

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 17th June, 2014

The House met at 2.30 p.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR

PRESENCE OF DELEGATION FROM PARLIAMENT OF UGANDA AT SPEAKER'S ROW

Hon. Speaker: Hon. Members, I wish to introduce to you a delegation from the Parliament of the Republic of Uganda, who are seated at the Speaker's Row. The delegation comprises the following hon. Members:

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| 1. The Hon. Okumu Reagan, MP | - | Leader of Delegation and
Parliamentary Commissioner |
| 2. The Hon. Seninde Rosemary, MP | - | Parliamentary Commissioner |
| 3. The Hon. Akol Rose, MP | - | Parliamentary Commissioner |
| 4. The Hon. Nokrach William, MP | - | Parliamentary Commissioner |

The hon. Members are accompanied by Mr. Benson Maseseke, Head of the Parliamentary Commission Secretariat, Miss. Sarah Ayesiga, Senior Legislative Counsel; and Mr. Oyet Daniel, Staff in the Parliamentary Commission.

The delegation is in the country to learn from and share experiences with hon. Members of this House on the operations and workings of the Parliamentary Service Commission, including the welfare programmes of Members and staff of the Commission, among other areas of mutual inquiry and interaction. They have been with us since Sunday, 15th June, 2014 and are scheduled to complete their tour on Wednesday, 18th June, 2014. On my own behalf and that of hon. Members, I wish to welcome them to the National Assembly and wish them fruitful engagements.

Thank you.

PETITIONS

UTILISATION OF IDP COMPENSATION FUNDS IN KISII COUNTY

Hon. Speaker: Hon. Members, I wish to communicate the conveyance of a petition regarding utilisation of funds meant to compensate Internally Displaced Persons (IDPs) in Kisii County. The petition is signed by eight members of a forum referring to itself as “the Omogusii IDP Fraternity”. Among other prayers, the petitioners are praying that the National Assembly scrutinizes utilization of funds meant for compensation of IDPs in Kisii County, which were disbursed by the Government in April, 2012.

In accordance with Standing Order No.227 (1), the petition shall stand committed to the Departmental Committee on Administration and National Security. The Committee is required to consider the petition and report its findings to the House within 60 days, in accordance with Standing Order No.227 (2).

Thank you.

REMOVAL OF THE ATTORNEY-GENERAL FROM OFFICE

Hon. Speaker: Hon. Members, our own Standing Order No.225 requires the Speaker to report to the House any petition other than those presented through a Member. I wish to convey to the House that my Office has since received a petition praying for the dismissal of the Attorney-General of the Republic of Kenya by His Excellency the President, pursuant to Article 132 of the Constitution of Kenya. The petition is signed by Messrs. Eric Mutua and Apolo Mboya, on behalf of the Law Society of Kenya, stating that the Attorney-General is in violation of the Constitution, and that he has shown gross misconduct in performance of his duties as a State Officer. In this regard, the petitioners pray that Parliament looks into the grounds cited in the petition, and if satisfied that it discloses reasonable grounds, advise His Excellency the President of the Republic of Kenya to commence the process of removal of the Attorney-General from office.

Hon. Members, you should, however, note that the Office of the Attorney-General is not listed either as a constitutional commission or an independent office under Article 248 (2) and (3) of the Constitution. Therefore, the procedure for removal contemplated under Article 251 of the Constitution cannot be used for his removal from office.

In addition, while the Attorney-General is a member of the Cabinet, under Article 152(1) of the Constitution, he is not a Cabinet Secretary and, therefore, the process of removal of a Cabinet Secretary cannot apply in his case. Whereas Article 132 of the Constitution gives the President power to dismiss the Attorney-General in accordance with Article 156, the same Article 156 does not have provisions on removal. In addition, the Office of the Attorney-General Act has made provisions for the grounds for removal but does not set out the procedure for removal. The effect of this is that the petition submitted by Messrs. Eric Mutua and Apolo Mboya is an ordinary petition and falls under the provisions of Standing Order No.227.

Therefore, in accordance with paragraph (2) of Standing Order No.227, this petition shall stand committed to the Departmental Committee on Justice and Legal Affairs for consideration. The Committee has 60 calendar days within which to submit a report to the House as required under Standing Order No.227 (2). Further, under Standing Order No.227 (3), the Clerk shall, within 15 days of the decision of the House, in writing notify the petitioners of the decision of the House on the petition.

Hon. Speaker: Yes, hon. Kangongo.

STOPPAGE OF NAIROBI-ELDORET
FLIGHTS BY KENYA AIRWAYS

Hon. Bowen: Hon. Speaker, I have a petition by the residents and businessmen of the North Rift concerning the stoppage of Kenya Airways operations on the Nairobi-Eldoret route and the inconvenience caused by Jambojet operator. The petition is signed by eight residents of the North Rift, including hon. Francis Mutwol, former MP, hon. Robert Kipkorir, Messrs. Francis Ruto, Cosmas Ruto, Joseph Kipkeu, Morris Ruto, Timothy Cheboi and Mathew Kaino. The petition reads:

“We, the undersigned residents and businessmen of North Rift, draw the attention of the House to the following-

that, transport is an important aspect in business and development of any particular country, noting that affordable and effective means of transport fosters efficiency in service delivery, be it in the economic or administrative sectors;

that, Kenya Airways is a national airline designed to serve and benefit all parts of Kenya without discrimination;

that, the launch of the operations of the low-cost carrier Jambojet by Kenya Airways was anticipated to be a solution to the transport sector due to its cheaper cost and the capacity to cater for increased demand for air travel;

that, the move by Kenya Airways to stop their operations on the Nairobi-Eldoret route on 1st April, 2014 in favour of the subsidiary Jambojet has caused a lot of inconvenience to travellers in the region, and travellers in one way or another; they face a time-related constraint as a result of network change;

Noting further that frustrated travellers have serious timelines to meet, it is the humble petitioners’ prayer that this House, through the Departmental Committee on Transport, Public Works and Housing, obtains an undertaking from the Cabinet Secretary in charge of Transport and Infrastructure that the Kenya Airways will rescind its 1st April, 2014 decision to stop its operations on the Nairobi-Eldoret route in favour of Jambojet, or will retain Jambojet, so that travellers on that route can have a choice.”

Thank you, hon. Speaker.

Hon. Speaker: The petition is referred to the Departmental Committee on Transport and Public Works. Given the amount of work that is before the House, we may not allow ventilation for the time being.

Next Order!

PAPERS LAID

Hon. A.B. Duale: Hon. Speaker, I beg to lay the following Papers on the Table:-
Sessional Paper No.2 of 2014 on the Social Protection Policy

The Child Welfare Society of Kenya Order, 2014, and the explanatory memorandum therein

Legal Notice No.56 of 23rd March, 2014 and Legal Notice No.62 of 30th March, 2014 (Income Tax Act), Cap.470

The Transition Authority Quarterly Reports for the periods April-June, 2013 and July-September, 2013

The Annual Report of the State of the Judiciary and the Administration of Justice for the period 1st July, 2012-30th June, 2013.

The Report of the Auditor-General on the Financial Statements of Tavevo Water and Sewerage Company Limited for the year ended 30th June, 2013 and the certificate of the Auditor-General thereon.

The Report of the Auditor-General on the Financial Statements of the Kenya Year Book Editorial Board for the year ended 30th June, 2013 and the certificate of the Auditor-General thereon.

The Report of the Auditor-General on the Financial Statements of the Communications Commission of Kenya for the year ended 30th June, 2013 and the certificate of the Auditor-General thereon.

The Report of the Auditor-General on the Financial Statements of the Rift Valley Water Service Board for the year ended 30th June, 2013 and the certificate of the Auditor-General thereon

The Report of the Auditor-General on the Financial Statements of the Postal Corporation of Kenya for the year ended 30th June, 2013 and the certificate of the Auditor-General thereon

Thank you, hon. Speaker.

Hon. Speaker: Hon. Members, Sessional Paper No.2 of 2014 on the Social Protection Policy is referred to the Departmental Committee on Labour and Social Welfare. The Child Welfare Society of Kenya Order, 2014 and the explanatory memorandum therein are referred to the Committee on Delegated Legislation.

Yes, Chairman of Finance, Planning and Trade Committee.

Hon. Langat: Hon. Speaker, I beg to lay the following Papers on the Table of the House:

Report of the Departmental Committee on Finance, Planning and Trade on the consideration of the Business Registration Services Bill, 2014

Report of the Departmental Committee on Finance, Planning and Trade on the Scrap Metal Bill, 2014

Thank you, hon. Speaker.

Hon. Speaker: Thank you.

Hon. Members, I want to encourage more Committees to follow suit. There are several Bills which have been referred to committees for them to consider and bring reports to the House. Those of you, who are chairmen of committees, just borrow a leaf from hon. Langat. That is the way it is done; not any other way. It is done here, in this House. So, chairs of committees who have Bills pending before your committees, please, we want to see your reports, so that they can inform debate on the Bills.

Next Order.

NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO. 33

ATTACKS IN MPEKETONI BY ARMED RAIDERS

Hon. A.B. Duale: Hon. Speaker, pursuant to Standing Order No.33(1), I seek leave to move the adjournment of the House for the purpose of discussing matters regarding the recent terror attacks in Mpeketoni, Lamu County.

Aware that under the Constitution, national security is a function of the National Government, I will seek to ventilate on the security lapses faced in Lamu over the past weekend. This heinous act led to the tragic loss of lives and property of innocent Kenyans, including the destruction of a police station in the area.

Such acts raise concerns over the preparedness and effectiveness of our security agencies in the war against radical groups that seem determined to hit indiscriminately in different parts of our country. Such attacks continue to leave citizens concerned for their own safety, while also affecting the national economy, especially the tourism sector.

Hon. Speaker, I beg to move.

(Several Members stood up in their places)

Hon. Speaker: Very well. You have the numbers. I am assuming that even those walking in are also in support.

Hon. Members, it is, indeed, true that the matter raised by the Leader of the Majority is grave and of national importance. Noticing the mood in the House, I allocate a time of two hours to discuss this Motion. The House will adjourn for the purpose of debating that situation at 4.30 p.m.

ADOPTION OF SESSIONAL PAPER NO.2 OF 2014

Hon. A.B. Duale: Hon. Speaker, I beg to give notice of the following Motion:-
THAT, this House adopts the Sessional Paper No.2 of 2014 on Social Protection Policy, laid on the Table of the House today, Tuesday, 17th June, 2014.

STATEMENTS

VISIT TO TANA DELTA BY CS, AGRICULTURE, LIVESTOCK AND FISHERIES

Hon. Sane: Hon. Speaker, pursuant to the Standing Order No.44---

Hon. Speaker: Go to the gist of the request? What do you want the Cabinet Secretary to do?

Hon. Sane: Hon. Speaker, I hereby request a Statement from the Leader of the Majority Party regarding a visit by the Cabinet Secretary in charge of Agriculture, Livestock and Fisheries to Tana Delta on 21st March, 2014. The Cabinet Secretary made a visit without any consultation with the local leadership. This has ignited suspicion and mistrust among ethnic communities. The Leader of the Majority Party should inquire into and report on why the Cabinet Secretary visited the area without informing the local leaders and indicate the reasons for the visit.

Hon. Speaker: You say it has led to suspicion. That is not what is written here, that it has led to suspicion. I was wondering how suspicion and mistrust could be together.

Hon. A.B. Duale: Hon. Speaker, first I want to confirm that Cabinet Secretaries, and any other Kenyan, have a right to go to any part of our country. I also encourage the CORD Coalition to come to Garissa and hold their rallies.

However, on the matter of the Tana Delta, I will consult with the Cabinet Secretary and come back to the House with details of the visit, the agenda of the Cabinet Secretary and whether that has in any way affected the harmonious relationship between communities that live in Tana River. I will do this, maybe, in a week's time; that is next Thursday.

Hon. Sane: That is okay, hon. Speaker.

DEATH OF CATTLE IN KILIFI NORTH CONSTITUENCY

Hon. Mungaro: Hon. Speaker, I wish to request a Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources regarding the recent death of 268 head of cattle in Kilifi North Constituency. In the Statement, the Chairperson should inquire into and report on:-

(i) the circumstances under which water was contaminated and the source of the toxicants;

(ii) the action that has been taken against the perpetrators of this heinous act;

(iii) whether the Government has a compensation policy to cushion the affected families.

Hon. Speaker: Chairperson of the Committee on Environment and Natural Resources, hon. Amina Abdalla.

Hon. (Ms.) Abdalla: Hon. Speaker, I will give the Member a report in two weeks' time. We have a very long list of ready Statements. We will have it ready, but I do not think we will deliver it in the two weeks.

Hon. Speaker: Well, for some of them, you will have to just table reports and Statements. Very soon we are doing away with this system.

Hon. (Ms.) Abdalla: Hon. Speaker, I would really welcome that.

Hon. Speaker: Hon. Mungaro, is that okay?

Hon. Mungaro: Hon. Speaker, two weeks will be okay. I wish the Chair sticks to the two weeks because the families in this area are suffering. As you know, at the moment everything is closed at the Coast. There is no other business.

Hon. Speaker: Very well. Member for Rangwe, George Oner, Is he present or absent? He is not on the screen. I cannot see his name. The Member is absent. I know hon. Oner very well. He certainly is different from hon. George Peter Kaluma.

Hon. (Ms.) Abdalla: Hon. Speaker, hon. Oner is a Member of my Committee and he is currently in Dubai on official business. He is on a parliamentary visit to the UAE.

Hon. Speaker: In that case, then his Statement is not dropped. It is skipped to be relisted.

Hon. Andrew Mwadime, Member for Mwatate!

COMPENSATION TO VICTIMS OF WILDLIFE ATTACKS IN THE COUNTRY

Mr. Mwadime: Hon. Speaker, I wish to request a Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources regarding compensation to victims of wildlife attacks in the country. There continues to be great concern regarding the loss of lives, injuries and damage to farms caused by wild animals. In spite of the passage of the Wildlife Conservation and Management (Amendment) Act, 2014---

Hon. Speaker: Go straight now to what you want the Chairperson to report on.

Hon. Mwadime: Hon. Speaker, in spite of the passage of the Wildlife Conservation and management (Amendment) Act, 2014, no progress has been made in---

Hon. Speaker: Go to what you want the Chairperson to inquire into and report on. Please, we are constrained for time.

Hon. Mwadime: The Chairperson should inquire into and report on whether the Government is facing any challenges in the implementation of the Wildlife Conservation and Management (Amendment) Act, 2014, and when the Government will publish regulations for approval by Parliament to manage the compensation process as provided for in law.

Hon. (Ms.) Abdalla: Hon. Speaker, we will also give the Member a Statement in two weeks. However, I raised the component about compensation during the Budget discussions; we legislated a very high figure for compensation on death, and we did not allocate sufficient funding to that compensation kitty; we need to do that in the Supplementary Budget.

Hon. Speaker: You are giving the Statement after how long? Two weeks, hon. Mwadime?

Hon. Mwadime: Hon. Speaker, the duration of two weeks is okay.

Hon. Speaker: Very well. Next, David Wafula.

ISSUANCE OF TITLE DEEDS IN THE COUNTRY

Hon. Wekesa: Hon. Speaker, I wish to request a Statement from the Chairperson of the Departmental Committee on Lands regarding the issuance of title deeds to land owners across the country, particularly in Trans Nzoia County. The majority of land owners as well as public institutions such as schools, health centres, among others, in the country do not possess title deeds for their respective land parcels.

In the Statement the Chairperson should inquire into and report on:

1. when the Government will issue title deeds to all rightful land owners in the country;
2. details of all the land owners with and without title deeds in Trans Nzoia County.
3. reason why the Government has taken too long to issue this important document, particularly in Trans Nzoia County.

Thank you, hon. Speaker.

Hon. Mwiru: Hon. Speaker, we shall be able to give the answer in two weeks' time.

Hon. Wekesa: Hon. Speaker, I hope it will not be history, again, because last time I had---

Hon. Speaker: Is the period of two weeks okay?

