities have been killed and there is no institution that advocates for their concerns. The institutions that they have struggled to get for a long time have not been forthcoming. This struggle has not borne any fruits because the Government has denied the youth resources. The key task of the National Youth Council is to develop integrated national youth development plan. This is not happening because the Council is not active and the Secretariat and the advisory board are not there. There is nothing present except a shell of an Act of Parliament.

As Members of Parliament, we will not tolerate that. The youth are our children, voters, constituents and citizens of this country.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Zuleikha Hassan Juma, your Motion will continue next time. It will have 18 minutes. There is a lot of interest on this Motion and I apologize to those who have not been able to speak.

### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, the House now stands adjourned until tomorrow Thursday, 13<sup>th</sup> June 2013 at 2.30 p.m.

The House rose at 6.30 p.m.