

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 29<sup>th</sup> June, 2016

The House met at 9.30 a.m.

*[The Deputy Speaker  
(Hon. (Dr.) Laboso) in the Chair]*

PRAYERS

QUORUM

**Hon. Deputy Speaker:** Hon. Members, there is no quorum. Can the Quorum Bell be rung?

*(The Quorum Bell was rung)*

Hon. Members, we may now begin transacting business, starting with a petition by Hon. A.O. Ahmed.

PETITION

DIRECT EMPLOYMENT OF GRADUATE NURSES

**Hon. A.O. Ahmed:** Hon. Deputy Speaker, I have a petition by the Kenya Student Nurses Chapter of the National Nurses Association of Kenya regarding direct employment of graduate nurses by the Public Service Commission (PSC).

I, the undersigned, on behalf of the Kenya Student Nurses Chapter of the National Nurses Association of Kenya, draw the attention of the House to the following:-

THAT, since 2009, there has been no guaranteed employment for graduate nurses in Kenya;

THAT, full implementation of the scheme of service for nursing personnel has not been achieved despite its approval by the Public Service Commission in 2014;

THAT, there is a pressing need to deploy graduate nurses in specialised care areas recently introduced in every county hospital's health facilities such as the renal unit, the Intensive Care Unit and neonatal units owing to their good background in biomedical sciences;

THAT, there is also need to deploy graduate nurses to the understaffed Kenya Medical Training College as the Bachelor of Science curriculum adequately enables them to serve at this capacity;

THAT, efforts to resolve this matter with the current employer - the Ministry of Health - have been futile and nothing substantial has so far been yielded.

THAT, the matter presented in this Petition is not pending before any tribunal or court of law;

Therefore, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Health:-

- (i) Recommend fair distribution of available current and future vacant recruitment positions of nursing personnel to reflect all cadres;
- (ii) Recommend that the Ministry of Health implements the scheme of service for nursing personnel approved in May 2014; and,
- (iii) Makes any other order or direction it deems fit in the circumstances of this case.

Your Petitioners will forever pray.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** The Petition shall be committed to the Departmental Committee on Health.

Next Order!

### PROCEDURAL MOTION

#### EXEMPTION OF BUSINESS FROM THE PROVISIONS OF S.O. 40(3)

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

THAT, this House orders that the business appearing as Order 9 be exempted from the provisions of Standing Order 40(3) being a Wednesday Morning, a day allocated for business not sponsored by the Majority or Minority Party or a Member belonging to the Majority or Minority Party or business sponsored by a Committee.

The House Business Committee (HBC) yesterday resolved to give priority to the Report of the Budget and Appropriations Committee on the Second Supplementary Estimates for the Financial Year 2015/2016 so that it can be dealt with this morning.

As Members are aware, the financial year will end tomorrow. There is need to consider the Second Supplementary Estimates. If possible, let us consider it the way we dealt with the 2016/2017 related Bills, which include the Appropriation Bill, 2016.

Most of the monies provided for in the Second Supplementary Estimates have been committed. The Cabinet Secretary (CS) is basically regularising the books. Tomorrow being the last day of the current financial year, the President must sign into law the Second Supplementary Estimates Bill and the warrants that accompany them. The House Business Committee (HBC), chaired by Hon. Speaker, felt that we should deal with this matter this morning.

Finally, the House today will have three sittings, being this morning sitting, the afternoon sitting and another sitting that will come after 6.30 pm, if all the business goes well. That is according to the Order Paper. If this Report is adopted, the Office of the Clerk, the Budget Office and the Government Printer will have five to six hours to prepare the Second Supplementary Estimates Bill. This is just a Procedural Motion for us to beat the deadlines of the financial year that is ending tomorrow.

I ask Hon. Chris Wamalwa to second.

**Hon. Wakhungu:** Thank you, Hon. Deputy Speaker. It is true this matter was discussed by the House Business Committee (HBC) last evening. It was agreed that because the financial year is coming to an end tomorrow, we pass this Motion so that we can expedite the process for purposes of validity.

I thank you and second.

*(Question proposed)*

**Hon. Members:** Put the Question.

*(Question put and agreed to)*

## MOTIONS

### ADOPTION OF REPORT ON THE SECOND SUPPLEMENTARY ESTIMATES FOR 2015/2016 FINANCIAL YEAR

**Hon. Deputy Speaker:** The Chair of the Budget and Appropriations Committee.

**Hon. Musyimi:** Hon. Deputy Speaker, I beg to move the following Motion:-

THAT, this House adopts the Report of the Budget and Appropriations Committee on its consideration of the Second Supplementary Estimates for the Financial Year, 2015/2016, laid on the Table of the House on Tuesday, June 28, 2016 and in accordance with the provisions of Article 223 of the Constitution of Kenya, this House approves the withdrawal from the Consolidated Fund a sum of Kshs14,677,950,104 representing the total net estimates of Recurrent and Development Expenditure of the National Government made up of the following:-

(i) A sum not exceeding Kshs9,354,032,522 be granted from the Consolidated Fund to meet expenditure during the year ending 30<sup>th</sup> June, 2016, in respect of Second Supplementary Estimates of the 2015/2016 Financial Year (Recurrent), having regard to the proposed reduction of Kshs1,847,629,752 therein appearing; and,

(ii) A sum not exceeding Kshs14,691,230,963 be granted from the Consolidated Fund to meet expenditure during the year ending 30<sup>th</sup> June, 2016, in respect of Second Supplementary Estimates of 2015/2016 Financial Year (Development), having regard to the proposed reduction of Kshs7,519,683,629 therein appearing.

By way of introduction, on behalf of the members of my Committee and pursuant to Article 223 of the Constitution and Section 44 of the Public Finance Management Act, 2012, the Public Finance Management Regulations, 2015 and Standing Order No. 243(1), it is my pleasure to present to this honourable House the Committee's Report on the Second Supplementary Estimates for the 2015/2016 Financial Year. This Report was tabled in this House on 21<sup>st</sup> June this year.

The Constitution provides that the National Treasury should seek approval of expenditure from Parliament within two months after the withdrawal of money from the Consolidated Fund for the purpose of supplementary appropriation. However, the amount spent should not be more than 10 per cent of the total sum appropriated by Parliament, unless in special circumstances where Parliament has approved a higher percentage.

My Committee was informed by the National Treasury that most of the expenditures requested for in the Second Supplementary Estimates have been incurred, reason being that a bulk of them relates to pensions and public debt which forms a first charge, as we all know, on

Exchequer releases. My Committee further notes that in as much as the Constitution allows for a Supplementary Budget, it should only occur if there are unforeseen circumstances. It is, indeed, disappointing to note that some of the expenditure requests in this Supplementary Estimates do not qualify as emergency by nature. In addition, major adjustments within the course of the financial year are an indication of a fairly unrealistic and weak Budget preparation and review process. We think that this is unfortunate. This is a point we have made many times as a Committee. It appears that this is not being taken seriously because of the trend of multiple Supplementary Budgets with non-urgent expenditure items. That habit continues. We hope to see a different trajectory in the not-too-distant future.

With respect to the overview of these Estimates for the 2015/2016 Financial Year, the Estimates intend to decrease the total growth estimates compared to those of the last approved financial year by Kshs7.88 billion. The amount comprises an increase of gross ministerial estimates of Kshs7.56 billion for Recurrent Expenditure, a recurrent of Kshs44.42 billion for gross Development Expenditure and an increase of Kshs28.98 billion in the Common Financial Statement (CFS). My Committee notes that the major changes in these Second Supplementary Estimates relate to CFS and external financing. As it has been stated in this House before, the implementation of externally-funded projects is extremely poor. This is a report that has come from Committee Chairs over a long period. I think it is a matter for concern. Indeed, there is substantial reduction in budgetary allocations for externally-funded projects in these Supplementary Estimates, particularly where direct disbursements are concerned.

A review of the recurrent Supplementary Estimates indicates that the major increments in expenditures relate to the National Treasury on account of Value Added Tax (VAT) refunds as well as the State Department of Interior on account of repatriation of refugees. The VAT refunds should be factored in at the time of preparing the Estimates as opposed to submitting it as a Supplementary Budget item. My Committee also noted reductions mainly in the vote for the Teachers Service Commission (TSC) due to the fact that the outstanding payments for retired teachers will now be paid through the provision for pensions under the CFS.

With regard to development estimates, my Committee noted that the allocations have been revised downwards, especially on items such as construction of buildings, refurbishment works on buildings and purchase of specialised equipment. Those reductions are on account of poor absorption capacity of ministries for externally-funded programmes, especially those funded through direct disbursement from external development partners. The only major increase in Development Expenditure relates to the Ministry of Lands for construction of roads and other infrastructure for Nairobi Metropolitan as well as in the Ministry of Health. These are externally funded.

The increase of Kshs28.9 billion in the CFS is on account of public debt service increasing by Kshs20.3 billion as well as pensions, salaries and allowances that are expected to increase by Kshs8.7 billion. Public debt increase in the Second Supplementary Estimates is occasioned by increases in interest rates that are payable. There is, therefore, no additional cost for maturing debt as a result of the First Supplementary Estimates having catered for any residual maturing debt left out of the 2015/2016 Budget. Changes in the CFS are also occasioned by increase in pensions. While ordinary pensions will remain constant at Kshs27 billion, commuted pensions are expected to increase by Kshs8.7 billion to Kshs25 billion on account of increases in gratuity to civil servants also increasing by Kshs5.7 billion and gratuity to the military by Kshs3 billion.

Let me now come to recommendations at policy level and also financial recommendations. With regard to policy recommendations, National Treasury should have one supplementary budget which should be submitted at least two months before the end of the Financial Year, a point said too many times. This Supplementary Budget has been submitted with less than two weeks to the end of the Financial Year. In fact, we are being generous. This late submission may lead to over-commitment of funds which will not have been spent by the time the year lapses. There are inherent issues in the absorption of external funds. Year in, year out, there are always adjustments of supplementary and under-spending on account of external funds. This matter needs to be sorted out.

Performance-based budget demands that when decisions are being made on allocations and variations, such decisions should be informed by a status report of budget implementation. We note that the Second Supplementary Estimates are a clear indication that budget implementation has very little relationship with the estimates that are approved by this honourable House.

My Committee continues to emphasise on the need for the Executive to embrace performance-based budgeting. In this regard, the Supplementary Estimates should always have a scorecard on the performance of the budget so as to enable this House make an informed decision. My Committee further recommends that all payments under consolidated fund services should be comprehensively funded for under the annual estimates. Only those caused by micro-economic imbalances should be provided for during the supplementary estimates.

With respect to financial recommendations, I beg to say that my Committee recommends that this House rejects the transfer of Kshs4.52 billion from the State Department of Water and Irrigation, which was earmarked for the National Irrigation Board (NIB) to the State Department of Agriculture. We did fairly substantial consultations yesterday before arriving at this decision, which we now recommend to this honourable House. This is because NIB was moved to the State Department of Water and Irrigation under the new re-organisation of the national Government, but has been budgeted for in the State Department of Agriculture in the Supplementary Estimates which, in our view, is a mistake. Moving the funds as proposed in the Second Supplementary Estimates would be disruptive to project implementation.

Having considered the above matters, my Committee recommends that this House resolves to approve the Report of the Budget and Appropriations Committee on the Second Supplementary Estimates for the Financial Year, 2015/2016 and to approve the total supplementary expenditure to meet the expenditure during Financial Year 2015/2016 in respect of the Votes as attached in Annex I.

I take this opportunity to appreciate all the members of my Committee who participated in the process and worked diligently to ensure that the work was done in record time. My Committee also thanks your Office, that of the Clerk as well as the Parliamentary Budget Office and all the support we get from our Committee Chairs to make our work that much easier and meaningful.

It is, therefore, my great pleasure and privilege, on behalf of the Budget and Appropriations Committee, to recommend the Report on the Second Supplementary Estimates 2015/2016 to this House for adoption.