Hon. Wekesa: Two weeks are okay; but I hope it will not be history again because last time it took three months.

SACKING OF HEALTH WORKERS COUNTRYWIDE

Hon. Gitari: Hon. Speaker, I wish to request a Statement from the Chairperson of the Departmental Committee on Health on the recent sackings of health workers countrywide. Health workers are experiencing challenges that have led to the workers going on strikes, resigning and others being sacked.

Hon. Speaker, in the Statement the Chairperson should inquire into and report on:

1. whether the sacked employees are entitled to any benefit, and in particular the 77 employees of Kerugoya County Hospital, Kiembene Sub-District Hospital and Kianyaga Sub-District Hospital who were sacked;
2. measures being taken by the Cabinet Secretary for health to ensure that the sacked workers and employees are reinstated into their positions or paid their benefits;
3. clarify whether a go-slow and the sacking of the health workers, especially in Kerugoya County Hospital, was the cause of the death of an 80-year old lady by the name of Sophia Nyawira Kangangi, who bled to death at the hospital, and whether action was taken against the responsible officer.

Hon. (Ms) Nyamai: Hon. Speaker, we will respond to this matter in two weeks. However, it is important for the hon. Member to furnish us with information such as at what level the health workers were sacked; was it at the national or the county level.

Hon. Speaker: Hon. Gitari, two weeks?

Hon. Gitari: That is good enough, hon. Speaker.

Hon. Speaker: Also provide the information that the Chairperson has required.

Hon. Gitari: I will do so, hon. Speaker.

Hon. Speaker: Hon. Joseph Obiero Ndege. This must be the latest entrant to the National Assembly.

An. hon. Member: He is the Member for Suna West!

Hon. Speaker: Is he? I know the Member for Suna East, but not this one.

KRA POLICY ON TAXATION OF SPORTS ORGANISATIONS/PEOPLE

Hon. Ndiege: Hon. Speaker, I wish to request a Statement from the Chairperson of the Departmental Committee on Finance, Planning and Trade regarding a demand by the Kenya Revenue Authority (KRA) for payment of tax arrears by Gor Mahia Football Club amounting to Kshs118 million, and by international athletes of various amounts. The Government has demonstrated little willingness to support sports, particularly within community organizations. Sports is a source of income to the majority of the youth, it is also used to bring peace and harmony between communities in Kenya and beyond. Further, athletes are the pride of Kenya in the international arena; therefore, any financial stress to both organizations and sports people suppresses their performance.

In the Statement, the Chairperson should inquire into and report on:-

- (a) the validity of claims by the KRA against Gor Mahia Football Club and athletes who present Kenya in international meetings;
- (b) the Government tax policies on sports, societies and activities in the country.

Thank you, hon. Speaker.

Hon. Lang'at: Hon. Speaker, I thank my good friend, the Member for Suna West, for that request. I promise to deliver it in two weeks' time.

Hon. Speaker: Member for Suna West, please, do it on record. The practice requires that you go on record.

Hon. Ndiege: Hon. Speaker, that is in order; I want a very comprehensive report.

Hon. Speaker: Do not worry. If it is not comprehensive you will reject it. If it is not comprehensive, you reserve the right to reject it and demand a comprehensive one.

ACTION AGAINST HON. LINTURI FOR DISHONOURING THE HOUSE

Hon. Limo: On a point of order, hon. Speaker. I am standing under Standing Order No.107, which touches on grossly disorderly conduct. This is when a Member acts in a way that is detrimental to the dignity of this House. We are aware that this House was waiting for a serious Motion touching on a Cabinet Secretary. However, hon. Linturi disappeared from this House mysteriously. We are concerned that this has actually affected the integrity of this House. The minimum thing he ought to have done was to give an opportunity to Members who signed his petition to bring forth a notice of Motion on this matter.

Hon. Speaker, what has happened - I pray that you act on this Member - is that Cabinet Secretaries have now taken this House for granted to the extent that one of them went ahead and abused a Member of this House. I invite you under Standing Order 108 to order that hon. Linturi be named and suspended from the business of this House.

(Loud consultations)

I urge you to, under Standing Order No.110, suspend hon. Linturi from the service of the House for four sitting days, so that it is a lesson to those who, in future, mislead this House. This House must preserve its respect. The integrity of this House must not be taken for granted. We do not want the public to think that we are here to play with the business of the House. This House is not ready for hire. We are not going to allow that. I rest my case.

Hon. Speaker: Hon. Members, I urge all of you to really understand your own Standing Orders. Hon. Joseph Limo claims to rise under Standing Order No. 107 titled "grossly disorderly conduct". The following will constitute "grossly disorderly conduct", that is if the hon. Member concerned:-

- (a) creates actual disorder; none of you has the capacity to determine that other than your hon. Speaker;
- (b) knowingly raises a false point of order;
- (c) uses or threatens violence against an hon. Member or other person;

- (d) persists in making serious allegations without, in the hon. Speaker's opinion, adequate substantiation;
- (e) otherwise abuses his or her privileges - I must say that hon. Limo would want me to proceed under this one;
- (f) deliberately gives false information to the House;
- (g) commits any serious breach of these Standing Orders, or commits any serious breach of these Standing Orders; or,
- (h) finally acts in any other way to the serious detriment of the dignity of orderly procedure of the House.

(Applause)

The hon. Member in question, as I rightly read out, did submit a notice of Motion which was received in my office on the 6th. In keeping with the Standing Orders, within three days I did inform the House that I had received that Motion. I proceeded and gave the hon. Member three days during which to give notice of the Motion. It is important to follow the sequence of what I am saying.

Until an hon. Member rises in his place and gives notice of a Motion to the House, the House is never seized of their intention. It is for that reason, that I clearly gave the hon. Member the opportunity to bring to the House his intention by way of giving notice of the intended Motion. He did not do so within the prescribed time. For the information of hon. Members and the country, he has since written to the hon. Speaker a letter withdrawing his intended Motion. It is in the Clerk's office and it has been brought to my attention. It is given---

(Loud consultations)

Hon. Members! It is really up to you to appreciate what is business before this House. You held some discussions in hotels; obviously some of them regarding this matter were reported. The hon. Speaker has no way of knowing what commitment any of you gave to the other.

(Laughter)

I did confirm to the House that, the hon. Member submitted his intended Motion--

Hon. Jimmy Angwenyi ! That is out of order. So whatever it is that you may have discussed either in churches or in hotels, whatever you promised, or however you were induced to append signatures, must remain out there.

(Loud consultation)

That matter is not before the House. There is nothing disorderly here. The disorder referred to must be in the House, so that it is punished as disorder on the face of it.

Proceed. Hon. Millie Odhiambo, you have a point of order?

Hon. (Ms.) Odhiambo-Mabona: On a point of order, hon. Speaker. Thank you for giving me this opportunity. Other than the fact that I wanted to acknowledge that I am a *Kogallo* fan, the point of order that I want to raise is related to an issue that I have raised before. It is not about hon. Linturi because I am much wiser. I did not append my signature. I knew how far it would go; so I did not waste my energy. I was with him in the last Parliament.

My point of order is in relation to a matter I raised, I think, some time last year. You said that you would give it due consideration. It was in relation to when you have persons visiting from schools that you want to acknowledge in the House; and example is Ogande Girls, which my mother went to. On behalf of myself, hon. Kaluma and all the hon. Members from Homa Bay County, I want to acknowledge that it is a school of excellence which has visited this House today. How do we about it when we want to acknowledge schools of excellence like the one my mother went to?

(Applause)

Hon. Speaker: Hon. Members, I think the point being raised by hon. Millie Odhiambo is really not a casual matter. You all represent people in constituencies and special interest groups. It is, therefore, fair that whenever issues of that nature confront you, you approach the Chair, so that appropriate recognition be given to the hon. Member. I think I will propose to the House Procedure and Rules Committee to make provision for this kind of situation. We are not an island. We also visit other Parliaments. We have observed that this is something that should be in our rules, so that it does not appear as if it is on the basis of the mood of whoever is on the Chair. Hon. Millie Odhiambo, it should not be like justice, which is as long as the foot of the Judge.

Yes, hon. Kaluma.

Hon. Kaluma: On a point of order, hon. Speaker. Before I raise it hon. Millie Odhiambo has spoken to the best girls schools in my constituency. Permit me to recognize their presence in the House.

(Applause)

If, the Leader of the CORD Coalition had succeeded to be the President of the Republic, the First Lady of this country would have been Madam Ida Odinga. I am saying this, because Madam Ida Odinga attended the school which is in the House. It is that important to us.

I wanted to welcome them in the House; I really hope we are going to serve them tea. The Lady Members of Parliament, including hon. Rachel Shebesh, I would request we get time to talk and encourage them to be leaders of excellence.

We have received up to seven requests for Statement this afternoon. I remember last week this House did pass various amendments to the Standing Orders recommending that on some of these issues, we should have the Cabinet Secretary come to the House to answer to Statements. Could, I get directions as to when we will begin to see the Cabinet Secretaries in the House?

May I join the House in confirming that I never believed the Motion, or the Petition, for removal of the Cabinet Secretary was worth appending signatures to? I wanted to tell hon. Members, my colleagues in the House, that this Cabinet Secretary--- The National Assembly select Committee on the Constituencies Development Fund (CDF) falls under her docket. I wanted to assure Members that to the best of my knowledge and experience, this is the one Cabinet Secretary who responds to every request of Members on the Uwezo Fund. When she comes, she handles her issues, very professionally and respects Members; additionally, she is very beautiful, I think she is the most beautiful Cabinet Secretary.

(Laughter)

Knowing, the calibre of the Member who had brought that Motion, I said, I would not sign for it and I did not. I am happy that we are going to have a chance to deal with hon. Linturi, not that lady.

Thank you, hon. Speaker.

(Laughter)

Hon. Speaker: Hon. Members! Hon. Members! Hon. Members! You know I have already given direction that we will adjourn at 4.30 p.m. For us to be able to transact the business that is on the Order Paper--- Prior to that time, it is important that we really just try to be economical with our interventions. To respond to the point raised by hon. Kaluma with regard to this new procedure that the House approved, we have decided, as the House Procedure and Rules Committee, as well as House Business Committee, that we would give a period of up to 1st July to begin implementing that.

If you have read through the report, there are certain requirements and some other work that is supposed to be done through the Office of the Leader of the Majority Party before we can implement that procedure; but from 1st July, we should be able to so.

Yes, hon. Leader of the Majority Party.

Hon. A.B. Duale: Thank you, hon. Speaker. I also want to recognize the presence of that girls school from Homa Bay. I used to wonder, about the brilliance of hon. Millie Odhiambo, but now I can confirm that her mother went to school. The same school she went to is so prestigious that the wife of the former Prime Minister, Madam Ida Odinga, had the opportunity to teach my wife at Kenya High School. This also confirms that my wife went to school like hon. Millie Odhiambo's mother.

(Laughter)

Hon. Speaker, may I really note that every day we find our great children, either from primary or secondary schools, coming to the gallery? It would be very good, as you directed, if we recognized them, because they have recognized Parliament, more so, the National Assembly. I do not know whether people also go to the Senate.

(Laughter)

Hon. Speaker: Hon. Members, as you appreciate, there are no points of order; there is nothing out of order. Hon. Tonui, what is your point of order?

Hon. Tonui: On a point of order, hon. Speaker.

Hon. Speaker: Be quick, I will give you 30 seconds.

Hon. Tonui: I stand here to seek guidance on the issue of processing of Bills in this House. There is a Bill, which I worked on to amend the Tea Act and remove *ad valorem* tax. It has been in various offices here; on Friday, the Chair of the Committee on Agriculture, Livestock and Cooperatives told me that it was already before their committee even before I moved it in this House. I want to be guided; how do we process Bills? He purported to tell me that the Tea Act had already been amended. If so, on what basis is *ad valorem* tax still being levied? That is the clarification which I would wish to be given.

Hon. Speaker: Have you moved a Bill to amend the Tea Act.

Hon. Tonui: I am yet to do it; what happened is that I worked on it.

Hon. Speaker: Please, go to the Clerk's Office, because that is administrative. Hon. Members, do not engage me in administrative matters. Indeed, I want to inform Members that the people who deal with 90 per cent of these matters are in the Office of the Clerk and not my office. So, I do not have to deal with how people can move from one corner of the precincts of Parliament to the other, including those who may wish to enjoy shade.

Hon. Ng'ongo: Thank you, hon. Speaker. Just one little thing, but before it being a Leader from Homa Bay, it is important for me to also recognize the Ogande Girls; there are so many girls I see from across the country. I do not know which schools they come from; we welcome all of them and I want to recognize them on behalf of this House.

Having said that, I just wanted to get a clarification on some matter you earlier ruled on with regards the issue raised by hon. Limo. I agree with you that unless this House is officially seized of a matter, then it is not known to it. I want also to be on record that I did not sign Linturi's petition, I know why; I do not want to discuss it as doing so would be discussing my colleague. This matter is before the House, because it was inadvertently brought to the House, and you made your ruling.

In my view, this House can raise any issue with regard to that matter because none other than yours truly brought it to our attention. So, we are properly seized of it and we can transact it according to our Standing Orders. That is my view, but it is not meant to contradict your ruling. I was just bringing that to your attention, given that you made a ruling touching on this matter in this House and elaborately so; so, we are seized of it and we can raise an issue with regard to it.

Apart from the issue that hon. Limo raised, anyone of us can bring a Motion to discuss hon. Linturi, because it is true that, really, we should not use this House to scare Cabinet Secretaries. At the same time, it is very wrong to misuse your colleagues, bother them, call them on phone, meet with them and explain a lot, then they sign, and on the day of giving notice, you run away to the Coast to enjoy yourself as your colleagues wait to debate the matter. So, because of my relationship with hon. Linturi, I will not bring a Motion to discuss him. Any other Member, who does not have a long history with him, should bring a Motion to the House.

(Laughter)

We should discuss this hon. Member to serve as a lesson to others who may be thinking of misusing other Members, including hon. Simba Arati, who is likely to misuse our privileges.

Thank you, hon. Speaker.

Hon. Members: On a point of order, hon. Speaker.

Hon. Speaker: Hon. Members, I think there is a lot of noise. In fact, if you look at Standing Order No.47, it is with regard to ordinary Motions, but Standing Order No.66, is on a special Motion. I merely communicated for purposes of information. The Member is merely required to submit his Motion to the Clerk, who will process it in the normal way. Until the Member gives notice of that Motion on the Floor of the House it cannot be a Motion. The debate that happened in programmes such as *Cheche* was not on a Motion. We do not recognize that as moving of a Motion. Notice cannot be given through those kinds of programmes. You know people might have assumed--- Indeed, the country might have been misled into believing that what was being stated on the programme called *Cheche* was giving notice of a Motion. It was not. That was palaver. That really does not make it a property of the House.

Hon. Members, in any event, I have told you that subsequent to my giving the Member the three days within which to give the notice, he wrote to the office of the Clerk for my attention, and notified of his intention not to move the Motion. So, there really is nothing for us to discuss. It is unfortunate that Members--- I saw the list, and two or so names on it were repeated, but they still met the threshold. That is all I was supposed to confirm, namely that there was the requisite number – the one quarter. Two or so names were repeated, but even if we removed those two it would still meet the threshold. That is all I was required to confirm, but there was no Motion. Until he gives notice of it, it is not a Motion. There were only discussions out there in the villages and on radio and television programmes, which I am sure Members are quite happy to take part in.

So, we do not even need to belabour the point on this one, but you are at liberty to do any other thing that you may wish to do. It is not my business to suggest anything because Members are knowledgeable enough; be warned that not everything that you append your signatures to portends good to you. In future before you append your signature to anything, you must be convinced fully that what you are doing consciously is in the best interests of yourself, the people you represent and the rest of the country. Please, do not do so under the influence of other things.

Hon. Robert Pukose.

PLIGHT OF ENOCH MUKANDA

Hon. (Dr.) Pukose: Hon. Speaker, Sir, last year on 25th August, I filed a petition about one Enoch Mukanda, who is my constituent, and it was referred to the Departmental Committee on Defence and Foreign Relations, whose chairman is here and I do not think he is listening; he has something on his nostrils. I am sorry for that. Today

it is 307 days since I raised this matter. The petitions, according to our tracking system, should be concluded within 60 days.

From the HANSARD, the Chairman undertook that he would give an answer in two weeks, time. When two weeks elapsed and I raised the matter again, he promised that he would be able to address it in a week's time.

Hon. Speaker, I need a ruling because this individual was involved in an accident. He was an army officer, who was serving this nation and up to date he is suffering and his problem is not being addressed. He spends money to come here when he is summoned by the Committee, but nothing seems to be moving forward.

Hon. Speaker: Hon. Members, I think some of these things need to be raised in an administrative way. Write to the Clerk when matters take too long; now we are taking too much of parliamentary business responding to matters which are really administrative.

Hon. Gethenji, what have you done with regard to that petition raised by hon. Pukose ?

A hon. Member: He is not able to talk.

Hon. Gethenji: I am able to talk, Hon. Speaker. We had an initial hearing with the petitioner and we are then to have a second hearing with members of the Department of Defence (DOD). We apologize for the delay but I think we will be able to execute this matter in the next two weeks.

Hon. Speaker: Well, the hon. Pukose said that you have always given two weeks. Hon. Pukose, I think the next thing is that you will be compelled to move a Motion for the House to debate the Departmental Committee on Defence and Foreign Relations. You will be at liberty to raise issues.

Let us move on, Hon. Members; we have very little time for transaction of the business that is remaining.

Hon. (Ms.) Kiptui: On a point of order, hon. Speaker.

Hon. Speaker: What is out of order, hon. Grace Kiptui?

Hon. (Ms.) Kiptui: Thank you, hon. Speaker. Although we have moved from the issue of hon. Linturi---

Hon. Speaker: I am not going to discuss that please. If that is what you want I will shut you down. Anything else? That cannot be the only business. It is not business. There is nothing before the House.

Hon. Tongi: On a point of order, hon. Speaker.

Hon. Speaker: Hon. Richard Tongi, what is your point of order?

Hon. Tongi: Hon. Speaker, Sir, thank you for the opportunity. I want to appreciate the girls who have come from Nyanza, where I come from, but I think we are being unfair to the boys, who are in the Chamber, because we have only recognized the girls and have ignored the boys completely.

Hon. Speaker: There is nobody in the Chamber, please. There is the Speaker's gallery and the public gallery.

Hon. Tongi: I am guided, hon. Speaker.

Hon. Speaker: You see, it is good for you to keep learning some of these phrases as you grow old in the House. They are not in the Chamber.

Hon. Tongi: Hon. Speaker, I am guided. The boys are in the gallery and I think it is in order to acknowledge them as well, so that they do not go home disheartened, and thinking that we are empowering only the ladies; young men are more endangered than girls nowadays.

Hon. Speaker: So, what do you want? Do you want boys to be recognized?

Hon. Tongi: Yes, hon. Speaker.

Hon. Speaker: Okay. They are recognised. The House is required to recognise these boys. He has no names of the boys. Now, it is just boys and so the House should recognise boys and then we proceed. Hon. Millie Odhiambo, you are required to recognise the boys.

(Hon. (Ms.) Odhiambo-Mabona bowed)

Hon. Tongi: Hon. Speaker, we can acknowledge the boys in my constituency on behalf of all Kenyans.

Hon. Speaker: Very well. Hon. Savula.

Hon. Angatia: On a point of order, hon. Speaker. I stand on a point of order under Standing Order No.84 to make a personal statement.

Hon. Speaker: Hon. Savula, if you intended to do that you should have approached the Clerk's office much earlier.

Hon. Angatia: I will do so.

Hon. Speaker: Hon. Joyce Lay.

NON-CONTRIBUTION BY MEMBERS OF PARLIAMENT

Hon. (Ms.) Lay: Thank you, hon. Speaker. Mine is a concern. I think before we went on the long recess, or even after. We saw reports and records of Members of Parliament who have never spoken a word in this National Assembly, and I wonder if they are really here to represent their people or not. There was a list of their names in the newspapers; it was said that they had never spoken a word in Parliament. We are elected by the people to come and represent their issues; I am sure where they come from people have issues that need to be aired, and that also need representation. If people are not well represented, then maybe that calls for merging the constituencies. This is because if you are elected by people to be here then you should air their views and represent them properly.

Hon. Speaker: Hon. Members, throughout my interaction with many Parliamentarians in many Parliaments, it is clear to me that hon. Members use various tactics available to them, particularly in performing their representative role. There are some who choose to go to mosques and churches; others choose to be active on the Floor of the House; others choose to pursue the Executive in their offices and others do it in all manner of ways. Obviously, in Kenya we know that there are those who choose to do it even through funerals, weddings and such like forums.

Therefore, it is upon hon. Members to choose which ways they feel they can best represent their people. It may be through prayers or contributions on the Floor of the House. It is not a crime if you do not say anything for five years. The people who have

sent you here are the best judges. They may say: “He/she has been playing with us or she/he has been very active in community activities like fixing bridges, even if she/he does not do anything on the Floor of the House; we are okay and want to send him/her back to Parliament.

It will not be fair for the Speaker to direct that hon. Members make statements. Those who desire not to will continue to be hon. Members of the House; it is upon their constituents to make a judgment on them. Therefore, they will continue to be your colleagues; most likely they are very active outside the Chamber.

Let us hear from hon. Njagagua.

Hon. Njagagua: Thank you, hon. Speaker. Mine is a little concern. I would like to request that when you were addressing the issue raised by hon. Limo, a certain hon. Member, whom you actually cited, inquired as to “how much you had received.” As hon. Members we give our own contributions; I would like to kindly urge that we do not even for a single moment trivialize the office of the Speaker.

It is for that reason that I now rise on a point order to inquire whether the hon. Member was in order to--- There was an hon. Member who persistently kept on asking: “How much did you receive?” I will leave it at that and seek your guidance as to whether that is the position. We should treat the office of the Speaker of the National Assembly with respect.

Hon. Speaker: I think all those were things said outside our proceedings; those are issues regarded as *per incurium* – things said in ignorance. I imagine that those were just whispers. I think they were whispers across the political divide; each side challenged the other side on how much they had received; if anything like that was raised, I imagine that whoever it may have been cannot drag the Chair into that; the Chair has no business getting involved. My business is to process all Motions in the best way possible and as provided for in the Standing Orders.

Hon. Members, I have always said, for your information, that even if it was a Motion regarding a censure of the Speaker, it would be processed with the greatest speed. Therefore, there is no Motion that can be so sacrosanct that it cannot be processed. Anybody is at liberty to move any kind of Motion they feel they want to move.

Hon. Members, let us proceed to the next order.

BILL

First Reading

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(*Order for First Reading read – Read the First Time – referred to
the relevant Departmental Committee*)

MOTION

STATUS OF SAN MARCO SPACE APPLICATION CENTRE IN MALINDI

THAT, this House adopts the Report of the Joint Committee on Energy, Communications and Information and Education, Research and Technology on the Status of the San Marco Space Application Centre in Malindi, laid on the Table of the House on Wednesday, 12th March, 2014.

(Hon. (Dr.) Ottichilo on 4.6.2014)

(Resumption of Debate interrupted on 11.6.2014)

Hon. Speaker: Who was on the Floor? Hon. George Omondi, the Floor is yours.

Hon. G.W. Omondi: Thank you, hon. Speaker. I had just contributed some points to this Motion; I had observed that the Italians are not alone in this fiasco of the Research Station in Malindi. There must have been a lot of corruption for it to take this long without being resolved. What I want to---

(Loud consultation)

There are a lot of consultations behind me.

My next point is that I want to blame our Government and successive governments for not taking seriously our institutions of research, including universities. Perhaps, it is ignorance that is making all things happen, because our Government does not know, or the successive governments did not know, the benefits that scientific research stations can deliver.

Hon. Speaker, our universities are being handled very casually. If we look at the way the Government has been allocating money to our universities for scientific research or development, it explains what has been going on in the San Marco Space Application Centre. One wonders why allocation of funds to our universities can be Kshs40 million for some universities and Kshs500 million for other universities. This shows the laxity, or the negligence, that is going on in our Ministries when handling our institutions of learning.

Hon. Speaker, our Government has not appreciated that San Marco Space Application Centre, or Research Station, can actually identify for us even the fertility of our soil for the enhancement of productivity of our agriculture. We need to come up with a system of funding our institutions of learning, starting from our universities before San Marco Space Application Centre is taken seriously.

With those few remarks, and what I said earlier, I beg to support.

Hon. Waiganjo: Hon. Speaker, it is very unfortunate and I am very sad that I have caught the eye of the Speaker. I had made a request specifically as I was being strategic to debate the state of insecurity in the country, or the Motion of Adjournment by hon. Aden B. Duale. I hope I will get the chance because I have absolutely nothing to say on the Motion before the Floor of the House at the moment.

Hon. Speaker: That is very honest, Hon. Waiganjo. Because there are a number of requests; actually they are 19 now. Could I get an indication as to hon. Members who have placed requests, and who want to contribute to the San Marco report, the Motion by

Hon. (Dr.) Ottichillo. Now that Hon. (Maj-Gen.) Nkaiserry is on his feet, let me give him a chance to contribute.

Hon. (Maj-Gen.) Nkaiserry: Hon. Speaker, I stand to support this report and Motion. You realize that San Marco Space Center was established in 1962. It was as a result of an agreement between The Rome University and The Royal Technical College then, which became the University of Nairobi for research purposes. The Center lies at the Equator. It is very strategic for research, exploration but it has not benefited this country. The Italian Government for all these years – imagine from 1962 to date – has been selling climatic information or anything got from that station without ploughing back by giving us information as a nation. They have been selling this information to strategic nations like the USA and Europeans, which, in turn, use it for their own national security interests.

The amount of money that the station is giving to the Italian Government is massive. The information is given to NASA, the European Space Agency (ESA), the Chinese Space National Administration (CNSA), yet this country, especially the security organs, are not getting anything at all. I was an Assistant Minister for Defence when my friend, Hon. (Dr.) Ottichilo, brought this report. I came to this House and said that the agreement that was coming to an end at that particular time, in 2010, should not be renewed; if it was to be renewed, it should have been for the benefit of this country. I do not know what happened because I realize now that the Italians are still operating this station.

We have scientists, people who have studied space science and space exploration. We have scientists of repute, yet these Italians do not want to give an opportunity to our scientists to benefit from this space exploration. Even our own university, a partner at the beginning of this, the UoN, is not benefiting. The Ministry of Education, Science and Technology has just representation. So, any agreement to be entered into based on this--- I know quite a number of my colleagues want to speak and I want to give few points. I want this House to note that any agreement must be ratified by this House and the nation must benefit. Kenya must take the biggest share under any agreement reached regarding this space center.

With those few remarks, I beg to support.

Hon. Njagagua: Hon. Speaker, I stand here this afternoon to support the report by Hon. (Dr.) Ottichilo about the San Marco Space Center. As has rightly been said, this is a center that was started in 1962, long before we gained Independence. It was to deal with information in matters of space and the Italians have been using the information. They have been selling that information to other nations. In fact, I sit on that Committee with Hon. (Dr.) Ottichilo; I am told that they sell the information to the likes of NASA, the ESA and the CNSA. For all we know, we are not benefiting as a nation from the money that they get. There was an agreement between Kenya and the Italians in 1995 that the Italian Government would hand over the space center to Kenya in 2010, but to date, with a lot of respect, the Italians have gone back on that agreement and now they keep requesting short terms to run the space center. I believe that if this center reverted to Kenyans, we would use it for economic gain. We would have the sole control of that space center and whatever is happening within our airspace; we would gauge it and use it to our economic advantage.

I need not say that if we were running that space center as Kenyans, even what happened yesterday and this morning at Mpeketoni in Lamu would have come to us through satellite information. But because the space center is being run by foreigners, who do not have the interests of Kenyans at heart, they may not even be able and willing to share information with our Government. So, today I support this Motion, that this space center must come back to Kenyans so that we can learn what is happening within our air space and monitor economic saboteurs; the Al Shabaab fellows who are bombing Kenyans and hatred mongers who are killing Kenyans aimlessly in the name of ethnic cleansing--- As a country we can say that we are in charge of our own affairs.

With a lot of respect, I must say that there are countries that pretend to be our friends and partners, but they even go ahead and close their offices in Mombasa when they know that all is not well in that coastal city and relocate to Nairobi. I believe those are not the friends that Kenyans should keep. With such friends, I do not think we need enemies. So, it is my humble request that as I sit, it is high time that the Kenyan Government took full control of that space center in Malindi.

Hon. Mulu: Hon. Speaker, I also rise to support the adoption of this important report. The San Marco Space Center is a highly specialized center focusing on space technology. If you read the report that has been presented to this House, you will see that the history of this center--- It started in 1962 and those are many years. But in 1995, there was an agreement with the Italian Government and the whole purpose was to make sure that because Italy, as a country, is more advanced in terms of space technology, they could assist Kenyans to build their own capacity. If you look at the agreement that has just expired, the Italian Government was supposed to build the capacity of Kenyans, so that after the 15th year, they would hand over that important facility to Kenyans. What has happened? Over time, this capacity has not been built and I think as Kenyans we need to ask the questions like why capacity was not built. Is it because those who were charged with the responsibility of monitoring the building of that capacity did not do it, or is it because the Italian Government did not want to do capacity building ,so that they did not hand over the facility?

There are a few lessons we need to learn from this kind of agreement. One of the lessons is that those technical officers who are sign on behalf of the Government, before they put pen to paper, need to be sure of what they sign for. Once the signing is done, then there is need to follow up to make sure that what we have in an agreement is fulfilled.

We had very interesting and at the same time disturbing stories from the Member of Parliament from this area. It was clearly reported that this is one of the centers which, despite making billions of dollars for the Italian Government, has not benefited the locals at all. The Member of Parliament for that area informed this House that, even the road to where this center is, is in a pathetic state. All the money being made from this center is sent back to the mother country, which is Italy. On the basis of that, I wonder whether this Government has any business renewing this agreement. I think the answer should be no. No, because we have been in this agreement for 15 years, we have not benefited by way of capacity building or in terms of income generation to our country. So, if we do not renew this agreement, we will actually lose nothing. That is why I support the report which recommends that if this agreement is to be renewed, that renewal must be

sanctioned by this House. I think that is important. If this House has to approve that agreement, then we will make sure that the benefits which are supposed to accrue to Kenyans, end up with Kenyans. We need to be very candid and say this, if the Italian Government is not willing to accommodate the interests of this country, then this honourable House has a mandate and responsibility to cancel that agreement and get a different country to sign another agreement with. I believe that Italians do not have a monopoly of knowledge in this area. There are other countries which could be having the interests of this country at heart, and which can sign with us and make sure that Kenyans benefit from this center.

With those few remarks, I want to say, I support the adoption of the Report and say, even if we are going to renew, the interests of the local *mwananchi* somewhere in Malindi should actually be taken care of. As I conclude, I want to say, this House is termed “honourable” because those who are in this House, are expected to behave as hon. Members. I want to plead with you and your office out there that this House, is starting to lose respect because of the way some of us are conducting ourselves. I want to plead with you that even as you guard the Standing Orders, you have a bigger responsibility to guard the honour of this House. Anytime a Member of this House, behaves to an extent of lowering the honour of this House, you need to crack the whip and make sure that the Member does not get away with such behaviour.

Anytime you read a newspaper, you see a column called ‘corridors of power’. There is a lot of talk about Members of Parliament receiving bribes and engaging in other forms of corruption in this House. I wonder, for how long are we going to be termed corrupt individuals? When we go out there, the people who elected us say this is our hon. Members, and they expect him/her to behave in a certain manner. I plead with your office that when issues about corruption come up, we be allowed to discuss them, and name some of the hon. Members, because they actually lower the dignity of this House. Thank you very much for giving this opportunity.