I thank you, Hon. Deputy Speaker. I request my colleague, Hon. Jackson Kiptanui to second.

**Hon. Deputy Speaker:** Hon. Kiptanui.

**Hon. Kiptanui:** Thank you, Hon. Deputy Speaker. I rise to second this important Motion on the Second Supplementary Estimates by the Budget and Appropriations Committee. In reviewing the Second Supplementary Estimates for the Financial Year 2015/2016, the Committee held a number of sittings, one of which was with the Cabinet Secretary (CS) of the National Treasury, who made submissions and offered clarifications on some of the issues that arose in the Committee. The observations and recommendations arising from those deliberations have been included in our Report. An assessment of the legal compliance of these Supplementary Estimates shows that, broadly, most of the legal provisions were adhered to. Nonetheless, the Committee noted some non-compliance which entails the following:-

Some of the programmes have been amended by more than 10 per cent of the approved estimates for 2015/2016. The current budget performance for 2015/2016, including the actual expenditure and the outstanding liabilities or commitments has not been provided to the Committee. Some programmes with expenditure changes do not have reciprocating changes in outputs and performance target. We believe that they will be provided for in due course.

As my Chair has said, in addition to public debt, changes in CFS are also occasioned by increase in pensions. While ordinary pensions will remain constant at Kshs27 billion, commuted pensions are expected to increase by close to Kshs8.7 billion, which is 20 per cent increase from the revised estimates. Kshs5.7 billion of this is an increase in gratuity to civil servants and Kshs3 billion to the military officers.

In reviewing our estimates, we noted that the National Treasury presented the Second Supplementary Estimates--- As the Chair has said, we have very few days before the end of this Financial Year, but we have been informed that most of the expenditure being requested in the Second Supplementary Estimates has been incurred. The reason is that the bulk of it relates to pension and public debt, which forms a first charge on Exchequer releases.

Secondly, the Second Supplementary Estimates are a clear indication to this House that budget implementation has no relationship with the estimates that are approved by this House. As stated by my Chair, the Committee, therefore, feels that the National Treasury should restrict itself to one Supplementary Estimate per year in order to ensure that there is continuity in the budget process.

Finally, in addition to what I have said above, there is an increase of around Kshs12.2 million in salaries and allowances which relate to increase in basic salaries for constitutional offices and the Salaries and Remuneration Commission. I wish to emphasise that the VAT refunds, which constitute a significant portion of the supplementary budget, should be factored in during the preparation of the annual estimates.

It is, therefore, my pleasure, duty and honour, on behalf of the Budget and Appropriations Committee, to second this Motion and recommend it to the House for adoption.

Thank you and I beg to second.

**Hon. Deputy Speaker:** Hon. Wanga, I am waiting for you to sit so that I can propose the Question.

*(Question proposed)*

**Hon. Deputy Speaker:** Kubai Iringo.

**Hon. Kubai Iringo:** Thank you, Hon. Deputy Speaker, for giving me this chance to comment on the adoption of the Report on the Second Supplementary Estimates for the Financial Year 2015/2016.

As the Chair has already put it, initially, I thought we are passing this money to be spent in the next few hours before the close of the financial year. I have thus understood that this is only procedural. We want to pass it because the money has already been spent. We have been having problems with the National Treasury because once the Budget Estimates have been approved, they need to be disbursed to the various Government departments for spending. They take a long time to disburse these monies and then we start doing things in a rushed way.

Whereas in Parliament we do our work expediently and at the right time, the National Treasury delays until some projects are not completed. It is not because the law was not passed, but because of delays by the National Treasury itself. As we speak, there are some constituencies which have not yet received their 2015/2016 allocation. Some have a balance of almost 60 to 70 per cent and we have a few hours to the close of the financial year. This keeps overlapping and those proposed projects stall. They do not move because of the problem of disbursement by the National Treasury.

I would like to urge the National Treasury that once we pass money for disbursement, let them act expediently and early enough so that projects do not stall and the people waiting for services get them early enough. We should let a year pass by and then allow projects to overlap.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Makali Mulu.

**Hon. Mulu:** Thank you, Hon. Deputy Speaker. Let me also support the adoption of this Second Supplementary---

**Hon. Deputy Speaker:** Hon. Yusuf Hassan, are you on an intervention?

**Hon. Abdi:** No.

**Hon. Deputy Speaker:** Okay, you may continue.

**Hon. Mulu:** On the Second Supplementary Report of the Budget and Appropriations Committee, the issues of Supplementary Estimates in this country are provided for in the Constitution. The Public Finance Management (PFM) Act says that there can be as many supplementary estimates as possible, so long as they are done within two months after the expenditure is incurred. International best practice demands that planning and budgeting be as realistic as possible and, at the same time, also build a bit of flexibility into the budget-making process so that the country does not suffer.

I think this House has been very accommodative of the Executive. I would want to plead with the Leader of the Majority Party to please pass this message to the Executive that, as a House, we are organized in terms of the way we do our business. The House Business Committee (HBC) really struggled yesterday to squeeze this agenda into today's Order Paper. I do not think we need to be doing that. As a House, we need to be given enough time so that we can plan well and also allow committees enough time to scrutinize the budget estimates. If there are any details required, they should be provided for.

In future, as a House, we need to come out very clearly and say we will not allow this anymore. We have really been accommodative. Listening to the Chairman, at times, I think this is a complicated job to do because of the kind of comments he keeps giving this House every time he is presenting the Supplementary Budget. They are the same. I do not know whether we need to change the legal framework to make sure that we have only one Supplementary Budget and also indicate when it should be submitted. If it is not submitted, then we forget about it.

The other thing is the issue of implementation. We are told that money has been spent, but we have less than about 20 hours to the closure of the financial year. I am just wondering, if the House declines to approve these Supplementary Estimates, what will happen? It would mean

automatically that we have allowed querying. The Public Accounts Committee (PAC) will get some work to do. At the end of the day, it will then mean that the country will suffer. This is a way of putting this House in a situation where we have no choice but to approve. I do not think this is the right way to move where we have no choice but to approve. I think the law allows us to change, approve or decline.

Timeliness is very important. The National Treasury needs to get its act together in terms of when they should submit budgets to this House. Normally, Supplementary Estimates are supposed to cater for emergencies. When reading this Report, the only thing that I can comfortably accommodate and say the House has a role to approve is the issue where the Kenya Shilling has depreciated. As a result of that, we are being asked to provide more resources to pay the public debt. That is understandable because we cannot plan for it. That brings on board the issue of market forces. All these other things should be properly planned and projected and I think we are not getting it right.

Another annoying thing which I think every Kenyan should be concerned about is where we are being requested as a House to reduce the Development Vote by about Kshs.44 billion - but I am not sure whether that is the amount. We are saying we want this country to develop and, therefore, we are getting direct funding from our development partners, but there are challenges. That is another indicator of the fact that we are not doing preliminary requirements correctly. If we analyze the process and know we are getting money from a particular development partner, we need to state and say this is what it takes to get this money.

That being the situation, then we must analyze and provide timelines so that if the 12 months which are in the Budget are not enough to take care of the preliminaries, then we push that entry to the next financial year. To me, this Kshs44 billion would have been comfortably captured in the current 2016/2017 Budget for purposes of implementation. However, we are being requested to reduce that amount so that we can get the right Budget.

The other item is the issue of how the Supplementary Estimates are being presented, bearing in mind that we have moved to programme-based budgeting where we need the outputs and the indicators to be very clear. So, since we have said this four times as we debate the budgets, I think the Parliamentary Budget Office which has technical people who are very qualified may need to come up with a kind of a framework to be telling the Treasury: "This is the way we want the Supplementary Budget to be presented to Parliament so that it makes our work easier to analyze." This will sort out the issue of Budget implementation because we will be told: "The money you allocated for this programme, this is the level of achievement and on the basis of this, you need more money or you need to reduce the money because the implementation has reached this level."

We may need to come up with that framework so that we are clear on what they should present. If we move that way, we will be helping. It will make the work of analyzing this budget very easy for us as a House and it will make us monitor the implementation.

With those remarks, Hon. Deputy Speaker, I support and thank you for giving me the chance.

**Hon. Deputy Speaker:** Hon. Amina Abdalla.

**Hon. Hon. (Ms.) Abdalla:** Thank you, Hon. Deputy Speaker for giving me this opportunity to contribute to the Second Supplementary Budget. I wish to begin by congratulating Hon. Mutava and his team for a job well done in a very short time. I want to echo the sentiments by my colleague Hon. Makali Mulu. It is very clear that apart from this business of our shilling depreciating, there are very little concrete arguments why we should have this Second



Supplementary Budget. As a Chair of a Committee who has set up a system to monitor development activities and projects, it has come to our notice that some of the decisions we make on the Supplementary Budgets are not translated back to the implementing agencies on time but, in essence, end up creating new pending bills.

Let me give you an example of the First Supplementary Estimates. We reduced the budget of Northern Water Board by Kshs90 million and the Treasury proposed an additional Kshs100 million. So, the House agreed that we will not fund the new project they are suggesting, but fund the existing projects so that we do not end up having pending bills. But that information did not percolate down and so, the implementers started implementing the new projects and not the old ones. In the end, we were giving confusing information back to the implementing agencies because of the short span of time we are giving the review of these Supplementary Estimates. So, as we congratulate Hon. Mutava, we must note that it is a very difficult job to approve things here that we do not have the capacity to check down there, whether they have been implemented. So, these late Supplementary Estimates are causing confusion in implementation that we, as a House, and especially our Budget Office, needs to come up with a process that it will give to the Treasury on the format and timelines so that we do not get confused.

I am also concerned about the different interpretations of the Public Finance Management (PFM) Act about the 10 per cent changes per budget line. It is Treasury's view that they look at it as the effect on the overall Budget and not a specific budget line. However, when you change a budget line of any institution by over 30 per cent, it ends up disrupting that institution. That is what had happened in First Supplementary Budget under mining. There was no need to have a ministry if we remove 30 per cent in their budget. So, some of these discrepancies in our interpretation should be ironed out through the amendments to the PFM Act.

I want to congratulate the Budget and Appropriations Committee for rejecting Treasury's recommendation on the transfer of the Kshs4.52 billion from the State Department of Water that was earmarked for the National Irrigation Board (NIB). I would like to urge the Hon. Leader of the Majority Party to look at the fact that NIB financially is under the Ministry of Water and Irrigation but, under our Standing Orders, it is under Agriculture, Livestock and Fisheries. The problem is that agriculture deals with activities that are one off. If it is buying fertilizer, they will buy and it will end there. But NIB as an infrastructure institution has projects that require being funded multi-yearly. In the end, when they are housed in a place where things are done annually, their budget allocations and reallocations are done in the manner the Ministry is used to. So, since this is an institution that is infrastructure-related and funds activities multi-yearly, it is inappropriate for NIB to be in the Ministry of Agriculture, Livestock and Fisheries. This is the reason why they are suffering and currently are having a pending bill of Kshs4 billion. It is because of the changes that do not appreciate that their budget is multi-yearly. You cannot start doing 100,000 cubic meters of a dam and expect it to end in one financial year.

So, I appreciate the fact that despite the fact that we as a Committee did not have the time to comment on this, the Budget and Appropriations Committee has done a good job to appreciate that, that movement would not be an appropriate moment. So, in light of the short time to the end of this financial year, I would join my colleagues in supporting the Budget and Appropriations Committee Report but urge our very competent Budget Office to bring up proposals on amending the PFM Act and give the Treasury a format that would make it easy for us to monitor the implementation of development projects and to give timely Supplementary Estimates.

With those many remarks I beg to support.