Hon. Speaker: Hon. Members, remember it is your right to do all those things. You are asking me to do what you are supposed to do. It is your responsibility to initiate a move. If any of you behaves in a manner that is disorderly, you can be assured that appropriate disciplinary action will be taken. I am not going to police what Members do at funerals, weddings, bars, and hotels when you call each other for breakfast meetings or for lunches and even political party caucuses. I do not attend any, and I am not expected to know of it, until you bring an issue here. When you bring it here, then I will make a decision; do not expect me to go and begin policing those who do what or saying what. As you have just said, corridors of something--- It will not be fair for me to engage in political gossip. Surely, the House cannot engage in those kinds of things. Hon. Members, please, remember this is the third day you are debating this Report; some of you may not have been there when others were speaking. The Motion is for the adoption of this Report, and very many of you have spoken to the necessity for its adoption and you have pointed out a number of issues as to why the recommendations should be adopted as they are. Just minimize repetition.

Hon. Kang’ata, proceed.

Hon. Kang’ata: Thank you hon. Speaker, I do support this Report, and my attention is drawn to page 11 of it. I am asking myself whether, if we adopt this Report,

the Kenyan Government will sign or not sign this agreement. It is my belief that we should be very clear in the recommendations that we should not sign this agreement until what the committee has proposed has been implemented. Otherwise, the way the recommendations are crafted may look as if we are allowing the Government to sign an agreement and then again bring a report here for debate.

The reasons why Kenyans should not sign this new San Marco agreement are many. One, of course as correctly stated by the committee touches on employment issues; two is the transfer of Technology; three is that economic benefits accruing to the country are not adequate. Most Members, me included, feel that this station has potential, yet Kenya is not benefitting from it. I am of the view that, we can have a new direction regarding the San Marco agreement. That new direction, in my opinion, would involve opening up this Station to the market, that is to international bidding. We need to bring in other people who have better skills, who utilize knowledge and get better value for our money for the benefit of our station.

The reason I am saying that is because one thing that I know is that Kenya does not have the capability to utilize the information that is usually generated by this station. It is a very technical station, I would imagine. It deals with space technology. Kenya has not reached that level of technology. The best way forward would be to look for an international partner, who is very competent in utilization of space technology. Two, we should look for a partner, who is going to agree to disseminate skills to us as a country. I would imagine that a country like China---

Hon. Speaker: There is a point of order from hon. Ottichilo.

Hon. (Dr.) Ottichilo: On a point of order, hon. Speaker. I would like to know whether the Member is in order to say that Kenya has no capacity to run that station; that Kenya has no qualified people who can run that station and yet this country has a fully-fledged department called "Department of Resource Surveys and Remote Sensing". This Department has more than 100 scientists who are trained in space science. Is my colleague in order to say that Kenya has no capacity to run this station when we have excess capacity?

Hon. Speaker: Hon. Kang'ata, I think you are more or less informed.

Hon. Kang'ata: Hon. Speaker, I agree. It is fine if we have the capacity. If we have the capacity to run such an institution, it is better for us. However, I imagine that Kenya will gain more if we were to enter into some collaboration with a country that really utilizes that information on a day-to-day basis. For instance, if Kenya entered into an agreement with the United States of America (USA), China or Russia, these are countries which have satellites which are orbiting in the moon. If we collaborate with any superpower that monitors the world on a day-to-day basis, we will get value for money. That will make sense, in my assessment.

Hon. Speaker, I support this Report because the Italians have not been treating us well. They have not been paying us and our employees well. However, that does not necessarily mean that we should take over the entire station whereas we have not reached a stage where we require that information on a day-to-day basis. So, the most rational thing in my assessment will be to look for an international player. Probably, we can float this in the international market and we ask for countries which, on a day-to-day basis, utilize this information so that we can get value for money. That is my argument. This is

because the problem with Italians is that they appear to have monopolized the San Marco Space Application Centre. We should, therefore, refuse to sign the contract and instead float the entire station to the international forum. We should invite other stakeholders who include France, the United Kingdom, China and others who are in the international market and ask them how much they are willing to lease this entity from us. By doing that, we will get better pay and more money. However, let us not have that notion that it is only Kenyans who can run that Station. If we are able, it is fine. However, I am of the view, taking into account the nature of the science which is used in such a station, we need to expand our scope.

The second aspect is the way this Report has been cast. I will be moving an amendment to expressly provide that Kenya should not sign the agreement *ab initio*. The way this Report is framed, they may proceed to sign and then bring it here for approval. To me, the issue should be before the signature is appended on that agreement; they should hold on and consider other things like the idea I am floating now. That is trying to look for other players who may not necessarily be Italians. This may include other international players.

So, I support this Report subject to the amendment that it should be held in abeyance pending Kenya considering other international players.

Thank you, hon. Speaker.

Hon. Speaker: Yes, the Leader of Minority Party. Hon. Members, be aware that at 4.30 p.m. we are adjourning to debate the issue of Mpeketoni.

Hon. Nyenze: Thank you, hon. Speaker, for giving me this chance. I rise to support this Motion. I want to thank Dr. Ottichilo for the good work. This Report would have been tabled in the previous Parliament but it is good that he brought it up and followed it. The Committee's Report is well researched. I want to say that since there was an agreement that was signed between the Italian Government and Kenya Government--- - Italians were supposed to move out by 2010 so that Kenyans can take control. That is according to the agreement which was signed in 1995. This is what we should stand for. We should stand very firm. Because hon. Ottichilo is an expert in this area and he has advised that we have excess scientists in remote sensing---

Hon. Muzee: On a point of order, hon. Speaker.

Hon. Nyenze: Thank you, hon. Speaker, for ignoring that point of order.

Hon. Speaker: Hon. Dan Kazungu, what is your point of order?

(Laughter)

Hon. Muzee: Thank you very much, hon. Speaker. I really want this House to focus on the issue at hand. We are talking about the Italian Government and not Italians. Some of these people you call "Italians" have done a lot in Malindi. They have invested in tourism and helped create job opportunities. We are talking about a contract between the Italian Government and the Government of Kenya. I do not think it is fair for us to generally say that all Italians are involved in a contract regarding---

Hon. Speaker: That is well said, but hon. Kazungu, whenever you feel unhappy about what somebody else is saying, you do not claim that you want to rise on a point of order. You just seek for opportunity to contradict him or her.

Hon. Nyenze: Thank you, hon. Speaker. You know we are also teaching the new Members how we operate. That is very kind of you. The hon. Member is my best friend anyway.

Hon. Speaker, we know what the Italians have done. They are the biggest investors in North Coast. We know that they have carried out several activities in Ngomeni Secondary School and Primary School. They have put in over Kshs240 million in those projects. So, nobody should beat about the bush. Nobody should also doubt their philanthropic activities. However, we are saying that the Italian Government was to come out of this project in 2010 so that the Government of Kenya could take over. However, now, on an *ad hoc* kind of basis, they keep on renewing very short-term contracts to remain in control and yet we have heard from the Report that the Government of Kenya is not benefiting at all. This is because the Italian Government sells data and allows other space agencies to use it in tracking and launching satellites and so forth. We do not get value for money as a Government. That is why we are strongly saying that you cannot continue to have the Italian Government run the San Marco Centre when the contract has already expired. They run the Centre through some dubious ways.

Hon. Speaker, I would like to say that Kenya is behind some African countries in space technology. South Africa, Nigeria, Egypt and Algeria have already launched satellites. These countries have a lot of data on agriculture, weather patterns and so forth but Kenya is lagging behind. We should, as a matter of urgency, take up this Centre. We have enough personnel. In fact, we lack skilled people like masons and carpenters. However, we do not lack very qualified scientists to run San Marco Centre.

I borrowed something from what hon. Kang'ata was saying. There are some countries that are very active in space technology. The most advanced countries are the USA, China, Russia and to some extent Italy and France. If we partner with those countries that are very active in space technology and exploration--- This is because space is the only frontier that is left because all the other frontiers have been explored and exploited. This is the case and yet we have not done much in that area. If we collaborate with those countries while running that station as a Government under the Ministry of Education, Science and Technology and not under Department of Defence and the Ministry of Information, Communication and Technology we will move very far.

We will catch up with other African countries that have made leaps and bounds and are, therefore, ahead of Kenya in this technology.

I just want to say that Article 3 of 1995 Agreement--- The agreement provided for training of Kenyans. The Italian Government offered training opportunities for four PhDs, 12 engineers and 24 technicians in space science and technology, but so far only five people have been trained. We do not get what was agreed upon in that agreement. We also want Kenyans to be paid the same way as other experts from other countries. Kenyans who are doing similar jobs in San Marco Centre are paid less than their counterparts from Europe and other countries. We want fairness and equity so that Kenyans can be paid well. After all, they are qualified and they do similar jobs yet they are paid very little.

Hon. Speaker, out of the 240 Kenyan employees of San Marco only four of them are in managerial positions. The rest are in very junior position. This is unacceptable

because Kenya is an independent country and by this time we should be having more Kenyans than foreigners in senior positions at San Marco.

To have no policy or legal framework governing the space science and technology 50 years after Independence is a shame. We should, as a matter of urgency, have that policy and legal framework so that we move ahead in this space technology.

While concluding, the contracts that are given annually at San Marco Centre totaling to Euros11 million, we want the local contractors to be getting those contracts. This is because the jobs that are given out can be done by Kenyans. Let us love Kenya. Let us build Kenya. Let us unite Kenya. Let us promote Kenyan businesspeople. The Members of this Committee have said that Ngomeni lies on the Equator; that is wrong. Ngomeni is situated south of the Equator. In fact, Ngomeni is 2.93833 degrees south of the Equator. That is the small correction I wanted to make. Otherwise, the Report is good and very constructive. It is well researched. The Committee did a wonderful job through the cool hon. Dr. Ottichilo.

I beg to support.

Hon. Speaker: Hon. Members, we have a few more minutes remaining. Hon. Shidiye, you have three minutes.

Hon. Shidiye: Thank you, hon. Speaker. I hope you will also give me some few more minutes in the next Motion by the Leader of Majority Party.

This is a very important Report. Time has come when Kenyans must be Kenyans and Kenyans must own the process of treaties. The point I want to make is that as a country we must be very careful when drawing treaties with foreign countries. Take the example of San Marco Centre. The bottom line is that we have a skewed treaty; a treaty that is only on the side of Italians. We have seen countries like Djibouti and Philippines which have bases and they have immensely benefitted from this. For instance Djibouti has benefitted from France while Philippines has benefitted from the USA. An audit must be carried out to find out what went wrong. This is because if this space centre does not have corporate social responsibilities and it is not benefitting the locals and Kenyans do not get value from the space centre, then it becomes difficult to convince Kenyans that the space centre is for their interests.

We have security threats from *Al Shabaab* and other militias like Mombasa Republican Council (MRC). We also have a neighbour in the name of Somalia which has gone down the drain. It has no government at the moment. If they were good enough, this space centre would be helping our countries. Are we certain that they are not working for the interests of Italians only and not the interests of Kenya? In terms of security, do they give us information that could help us in this country? By now we would have had enough trained personnel sent abroad by this space centre. This has not been done. What we are seeing is Italians benefitting. Italy is a colonial master and we know that all the countries that Italians have been dealing with including Somalia and others have failed. In Somalia, Italians have failed and yet this is a country they used to control.

This treaty that Kenya signed with Italy is shrouded in mystery. Now that they have refused to move out and they are asking for more time, I think it is time we declared this illegal and the Government of Kenya said that this time is not tenable. The Attorney-General is not doing his job. We were expecting that if somebody reneges on a treaty

then the Government of Kenya would make sure that the Italian Government pays extra charges.

With those few remarks I support this Report. It is well thought out. It can, in fact, enable Kenyans to be the beneficiaries whenever we enter into treaties with other countries.

Hon. Speaker: Leader of Majority Party.

MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.33

ATTACK IN MPEKETONI BY ARMED RAIDERS

Hon. A. B. Duale: Thank you, hon. Speaker. Pursuant to Standing Order No.33(1) I seek leave to move the adjournment of this House for the purpose of discussing matters regarding the recent attacks in Mpeketoni, Lamu County in the coastal region of the Republic of Kenya.

Hon. Speaker, on Sunday 15th June, 2014 at about 9 p.m. armed raiders attacked Mpeketoni Trading Centre in Lamu County. As a result of the attack the following was reported by Government: 52 male persons were killed; two banks were destroyed; 25 buildings were burnt down; one petrol station was destroyed; 36 motor vehicles were burnt including police vehicles; and one electricity transformer was destroyed; part of the office of the Assistant County Commissioner was burnt down and vandalized.

On Monday, 16th June, 2014 at around midnight, another attack by armed raiders was reported in Mavuno and Kaisari areas of Lamu County. This attack left eight male persons dead.

This, in my opinion, is a massacre and a mass murder. It is a massacre that has a lot of ethnic, gender and age dimensions. This is a crime against the people of Kenya. Since, 2011, Kenya has experienced a number of serious terror attacks. I want to confirm that one and a half hours ago, His Excellency addressed the nation and he has confirmed, based on intelligence report, that this attack in Mpeketoni, both on 15th and 16th June, 2014, was not carried out by the *Al-Shabaab*. It was carried out by local gangs with political motives.

On the outset, I want to send my condolences to all those families that lost their loved ones in Mpeketoni and those who lost their loved ones in every part of our country as a result of either terror or criminal gang attacks; in Garissa, Wajir, Mandera, Mombasa, Nairobi, Eastleigh, Bungoma and Busia. This is the time when our nation must come together. I remember on 11th September, 2001, when the twin towers were attacked by terrorists, everybody in the United States of America (USA) including the media, came together and said their nation was under attack. We must stand together to defend the life and property of our people. Today, I want to go further and ask very fundamental questions but before I do that, I want you to allow me to read Article 1 of the Constitution in full and not selectively, as many people do in their rallies, funerals and weddings. I want your indulgence and that of the nation, Article 1(1) to (4) states:-

“(1) All sovereign power belongs to the people of Kenya and shall be exercised only in accordance with this Constitution.

(2) The people may exercise their sovereign power either directly or indirectly through their democratically elected representatives.”

I want to confirm that the people of Garissa Township have given me that sovereign power.

Hon. Speaker, I want the Member for Emurua Dikirr to listen to me a bit.

“(3) Sovereign power under this Constitution is delegated to the following State organs, which shall perform their functions in accordance with this Constitution –

(a) Parliament and the legislative assemblies in the county governments;”

I want to confirm to the country that if you do not belong to Parliament and the county assembly, you have no delegated authority from the people of Kenya.

“(b) The national executive and the executive structures in the county governments;”

Again, I want to confirm, if you are not part of the national Government and you lost elections, you did not form the national Government or the county governments, you are not the governor or the county executive, then you do not have directly or indirectly the delegated authority or the sovereign power of the people of Kenya.

(Applause)

The people of Dujis gave me the pleasure to serve in a Parliament that passed a Constitution, so I will not read it selectively.

“(c) the Judiciary and independent tribunals.”

The Judiciary for now is headed by a man I respect, Justice Willy Mutunga. As we discuss the security situation in our country, my first shot goes to the President of the Republic of Kenya, hon. Uhuru Kenyatta, who is the Leader of a Coalition that I lead. The security situation in our country is so dear, and we swore to defend it and the buck stops with you. The President must take charge of the security agencies in our country; that never again are we going to lose our people either by terror or criminal gangs.

So, we are telling the President from this Floor, where I stand, that he is the Head of the Executive and is the one who appoints the Cabinet Secretary for Interior and Coordination of National Government and the Principal Secretary; head of Intelligence Service, head of Directorate of Criminal Investigation Department (CID) and the Inspector General and his two deputies. Never again will a County Commissioner or a County Police Commander be sacked or interdicted because he allowed Kenyans to consume illicit brew or that he allowed Kenyans to be murdered.