**Hon. Deputy Speaker:** Hon. Chepkong'a

**Hon. Chepkong'a:** Thank you, Hon. Deputy Speaker. I rise to support the Second Supplementary Budget. I note that a number of proposals particularly on the First Supplementary Budget, were to reduce the budgets for a number of departments. As a result of that reduction, it caused a lot of disruption in the activities of those departments. I note particularly in the water boards in which contracts were ongoing, monies to those projects were reduced and they were left without any money. So, when you think about the First Supplementary Budget causing such huge reductions and, therefore, bringing back the same increase--- I am supporting this Supplementary Budget because of the payment of Value Added Tax (VAT). This VAT was already deducted by the Government and companies have suffered as a result of non-refund. What we see in the Second Supplementary Budget is a refund of Kshs7.1 billion out of Kshs11 billion. What happens to the balance of about Kshs4 billion? They should have cleared all that in the Second Supplementary Budget. So, we would like to ask the Budget and Appropriations Committee under the able leadership of my good friend, Hon. Mutava to ensure that the backlog in the VAT refund is cleared. It goes back to about four years in some cases and that is very bad for businesses. Businesses are struggling as a result of deductions of this VAT, which has not been paid over time.

I note that the question of Internally Displaced Persons (IDPs), particularly the integrated IDPs, has not been resolved. I would have expected to see something in the Second Supplementary Budget.

We have so many integrated IDPs who have not been paid to date. I am speaking out of authority. In my own constituency, the integrated IDPs in Burnt Forest have not been paid, Hon. Deputy Speaker. I was reading a text message this morning. The IDPs are asking me to meet them so that we can discuss how they can be paid. How do I discuss how they should be paid? I cannot resolve the issue because no budget has been provided. I would like to request the Leader of the Majority Party to ensure that the Truth, Justice and Reconciliation Commission (TJRC) Report is implemented.

**Hon. Deputy Speaker:** There is an intervention by Hon. Benjamin Langat. He has just walked in. What are you intervening on?

**Hon. Chepkong'a:** Hon. Deputy Speaker, how can someone who has just walked in know what we are talking about?

**Hon. Deputy Speaker:** I want to ask him whether he has heard what has been said because he has hardly sat down.

**Hon. Chepkong'a:** He is not even aware.

**Hon. Deputy Speaker:** Allow him to intervene. It is his right. Can we hear what he is saying?

**Hon. Chepkong'a:** Hon. Deputy Speaker, he is the Member for Ainamoi and I am the Member for Ainabkoi. I am the first one, he is the second one. He should not be disrupting me.

**Hon. Deputy Speaker:** Let him intervene. What is it, Hon. Benjamin Langat?

**Hon. Langat:** Hon. Deputy Speaker, I want to inform him something about the IDPs. In the Budget for the Financial Year 2016/2017, Kshs6 billion has been allocated for IDPs. Therefore, he should be informed.

**Hon. Deputy Speaker:** I allowed you because you are the Chairman of the Departmental Committee on Finance, Planning and Trade. Otherwise, you are well informed, Hon. Chepkong'a.

**Hon. Chepkong'a:** Yes. His constituency concentrates on the small cows, while mine deals with rocks. He knows that my arguments are solid rocks. I want to thank Hon. Langat for the information. At least, I will tell my constituents that they will be paid in the course of the Financial Year 2016/2017.

We still have the issue of TJRC Report, which must be discussed. On the basis of the recommendations contained in that Report, we need to establish a fund under the Attorney General to compensate people, including those who were killed during the Wagalla Massacre. We need to resolve the TJRC question. We expect that Report to be discussed in the course of the next coming year.

With those remarks, I support the Motion.

**Hon. Deputy Speaker:** Hon. Chrisantus Wamalwa.

**Hon. Wakhungu:** Thank you, Hon. Deputy Speaker. I rise to support the Motion on the adoption of the Report on the Second Supplementary Estimates for Financial Year 2016/2017. However, I have some issues. We know very well that Article 223 of the Constitution is very clear on supplementary budgets. It provides for unforeseen circumstances, emergencies or situations whereby funds which were allocated were inadequate. However, in this Supplementary Budget, none of these things qualify the way they are provided. My friend, Hon. Makali, has just said that there is provision for depreciation of the shilling. That should not be the case because in good management practices, the National Treasury must always put a provision for the depreciation of the currency. You can easily know that by looking at the trend analysis. You must establish a trend in the previous financial years. What was the percentage of the depreciation so that you can get an average, and give a provision? That one does not qualify at all. This shows poor planning. We know very well that failing to plan is planning to fail. Good financial practices in many jurisdictions provide for only one supplementary budget.

*(Loud consultations)*

**Hon. Deputy Speaker:** Order, Members! Member for Samburu County, can you do your business quietly?

**Hon. Wakhungu:** Hon. Deputy Speaker, it is very wrong for the National Treasury to continue violating the recommendations of the Budget and Appropriations Committee. There must be sanctions. We cannot continue doing this. It is provided in the law that they can seek approval within two months. How sure are we that this is within the two months? I wish the Chairman of the Budget and Appropriations Committee is listening to me. The law provides for the National Treasury to seek approval within two months, but we doubt whether this Supplementary Budget is within two months. It comes at the last day of the financial year. That is why we doubt it. We need to be told whether they are following the law, or it is because this is the end of the financial year. Wednesday is normally meant for the private Members Bills and Motions. It is not easy to come up with a Bill or Motion. You have to research. Days which are meant for private Members are hijacked, because of the poor planning from the National Treasury. This should not be tolerated. It is at the expense of private Members. They get demoralised because coming up with a Bill is not easy.

**Hon. Deputy Speaker:** Hon. Wamalwa, we have already passed the Procedural Motion. Why are you returning us back there?

**Hon. Wakhungu:** I am mentioning this so that the National Treasury can listen. Trying to pass this Motion is an opportunity cost to the members. They need to know. We know very well that at a time like this, you can express your sentiments.

There is also the issue of Independent Electoral and Boundaries Commission (IEBC). The country has been crying for the commissioners to go home. Therefore, I expected the Supplementary Budget to have a provision of some money for the compensation of commissioners when they go home. That is an emergency. The money is not in the Supplementary Budget, and we are approaching the general elections.

**Hon. Deputy Speaker:** Order, Hon. Wamalwa! Which commissioners are going home? I am not aware of any? If there were commissioners who were going home, it would have been budgeted for. Move on.

**Hon. Wakhungu:** This has been an outcry, Hon. Deputy Speaker. You should give a provision for contingencies in planning, because people are crying. So, there must be a provision to compensate the IEBC commissioners who are about to go home.

**Hon. Deputy Speaker:** Hon. Wamalwa, please do not take us back there. I have already indicated that we are not aware of any commissioners to be budgeted for. So, can you just leave that matter, and make your other contribution? Stick to relevance please.

**Hon. Wakhungu:** As I conclude, there is the issue of indebtedness. We are subjecting this country to a lot of expenses. One of the critical expenses we have seen is the depreciation of the Kenyan Shilling. It is important to get money from outside wisely. There is excessive borrowing. When we compare the Jubilee Government and the *nusu mkate* Government, whatever Jubilee Government has borrowed in three years is way beyond the 10 years that President Kibaki had borrowed when he was in power. So, as we try to improve infrastructure, we must borrow wisely. We should not borrow excessively and put Kenyans at a risk of huge repayments.

There is also the element of the pension of teachers which should not have been an issue in the Supplementary Budget. Teachers in this country have been crying for so long. For the last three or four years, teachers who have retired have been requesting for payment. In my Constituency, I have been having cases every now and then. So, it is irresponsible for the National Treasury to bring Supplementary Budget for purposes of payment of the teachers, because the issues were not unforeseen. This issue has been there. It should have come as an issue of planning. There is poor planning, and failing to plan is planning to fail. We are calling upon the National Treasury Cabinet Secretary, Mr. Henry Rotich, to pull up his socks. It shows he is not on top of things.

With those remarks, I support the Motion.

**Hon. Deputy Speaker:** Order, Hon. Members! Hon. Leader of the Majority Party, I now expect you to move your amendment. I can see it is not Samburu County. I do not know your county. Can you move your amendment so that we can proceed with the amended form if it is accepted by the House?

**Hon. A.B. Duale:** Hon. Speaker, I beg to move that the Motion be amended as follows:-

THAT, the Motion be amended by inserting the following paragraphs at the end thereof- Subject to –

(i) deletion of paragraph appearing under section B, Financial Recommendations on page 3, and,

(ii) Reduction of Vote D1071, The National Treasury, Head 1071002200 - Department of Government Investment and Public Enterprises,

Item 4110200 - Domestic loan to non-financial public enterprises shown at the Appropriations-in-Aid (AIA) of Kshs20,270,000,000 and increase Vote D1071-The National Treasury, Head 1071002200 - Department of Government Investment and Public Enterprises, Item 4110200 - Domestic loan to non-financial public enterprises by Kshs20,270,000,000 under loan revenue.

(iii) Deletion of Paragraph 22 (ii) and replace it with the following:-

(i) Approval of a total supplementary expenditure of Kshs63.85 billion to meet the expenditure during the 2015/2016 Financial Year in respect of the votes and Consolidated Fund Services as per the amended Annex 1.

(ii) A sum not exceeding Kshs34,961,230,963 be granted from the Consolidated Fund to meet expenditure during the year ending 30<sup>th</sup> June, 2016 in respect of the Second Supplementary Estimates of the 2015/2016 Financial Year (Development) having regard to the proposed reduction of Kshs7,519,683,629 therein appearing.

The purpose of the Second Supplementary Estimates was to regularise expenditure that had already been incurred in line with Article 223(2) of the Constitution which states that the national Government may spend money which has not been appropriated provided an approval of Parliament is sought within two months after the first withdrawal of the money.

I listened to the concerns of Members. We are writing to the National Treasury that they cannot send a Supplementary Estimates either one or two a few days to the end of a financial year. This House will not accept it. Parliament, under the new Constitution, is independent and has powers to operate within its calendar and not the calendar of the Judiciary or the calendar of the Executive. I am sure the Speaker's Office, my office, and the Clerk's Office will notify the Cabinet Secretary for the National Treasury that this will be the last Supplementary Estimates that he will bring to the House.

The concern of Members is well taken care of. Although there is a Kshs4.52 billion meant for the National Irrigation Board (NIB), it is important to note in the amendment that the money must be domiciled in the State Department of Agriculture since the NIB was initially under this spending agency in the ending financial year hence must be accounted for by the State Department of Agriculture.

The reorganisation of the Government recently created a new State Department for irrigation where the NIB falls under. In the current financial year, 2015/2016, the NIB is under the Accounting Officer of the State Department for Agriculture but from the 2016/2017 Financial Year, the Accounting Officer for the NIB will be under the State Department for Irrigation under the Ministry of Water and Irrigation. If the recommendation by the Budget and Appropriations Committee is carried as stated in the Report, and with only one day to the end of the financial year, the National Treasury has confirmed to the Budget Office, Office of the Speaker and the Chairman of the Budget and Appropriations Committee that the money will be returned to the Consolidated Fund.

For them to get the money and spend it in the remaining 24 hours, it has necessitated the bringing of these amendments to make sure that the NIB get their money through this Second Supplementary Estimates through the State Department of Agriculture which was the parent spending agency, in accounting terms. I have talked to the Chairman about it and it is now clear. What Hon. Amina raised is fundamental. With the reorganisation of the Government, under the Executive Order No.3, Parliament is under obligation to amend the Standing Orders now that we

have irrigation in the State Department of Water and Irrigation. The Irrigation Department is now under the Department of Agriculture. There is a bit of mismatch. You find that some departments in a ministry are run by different committees of this House. We need to align Committees with the new reorganisation of the Government.

The second amendment, which is fundamental, is about the loan Kenya Airways (KQ) is getting. I wish to propose an amendment to the 2015/2016 Financial Year, Second Supplementary Estimates for KQ. This is to reflect an allocation of Kshs20.27 billion under the Public Finance Management (PFM) programme. If you look at Vote R1071 in the Schedule, you will find that it is shown as a loan. This will not lead to any change in the total allocation to the programme.