I want to throw a number of questions to my colleagues and I have no bad intentions; it is food for thought. Kenya is not like Libya, Syria or Egypt; it has a democratically elected government. His Excellency President Uhuru Kenyatta was not elected through barrel of a gun; Hon. Uhuru Kenyatta and Jubilee Coalition were elected through a democratic process, through the ballot.

(Applause)

When a leader stands and says this Government is composed of two tribes, I want to confirm that---

Hon. Speaker: You see, you must move it within the rules. As the Mover, you have 10 minutes and any other Member speaking has five minutes. You have one minute to wind up.

Hon. A.B. Duale: Hon. Speaker, I want to confirm that in the last Government of *nusu mkate*, of 15 Ministers four of them were Luos, from the former Prime Minister's family.

(Loud consultations)

When His Excellency President Uhuru Kenyatta and his Deputy, hon. William Ruto appoint four Cabinet Secretaries each, you should not cry.

(Loud consultations)

If you allow me to finish--- You are making noise because you know what I want to say. The truth hurts.

(Loud consultations)

Hon. A.B. Duale: Hon. Speaker, they are making noise because they know what I am going to say. The truth hurts. If you lose an election it is not a must that you must lead. You must wait for 2017. You cannot massacre our people. You want to ascend to leadership through the blood of our people. You want to become president through the blood of our people and we will not allow it.

He did it in 1982. In 1982 he wanted to become a leader through a coup. We will not allow it. You want to kill our people. Shame on you! Shame on you! Shame on you! You have lost elections.

(Loud consultations)

Hon. Members: On a point of order, hon. Speaker.

Hon. A.B. Duale: Thank you, hon. Speaker.

Hon. Speaker: Leader of Minority Party.

Hon. Nyenze: Thank you, hon. Speaker for giving me this chance. There is a lot of noise here and I just want to say---

(Loud consultations)

Hon. Speaker: Hon. Members, let me just remind you that I have 92 requests and you have only two hours. So, please move quickly, Leader of Minority Party.

Hon. Nyenze: Thank you, hon. Speaker. I would like to express my heartfelt condolences to the families of the victims that lost their dear loved ones in this incident. An attack on Kenya by terrorists or whichever militia group is an attack on the very fabric that joins us together and both CORD and Jubilee Members should condemn that in the strongest terms possible because this country belongs to all of us. We have to

protect the lives that are lost and we have to stand together and condemn acts of terrorism, any acts of thuggery. We have to be very thorough on that.

Hon. Speaker, if we try to politicize security. If we try to trivialize something---

(Loud consultations)

Hon. Speaker: Order, hon. Members. Hon. Nyenze will be heard.

Hon. Nyenze: Thank you, hon. Speaker. If we try to trivialize this issue and do the blame games even before the intelligence report, we will not get to the root cause of this problem. If you, Members, want to be refugees try this one of relying on rumours. In every party, even in my brigade I know those people who are reactionary and those who have no patience. The other side is the same. However, if this country has to stay united and if we have to avoid setting it aflame we have to reason, sit together, agree and see where the rain has started beating us. However, this idea of immediately blaming someone before even the intelligence report is out, is unacceptable. It is not right. It is wrong and it will not get to the root cause of this problem.

We feel very sorry for those who have lost their loved ones and we stand very strongly with those families. Let us find out who did it. Let them be punished but do not blame people because you have no evidence. We can also blame you. So, do not blame anybody about that. Let the National Intelligence Service (NIS) do its work and let the culprits be brought to book but this reaction of blaming some people is not good. Why are they not being arrested?

Hon. Speaker, this House is a house of order and there has to be honour and respect and we cannot be in a shouting match. You cannot conclude by accusing your opponent for doing something that you are not sure of. We have to fight terrorism and terrorism is everywhere in the globe. We have said that for us to succeed in fighting terrorism, let us do the right things. Let us pull the Kenya Defence Forces (KDF) from Somalia.

Hon. Members: No!

Hon. Speaker: Order, hon. Members.

Hon. Nyenze: Let us try to improve our troops. Let us stand firm and protect our country and let us also try to equip our police force with the right equipment and motivate them to work.

(Loud consultations)

Hon. Speaker: Order, Members. Hon. Jamleck, what is your point of order?

Hon. Kamau: Thank you, hon. Speaker. Is the Leader of Minority Party in the House in order to actually preach peace so nicely in the House, which is very commendable but when they go for public rallies they do the exact opposite by saying Uhuru must go? Is that in order?

Hon. Speaker: Surely, hon. Members. Hon. Joseph Limo.

Hon. Limo: Thank you, hon. Speaker. From the outset, I want to pass my message of condolences to the affected families. Indeed, it is a very sad moment for this country when people are being massacred. I want to call upon my colleagues here that

even as we debate this important Motion, we need to really sober up and discuss these issues with a lot of integrity and face the reality on the ground.

I do not think any Kenyan who is listening to this House is interested in the rhetoric that we are trying to introduce. I want to say from the outset that we need to really discuss this issue with a lot of maturity so that the country can get to the root of this problem.

I want to ask that all of us do what we were sent to do by our constituents. This is because the families who have been affected will not feel good when we are shouting at each other. I want to condemn what happened in Mpeketoni. We want to call upon all the leaders of this country that if we are really men enough, we take this issue seriously and take action. Anybody in this country who really cares about the security of this country must put aside the agendas he has and we tackle insecurity in this country. Let us avoid blame games by blaming Cabinet Secretaries and the police.

Hon. Speaker, from what happened it is obvious that our security agencies are not prepared at all. They are ill prepared to respond when such a problem arises. It is very sad that a whole town can be held to ransom by hooligans for five hours and nothing happens. We want to call upon our security agencies to really do their job. So, as this House let us condemn this act in the strongest terms possible and call upon the Government to take action on any person who talks ill about anybody in this country. It has been very sad to see leaders talking recklessly in rallies. We know what we underwent in 2008. We do not want to go back there. In fact, it is the highest hypocrisy for the ICC just to sit and watch what is happening, which is another repeat of 2007/2008 coming. Leaders are calling for anarchy and the ICC is busy looking at what happened five years ago.

Hon. Speaker, as leaders, we want to say that action must be taken. I want to call upon my brothers and sisters from both sides of the political divide; if you actually mind about the peace in this country – I want to call upon CORD to call off all the rallies, if they really want peace to prevail in this country.

I rest my case by saying: Let us be responsible. Let us take care of the country. Let us be real Kenyans.

Thank you, hon. Speaker.

Hon. Speaker: Hon. Millie Odhiambo. Every hon. Member will now have five minutes. Hon. Millie Odhiambo-Mabona, the Floor is yours.

Hon. (Ms.) Odhiambo-Mabona: Thank you, hon. Speaker, for giving me this opportunity. First of all, I want to give---

Hon. Speaker: Hon. Members, minimize points of order! Every hon. Member contributing has only five minutes to do so. Those others, like hon. Limo, can even do it in three minutes.

Hon. (Ms.) Odhiambo-Mabona: Thank you, hon. Speaker. First of all, I want to just take this opportunity to convey my condolences to the families who lost their loved ones in the unfortunate attack.

Hon. Speaker, when I woke up to that news, I was very distressed, especially when I saw the bodies. During the post-election violence in 2007, I was tasked by my party to do a report on the violence. I went to the morgues and I saw the bodies of young children and several people who were harmed as a consequence of post-election violence.

I find it extremely unfortunate that we are adults; sane people who saw what the country went through and we are speaking in the manner we are speaking in this country.

Hon. Speaker, if I wanted to use propaganda, I would have started with my very good friend, hon. A.B. Duale. But when I start the propaganda against hon. A.B. Duale, I will be attacking my own hon. brother who is a Somali here. There are so many angles of propaganda that we can spin around this attack. It is extremely unfortunate for my good friend, hon. A.B. Duale to mention Luos by name; over things that we have absolutely no clue about.

When I saw the bodies, I shed a tear and I went through trauma--- I had to go through counseling when I saw what people went through in 2007. Indeed, if you have a leader of the caliber of A.B. Duale, he should resign! Any other leader who can take the country to the path that they are taking us, he should resign. This is not something that we play politics over. There are people who have died. I do not know who they are, but this is not something that we can be playing politics over.

Hon. Speaker, I want to say without any fear of being intimidated and I am sure there will be no intervention from the Floor!

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

Hon. Speaker: There is a point of order.

Hon. A.B. Duale: I have the Floor! I want to confirm that in her own Migori Rally, you talked of a Government of four Kalenjin Ministers and four Kikuyus--- I want to confirm to the country, in the Government of Raila Odinga, in which I served before I left, there were four--- What is the difference? We must speak the truth! These same people are the ones who said: "Uhuru will be shaved with water!" Yes! Hon. Speaker; they are the ones who have said that they will match to State House. You lost elections! You wait for elections. Shame on you!

Hon. Speaker: Hon. Millie Odhiambo-Mabona.

Hon. (Ms.) Odhiambo-Mabona: Thank you, hon. Speaker. I will not be distracted in my agenda. Even though I was at the Migori Rally, I did not say those things. I know the words I spoke. I did not say such things.

Hon. Speaker, when we are talking about politics in rallies, that is very different from what we are having here.

Hon. Members: No! No!

(Loud consultations)

Hon. (Ms.) Odhiambo-Mabona: Hon. Speaker, I want to say that whether they say no or not, that the carelessness that we are seeing in this country by leaders, especially by Jubilee leaders, will take us to the dogs! I want to condemn that in the strongest terms possible. If you have a leader that is going to unite this country--- I want to thank my dear brother, hon. Limo and the Leader of Minority Party for saying this country needs to be united.

At times like this, even in the past when have been divided, and whenever we have been visited upon with a calamity, we have stood together as a people. But when you have people like hon. A.B. Duale speaking carelessly--- We know the language those people were speaking! They did not speak Kijaluo. Therefore, I want to encourage you.

Please, desist from what you are doing. You are taking this country through a very dangerous path. You are taking this Kenya---

(Loud consultations)

Hon. Speaker, that does not preclude us from going through our constitutionally guaranteed right to meet our people, whether through rallies, churches, funerals; we shall continue! The only thing that I will encourage leaders to do is to speak responsibly. Whether you are from CORD or Jubilee, you must speak responsibly. But I have my guaranteed right to speak any way I want. But do not take us where you are going - including Mr. President.

(Hon. (Ms.) Mbarire consulted loudly)

Hon. Speaker: Order, hon. (Ms.) Mbarire! Hon. Members, I think it is fair that we appreciate the enormity of the matter that is under discussion. The House cannot have been adjourning to debate a matter where one side is shouting at the other. This is a serious and solemn matter and I want to urge all of us to really treat it with the seriousness that it deserves.

The Floor is yours, hon. Mbarire.

Hon. (Ms.) Mbarire: Thank you, hon. Speaker for giving me this opportunity to add my voice to those that have spoken before me, in condoling with those families who have lost their loved ones at Mpeketoni. Terror attacks were visited upon them on Sunday night.

Hon. Speaker, I agree that, in moments like this, we must unite. But I also want to say that, as we unite, we must be honest with ourselves. Pretence and hypocrisy is not going to help this nation. When we say that we must stop reckless statements, those statements must be stopped right from the public rallies that we have witnessed in the last two weeks. We must ask certain questions even as we unite. Until and unless we are honest to each other, this country is going to the dogs.

The first question I want to ask is this: Since when did the terrorists differentiate between a Kikuyu, a Kalenjin, a Luo, a Kisii or a Kamba? Since when did the terrorists know that there are certain people who must be cleansed before others? I speak this without fear of contradiction that what we saw in Mpeketoni is ethnic cleansing! It is not terrorism!

(Applause)

We must take care of our statements; those statements must start with the leader of CORD - hon. Raila Amolo Odinga!

(Loud consultations)

He must stop talking carelessly in public rallies! If we are saying we must be careful about what we say, then the leaders out there too must speak and speak the truth. I have no fear and I have no apologies. But we must stop ethnic cleansing in this country.

Hon. Wandayi: On a point of order, hon. Speaker.

Hon. Speaker: What is it, hon. Wandayi?

(Hon. (Ms.) Odhiambo-Mabona shouted from her place)

Order, hon. Millie Odhiambo-Mabona! I have given hon. Wandayi a chance to make his intervention on a point order. You have no business shouting from where you are sitting. Out for the rest of the day! Get out! Millie Odhiambo, get out! Can you throw her out? Get her out of here! Get her out! Hon. Millie Odhiambo, get out! You are withdrawn from the services of this House for the next three days! Throw her out! What are these ones doing? Get her out! Sergeant-at-Arms, get her out! You will not be given any services in this House and the precincts of this House for the next three days! That is the order!

(Hon. (Ms.) Odhiambo Mabona was escorted out of the Chamber by the Sergeant-at-Arms)

Hon. Members, I want everybody to observe order!

Avoid statements that are going to excite passions; from both sides of the House. Hon. Wandayi!

Hon. Wandayi: On a point of order, hon. Speaker. Is it in order for hon. (Ms.) Mbarire to continuously refer to hon. Raila adversely, when he is unable to defend himself on the Floor of this House? Is she in order? Can you rule her out of order?

Secondly---

Hon. Speaker: What is the point? I did not get it?

Hon. Wandayi: Is she in order to refer to hon. Raila Odinga adversely, when she knows that he cannot defend himself on the Floor of this House?

Secondly, the other day, there is a woman from Thika who referred to hon. Raila Odinga as a villager. If he is a villager, why are they not ignoring him? Why are they bothering about what he is doing?

Hon. Speaker: There is no point of order there. Proceed!

Hon. Members: Ah!

Hon. Wandayi: I have said it!

Hon. Speaker: I will give you a chance to make your statement, please!

Hon. (Ms.) Mbarire: Hon. Speaker, the statements by hon. Raila Amolo Odinga were heard by every Kenyan. What I am saying is that, if we really want to get down to this issue; if we really love our nation, we too must be able to stand up to our leaders and tell them: "Slow down!"

Before I end, I have this to tell these hon. Members of Parliament; the last people who should be party to this issue is we, the leaders of this country; the elected leaders of this House. Therefore, I want to beg that we are going to put aside our tribal party

allegiance and stand for the truth and talk as one people; that we must be able to say there is a wrong when we see it and not cover it up.

With those few remarks, I want to end by saying: Let us remember that Kenya is bigger than all of us; all of us sitting here and out there. Kenya is bigger than all of us.

Hon. Wakhungu: Hon. Speaker, thank you for giving me this opportunity. First, I want to send a message of condolence to the people of Mpeketoni.

(Hon. Korir walked to the Dispatch Box)

Hon. Speaker: This hon. Member, get out! You just cannot cross from one side to the other. You are in the House! You need to come to the House several times so that you know the rules!

Go up to the door, then bow and cross! This is not a marathon! You are not running in a marathon here!

(Laughter)

Proceed, hon. Wakhungu.

Hon. Wakhungu: Thank you, hon. Speaker. You will add me three more minutes that hon. Wesley Korir has consumed. What happened in Lamu is unfortunate and we must condemn that act. United we stand, divided we fall. We are here as a nation and whatever is going on, we want to avoid the divisions that are going on. When you read the Constitution, Article 33(2), it does not matter what tribe you are; it does not matter which coalition you come from; but it says this:-

“The right to freedom of expression does not extend to propaganda for war, incitement to violence, hate speech or advocacy of hatred.”

As we speak today, no one is above the law. Indeed, if there is any information linking any politician to that mayhem, then the law should take its course. But, again, it is unfortunate if we mention peoples’ names here, and we do not have that linking evidence. Article 35 of the Constitution talks about access to information. So, the public has a right to access the information that, maybe, the intelligence has and we do not know. We need to know. I want to quote the words of Martin Luther King Jnr. He said that the ultimate measure of a leader is about decision-making. Decision-making not in times of comfort and convenience, but in times of difficulty and challenge - just like now. As we debate this issue, we must debate it with sober minds. We do not want Kenya to go down. We do not want to go the Rwanda way. We do not want to be like those others. I urge hon. Members that, as we are here today, we must speak as a team. We must speak as Kenya because we do not want Kenya to go down. We have never experienced this but if it comes today, whatever other people are saying, we are going to regret it. We want to be united. We condemn this act and we send messages of condolence to the people of Matopeni.

Hon. Members: Mpeketoni!

(Laughter)

Hon. Wakhungu: Sorry! It is not Matopeni. I am told it is Mpeketoni! We know there are issues of terrorism, which is global. We must come together as a people and Kenya so that we condemn this issue and work together as a team.

I want to urge hon. Members; let us debate this soberly because the country is watching. We want to move forward. No one is undermining the Presidency. He was elected by the people. We are here to work as a team and so, it is not in good spirit for us to come to this other side and say we are undermining the other side. Security is something very critical for our success; for our future.

I rest my case!

Hon. Kamau: Hon. Speaker, let me convey my condolences to the families of all those people who lost their lives during those attacks in Mpeketoni. I will start by saying that without any doubt, this was not a normal case of thuggery. It was clearly a well planned attack; a well executed attack and I believe a political attack. Without question, we can clearly see that arising out of the rallies that CORD has been having throughout the country---

Hon. Members: No! No!

Hon. Kamau: You must let me say what is in my heart! Without any question, what we have seen today is akin to what we were seeing prior to 2007. Without any question, 2007 came. A lot of shenanigans were happening in this country. People were shouting; people were throwing bad words at each other; there was a lot of incitement in this country and the aftermath was so many people who died in this country.

I am happy when I hear my colleagues on the other side say that we should unite and work together as a team. That is the way it should have been from the word go. But I will say, just like I had questioned earlier, if in the House we can speak together, unite and work together, why can we not do that even outside there? Why do we have to go to public rallies and incite Kenyans? I want to quote one of the things that was said in one of the rallies. "It is better to die than to live in slavery. The donkey will shed down the load come *Saba Saba*."

Hon. Members: Yes! That is true!

Hon. Kamau: Hon. Speaker, they continued to say: "*Ukiona mwenzako ananyolewa, chako kitie maji*." They went on to say: "Look at what is happening in South Sudan, your neighbours there. This is what will happen in this country." Those are seriously inciting words by all means and I want to appeal to my colleagues. It is not a simple matter. It is an issue that we must all come together at a round-table, discuss, agree and know that if we love this country, we must tone down that political rhetoric.

I am speaking with a lot of hurt. I am totally hurt because of the people we lost in Mpeketoni; innocent Kenyans. There are photos in the internet and if you look at them, you will even cry. People were massacred like animals for doing nothing. The people who did that were people who knew what they were doing without question. Those are people who were even able to jam the Safaricom networks.

Those are people who are well taken care of. I want to say this hon. Speaker, as I end. We will not accept people inciting others in this country. I want to say that the Leader of CORD, who is my friend, hon. Raila Odinga, a man who has fought for freedom in this country for a long time, must now move to the next level and put the interest of this country before his own.

(Applause)

I must say that if somebody thinks that they are going to get power in this country through shedding of blood, that will not happen. I want to say that it is not only him who is a man in this country. There are others who are men, equal and enough. We will not entertain this kind of nonsense anymore!

(Loud consultations)

I am extremely hurt. I want to end on a good note and say: Please, for the love of this country, reduce that rhetoric that is coming out there. The incitement that is out there---

Hon. Speaker: Hon. (Dr.) Kibunguchy. Hon. Members, take it from me. I normally observe when you walk in. If you know you walked in just a few minutes ago and I have 114 requests, so you must--- Anyway, proceed, hon. (Dr.) Kibunguchy.

Hon. (Dr.) Kibunguchy: Hon. Speaker, may I also join my colleagues in sending my condolences to the people of Mpeketoni. For the benefit of the rest of the Members, my formative years as a medical doctor---

Hon. Speaker: Hon. Midiwo, what is out of order? Let it be a point of order but not to contribute. It must be a point of order.

Hon. Midiwo: Hon. Speaker, I know the rules of the House.

Hon. Speaker: Yes, I know you know the rules.

Hon. Midiwo: Thank you hon. Speaker. I just wanted to plead with you as our father, that the debate here is big. I have a point of order. What comes out as the sentiments of Members of Parliament goes out and is being watched by the public. I just wanted to plead with you that you guard this House that for once, out of what has happened down there, please, it would be good for this country that we all condemn this act in a way that there are no two sides. I thought you have that duty---

(Loud consultations)

I am not in a rally. You will never stop a rally. You do not have the capacity.

Hon. Speaker: See, the moment--- Hon. (Dr.) Kibunguchy.

Hon. (Dr.) Kibunguchy: Thank you, hon. Speaker. As I was saying, during my formative years as a medical doctor, I practiced in Lamu. You cannot get more co-operative, more welcoming people, more hospitable people than the people of Lamu. Therefore, as somebody who, like they say, “cut their teeth” in Lamu, I want to sincerely pass my condolences to the people of Lamu and also condemn, in the strongest terms possible, what happened on that bloody Sunday. Whatever is happening in this House, the rhetoric and the back and forth accusations, is not helping.

(Applause)

What I would like to say is this: In this country, we only have one Commander-in-Chief and the buck stops at his door. In this country, we have a Police Force that is paid from the taxpayers' money. If you hear some of the things--- I think we are trivializing a very grave matter. Listening to what is being said from the other side; you are making Raila Amolo Odinga appear to be bigger than life. That, he can be able to commandeer or send people to a town and lay siege in that town for seven hours! He is not in charge of security apparatus. I think we are trivializing an issue that is very grave. Let me ask: When you say inciting words and refer to the issue in Mpeketoni, what happened at Westgate? We have not even answered the questions about Westgate. Now you have found a convenient scapegoat to say that it is hon. Raila who is inciting the people, just because of the rallies that have been going on. We have a Police Force in this country. We must be able to ask serious questions. What is happening with the bombs and grenades that are being thrown left, right and centre in this country? Let me ask this question: What are our boys and girls doing in Somalia? We thought the war ended! Or is there still war in Somalia? The war ended. We have a Government in Somalia. Let our boys and girls come back home. Let us not trivialize a matter that is very grave. Let us not apportion blame. I do not think hon. Raila Amolo Odinga has the capacity to do some of the things that he is being said to do. Otherwise, we are giving him a lot of credit.

(Laughter)

Let me end by saying this: Let our Police Force work. Let us look at the root cause of this problem and let us remove our boys and girls from Somalia. If you go to help a neighbour and the neighbour does not want you to help him, what are you doing there? What are we getting out of Somalia? Are we so philanthropic that we can be able to sacrifice our boys and girls to our neighbours who do not want us? Let us bring our boys and girls back. Let us close the border if necessary. Let us station our army at the border. Let us start cleaning up the Police Force and other security apparatus. Thank you.

Hon. (Dr) Pukose: Thank you, hon. Speaker, for allowing me to contribute to this very important Adjournment Motion. First and foremost, I want to send my condolence to the people of Mpeketoni and to our friend *Mheshimiwa* who represents that area? This is a very serious matter that has happened today. We are really shocked by what has happened. Going back to the issue of our forces in Somali, we know very well that Kenya is not the only party that is in that country. It is under the umbrella of AMISOM. AMISOM comprises several forces which are there. When they went there, at that time, many of us were not in this House. We know that even people who were in the Opposition were in positions of leadership at that time, and they voted to take our forces there to provide security. The mission which took them there has not been completed and they are still under AMISOM. So, we cannot act unilaterally as a country and pull our forces out of that country. It is irresponsible to link our forces being in that country to the terror attacks that are happening. We should be asking ourselves: Why is it that the terror attacks are not happening in Burundi, Ethiopia which is neighboring us, Djibouti or Uganda? I think those are important issues that we need to look into. More so, at this moment, when this has happened in Mpeketoni, where terrorists were able to

attack and cleanse a village within a period of five hours, we should ask ourselves: Where were our forces? Where does the buck stop? Who was responsible? I want to congratulate the President because he made his Statement very clearly; that those who are responsible should be held responsible, so that this country can move forward. What I want to ask our forces is this: Are we having sabotage from within? Are we sabotaging the Government? Are we doing things that are injuring this country?

The other day, we talked about the Government leasing 1,200 motor vehicles. I ask myself: In my Constituency, in the Sub-county of Kwanza, which I share with hon. Ferdinand, we only have one vehicle. If an incident like that happened in a place like that and you have one vehicle covering a whole Sub-county, where you have a post at Swam and the vehicle at Endebess, how fast can the vehicle run to the other side to help those people. Is that not the same problem we might be having at Mpeketoni; that there are no enough vehicles?

I think as leaders, we need to analyze critically and ask ourselves where the Police Force failed. We must be able to look at this in our laws. The National Intelligence Service (NIS) gathers information and gives it to the Police Force. Could we change our laws in such a way that we give the NSIS power to carry guns? This will ensure that if they find an enemy, they can act and eliminate him or her and not call somebody else to act. I am saying that because there is a disconnect. This House is responsible for that kind of disconnect through our laws. Could we amend the laws so that NIS has some powers to eliminate the enemy before it strikes?

Hon. Speaker, it is a sad day as hon. Members. We should not be trading accusations against each other. We should act responsibly as Members who have been elected by our people to represent them.

Thank you. I support the Motion.

Hon. Mwaura: Thank you, hon. Speaker. If you look at the people of Mpeketoni, you will find that their hard work is epitomized by the women who have to cycle their bicycles. This is something that is not common in other parts of the country. They do this as they go about their day-to-day duties to till the land.

If you look at Mpeketoni and compare it with other parts of Lamu, you will see the hard work of the people there. Those are very hardworking people who have been able to develop the area so that they can improve their livelihoods.

Hon. Speaker, we rise here as Parliamentarians, mourning the death of our fellow countrymen for no apparent reason. Those were people who were just going about their duties and they happened to victims of what they did not know. A time like this, we who are in leadership are actually called upon to be bipartisan. That is because we know better. We know when we are playing politics with one another. We also know when we mean what we are saying and when we are playing to the gallery. Therefore, as a leader, I rise here disappointed. I am disappointed because the killings at Mpeketoni have taken an angle where some people seem to be celebrating because it happened to a certain ethnic community. The target was a particular community. Others feel that they are also being targeted. This is case and yet, despite us rising up in complete utmost, penultimate, magnanimity to reach out to one another, we take it upon ourselves to play political games.

Hon. Speaker, may reason prevail. There have been calls for dialogue from the political divide. I would like to urge this House that we, as Members of Parliament and we, as the representatives of the people, take lead as a safety valve for this nation. That is because this country is bigger than Raila Odinga and Uhuru Kenyatta. This country is also bigger than anyone of us. We hope and believe that because we lead from the front, we shall take the advantage to say that we are politicking. However, this country must take a different direction for the sake of the current and future generation.

I would like to tell hon. Members of Parliament who are under the age of 40 years that we are the younger generation. We will live in this country longer. We are the generation of Vision 2030. Can we take the lead? We should not allow our country, for whatever consideration, to come to the edge of precipice. That is because if this country is lost for whatever reason, it will not be Jubilee nor will it be CORD.

Hon. Speaker, we have to address the root causes of these problems. Blaming political leaders and creating a larger than life image will not help. Today, you will blame Raila Odinga or Uhuru Kenyatta, but the massacres will continue. Tomorrow you will blame so and so but the buck stops with the co-ordination failure with regard to security. That is why somebody must take responsibility. We, as a country, must rise, come together and dialogue. What will it cost if we were to sit across the political divide and chart our way forward? Let us claim a higher moral ground and rise above this territorial, sectarian and tribal divides to lead our country forward.

Hon. Speaker, I support the Motion.

Hon. Musyimi: I thank you, hon. Speaker. This morning, I was privileged to chair the Budget and Appropriations Committee and we suspended all business to discuss the issue of Mpeketoni. On behalf of the Committee and myself, I convey our condolences.

In our deliberations this morning - which I shared with you - we came up with the following suggestions to be made to this honourable House.

One is that we need a neutral forum led by the religious community to help us on the issue of national unity, national cohesion, security and related matters. That is a forum around which we can talk across the divide.

We also felt that it is important for this National Assembly to have its own *ad hoc* committee that will work with the religious community. That is because, at the end of the day, we must take political responsibility for the destiny of this country. We cannot delegate that even to religious leaders. We also felt that in the interest of unity, we should suggest a committee of 25 persons; 12 from CORD; 12 from Jubilee and the two Whips to meet and recommend a chair. You will notice that we are not talking about the tyranny of numbers and parity in the House here. That is because we want unity. The reason we are talking about 24 Members plus one chair is so that each of the former eight provinces can bring in three Members to that Committee so that it has a national face.

Hon. Speaker, we also felt that there is need to have a retreat of Parliament. We have never met the Senators under one roof for the last one-and-a-half years. We may need to consider a retreat for the National Assembly and the Senate as Parliament. We also felt that there is need to remind ourselves that we have one Government and one President - President Uhuru Kenyatta - and we ought to support that. I think anybody who thinks that they can talk about the Arab spring need to be students of history. You need to

look at what has happened in Tunisia, Libya, Yemen, Syria and Egypt unless we live in cloud-cuckoo-land. Let us remind ourselves that we have modern history that has been fairly bloody. The Arab spring talk has not shown us any tangible results.

We want to stand behind the President but also humbly suggest to him that; maybe, time has come for him to review the security institutions of this country.

(Applause)

That is the architecture of our security institutions and the personnel. So, we want to stand behind the President but also humbly suggest to him that maybe time has come for him to review the security institutions of this country – the architecture of our security institutions and also the personnel that mans those institutions. I would like him to also look at intelligence gathering.

Perhaps, time has come for us to go back to our traditional partners and see how we can work with them in this matter and also see whether the county governments are helping us to achieve a seamless address of the issue of intelligence and security. We are also of the view that we need up to date equipment to deal with more than the challenges of insecurity, especially the use of modern technology.

Hon. Speaker, as I close, may I remind us that in the United States of America, after the September 11th bombing, it was necessary for the US Government to actually change its institutions. The Department of Homeland Security was created. The Federal Bureau of Investigation (FBI) and the Central Intelligence Agency (CIA) were looked at again. Maybe, time has come for the President to look at our own institutions of intelligence and security.

Finally, why was it an issue of Budget? It is because there will be budgetary implications for some of these things to happen. So, it is important that once we make a commitment, we put money against those commitments and give it to the Parliamentary Service Commission (PSC) that you chair, so that we can make it possible for the things that I have mentioned to take place.

Hon. Speaker, I beg to thank you and request that we remind ourselves that our people have died. I have buried people. I come from that background, as you know. It is not as easy as we are making it look. I worked with institutions that buried people.

Hon. Speaker: Yes, hon. Steven Mule.

Hon. Mule: Thank you, hon. Speaker, for giving me the opportunity.

First and foremost, I want to pass my condolences and those of the people of Matungulu to the people of Mpeketoni who lost their loved ones. This is the second time within a span of two weeks we are adjourning the business of the House to discuss issues of security. The first time regards the issue that I raised last week, regarding Wajir. We are now talking about Mpeketoni.

As leaders, we need to go above board. We are discussing issues of security but I am shocked by what I am hearing. What we need to do is offering solutions to the problems. The first solution that we need to offer to our dear President, hon. Uhuru Muigai Kenyatta, is very simple; he must reshuffle his security team with immediate effect.

(Applause)

We have been singing the song of *Al Shabaab* attacks in Kenya. On what happened in Mpeketoni, I am very sure that there was no single *Al Shabaab* fighter on the ground. It is a matter of people arming gangs. It is a matter of the communities living there. It is about lapses on the part of the police in terms of giving information. So, as a House of Parliament, it is unfair for us to start a blame game. This afternoon, I thank hon. Mutava Musyimi. We must come up with solutions.