Hon. Members will recall that through the 2015/2016 Estimates No.1 for KQ, appropriation allocation of Kshs20.27 billion was to be paid as loan for on-lending to KQ. The aim of this allocation was to enable KQ to meet its critical and urgent working capital needs. Considering that this is a loan to be borrowed by the Kenya Government for on-lending to KQ for it to meet its critical capital demand, the money must first come to the Consolidated Fund and ultimately loan to KQ as per the financing agreement. If we look at the current Report, we will find that it shows the allocation as Appropriation-In-Aid (AIA) when it is supposed to be paid as loan revenue. Because the Government has guaranteed, the money must come to the Consolidated Fund and ultimately KQ will receive that money. If we do not change it, KQ will not have the benefit of getting this loan financing guaranteed by the GoK.

Those are the justifications for those two small amendments. It is the obligation of this House to look at the PFM Act and the Constitution. As of now, the Cabinet Secretary (CS) is operating within the provisions of the law. There is no illegality the CS has committed. But for good public financial management, the CS should not have two Supplementary Estimates in one financial year; he can do better on that. More fundamentally, I think the CS for National Treasury cannot put the House in a crisis mood. Why do you bring a Supplementary Estimate when it is one week to the end of the Financial Year? It took us a while to convince the House Business Committee (HBC) last night to have three sittings today.

Once we pass the two Supplementary Reports, the House has an obligation to pass the Appropriation Bill. We only have tomorrow. If that Appropriation Bill is even passed tonight, the President has to sign it into law. That means the CS and the Departments have only 12 hours. That is not fair. We have agreed that I will do a letter to the CS and this will be the last time. Parliament will not be taken for granted.

Hon. Deputy Speaker, I beg to move and ask Hon. Amina to second.

**Hon. Musyimi:** *(Inaudible)*

**Hon. A.B. Duale:** Hon. Deputy Speaker, since the Chair was busy consulting the Clerks-at-the-Table, procedurally, I wanted to conclude and that is why I asked Hon. Amina to second. He says he wants to second. There is nothing wrong. The Leader of the Majority Party can come with an amendment.

**Hon. Deputy Speaker:** We need to get concurrence of the Chair of the Budget and Appropriations Committee that he is comfortable with the amendments.

**Hon. A.B. Duale:** Hon. Deputy Speaker, he can second but there is no crime in any Member, including me, doing so.

I ask Hon. Musyimi to second.

**Hon. Deputy Speaker:** The Chairman of the Budget and Appropriations Committee, you have the Floor.

**Hon. Musyimi:** Much obliged, Hon. Deputy Speaker. I wish to thank my good friend, the Member for Garissa Township and the Leader of the Majority Party for the amendment, but also indicate that amendments to Money Bills are normally signed by the Chair of the Budget and Appropriations Committee. That is why I am glad to second these amendments and be deemed to be signed and supported by myself on behalf of the Committee. The explanations that he has given are valid. I do not think they have taken care of all the gray areas but enough has been said to persuade me to say that we support.

With those remarks, I beg to support.

*(Question, that the words to be added be added,  
proposed)*

*(Question, that the words to be added be added,  
put and agreed to)*

*(Question of the Motion as amended proposed)*

**Hon. Deputy Speaker:** You are only addressing the amendment. Hon. Members, the Motion as amended reads as follows:-

THAT, this House adopts the Report of the Budget and Appropriations Committee on its consideration of the Second Supplementary Estimates for the Financial Year 2015/2016, laid on the Table of the House on Tuesday, June 28, 2016, and in accordance with the provisions of Article 223 of the Constitution of Kenya, this House approves the withdrawal from the Consolidated Fund a sum of Kshs27,441,547,334 representing the total net estimates of Recurrent and Development Expenditure of the National Government made up of the following:-

(i) A sum not exceeding Kshs9,354,032,522 be granted from the Consolidated Fund to meet expenditure during the year ending 30<sup>th</sup> June, 2016, in respect of Second Supplementary Estimates of 2015/2016 Financial Year (Recurrent) having regard to the proposed reduction of Kshs1,847,629,752 therein appearing; and,

(ii) A sum not exceeding Kshs34,961,230,963 be granted from the Consolidated Fund to meet expenditure during the year ending 30<sup>th</sup> June, 2016 Financial Year, in respect of Second Supplementary Estimates of 2015/2016 Financial Year (Development) having regard to the proposed reduction of Kshs7,519,683,629 therein appearing.

That is what we are debating now, Hon. Members.

Hon. Silverse Anami, you have the Floor.

**Hon. Anami:** Thank you, Hon. Deputy Speaker. The Second Supplementary Estimates are laid in the House. First of all, we should not be dealing with the Second Supplementary, we should be dealing with a singular Supplementary Estimate once. This shows that there is bad planning at the Executive. It also shows that there could be a strategy. If they are really planning well, it could be a strategy to ambush us with figures and Motions that will make us participate in bad management of public resources. As we approve this, it should be very clear to the Executive that we are a people's representative and whatever we endorse and put our hands on should be clear to support development and improvement of the welfare of Kenyans.

Nevertheless, I would like to support the Second Supplementary Estimates, especially in so far as payment of teachers' pension is concerned. For a long time, through the relevant committee and through our submissions here we pleaded for payment of these Kenyans who have---

**Hon. Deputy Speaker:** Hon. Anami, I would like to interrupt you, just to recognise the presence in the Speaker's Gallery of Precious Blood Girls, Riruta, Nairobi County. You are welcome in the National Assembly. In the public Gallery, we have Blessed Mother Teresa from Umoja and Tenderling School from Kibra. You are all welcome to the National Assembly.

Hon. Anami, you may continue.

**Hon. Anami:** Thank you, Hon. Deputy Speaker. I appreciate that I have had opportunity to teach at Precious Blood. Welcome to the National Assembly.

Hon. Deputy Speaker, the teachers who have retired and have not been paid for a long time are Kenyans who have made tremendous and fundamental contribution to our development as a nation. We should not delay their payments. We should not do a lot of debates before they are paid. How I wish through this Second Supplementary Estimates that both cases of teachers who have not been paid, can be paid directly through the Pensions Department.

Hon. Deputy Speaker, while dealing with this, we need to recognise that many of these delays are caused by low absorption which is as a result of delayed disbursement of funds by the National Treasury. On the same breath, the National Treasury needs to come up with a strategy to fast-track disbursement of these funds. While we understand that many of the figures are monies that have already been expended, the Supplementary Estimates should have been requested for within two months. The ball is with the National Treasury. We can only be convinced further if proper planning or a strategy can be shown that, indeed, these funds will deliver. Many of the figures here are going to double the Recurrent Expenditure. Most of the money is for development. If it is delayed it means that we will continue paying people salaries for doing the same thing and at the end of the day the wage bill will continue to rise. Let the Executive deliver.

Bad planning can result in kickbacks and corruption which is now synonymous with the Jubilee Government. This needs to be stopped. Next time a report of second Supplementary Estimates is brought here, we should reject it. For this first instance, let us be sympathetic but let us not be sympathetic all the time.

**Hon. Murungi:** On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Hon. Kathuri Murungi, what is your intervention? Hon. Anami, allow the intervention.

**Hon. Murungi:** Thank you, Hon. Deputy Speaker. My friend, Hon. Anami is a very outright man, but I am afraid that he is moving out of the Motion and is now discussing corruption in the Jubilee Government and other irrelevant issues which are not in this important Motion to this country. Can you advise or guide him appropriately on how to go about this Motion so that we can also get time to comment?

**Hon. Deputy Speaker:** Thank you. I was consulting the Chair of the Budget and Appropriations Committee. So, I did not hear that he had gone out of the Motion. Remember to always to stick to the Standing Orders which clearly state the principle of relevance. Can you proceed to conclude your remarks?

**Hon. Anami:** Thank you, Hon. Deputy Speaker, for protecting me. My friend knows that when you see people delay procurement and delay to utilise money many of them will be waiting for an opportunity to steal that money or receive kickbacks before they give work. We have seen



a lot of these between 2013 and 2016 but my friend has been consistent. He is not the one I am referring to. I am referring to the people who execute these funds. He is safe.

The last thing I want to say about this is that we need to develop a mechanism of follow up. I support the Chair when he says that this House needs to receive the performance of the Budget. Until we receive it and know who is spending money and how, we may not continue with Supplementary Estimates especially when they are brought as the Second Supplementary Estimates.

For the sake of Kenyans who we represent and the delivery of services to them, I support this Second Supplementary Estimates.

**Hon. Deputy Speaker:** Hon. Kathuri, it is now your rightful turn to make your contribution.

**Hon. Murungi:** Thank you, Hon. Deputy Speaker. I also want to make my contribution to this important Motion. As many Members have made it clear, it is not important to pass these Supplementary estimates especially at the eleventh hour. Sometimes even the Budget and Appropriations Committee and the relevant Committees of this House do not get enough time to scrutinise the Supplementary Estimates, especially this second one coming one day to the close of the financial year.

Therefore, as the Constitution clearly stipulates that the Supplementary Estimates should be brought two months after the money is used, as a House, we are not handled in the right way by the National Treasury. I know that it is sometimes very hard to scrutinise what needs to be done. If this money was spent, was it spent on the right departments? After the amendment, close to Kshs34 billion is going to development and this is a lot of money. Does this money go to the right departments and projects? I support because it is my duty to make sure that the Government does not collapse but this should be taken care of in the next financial years.

Departmental Committees have an obligation to scrutinise the development expenditure on quarterly basis. The National Treasury and the Budget Office of the National Assembly should update us on quarterly basis especially on development expenditure whether the money has been released to the projects or not. We do a lot of work at the committee level to appropriate money to different development projects in this country but at the end of the financial year, we do not see this money going to the projects. When we ask the relevant Ministries, they say that the problem is with the Exchequer. Therefore, as Legislators and people conferred with the mandate of oversight in this Republic, we are left wondering the type of overseeing we are doing when we appropriate money from this House and then it does not go to the intended projects.

*[The Deputy Speaker  
(Hon. (Dr.) Laboso) left the Chair]*

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

Hon. Temporary Deputy Speaker, moving forward, these are issues that need to be looked at. I was happy when the Chairman said that one of the recommendations of the Budget and Appropriations Committee is to look at the scorecard of every Ministry. This is very important because we will, on a quarterly basis, scrutinise ministries' scorecard which will be the scorecard of the Government.

I support and also state that, as the Executive reorganises the Government, it is important to check, after the adjustments, whether the relevant Government departments are aligned with our Standing Orders so that the rightful Committees can oversee the running of these ministries, especially Water and Irrigation.

As Hon. Amina put it, it is important that the National Irrigation Board (NIB) is properly placed under the Ministry of Water. Most of the work the NIB does is water infrastructure. Therefore it is important to align that department with the Ministry of Water. Regional Authorities is another State department which has been moved to the Ministry of Planning. Again, Regional Development Authorities (RDAs) are supposed to do development of water infrastructure. Like the previous realignment of the Government through an Executive Order, this department has been moved to the Ministry of Water. Therefore, we oversee these RDAs as the Departmental Committee on Environment and Natural Resources but their mandate is in a different ministry. It is very difficult to scrutinise what these people do. Therefore, the President should be well-advised on where to place these RDAs. I will be very happy if they are brought to the State Department of Water because their mandate now is to build multi-purpose dams. They should be moved back to the Ministry of Water and Irrigation.

Therefore, I support the Motion to adopt the Report on the Second Supplementary Estimates for the 2015/2016 Financial Year.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to the Member for South Mugirango, Hon. Manson Nyamweya.

**Hon. Nyamweya:** Thank you, Hon. Temporary Deputy Speaker for giving me a chance to contribute to this Motion. First and foremost, I register my disappointment with the Budget and Appropriations Committee for approving this. The reasons given for the Supplementary Estimates are the national debt and paying pensioners. That is not an excuse for anybody to come to this House and ask for increased budgetary allocation. This money was budgeted for. It is not reason enough for me to support it.

Another point is on total deductions on external funding. Total reduction on foreign aid stands at Kshs51 billion. If you compare it to the Budget of last year, it is almost equivalent to the full amount which we were to get from donors. This was not realised. How do we make this Budget? How do we allocate money for programmes? We were not sure whether those people would give us money. I find it impossible to support this Supplementary Budget. It is not mandatory for Parliament to pass this. This can be categorised under bills which were paid without parliamentary approval.

We have been crying for roads everywhere. The amount of deduction for roads with regard to direct donor funding is Kshs16 billion. Where will the money to build roads come from if the Government and the Ministry of National Treasury do not provide the Kshs16 billion? We all need roads. The Government has reduced the allocation to roads by Kshs440 million. I find it difficult to see how we can pass this as the National Assembly.

A more distressing point is with regard to teachers who are pensioners and who taught all of us seated here today. A ruling was made for them to be paid pension. The Government, through the National Treasury, is not ready to part with a shilling. I expected us to, at least, show a token of appreciation and pay teachers. They have gone to court which has ruled in their favour. The former Teachers Service Commission (TSC) Secretary was supposed to have been jailed. We sit here to approve this Supplementary Budget without including the payment of teachers – pensioners who taught all of us. They have been in court severally. I find it difficult to support the Supplementary Budget.

I come from a place which has Internally Displaced Persons (IDPs). I am told that there will be money in the next Budget. We do not know whether this money was properly used. How do we, as the National Assembly, agree to pass expenditure where people have used the money? We do not know whether the due process on procurement was followed. We also do not know how the money was utilised but we are being told, as the National Assembly, that we have come to the end of the year and so we need to pass the Supplementary Budget. We have an oversight role.

Our role is to interrogate how this money has been used. It is not a must that we approve this Supplementary Budget. This can remain as a pending bill which has not been accounted for. The Public Accounts Committee (PAC), where I am a Member, will get a chance to scrutinise how those people spend money without approval.

Recently, the Governor of Garissa was in court. He was being accused of spending money which was not in the budget. The National Treasury allows ministries to spend money without a budget. As the National Assembly, we are being used to pass this and make it legal, that all has been done well. I urge my colleagues to reject this so that PAC will have a chance to scrutinise this expenditure, to see how this money was used so that civil servants can wake up. It is not an emergency. The reasons given - and they were plain - were that we need the funds to offset the national debt and to pay pensioners. We know how much they are paid. That money is there. Another person says that it is a national charge so we have to pay it first.

I urge Members to reject this so that it is properly scrutinised. That will not stop the Government from running and it will not stop anything from happening. We will give a chance to Parliament to scrutinise how the Ministry spent money without, first and foremost, getting approval from the National Assembly.

With those few remarks, I urge my colleagues to reject this Motion so as to get an opportunity to scrutinise how the Ministry spent the money.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to Hon. Yusuf from Kamukunji.

**Hon. Abdi:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I would like to reluctantly support this Supplementary Budget.

I have absolutely no problem with the need to allocate funds to unforeseen or absolutely necessary needs of the country. However, using these ways to bring in supplementary budgets that are not urgent, as the Chairman of the Budget and Appropriations Committee has said, should not be welcome in this House. These are not small figures. They are huge amounts running into billions. We seem to have a massive overspending problem that requires us to expressly pass the Supplementary Budget, which does not allow room for the Members of the Budget and Appropriations Committee to scrutinise. This is worrying. Whatever the reasons, this House must be vigilant to interrogate the National Treasury to ensure that the expenditures were important, necessary and whether they have been competently and effectively utilised for the development of our country.

I would also like to quickly comment about a comment made by a member on the Independent Electoral and Boundaries Commission (IEBC). We should not be using this House to demonise, degrade and destroy constitutional institutions. The Hon. Member should have given an opportunity to the IEBC because it is not represented in this House. This is a House which has been endorsed and approved by the IEBC, as one of our national institutions. I expect Hon. Chris Wamalwa to be careful and avoid verbal diarrhoea next time. He was endorsed by the IEBC. If he thinks the IEBC is corrupt, he should do an honour to this House and resign. He should not use this House to demonise and destroy our national institutions.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to the Member for Turkana South.

**Hon. Ekomwa:** Thank you for giving me this opportunity, Hon. Temporary Deputy Speaker. I rise to support the Second Supplementary Estimates.

The Government in place is very committed to ensure it has offered services to Kenyans and deliver whatever it has promised the citizens. We are all watching what the Government is doing. It has realised that it has to undertake some activities and projects.

*(Loud consultation)*

Hon. Members are consulting in high tones, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, please consult in low tones so that the Member can be heard.

**Hon. Ekomwa:** Thank you, Hon. Temporary Deputy Speaker.

The first reason for supporting this Motion is to ensure that the Government pays all the pending Bills. It is on record that there are very many contractors who have used their money to offer services to Government ministries and institutions. The contractors are Kenyans who are doing business. They need to be paid to ensure that they carry out other contracts. It will be unfair if we do not pay them.

The other reason for supporting the Second Supplementary Budget is that it is very true, as my colleagues have said, that there are retired teachers who have not been paid. Since they are Kenyans, we need to consider them. When we pass this Supplementary Budget, we want to ensure that whatever we promised is offered.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, let me take a point of order from the Member for Igembe North.

What is it, Hon. M'uthari?

**Hon. M'uthari:** Hon. Temporary Deputy Speaker, many Members have spoken to this matter. The points they are raising are almost similar. I request you to call upon the Mover to reply. We need this money because we have pending projects. An example is the money for the Kenya Rural Roads Authority (KeRRA). The roads are missing money.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, you are now contributing.

**Hon. Ekomwa:** He is out of order!

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Ekomwa, it is not your work to rule anybody out of order. That is my work.

I will be putting the Question as to whether we should call the Mover to reply after the Member for Turkana South has completed his contribution.

**Hon. Ekomwa:** Hon. Temporary Deputy Speaker, my prayer to the Chairman of the Budget and Appropriations Committee is that he considers my place in the next Supplementary Budget. You know very well that I come from Turkana County. There were cases of insecurity in those areas. Counties like Mandera, Turkana and West Pokot have been marginalised for many years. They should be given first consideration in terms of provision of water, health services and rewarding of warriors who have been participating in war, when supplementary budget comes to this House. We have not seen it in this Supplementary Budget.

Women and children still walk long distances in search of water in those counties. We expect such problems and other extreme situations to be considered in supplementary budgets. That is when we will feel that Kenyans are being served by supplementary budgets. We expect reports next time we pass a supplementary budget. We want to ensure accountability and transparency. We expect the Auditor-General, the Public Investments Committee (PIC) and the PAC to give us special reports on this Supplementary Budget so that we can confirm that the money has been used according to our expectations. It will be improper for us not to affirm and confirm usage every time we pass a supplementary budget. The relevant committees should bring reports on previous supplementary budgets before another one is done. That is to ensure that whatever we pass is implemented.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Thank you, Hon. Member.

As I had indicated, I will be asking the House whether we should call the Mover to reply.

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

Hon. Mutava, please reply.

**Hon. Musyimi:** I am much obliged, Hon. Temporary Deputy Speaker.

I differ with the submission by the Member for Turkana South. Anybody who has studied Philosophy at university level deserves to be listened to. Indeed, I do so to all the other Members who have given very worthy submissions. They have made very worthy comments.

The burden of concern goes to the National Treasury. The Executive is failing us. We keep saying the same thing every time we discuss supplementary estimates that come towards the end of financial years. We would like to see change.

With those few remarks, I beg to reply.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, I will now put the Question on the Motion as amended.

*(Question of the Motion as amended put and agreed to)*

*Resolved accordingly:*

THAT, this House adopts the Report of the Budget and Appropriations Committee on its consideration of the Second Supplementary Estimates for the Financial Year 2015/2016, laid on the Table of the House on Tuesday, June 28, 2016 and in accordance with the provisions of Article 223 of the Constitution of Kenya, this House approves the withdrawal from the Consolidated Fund a sum of Kshs27,441,547,334 representing the total net estimates of Recurrent and Development Expenditure of the National Government made up of the following:-

(i) a sum not exceeding Kshs9,354,032,522 be granted from the Consolidated Fund to meet expenditure during the year ending 30<sup>th</sup> June, 2016 in respect of Second Supplementary Estimates of 2015/2016 Financial Year (Recurrent) having regard to the proposed reduction of Kshs1,847,629,752 therein appearing; and,

(ii) a sum not exceeding Kshs34,961,230,963 be granted from the Consolidated Fund to meet expenditure during the year ending 30<sup>th</sup> June 2016 in respect of the Second Supplementary Estimates of 2015/2016 Financial Year (Development) having regard to the proposed reduction of Kshs7,519,693,629 therein appearing-Subject to:

(i) Deletion of the paragraph appearing under Section B, Financial Recommendations, on page 3;

(ii) Reduction of Vote D1071, The National Treasury Head 107100220, Department of Government Investments and Public Enterprises, Item 4110200, Domestic Loan to non-financial public enterprises, shown as Appropriations-In-Aid of Kshs20, 270,000,000 and increase Vote D1071, The National Treasury Head 1071002200, Department of Government Investments and Public Enterprises, Item 4110200, Domestic Loans to non-financial public enterprises by Kshs20, 270,000,000 under loan Revenue.

(iii) Approval of a total Supplementary Expenditure of Kshs63.85 billion to meet the expenditure during the Financial Year 2015/2016 in respect of the votes and Consolidated Fund Services as per the amended Annex I.

DECLARATION OF KAMUKUNJI GROUNDS  
A PROTECTED NATIONAL MONUMENT

THAT, aware that the Kamukunji grounds is undoubtedly one of the most important public spaces in Kenya's political history; further aware that it was here that our national leaders held groundbreaking political rallies that mobilised the masses in the struggle for freedom and independence from colonial rule; cognisant of the fact that for the last 40 years, the Kamukunji grounds have continued to play a significant role in the Kenyan people's struggle for human rights and democracy, specifically the Saba Saba Rally that brought an end to the one-party rule ushering in a new era of multi-party democracy; concerned that the historic ground has been forgotten and neglected yet the great men and women of this great nation suffered so that we could be free; this House resolves that the Government declares the Kamukunji grounds a protected national monument and a historic place of great importance and transforms it into a safe and liveable public space for present and future generations.

*(Hon. Abdi on 22.6.2016)*

*(Resumption of Debate interrupted on 22.6.2016 – Morning Sitting)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, we are on Order No. 10. This Motion had been moved and seconded. So, I will propose the Question before we debate.

*(Question proposed)*

Hon. Members, those who have their cards on, I will assume that you want to speak to this Motion.

**Hon. (Eng.) Gumbo:** On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): What is your point of order, Hon. Gumbo?

**Hon. (Eng.) Gumbo:** Hon. Temporary Deputy Speaker, I stand to be guided, but my feeling is that the House did not properly quorate when we passed the Motion on the Second Supplementary Estimates. Would we be in order? Looking at the numbers here, I am sorry I am bringing it up late, but honestly I do not think we had the numbers to make a decision.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Gumbo, some Members have just moved out because we were 52. The Chair can never put a Question without quorum. I consulted the Clerks-at-the-Table and they assured me we had quorum. We were actually 52, two Members above the recommended quorum. I can assure you we had the numbers.

**Hon. (Eng.) Gumbo:** If we did, then that is okay. I apologise.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): The Member for Igembe Central, do you want to speak to the Kamukunji Grounds Motion?