Hon. Speaker, the second solution that we need to give to His Excellency the President is very simple; let us revive the local chiefs. I do not understand how, in today's Kenya, residents of a town like Mpeketoni can be terrorised for about eight hours when barely 40 minutes' drive away there is an Administration Police Camp. Surely, something must be wrong. Therefore, for us leaders, this is not time for blame game. It is a matter of offering solutions to this country. If we want to move forward, as leaders, let us have firm solutions within our police force and the National Intelligence Service (NIS).

I can say without fear or favour that the NIS today is asleep. We need to give them a blanket, so that they can go home and sleep. Where is the information? Talk to Members of Parliament who worked under the Moi regime. Hon. Asman Kamama is here. He will tell you that by 6.00 a.m. every day, they had to brief the President. Who is briefing our president today? There is nobody. Surely, it is painful that as we try to find solutions, we start making accusations against each other in this House.

Hon. Speaker, let this House form an *ad hoc* committee to come up with firm solutions, which should then be passed on to the Government with a view to stopping the issue of insecurity. We cannot contain our security, yet South Sudan is relying on us to give them peace. If we create another Somalia in South Sudan, what will happen to Kenya? It is painful that, as leaders, we are using this issue as a tool for political benchmarking and chest-thumping in terms of which side of the political divide has the deciding numbers. This is not an issue of numbers. This is an issue of the security of our country.

If we are not careful, this country will go to the dogs. It is important that the Jubilee Government puts their act together. If somebody has failed in his duties, the Government should appreciate the fact that there is no irreplaceable person. Let such person go home. The Government has to be as firm as that, so that we can save this nation. As regards elections, we can wait until 2017. For now, we need to remain united, as a country and leaders, to make sure that Kenya prospers further.

Thank you, hon. Speaker.

Hon. Speaker: Yes, hon. Kimani Ngunjiri.

Hon. Ngunjiri: Ahsante sana, Bw. Spika, kwa kunipa nafasi hii.

Maskitiko yangu in makubwa sana kwa sababu sisi, kama watu wa Rift Valley, tumeadhiriwa kwa njia mbaya sana. Ninapotuma rambirambi zangu kwa watu wa Mpeketoni, ningependa pia kutoa rambirambi zangu kwa watu wa maeneo Bunge ya Bahati na Subukia. Leo tumeongea na mhe. Gaichuhie. Tumegundua kwamba watu wetu wamekufa kwenye hilo janga.

Ningependa kusema kwamba tusitoe siasa wakati tunapozungumzia watu ambao wameathiriwa. Kuna sehemu tunayohitaji kuangazia kama Wabunge ili tuweze kujua

shida ziko wapi. Shida ninayoitambua, nikiwa Mbunge wa Bahati, ni usalama. Simu yangu ni ile ya “mulika mwizi”. Sijanunua simu nyingine lakini katika eneo langu kukiwa na shida mimi hupata habari. Ninapigia simu Mkuu wa Wilaya na afisa mkuu wa polisi katika eneo hilo, na hatua inachukuliwa haraka sana.

Inahuzunisha kwamba uvamizi kule Mpeketoni uliendelea kwa muda wa masaa matano, watu wakiendelea kuuawa licha ya kwamba kuna simu ambayo inawezesha kutoa habari kwa haraka zaidi. Hiyo ni sehemu moja ambako maafisa wa usalama katika sehemu hiyo walianguka kabisa. Tunahitaji kukubaliana sote kwa pamoja kwamba kuna makosa ambayo yalifanyika. Kwa hivyo, ni lazima tukubaliane, kama Wabunge. Tunaposema kuwa maafisa wa usalama walianguka mtihani kwenye tukio hilo, inafaa tukubaliane jambo moja, kwa sababu sisi ni wanasiasa.

Tafadhali, Wabunge kutoka mrengo wa CORD, ninawaomba; jambo kama hili linapotokea, munapotoa matamshi mengine, huwa yanaumiza zaidi. Nimeona kwamba jina la Raila Odinga linapotajwa, Wabunge kutoka kwa mrengo wa CORD wananyanyuka kwa hasira. Huwa wanafikiria aje wanapoenda kwenye mikutano ya siasa na kumshambulia Rais wetu na kumuita mwizi? *It is wrong!* Kwa hivyo, hata kama kuna makosa, kama viongozi, tuangalie, tafadhali. Singependa jambo hili tuliwekelee Wabunge wote kutoka mrengo wa CORD. Ni watu wachache tu wanaohusika. Kwa wale wanaoliangazia jambo hilo, ni jambo la kufurahia. Jambo hili ni la huzuni, na tungependa kumwambia Rais wetu: Wakati umefika. Wewe ndiye Rais wa Kenya. Simama imara. Wale ambao wameshindwa kufanya kazi, wapeleke nyumbani.

Hatuwezi kungojea tena. Tumekuwa na masikitiko baada ya watu zaidi ya 50 kufa tarehe 15 ya mwezi huu. Kisha wakati ole Lenku na Inspekta-Jenerali wa Polisi wako huko tunasikia kwamba watu wengine 10 wameuawa. Hii ni ishara kwamba kuna shida ya usalama. Lazima wasimame imara na waseme ukweli. Lazima wachukuliwe hatua. Hata kama ni mimi Mbunge wa Bahati nimefanya siasa za kuweka chuki kati ya watu, basi nishikwe na niwekwe ndani. Nashangazwa sana na kazi ya polisi sasa. Kazi ambayo wanafanya sasa ni kukimbizana na Wabunge tu. Kazi yao ni kushika Wabunge kwa sababu ya *overspeeding* na mambo mengine. Wanawaweka Wabunge ndani huku wakiwasingizia mambo mengi. Wakati umefika ndugu zangu wa kusimama pamoja. Tushirikiane pamoja ndiposa umwagikaji wa damu ukome.

Sisi watu wa kutoka Bonde la Ufa hatujaponya kidonda. Ni mwaka mmoja sasa tangu tupate hivi vidonda tulivyonavyo kwenye mwili. Sasa mnataka kuamsha vidonda vingine. Bwana Spika, nilikuwa jimbo la Nakuru kwa muda wa siku tano na hali ya wasiwasi iko juu sana. Hii ni kwa sababu watu wanasema – tuseme ukweli – waliouawa ni Wakikuyu.

Hon. Angwenyi: Wakisii walikuweko!

Hon. Ngunjiri: Kama ni Wakikuyu na Wakisii basi utagundua kwamba kulikuwa na shida.

(Loud consultations)

Hon. (Prof.) Nyikal: Hon. Speaker, I stand here with sadness to pass my condolences to the people of Mpeketoni. What we saw in the newspapers, that is, the bodies and so on, I had the opportunity to see the same physically in 2007 and 2008. I

travelled in this country when we were killing each other. I went to Molo, Burnt Forest, Kisumu and Naivasha. Kenyans slaughtered each other. For God's sake let us not do that again.

I was trying to do postmortems on people who were burnt beyond recognition; it was very difficult. To me, it did not matter then and it does not matter now who they are; they are Kenyans. This matter is grave. It is a national matter. Kenyans have died. I think it is time to put aside our political and ethnic differences because nobody knows where it will be tomorrow. Yesterday, it was Mpeketoni and we are blaming Raila and probably the Luos. Tomorrow if it happens in Migori shall we automatically blame the President and Kikuyus? If tomorrow it happens in Vihiga, who shall we blame? We have apportioned blame as national leaders too early before we have the facts.

(Applause)

It is expected that in this Parliament people will look for facts and then put matters straight. Inciting statements can be made everywhere – you can make them in rallies and also in Parliament. What we are doing here, mentioning names without evidence--- I agree with my colleague that they are leaders and the people who follow them feel bad when you mention their names. It works both ways. Therefore, it is for us at such times to avoid that.

I have said before that Kenya is at war. We have refused to accept this as a nation and we keep blaming each other. There is no single month that passes since we came to Parliament without us adjourning to discuss matters of security. Have we had improvement? No! It is because we politicize the matter and refuse to look for facts and solutions. *Al Shabaab* lost the war in Somalia and has shifted the front to Kenya on a guerilla tactic and yet we are not addressing that.

I have gone to Mpeketoni and I know they are nearly all Kikuyus; it is a settlement area. People who want Kenya to go down the drain can attack those places to incite emotions. Tomorrow they will probably attack Migori or Siaya or Nyakach and then we will be in war before we find the facts. My colleagues, we are leaders. Why do we shout at each other when we need to call---

In Djibouti and Ethiopia this has been happening because they have their people in AMISOM. Today there was an analysis in BBC that it is easier to penetrate the security system in Kenya and attribute it to the issue of corruption. Police can be easily bribed to let a vehicle pass without knowing who is in the vehicle. These are the issues we should be looking at. We are not prepared. We know that there is war, but if the people of Kenya are not alerted to be careful--- We need to be on the watch-out. Internal security is a police matter and yet they are not prepared. You are told that *matatus* have been attacked and somebody has been shot at and yet you do nothing.

Hon. Speaker: Hon. Kamama!

Hon. (Prof.) Nyikal: We must stop---

(Laughter)

Hon. Speaker: Hon. Nyikal you spoke with a lot of passion and it is understandable.

Hon. (Prof.) Nyikal: This needs passion!

Hon. Speaker: There you are out of order because you do not have the Floor.

(Laughter)

Hon. Abongotum: Hon. Speaker, as the Chairman of the Departmental Committee on Administration and National Security I wish to take this opportunity to pass the Committee's condolences and those of the people of Tiaty for the loss of those many lives in Mpeketoni. I want to speak with authority. I have worked within this area. As a junior officer, I worked in Garsen. I know the terrain there very well. This morning I addressed a Press conference and we asked the President to do a total overhaul of our security system. I said that we should rule out *Al Shabaab*. What happened in Garsen, which is a few kilometers from there, is exactly what was executed in Mpeketoni. The participation of MRC in this thing cannot be ruled out. Let us call a spade a spade. This operation was planned and well executed.

Hon. Speaker, I am worried about our intelligence system. We are told that our police officers were told about this thing in good time. There is total failure and I am happy the President has taken action against the officers who ought to have taken action. Between Mpeketoni and a place called Mkowe we have a GSU Camp with over 100--- It is a whole company!

Hon. Members: The army!

Hon. Abongotum: Let us not talk about the army because the procedure is that approval has to be given by this House. We have a GSU camp at Mkowe. The officer in charge should have taken close to 45 minutes to be in Mpeketoni. These crooks were given seven hours! Something has to be done to restore confidence in our security personnel.

At this point in time, if we are to give our intelligence officers some marks on a scale of one to ten, I would give them two out of ten.

Hon. Members: Zero!

Hon. Abongotum: My colleagues are saying zero, and I go with the majority. So, let me tell you, hon. Members, that this thing has a lot to do with the land question and the political temperatures. We have raised political temperatures in this country to a level where, if we are not careful, we are bound to actually destroy this beautiful country.

Let me tell you, hon. Members, to be very frank, those who are planning to use extra-judicial or other undemocratic means to get the Government through the back door, it is not going to happen!

(Applause)

We will not have Arab uprising in this place, like what happened in Tunisia, Libya and the rest. Please work hard and if you are in the Opposition, criticize and give us good policies and when that time comes in 2017, if you are voted in by Kenyans, please take that---

Hon. Speaker: Hon. John Mbadi.

Hon. Ng'ongo: Thank you, hon. Speaker.

Hon. Speaker: No interventions now.

Hon. Ng'ongo: I also want to join my many colleagues who have contributed to this Motion in condoling with those Kenyans who are suffering painfully for having lost their loved ones; husbands, sons, brothers and fathers because I hear it is only men who were killed.

As I was seated here listening to the debate, first of all, I asked myself whether I came to this National Assembly as a Suba warlord or for that matter, a Luo warlord. I was voted to be a Member of the National Assembly to deliberate and resolve issues that are of concern to the people of this country, regardless of which constituency I represent. A lot of times I play politics but when I stand to speak on a matter like this, I put politics aside and look not only at the interest of the country but also the interest of those who have lost their loved ones.

This is a time when these people are mourning and we need to sympathize. You may hate them or have differences with them, but the truth of the matter is that they are hurting and as a human being, unless you are a sadist or have tendencies of an animal--- Whatever I saw in the internet; bodies lying down is shocking. These are scenes that we just see in other countries. We probably saw a bit of it in 2008, but who would want to go back there? I told hon. Mutava Musyimi's Committee this morning that probably you were lucky, when you came to Parliament there was semblance of peace. When we came in 2008, we did not even know we would earn a salary. There was pessimism all over. We had to task the leadership of a committee that was co-chaired by hon. Nkaissero and hon. Ekwe Ethuro; the Amani Forum to help.

Let me tell you, you can incite your people or have them on the streets, but you may not get them back home, once they are in the streets. I am telling you in 2008, those who were rioting, hon. Raila could not get his people back home. Even President Kibaki could not get his people back home. Were it not for the confidence that Kenyans had in the international community, this country would have gone to the dogs, I am telling you for a fact. I was in my constituency and people who had voted for me in less than a week were telling me, "*Mheshimiwa*, you are lucky and happy to be driving, yet we are hurting, you go back home or we will kill you."

As we speak, hon. Members from both CORD and Jubilee, we must know we have an interest in this country. Let me tell you, these two gentlemen fighting have only one objective left for them. For President Uhuru, he wants to prove he can be president for 10 years and after that, he may die and does not care, or retire. For hon. Raila, the only thing remaining is for him to be called "president", after that he can die or retire. For some of us, we still have children we are taking to school. We still want to invest for them. I plead, let us be candid with each other. If there are mistakes we are committing from both sides, which are going to destroy this country, it is high time we stopped them. We have to talk among ourselves. If it is true that information was passed, the people who did not act on it should have gone home as early as yesterday. To whoever engineered the massacre, I want to say it is the responsibility of the security organs of this country to protect lives, and we must protect them.

As I conclude, today it is very easy for hon. Duale to say hon. Mbadi is responsible, but remember hon. Jamleck Kamau said---

Hon. Speaker: Hon. John Waiganjo.

Hon. Waiganjo: Thank you, hon. Speaker for also giving me this opportunity. I would also want to start by expressing my heartfelt condolences to the people of Lamu, Mpeketoni on my own behalf and on behalf of the people of Ol Jorok.

I am happy now the House has calmed down. I was very worried when our leaders set a war-like tone; the Leader of Majority Party and the Leader of Minority Party. The saving grace has now come upon us and now we are talking about this very soberly. Remember the widows of Mpeketoni are mourning and people are planning burials. We do not know who perpetrated these heinous crimes, nobody has been arrested. It is not only in Mpeketoni, it has happened all over the country; in Garissa, Gikomba, Pangani and so forth. Kenya is in a perpetual state of war, in fact, it is at war with an invisible enemy. We go wrong when we come to this august House and pass the buck.

To me, I do not see the hand of God or Jubilee, I only see the hand of criminals who have not been arrested, whether they are from this country or outside. The important question to ask is whether we have a security system that can trace these criminals. Article 238 of the Constitution is clear on the principles of national security, and it clearly gives guidelines on them. Have the principles of national security been applied and fairly so? I also know that we need to ask ourselves certain questions. If you look at Article 239 of the Constitution, it defines national security organs as the Kenya Defence Forces (KDF), the National Intelligence Service (NSIS) and National Police Service (NPS). These are definitive organs that are responsible for security in this country. Whenever this state of affairs happens, it is incumbent upon us as legislatures to ask ourselves whether the objectives of guaranteeing national security as per the principles of Article 238 of the Constitution have been applied, so that we know where the rain started beating us. We know Article 240 has established the National Security Council (NSC), which is mandated under the Constitution to exercise supervisory control over national security organs. Has that happened?

When you look at Article 240(6)(a)(b), the cardinal mandate and the function of the NSC is clear.