**Hon. Kubai Iringo:** Thank you, Hon. Temporary Deputy Speaker, for this opportunity to contribute to this Motion. I want to thank Hon. Yusuf for having brought it to this House. It is common knowledge to everybody that Kamukunji Grounds is a sacred place to Kenyans. It is a place which is synonymous with Independence and the way our nation came to be. It is where our forefathers were meeting to canvass and craft ways of getting out of the European yoke and colonial bondage. Therefore, this Motion is for us to endorse Kamukunji Grounds to be one of our national artefacts like the national museums, Uhuru Gardens and Freedom Corner.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Kubai, please forgive me for interrupting you. I would like to recognise a school in the Public Gallery so that they do not move out before we recognise them. I want to recognise pupils of Kirima Gantwiko Primary School from North Imenti. Welcome to the National Assembly. Go ahead, Hon. Kubai.

**Hon. Kubai Iringo:** I also take the opportunity to welcome the teachers and pupils from Kirima Gantwiko Primary School which happens to be in my county. Let them feel welcome in the National Assembly.

As I was saying, the name “Kamukunji” itself is central in the history of this country. When we have informal meetings here in Parliament we call them *Kamukunjis*. When we talk of “*kamukunji*”, it is not that the place is here, but the word is synonymous with where people used to go to canvass secretly and lay their strategies to fight for this country. To date if you have visited Kamukunji, Hon. Temporary Deputy Speaker, and I know you have because you are a leader in this City, you will find that it is a neglected ground. It has been encroached by very many kiosk owners. Very many other activities are taking place there. I am afraid part of that land has been grabbed. Those who grab it do so for individual use and benefit whereas it should be preserved as a national monument where we can have a big stadium and a recreation centre like Uhuru Park. The population of Nairobi is growing by the day and we do not fit in the recreational grounds which are there already. It can be crafted in a way that it can supplement the many others that we have because of the population explosion.

It will also save the ground for generations to come. Some of our children in schools only hear of Kamukunji, but they have never been there. Even if they go there, they will not find the place

synonymous with the value or esteem with which the ground is held by Kenyans. Therefore, in approving this Motion, we want to safeguard those structures in our country which have been synonymous with this country since Independence. We need to preserve it for future generations, like we are doing with the wildlife.

Some animals are almost becoming extinct and our children will see them on *YouTube* because now we are digital and others will see them in books or they will just hear about them in stories, like we hear of the dinosaurs and the like. If we take action now and pass this Motion to preserve that ground like we are protecting lions, elephants, giraffes and other wildlife for future generations, it will be very important for future generations. For example, the children visiting this august House now will go to places like museums and Uhuru Gardens, but their itinerary may also include a visit to Kamukunji Grounds to see where the birth of this nation was crafted by our forefathers. So, I urge my colleagues in this House to pass this Motion and we enact a law to give the ground the protection it deserves as a national monument.

I thank you, Hon. Temporary Deputy Speaker.

I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to Hon. Patrick Wangamati.

**Hon. Wangamati:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity so that I may also add my voice to this important Motion brought by *Mheshimiwa* Yusuf. Kamukunji is an old field in Nairobi that hosted many of our struggles for Independence of this country. We have been talking about democracy in this country from this ground. I am very happy to support this Motion. I also congratulate *Mheshimiwa* Yusuf Hassan for bringing this Motion to the Floor so that we can tell everybody in this country that this is a very important ground and it should be protected to show that it is an area where we educated our people on what leadership means in this country.

Hon. Temporary Deputy Speaker, you can see my age. I was there when I was very young. Those days, we used to be called “youth wingers”. We were there and we did a lot. We ran up and down to bring Independence, freedom and even multiparty democracy in this country. I urge this House and you, Hon. Temporary Deputy Speaker, as a member representing Nairobi, to make Kamukunji Grounds a special place for us in Nairobi. Let our youth know that Kamukunji was an instrument for us which we used to bring down some of the resisting leaders who were dictators in this country.

I support this Motion. I want this House to treat this Motion as a special one. It is special because the grounds have been forgotten for some time. This place has been there for a long time. We should make these grounds a national monument so that the people who live around Kamukunji can know that we have remembered them. They will thank us for opening up the roads around those grounds.

With this few remarks, I strongly support this Motion. I thank the Member who brought it to this House.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to the Member for North Imenti.

**Hon. Dawood:** Thank you, Hon. Temporary Deputy Speaker. I congratulate Hon. Yusuf Hassan for bringing this Motion. The good thing is that this Motion does not say “urges” but says “resolves.” I believe that once we pass it, we will be doing the country a favour.

As my colleagues have said, it is very important for us to protect Kamukunji Grounds. I spoke to Hon. Yusuf and he told me that these grounds were more than four or five acres before



but, apparently, all public grounds in Kenya have been grabbed by people. We have a similar case in Meru where land was grabbed but the public got it back. We want Kamukunji grounds to be protected by an Act of Parliament. We should also fence it.

I appreciate pupils from my constituency who have come here to see what happens in Parliament. They are visiting many other places. If Kamukunji was a preserved site because of the pre-independence and post-independence freedom fighters who were there, they could have gone there for a visit; schools could go and learn more about the Independence of this country. Instead of it just being protected as a national monument, we want it to go further. We want a museum within the grounds which will enlighten our people who go there about the freedom fighters and how we got our Independence. It is very important to know where we have come from and where we are going.

At the moment there is political turmoil. We always have teargas and people being clobbered in the streets. At least, it has stopped for now. We need to know where we have come from and where we are going. We do not want those things to tear our country apart. We need to go in the right trajectory.

Economically, we need to move forward in this country. I believe our forefathers who fought for freedom and Independence had a vision for this country and that vision was not to go into turmoil and not to go as the other undemocratic states have gone. Those states have fights every day.

Kamukunji Grounds should be protected. If possible, instead of the national days being celebrated at Uhuru Park or Nyayo Stadium, they should be held at Kamukunji Grounds. That way, we will give it prominence and we will protect it as well. We would like to see all the grounds in the country which need protection being protected. The protection should not just be for Kamukunji. These grounds can be gazetted as national monuments so that grabbers do not come and grab the historic grounds. There are many other grounds in other towns of the country and not just Nairobi. We have them in Meru, Nyeri and Mombasa. We need all our public land to be protected. This is the only way to stop the grabbers. There should be a policy in place on the protection of our public utilities together with our grounds.

The other thing is that the National Museum could come up with a way of putting statues of Independence heroes so that even small children who were born 10 or 20 years ago can look at them. We can copy what is in the United States of America. We can have statues of prominent personalities who fought for Independence.

With those few remarks, I support Hon. Hassan and I welcome the school again and wish them a good stay in Nairobi.

Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I give the Floor to the Member for Matayos.

**Hon. Odanga:** Thank you, Hon. Temporary Deputy Speaker. I also want to speak to this very important Motion on recognising and making Kamukunji grounds a national monument since it has always been at the centre when we have struggles in this country. It is well noted that at Independence and during the struggle for Independence, our fathers who were fighting for Independence made it their place of meetings. This is where the masses got enlightened about the need for Independence and about the possibility of gaining Independence.

Subsequent struggles, including the second liberation, have also found themselves being hosted at the Kamukunji Grounds. An example is the Saba Saba rally that has already been mentioned. Others that followed have always been hosted at these very important grounds. For

that matter, these grounds need not be neglected, left to waste or exposed to land grabbers who will finally grab them and deny Kenyans very important grounds where they can assemble, rest or just sit and pass their time.

This and very many other spaces of the same sort all over the country need to be protected and be made national monuments in memory of those people who struggled for our Independence and for our rights and freedoms.

With those comments, I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Member for Turkana Central, Hon. Nakara.

**Hon. Nakara:** Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute to this Motion. First of all, I would like to thank Hon. Yusuf Hassan for bringing it. We have many historical sites in this country that we need to protect for the benefit of future generations. To mention a few of them, we have Lokitaung and Kenyatta Lane where the first President of this country and five others were jailed. Right now, people have grabbed that land.

I wish Hon. Yusuf could bring amendments to declare all historical grounds in this nation protected areas. I support this Motion because first of all, this is a historical site. Future generations will know it as a place where people fought for Independence and came up with ideas like multipartism. They will know what happened on a particular date on the ground.

In Nairobi, we have land grabbers all over. If we leave this historical site without protection, it will be grabbed. We shall have no place to refer to as a historical site where some achievements were accomplished for the benefit of this country. We also need to protect this site for our children in schools to visit. We need to have a guide who knows the history of Kamukunji Grounds, how it came about and what happened, so that whenever students visit, they are given a lecture on the achievements and reasons why it is a protected site. In doing so, history students will have background knowledge of this country.

We need to respect the achievements accomplished through this site. That is why we are appealing to protect it. This country is where it is because of what happened there. We need to show gratitude to the people who lost their lives and fought for changes in this country by protecting that site. We also need to put up a monument and mention key people in this country, whether dead or alive, who did something good for this country on Kamukunji Grounds. We also need to record the activities that led to particular events like *Saba Saba* and Independence, so that when students go there they can read the names of the people who fought for multipartism and freedom. Through this, we will show our appreciation of the people who fought for freedom and changes in this country.

We also need to make sure that we put up some recreation facilities where people can rest and hold discussions. Finally, we can make it a freedom corner or square where we can present our issues instead of demonstrating in Nairobi City, destroying properties and losing lives. We will have a better place designated for that where people will go, make declarations and maintain peace in Nairobi.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to the Deputy Leader of Majority Party, Hon. Shaban.

**Hon. (Dr.) Shaban:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to also add my voice to this Motion. I wish to start by congratulating Hon. Yusuf Hassan for thinking about Kamukunji Grounds which is very important in the history of this

nation. Kamukunji is historical in the sense that all the struggles for multipartism took place there.

**Hon. Wekesa:** On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): What is your point of order, Hon. Member? Give him the microphone, please.

**Hon. Wekesa:** On a point of order, Hon. Temporary Deputy Speaker. Are you satisfied with the way Hon. Yusuf is behaving even though this is his Motion, by crossing from one side of the Floor to the other as if he is in Kamukunji Grounds?

*(Laughter)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I did not notice Hon. Yusuf crossing the Floor. I know you are consulting Members, but use the right method to cross from one side of the House to the other.

**Hon. (Dr.) Shaban:** Hon. Temporary Deputy Speaker, I want to add my voice in saying that Kamukunji Grounds is historical in the sense that most of the struggle for multipartism took place there. Hon. Yusuf Hassan is not new to the struggle of multipartism. He has been there for a long time. At a certain point in time, he had to live outside the country because he had been declared *persona non grata* in this country.

I happen to know this because a number of people from my county like Hon. Mwandawiro, who was a Member of this august House in the 9<sup>th</sup> Parliament, were in that struggle. There are a few others who people do not talk about like Eng. Mizrahi who comes from my constituency and many others who were in the struggle. As we discuss this very important Motion, it is important for us to not only pass it, but for the Government to implement the restoration of this place as a recreation area and monumental site where Kenyans will not only go to relax, but to appreciate the struggle and journey we have walked through in our country.

Such grounds are all over the country and it is important that an inventory is taken. All the areas which have been a source of struggle for our country and liberation should be looked at with a view of developing them and preserving the history of our country. During the World War II, one of the areas which were prominent is Taveta Constituency. A hundred years memorial was celebrated there. It is not just enough to celebrate, but to take an extra step in making sure that the historical nature of that area is preserved for it to form part of our history for future generations.

A major problem that we have in this country is that we are trying to revive our tourism sector by branding, but it is not being done in the right way. When you visit a country like South Africa at Robben Island and Cape Points, you will understand what branding is all about. I think Kenyans need to borrow a leaf from South Africans. Looking around, there is nothing much. They do not have a rich history like ours. We have so much that we can show yet we have not taken advantage of it. I think Kamukunji Grounds should be a starting point for the Kenyan Government to do something about our political history. The other areas to be covered should be useful in terms of building our tourism sector.

I beg to support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to the Member for Kaiti, Hon. Makenga.