We must ask ourselves whether, after the President came to this House and gave a report by the National Security Council, of which he is the chairman, we have seen any difference. The President talks about threats to transnational security. Have we seen any improvement and yet we are here talking, discussing and taking partisan sides? I want to plead with hon. Raila Odinga, the leader of CORD that if he wants to show that he really empathises with the people of Mpeketoni and if he wants the widows to bury their late husbands, he calls off those rallies. This is for the purpose of showing leadership and uniting the country. We are in war and it is a long term war. We are not looking at winning. We must, indeed, change the way we lead our lives. We must look at ourselves and know that this country shall never be the same again.

Even those who say that we review our occupation of Somalia have a point because we must look at all the facades. Our borders are porous and yet our men and women are out there. I think it is only fair we do certain reviews and see whether we can

start living together as a country. Of course, I want to condemn in the harshest words possible the peddlers of our intelligence reports. This is because it is not lost to us that intelligence is done and yet some people sell that intelligence to our enemies. We must be clear that there are other issues that we need to address.

Finally, this is not an issue of Jubilee or CORD but it is also an issue that I would want the National Assembly to ventilate on and to think about.

Hon. Speaker: This chance is for the Deputy Speaker.

Hon. (Dr.) Laboso: Thank you, hon. Speaker for giving me this opportunity to also add my voice and join my colleagues in condoling the affected families that have lost their loved ones, those that have been maimed and are hurting. I want to say *pole* and also join my colleagues in really condemning this heinous act. I feel that as a country we have gone through a lot in the last years since we joined this Parliament.

Hon. Speaker, yes, our temperatures may rise, we are hurting and angry at what has happened but I want to plead with my colleagues that what we are doing is not helping this nation to heal. From where Kenyans are watching what we are doing in this House, it is not going to help them out there to reduce the tensions. So, mine is to really say, Members and all of us, let us provide that leadership that has been bestowed on us by Kenyans. Let us provide guidance. I am very happy by the suggestion by hon. Mutava and his Committee and I hope that it is going to become a substantive Motion to be brought to this House so that we can truly debate and really get a team that can begin to look at this country as one.

These things that have happened are not because of the fault of anybody. We do not know whose fault it is. This applies to both Westgate and Mpeketoni. So, really this blame game is not helping any of us. Let us get facts and we are urging the President to lead from the front. Let the President really put his foot down and let heads roll. If things are going to be done, we must have heads rolling and let us get the right people in the right jobs so that we can restore security. We are afraid to move from our houses. In every corner of this country, there is violence and insecurity. Are we still in the same country that we all love?

So, we must return Kenya to where it belongs and that is a peaceful nation. Members, let us lead. There is no better place to start that peaceful dialogue than here in this House. We can be the ones that can lead the peaceful dialogue that we need. I do not believe that, that peaceful dialogue is going to be achieved by the rallies that are being held by our brothers on the other side. If you watch the clips on television and the temperatures that are being raised, quite honestly I do not think they are helping us to heal this country. The rhetoric that is being spewed out in those meetings is not good. So, hon. Members I want to really say that let us wait for this Motion to come and let us see how we can begin to change the dialogue. Let us change the conversation so that we can help this country to move forward.

With those few remarks, I want to support.

Hon. Speaker: The hon. Member for Lamu East, Athman Ali.

Hon. S.A. Ali: Asante Mheshimiwa Spika kwa kunipa fursa hii kuweza kuungana na wenzangu kupeana pole kwa waliofiwa katika sehemu ya Mpeketoni. Kwa kweli, Mheshimiwa Spika pamoja na Wabunge wenzangu, ni kitendo na hali ya kusikitisha nikiwa kama Mbunge wa Lamu Mashariki kutoka kaunti ya Lamu. Tulikuwa katika eneo

la tokeo hilo jana. Kwa kweli, ni mengi yanayozungumzwa leo hapa kutokana na tokeo hilo lakini ukweli ni kwamba ni hali ya kusikitisha ambayo tunahitaji tukiwa kama viongozi tuhakikishe tumeweza kuizingatia kikamilifu.

Mheshimiwa Spika, leo janga hili limewapata ndugu zetu hawa wa Mpeketoni. Kesho linaweza kutupata mimi na wewe. Hatuna budi tukiwa kama viongozi kulizingatia jambo hili. Kule kulaumiana hakutatufaidi kwa njia yoyote ile. Ni jambo limetendeka; walioathirika wameathirika; waliofariki wamefariki.

Mhe. Spika, waliofariki kule Mpeketoni hawakupendelea kufariki. Yeyote angekuwa hapo angeshuhudia jambo hili. Ikiwa nchi hii itapata sifa kama hizi, wakati umelala watu waje wakutoe ndani na wafanye walilokusudia kufanya, hilo ni jambo la kuhuzunisha sana.

Bw. Spika, wavamizi walichukua muda wa takriban masaa saba. Wenzangu wamezungumzia kuhusu masaa matano. Lakini vitendo hivyo vilifanywa kwa masaa saba. Ukweli ni kwamba hili ni jambo ambalo hata tunashindwa kufikiria vile lilikuwa. Tunawalaumu walinda usalama kwa sababu walishindwa kuchukua hatua kuzuia tukio hilo. Saa mbili usiku watu walikuwa na habari kwamba kijiji cha Mpeketoni kilikuwa kimevamiwa na watu ambao hawakuwa wanajitambua. Wavamizi hawa waliondoka saa tisa usiku. Usafiri walioutumia, baadaye kwa hatua ya kilomita tano kutoka katika kijiji cha Mpeketoni, waliuchoma. Walikuwa na *matatu* mbili ambazo waliziacha baada ya muda wa kilometa tano kisha wakaingia msituni.

Bw. Spika, yafaa tufahamu kwamba walinda usalama wetu katika eneo la Lamu wanalifahamu vizuri eneo hilo. Baada ya tukio hilo, uvamizi mwingine umefanyika tena. Sasa tujiulize kama viongozi wa nchi hii yetu, tutatetea nchi yetu vipi.

Bw. Spika, kama hatutaweza kulitua jambo hili basi itakuwa kwamba hatujawajibika. Sisi kama viongozi tumewajibika kuja hapa kujadili mambo mengi miongoni mwake kuhusu maswala haya ya usalama. Hatuna budi kuweka kando tofauti zetu na kuhakikisha kwamba tumeweza kuyazungumzia kikamilifu mambo haya bila kunyosheana kidole cha lawama. Swala la usalama haliko kwa wale walioathirika peke yao, hata sisi Wabunge tuko hatarini ikiwa hivi ndivyo nchi hii itakavyokwenda.

Kwa hivyo, ndugu zangu, Waheshimiwa wenzangu, ninataka kuwasihi kwamba---

Hon. Gethenji: Thank you, hon. Speaker for giving me this opportunity to send my condolences and sympathy to the people of Mpeketoni. I also do so, on behalf of my colleagues who are Members of the Departmental Committee of Defence and Foreign Relations and the People of Tetu Constituency.

Hon. Speaker, as leaders of this House, we must use this platform and take every opportunity to deplore in the strongest terms possible any violence meted out on the people of this Republic from whatever quarter. Peace and safety of the people of Kenya must prevail, it is not an option; it is a right guaranteed by the Constitution. We, as leaders, must protect it at all costs and by all means.

Hon. Speaker, political leaders such as ourselves in this House and others who are not in this House, must refrain and must be stopped from inciting public emotions, negative ethnicity and violence against the people of Kenya. Much has been said about Kenya's involvement in Somalia and the troops which are participating in AMISOM in Somalia. It is on record that apart from *Al Shabaab* who has been the only voice and the strongest voice calling for the removal of Kenyan troops from Somalia, the next most

high profile person who came to Kenya recently and called for the removal of troops from Somalia is the Rt. Hon. Raila.

A question must be asked; he was in the Government that approved the deployment of troops in Somalia? Why, all of a sudden and today, is he one of the loudest voices next to *Al Shabaab* calling for the removal of troops from Kenya? The war in Somalia is not over. The war is continuing. *Al Shabaab* has not been eradicated from Somalia and the Somalia national government has not requested Kenya or the AMISOM to remove troops from Somalia. If the Somalia national government is thankful for the presence of AMISOM and the troops from many countries including Kenya for restoring peace and creating areas where political infilling can be done, who else--- Why would leaders who are not in office today be calling for reversal of that process? We need an explanation as to why all of a sudden he is aligning himself with the position that is being taken by the *Al Shabaab*.

Hon. Speaker, on the attacks in Mpeketoni, we have noted the *modus operandi* of those attacks, the coordination, the insertion and extraction of the team that went to do the attack and the ethnic and gender profiling they used in the attack. It is completely inconsistent with anything that we have seen used by the *Al Shabaab* in this country. The President is on record today having announced that it is clearly not an *Al Shabaab* attack. The President is on record today saying that this attack was clearly politically motivated. The call from this House must be and will continue to be that leaders must tone down rhetoric. Dialogue must be undertaken in the precincts of Parliament; Dialogue must be undertaken in the precincts of this National Assembly and the Senate. If we feel that there is another forum that needs to be pursued for dialogue, inciting the public against each other is not the way of achieving that. We must desist and condemn in the strongest possible terms.

On what to do with the people who carried out this attack, we understand that they fled into the forest in Witu and possibly as far up as Boni on both sides of the border. We want to request the Government, His Excellency the President to allow a company of the Kenya Defence Forces supported by two companies of the GSU to be deployed into the Witu Forest and go all the way up into the Boni Forest on both sides of the border. I can guarantee you that the same way we did with the SLDF in Mt. Elgon, we will cleanse and sanitize that area of---

Hon. Onyonka: Hon. Speaker, I would like to join my colleagues and friends who have sent their condolences for the people who have died in Mpeketoni. Amongst the individuals who have died, two of them come from the Kisii community. They were trading in Mombasa.

Hon. Angwenyi: They were 12!

Hon. Onyonka: Hon. Speaker, 12 of them are members of the Kisii community and two of them come from my constituency of Kitutu Chache South.

I am not going to spend a lot of time to discuss the matter that is at hand because I believe that my colleagues have already exhausted the points they wanted to make but I wanted to say three things. First, I believe the Kenyan leadership must be sincere and honest to itself and begin to understand and ask ourselves why we want to destroy this beautiful country. I happen to be very lucky that I have both served with President Uhuru as his campaign manager in 2002 and when he was a Minister. I believe he is a good

President; I believe that with time he will perform. I have also had a chance of working under Hon. Raila.

A lot of regard is not because he is a trouble shooter or a rubble rouser. I would like to inform the House that even some of the Members in this House who shout loudest how hon. Raila Odinga should actually be hanged, are the ones who were sitting with him in 2007/2008, when we were having the tribal clashes. I was sitting in a hall when some of them were telling hon. Raila Odinga to pick up arms and have civil war in Kenya, for him to be sworn in as President of the Republic of Kenya. He told them if any of them were men enough they should stand up and say whether they would be able to handle that. I respect him because he loves this country. I believe His Excellency President Uhuru loves this country as much as hon. Raila Odinga, and so do I. I think we need to stop finger-pointing, this country needs very serious thoughtful leaders. This House should take its responsibilities. I agree with what hon. Musyimi has come up with, there are Members in this House who believe that we can work together even when some of us are in the Opposition. We believe there are some good things that Jubilee has been doing and we believe we can support what they want to do. The Opposition should also listen to some of us because we have some very brilliant ideas.

On a point of notice, I wanted to inform my Chair of Defence and Foreign Relations Committee that, in fact, one of the conditions that were given for Kenya to go into Somalia was that we needed to have an exit strategy which would not have lasted more than four years. When the former Prime Minister says that we need to pull out, it is not because he is naïve or because he is working with *Al Shabaab*, it is simply because it is the right thing to do right now.

Finally, some of us who are of good mind and of good sense sat this morning and agreed that if possible, we can meet tomorrow morning at the Chambers so that we can issue a Press conference. We would want to have a peaceful country. We intend to persuade the President to have an open heart and talk to whoever would want to talk to him. We would want to ask the former Prime Minister to stop holding his political rallies until the temperatures come down.

(Applause)

Finally, that is the intolerance that sometimes we have to go through from the Jubilee side even when we mean well. Thank you.

(Loud consultations)

Hon. ole Kenta: Thank you, hon. Speaker. I would also like to join my colleagues in condoning with the bereaved families and also wish those who were hurt or injured quick recovery. The bleeding that we have seen is unprecedented and should not happen in a civilized country like Kenya. Personally, I believe this could be as a result of land issues, resources being unequally distributed among the people. I believe this problem is in the leadership. It is not the Jubilee leadership alone; it is the Kenyan leadership which includes those in power and those outside. History has taught us that we can only survive as a country if we come together and join hands at times like these.

History is something we have failed to learn from as a country. In 1982, we had an attempted coup; in 1992 we had clashes, and in 2007 we had problems as well. Now, in 2014 you think Kenya would like to experience such things? I would like to tell my colleagues here, no and never again! My colleague has said something that is good; if we are thinking about this country we need to suspend the rallies that we have planned. Can we please suspend them so that we can bury these people and look forward to running this country together? We have talked about dialogue. We have no problem with a dialogue, but it must be a very well calculated dialogue. Who is supposed to dialogue with who? We cannot all dialogue. I believe that Parliament will be the best institution to do this.

Lastly, I support the President of the Republic of Kenya and I recognize him as the only President recognized by the Constitution. As a Member of Jubilee, I believe that the President is okay. However, the people who are running the security docket are not doing the right thing. For the President to save this country he should get rid of the people who are compromising his presidency and it does not matter who it is. He should get them out so that we can reclaim our country.

Hon. (Eng.) Gumbo: Hon. Speaker, I thank you for giving me this opportunity. A lot has been said and I do not want to repeat what my colleagues have said other than to send my condolences on my own behalf and on behalf of the people of Rarieda to those who have lost their loved ones.

I think this is time for us to show leadership. Rhetoric will not take us anywhere. I am happy with those of us who have chosen to use the Floor of this House to vote with Kenya. This is because it is a time like this when true leaders are known. True leaders are known in moments of crisis and not when things are happening normally.

However, I want to challenge all of us as I conclude because there is not much time remaining. I think we have to fight. This is because what I have seen here, whether we like it or not are tribal overtones and ethnic overtones and this is underlying what is happening. I want to challenge all of us; find it in your heart to reach out to a fellow Kenyan.

Hon. Speaker, before I came here I was an engineer. I ran a very successful engineering firm which had about 30 employees. One of the things I was most proud of was that among those 30 employees, there were 16 different Kenyan communities. It is the pride of my heart. Among the eight engineers who were there, I was the only engineer from my community and they never let me down. As we speak today, my driver for the last 20 years even before I came to Parliament comes from Gatanga in Murang'a. He is called Stanley Kamau Macharia. My bodyguard, Elphas Nyagah Muitangai comes from your area and I am sure you know him. This does not affect me. My secretary comes from Kakamega and it has not affected my performance. To add on top of that I am the first person sitting in this House to seek and get re-election from Rarieda Constituency. Let us find it in our hearts to fight the cancer of ethnicity. It is what is killing this country.

(Applause)

If we do not successfully fight the cancer of ethnicity, Kenya will not go anywhere. We are lying to ourselves.

I went to school in Kisii and hon. Onyonka knows this. I regard the Kisii Members of Parliament who are in this House as my brothers. Twelve of them have been killed. Why are we denying these facts? Kenyans have been killed. Let us not make it look like only a particular section of Kenyans has been affected. When one Kenyan is killed, let it be that all Kenyans have been killed. We should fight the cancer of ethnicity so that this country can move forward.

Thank you, hon. Speaker.

ADJOURNMENT

Hon. Speaker: Hon. Members, before we adjourn the House, I want to remind you that on Wednesday, 11th June, this House amended Standing Order No.30 as recommended by the Procedure and House Rules Committee. This means that on Wednesdays starting tomorrow this House will be sitting from 9.30 a.m. to 1.00 p.m.

Hon. Members, we have come to the end of today's sitting. Therefore, the House stands adjourned until tomorrow, Wednesday, 18th June, 2014, at 9.30 a.m.

The House rose at 6.30 p.m.