**Hon. Makenga:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I also want to join my colleagues to speak on this historical ground. From the outset,

I want to congratulate Hon. Yusuf Hassan for bringing this Motion. A country without history is a country that is on the verge of extinction. Kamukunji Grounds have a rich history where great men and women in this country fought for democracy and human rights in this country. The current situation of Kamukunji Grounds is pathetic. It is for that reason the Member thought it wise that this monument be reclaimed and put in its original state.

I remember when the *Saba Saba* movement descended on that ground, it was a huge crowd and people filled the grounds. Nowadays, even two thousand people cannot be accommodated in that historical ground because it has been grabbed, structures have been built on it and it is defacing the historical ground. We have to retain the so-called Kamukunji Grounds. "Kamukunji" is a very important name. In Parliament we hold informal meetings and we name them "*Kamukunji*". The word "Kamukunji" should remain. It has a very rich history. I happen to have grown up in that area as a young man and we used to play on Kamukunji Grounds. This does not happen anymore. Nairobi River has been highly polluted and the riparian area has been encroached. If the grounds are rehabilitated, many people will be visiting them and will learn what went on in yester years.

Kamukunji Grounds is on a big piece of land that if well managed can attract investors or tourists. As my colleagues alluded, once Kamukunji Grounds is declared a protected monument, pictures of our heroes who descended on the ground should be pinned there. The children who visit Parliament should know that whenever we talk about Kamukunji, we are referring to a rich history of this country. This is a unique ground that needs to be rehabilitated. The Government should move very fast to remove the grabbers who have built informal structures around that area. The place should be beautified. I request the Member for the area to invite some Members to the grounds, so that we can build a very strong case in declaring Kamukunji historical.

With those few remarks, I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Thank you, Hon. Member. I now give the Floor to the Member for Bura, Hon. Ali Wario.

**Hon. Wario:** Ahsante sana Mheshimiwa Naibu Spika wa Muda kwa kunipatia fursa hii ili nami nichangie Hoja iliyo mbele yetu. Kwanza, ningependa kutoa kongole kwa ndugu yangu Yusuf kwa kuweza kutupa kofi ya fahamu. Mheshimiwa Yusuf ametupiga kofi ya fahamu na ametuzindua tuweze kuishukuru historia ya taifa la Kenya.

Utakapoangalia kwa uchache wa fikra, Hoja iliyo mbele yetu haina maana. Lakini utakapokwenda kwa bahari na upana, utakapofurahia historia ya taifa lako na kumbukumbu ya kule tulikotoka, Hoja iliyo mbele yetu ni muhimu na inastahili kuungwa mkono na kupitishwa ili sehemu hiyo iweze kuhifadhiwa iwe katika kumbukumbu ya taifa ama katika makavazi ya taifa.

Ninasema hivyo kwa sababu mapambano ya vita vya Uhuru ni kama tumevuka hatua ya kwanza lakini mapambano ya haki ya Wakenya bado iko. Leo sisi tunasherehekea kuwa na Rais kama Uhuru Kenyatta, ambaye anatambua haki na anawatambua Wakenya kwa upana. Lakini kesho atakapokuja dhalimu, dawa ya dhuluma ni Kamukunji. Tutakutana na wao vile tulivyokutana na Rais mstaafu Moi na tukabadilisha Kipengele cha 2(a). Kiwanja cha Kamukunji kitatumika kupambana na yeyote atakayejaribu kuwapeleka Wakenya vibaya na tutakwenda kumutuliza katika kiwanja cha Kamukunji.

Mimi saa zingine ninavunjwa moyo na tabia ya Wakenya. Wakenya hawatambui wala kuheshimu mashujaa waliotoa mhanga nafsi zao na waliomwaga damu ili taifa la Kenya lipate Uhuru. Angalia raslimali ambayo nchi hii iko nayo leo, hata kalkuleta zilizotengenezwa na wanasayansi leo hazitumiki tena mpaka kalkuleta mpya itafutwe kwa sababu uchumi umeenda

kiasi ya kufika trilioni. Katika hii trilioni, raslimali ngapi tumetenga kando kwa minajili ya wale waliopigania Uhuru wa taifa hili? Hawa mashujaa wamekuwa masikini kuliko masikini wengine wote. Watoto wao na wajukuu wao wako katika hali mbaya. Tumetenga pesa gani kulinda haki ya wale mashujaa wachache waliopigania Uhuru wa Kenya? Badala yake, tunaraukia kitendawili kila asubuhi ambacho hakiweki ugali mezani.

Kwa aibu kubwa, Wakenya wameenda Ethiopia kuleta mtu anayeitwa Elema Ayanu, ambaye ni “ndugu” yangu. Yeye ni Oromo. Mimi naye tunaongea lugha moja. Kama atakuwa shujaa, atakuwa shujaa Ethiopia sio Kenya. Angalia wale mashujaa ambao tuko nao humu nchini, wako hali gani? Tunawakandamiza, tunawadhalalisha na kuwaacha vile walivyo. Badala yake, tunakwenda kumleta mwananchi wa Ethiopia na kupiga mlolongo kutoka uwanja wa ndege wa Jomo Kenyatta, barabara zinafungwa mpaka mjini kwa sababu Elema Ayanu amebebwa. Kabla hujamleta Elema Ayanu kutoka Ethiopia, wale walioko nasi Nairobi umewafanyia nini? Kwa hivyo, inanisikitisha sana. Hatutambui historia yetu na mashujaa wetu. Hatuna mikakati ya kuhifadhi mashujaa na taasisi ya historia ya Kenya.

Kwetu kuna shule ya upili ya Mau Mau. Mashujaa 11 waliuawa pale. Kwa minajili ya kutambua juhudi yao, tumejenga shule ya upili pale angalau historia na damu yao isiende bila kutambulika. Wakati umewadia wa kuhifadhi kumbukumbu na kuweka makavazi haya ili watoto wetu wajue historia. Mchakato wa Uhuru wa Kenya ulianza Kamukunji. Uhuru wa pili ulianza Kamukunji. Kama nilivyosema, dhalimu yeyote akija, Kamukunji iko na tutapambana naye.

Leo mimi ni muungaji mkono mkubwa wa Rais Uhuru Kenyatta. Tumetoka mbali. Tulipigwa na vitoa machozi kama vile majuzi watu walipigwa hapa. Wakati wetu, tulipigwa na tukavumilia tukitetea Kenyatta International Convention Centre (KICC). Mimi na Rais Uhuru Kenyatta tulipigwa na vitoa machozi lakini wengine leo wanaona ni ajabu watu wengine kupigwa na vitoa machozi. Hivi ni vitu ambavyo ni lazima tuvumilie wakati tuko kwa Upinzani. Kwa hivyo, nasimama nimpe kongole ndugu yangu, Mhe. Yusuf.

Naunga mkono Hoja hii kwa sababu ninapenda kumbukumbu na historia ya taifa ya Kenya.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Thank you, Hon. Member. I give the Floor to Hon. Birdi.

**Hon. (Ms.) Sunjeev:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to add my words to this very important Motion. It was brought to the Floor of this House by the able and respectable Member of Parliament, Hon. Yusuf Hassan. Let me start by quoting the words from a speech that was given at Kamukunji Grounds many years back when our country was feeling and tasting freedom.

“Today, we are tasting freedom. This is the first time most of you are attending a political meeting of your own choice. This is the first time you are truly happy to remember that we struggled for Independence and won”.

These are the words of the famous and respected Hon. Jaramogi Oginga Odinga.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Sorry. Let me interrupt you. Hon. Mishi, you are the next one to speak. Please, do not leave the House. Go ahead, Hon. Birdi.

**Hon. (Ms.) Sunjeev:** All right. Hon. Temporary Deputy Speaker, I thought she wanted to interrupt. Anyway, let us move on. There is nothing wrong with quoting famous words. The point I am trying to drive home is that these famous and important words were spoken at Kamukunji Grounds at a time when Kenya was tasting, but not testing freedom. In comparison, if you go to India, there is a museum in Parliament. In that museum, there is a special section where people can sit and listen to famous words which were spoken by Mr. Nehru before India

gained freedom. You hear words like “At the stroke of midnight hour when the world sleeps, India will awaken to life and freedom”. This is narrated in that museum. People listen and feel with nostalgia a percentage of what it felt like when people were struggling for freedom.

People lived and breathed under the pressure of not knowing what tomorrow would be like. People from all walks of life go there. Kamukunji Grounds lack that. If we had that today, we would not be struggling to teach our history to our children. We are struggling because we spend our time teaching them Science and Mathematics, but all of them are important. Teaching our children history is also very important.

We cannot teach people patriotism, but it is instilled in people. You cannot force patriotism on somebody. It comes willingly from a human being. If we make Kamukunji Grounds historical site, that can resonate with the very important words that were spoken so many years ago. It can make people understand where our country has come from.

I agree that we need to support this Motion. It should be supported. The Mausoleum Bill is at the First Reading stage before the House. As Hon. Yusuf has suggested in the Motion, we should ensure that Kamukunji Grounds is protected against developers and land grabbers. These days, you need an inch of an opportunity in Nairobi to put a foot on and that land becomes yours overnight. We know that for a fact because we are citizens and leaders in Nairobi City. You only need an opportunity to go about what you want.

It is about time that we, as Members of Parliament, did something useful as this one so that future generations will remember us for the good work that we have done and the achievements we have made to protect our historical sites. It is plausible. I find it very painful because the general perception of a Member of Parliament is negative. The people and the media have negative thoughts about a Member of Parliament. It is so distasteful. It is painful because people cannot see the good work and positive things which Members of Parliament do.

With those few words, I support the Motion. I congratulate the Member for taking this initiative.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Thank you, Hon. Member. I now give the Floor to the Member for Mombasa County, Hon. Mishi.

**Hon. (Ms.) Khamisi:** Asante sana, Mhe. Naibu Spika wa Muda, kwa kunipatia nafasi hii. Kwanza, ninataka kumpongeza Mhe. Yusuf kwa kutuletea Hoja hii ambayo inatupatia historia yetu kama Wakenya. Tunatakikana kuzingatia Hoja hii. Pengine wengine wanaona ni Hoja isiyokuwa na uzito lakini ina uzito sana haswa tukiangalia kuwa lazima tuwe tunajiashiria na kuambia vizazi vyetu pale tulipotoka.

Tunaona viongozi wengi wetu ambao sasa wako mbele katika utetezi wa haki, walitetea nchi yetu kwa kupambana na wale wabeberu mpaka sisi tukapata Uhuru. Kiwanja hiki kilikuwa mojawapo ya viwanja ambavyo watu walikuwa wakikutana wakitathmini na wakizungumzia njia mwafaka ya kutupa ukombozi. Kiwanja hiki lazima kiangaliwe na kuwekewa hadhi, kuhifadhiwa na kuwekwa mapambo ambayo yataashiria historia.

Tunataka tukiangalie kama vile ambavyo tumeangalia taasisi za kihistoria. Kule Pwani, tuna taaasisi ya Fort Jesus ambayo imehifadhiwa na kulindwa kwa sababu inatuonyesha historia za Mreno na Mwingereza walipokuja pale Mombasa. Hivyo basi, vizazi na nchi nyingi sana hutembea pale na kulipa ada za fedha ili kusoma historia hiyo.

Kiwanja hiki ikiwa kitaangaliwa katika hali ya kuhifadhi historia yetu na pia kuweza kukilinda, wale ambao wanapenda kunyakua ama kuweka mijengo karibu na viwanja kama vivyo, hawatafaulu. Pia kinaweza kutengeneza ajira ndogo kwa vijana ama Wakenya wengine kwa sababu kitatengenezwa na kuweka wasimamizi ili sura yake halisi iweze kuhifadhika

ndiposa unaposema ni kiwanja cha historia, kila mmoja ataweza kukijua. Tuweze kupata zile pambo mwafaka za kuwekwa pale na majina ya wale mashujaa wetu ambao wamepigania Uhuru wetu.

Kama vile mwenzangu, Mhe. Ali, amesema, sisi tumewasahau mashujaa wetu. Juzi nilikuwa America na tukatembea sehemu ya Rhode Island mahali ambapo kunajengwa nyumba nyingi, takriban nyumba 200 za wale waliopigania uhuru. Kumejengwa nyumba za kisasa ambapo wamewekewa makanisa, benki na hao mashujaa wamewekewa mnara wa historia yao. Hapa kwetu tunawakumbuka tu wakati tuna siku zetu mwafaka za kihistoria kama Madaraka Day na tunasema tunawakumbuka wale waliopigania Uhuru. Tunapokumbuka siku hizi za kihistoria, inafaa tuwapatie mashujaa wetu heshima na kuwaweka katika njia itakayowapatia hadhi kwa kazi waliofanya.

Ninaunga mkono swala hili kwa sababu vizazi vyetu vichanga ambavyo viko sasa, ikiwa vitaweza kutembelea sehemu kama hizi na kuelezea historia ya viwanja kama hivi, vitaweza kujenga uzalendo. Uzalendo ni jambo ambalo linaingia katika nafsi ya mtu na kumpatia ari na Uhuru katika nafsi yake kujua kwamba yeye ni mzalendo. Uzalendo unaletwa na historia zetu. Tujue pahali tunapotoka na baada ya kupata Uhuru, watu wamepigania haki za kibinadamu.

Kiwanja hiki kimetumika sana. Mpaka sasa, watu wanaopigania haki za uhuru kama Maina Kiai, Khalif kutoka Pwani na wengine wamekuwa wakitumia viwanja hivi. Hivyo basi, inafaa tukae katika viwanja kama tunapofanya maombi ya kitaifa haswa kwa wakati huu ambapo tunaelekea wakati wa uchaguzi. Lazima tuonyeshe uzalendo kama Wakenya na tujenge nchi yetu. Njia moja ya kutuweka pamoja ni kutumia viwanja vya kihistoria kama hivi ambavyo wakati ukiwa pale, unajikumbusha, unapata kumbukumbu na unajua tumetoka wapi. Baada ya kutembea pale, tutapiga hatua ya kutorejea kule nyuma kwenye giza.

Hivi sasa, kule Pwani tuko na Uhuru Gardens. Uhuru Gardens itabaki Uhuru Gardens na tutaihifadhi, tutaingalia na tutailinda. Kule magharibi, kuna Masinde Muliro Gardens ambayo itabaki kama Masinde Muliro Gardens kwa sababu hiyo ni historia. Ni lazima tuhifadhi kiwanja cha Kamukunji, tukilinde and kukipatia hadhi inayohitajika ili vizazi vyetu vichanga na wageni wanaokuja wajue pahali Wakenya walitoka, wanakoelekea na jinsi watakavyoendelea kujenga Kenya.

Kwa hayo mengi ama machache, ninaunga mkono Hoja hii. Pia, ni lazima tuangalie vile viwanja vingine katika Jamhuri yetu ya Kenya ambavyo vinatakikana kuwekwa katika hali ya kitaifa na hali ya kihistoria ili historia yetu ihifadhiwe na tuzidishe uzalendo wetu kama Wakenya.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Thank you, Hon. Member. I now give the Floor to the Member for Roysambu.

**Hon. Ndirangu:** Thank you very much, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this very important Motion by my colleague, Hon. Yusuf, from Kamukunji. I want to congratulate him on this occasion.

Kamukunji grounds are a historic place which is synonymous to the second liberation struggle. I was there during the Kamukunji rally that was attended by the doyen of Kenya Opposition politics, Jaramogi Oginga Odinga, and the likes of Philip Gachoka, Charles Rubia, Martin Shikuku and Kenneth Matiba. As I speak, that field is neglected. It has no infrastructure or protection. It is important for the Government to provide physical facilities like ablution blocks, sanitation facilities, roads and shelter for the people who use that ground.

Kamukunji is not alone. We have such other grounds all over the City of Nairobi which have equally been neglected like Huruma Grounds, Mathare Grounds and Githurai Grounds in

my constituency. There is also Kahawa Grounds, Jamhuri Grounds, Dagoretti Grounds, Dandora Grounds and Makadara Grounds. I want to thank the Member for Makadara, Benson Mutura, for using his NGCDF to convert Makadara Grounds to Toyoyo Stadium, which is bringing in a lot of money and is being used as recreation grounds by the young people of that constituency.

You will note that our forefathers and the people who used to call shots in City Hall shortly after Independence were very mindful of the residents of Nairobi. That is why they set aside all these public spaces for recreation for our young people. Today, City Hall, which is the headquarters of the county government, has completely neglected them to the extent that parts of Kamukunji and Githurai grounds have been grabbed.

This is done by officials at City Hall, who collude with Ardhi House mandarins, to issue title deeds for public facilities. That is why it has become very difficult for Nairobi County Government to provide space for recreation and sporting activities for our young people, who instead indulge in anti-social activities. The faster we reclaim these grounds and turn them into sports utilities, the better for the young people of this country. The youth can use their time fairly well in creative activities like boxing and athletics. Time has come for this country to put up a freedom museum where we can celebrate our heroes and keep all the artefacts that were used in the struggle for Independence. We can also keep portraits of fallen heroes like Dedan Kimathi, Wachiuri and Prof. Wangari Maathai. We need to have a freedom museum where we can be commemorating and honouring our heroes.

We all know that the remains of Field Marshal Dedan Kimathi have never been located although the Government knows that he was buried in my constituency at Kamiti Prison. It is very unfair that Mukami Kimathi will one day go to her grave without burying the remains of her husband. It is important that our Government engages the British Government to show us where Kimathi was buried when Mrs. Mukami Kimathi and her family are still alive. It is unfair that every year we celebrate Heroes' Day, Kenyatta Day and Madaraka Day at Uhuru Park, yet we do not know where these remains are.

**Hon. (Ms.) Gathecha:** On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, let me get a point of order from Hon. Nyokabi.

**Hon. (Ms.) Gathecha:** Thank you, Hon. Temporary Deputy Speaker. Kindly, remember that Kamiti Prison is in Kiambu County, Ruiru Constituency. It is not in Nairobi County.

**Hon. Ndirangu:** Thank you for the point of information, but the last time I checked, one of my polling stations was in Kamiti Prison. All the prisoners at Kamiti Prison voted for me. That is not a point of contest.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Let us not get ourselves tied up in knots. It is a new boundary alignment that has been done. Some parts of Nairobi have gone to Kiambu. I am sure that the Member is speaking cognisant of that fact.

**Hon. Ndirangu:** Hon. Temporary Deputy Speaker, you were also voted for at Kamiti Prison Primary School. My concern is about the preservation of public utilities in our constituencies and in our counties, particularly in Nairobi, where 70 per cent of public utility land has been grabbed. We urge the National Land Commission (NLC) to reclaim and repossess all that land.

Recently, in Zimmerman area within my constituency, we identified a public utility space of about an acre that had been set aside for a recreation facility for a secondary school by the Zimmerman Housing Company. Today, it has been grabbed and occupied. When we went there, we found one of the land owners rearing cattle in the middle of Zimmerman on a public utility



plot. One of these fine days, when you see us in social media or in newspapers being accused of reclaiming land that belongs to the public, know that we are trying to protect public facilities in Zimmerman.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to the Member for Kwanza, Hon. Wanyonyi.

**Hon. F.K. Wanyonyi:** Thank you, Hon. Temporary Deputy Speaker. I take this opportunity to thank my brother, Hon. Hassan, for coming up with this noble idea and bringing this Motion, which I support.

First and foremost, when you talk about Kamukunji, in many spheres, it means getting people together for a noble idea and discussions to come up with resolutions. This House has had *Kamukunji* gatherings. When I was a student at the University of Nairobi, we used to have *Kamukunji* gatherings. During such gatherings, we would talk freely and come up with resolutions to either boycott classes or start throwing stones. That was part of *Kamukunji* resolutions. Therefore, Kamukunji grounds are synonymous with bringing people together to share ideas with the aim of coming up with a way forward regarding problems affecting the people. I want to thank my colleague for coming up with this Motion, so that we can protect and respect the area of Kamukunji.

About a month ago, I attended a rally which was held at Kamukunji Grounds with CORD principals. The place is of great concern. I also remember the first *Saba Saba* rally. I was a student and I witnessed great leaders like Matiba, the late Shikuku, James Orengo, Masinde Muliro and the late Vice-President, Hon. Kijana Wamalwa, who gathered there with a purpose. We joined them as students and we came up with ideas. That is how we came up with multiparty democracy in this country. It is important for us to protect that area. It has been forgotten and neglected. My last visit to the grounds was about two months ago when I was with my principals in CORD. I felt sorry. That is one of the areas that are synonymous with what we are doing. As the Member for Roysambu has mentioned, there are so many professional land grabbers in this country. If we do not protect Kamukunji Grounds, people will very soon move from Shauri Moyo and put up kiosks there. I saw something like that happening. I know that Hon. Yusuf has also seen it happening. I saw a wall being erected in the area. Where is the Nairobi County Government?

With the passage of this Motion, I hope something will be done immediately. I am in the Committee on Implementation and I want to assure Hon. Hassan that as soon as this is done, this matter will top my Committee's list of implementation. I remember great leaders of this country suffering from tear gas on the grounds. They were clobbered as they left Kamukunji Grounds. This Motion is important. Apart from this, we also want to respect our fallen heroes and come up with a list of people who struggled for this country's Independence. We should erect some statues there and protect them. When I went to India the other day, of course not as a tourist, I managed to get to a place with its statues and a few other things for the future generation to read about what happened many years ago.

South Africa has protected the island where the late Mandela was imprisoned and suffered. In Russia, the Freedom Square is protected. Therefore, it is time for us to come up with a budget to protect these sites. I wish this Motion had come much earlier because we would have interrogated the Supplementary Estimates to set aside some money for the protection of these important grounds. I will ask my colleague from Roysambu why he wants to turn these important grounds into a football pitch. If you do that, it will be like Pumwani and it will all be gone. I have been there. *Mimi ni mtoto wa mtaa*. If we turn a place like Kamukunji into a football pitch as he

has suggested, we will go back to square one. There will be no grass. When our grandchildren come to Nairobi, we want to take them to Kamukunji where they can see the pictures of Mzee Muliro, Hon. Matiba, the late Kijana Wamalwa and the late Hon. Shikuku. These are people who helped us attain freedom and multipartism in this country. This area can become a local tourism attraction centre. We can also have tourists from overseas coming and paying a fee which will be used to maintain the grounds. It will be an attraction site for both local and foreign tourists and we will get some money for this country.

As soon as this Motion is passed, we will fast-track it, so that we can get money for the Nairobi City County and the national Government to protect this site that all of us and future generations will be proud to visit.

I support the Motion and congratulate my brother for having come up with it.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): I now give the Floor to the Member for Kiambu County, Hon. Nyokabi.

**Hon. (Ms.) Gathecha:** Thank you, Hon. Temporary Deputy Speaker for this opportunity to contribute to this Motion. First, I thank Hon. Yusuf for introducing such an important Motion. When we take a look at the issue of national monuments in this country, Kamukunji Grounds holds significant historical value. When we take a look at Harry Thuku and those who fought for the Independence of this country, they played a significant role. Every country you go to in the world has a Tiananmen Square and all manner of sites that have been set aside to commemorate areas where those countries' independence was fought for.

That may probably be the reason why children in this country continue to burn dormitories and their schools without care or regard to any sense of personal responsibility and freedom is really never free. When I saw this Motion, I remembered areas like Red Nova in Kiambu, where bodies of people who fought for the freedom of this country like the Mau Mau, were heaped or damped when they were killed. None of these areas is regarded as special areas or reserves where we can commemorate history. Instead, those public places have been desecrated by building of hotels and institutions. It is a big shame. Instead of recognising the importance of national monuments and the role they hold as areas we can learn our history and teach our young people where we have come from as a country, they continue to be encroached and disregarded by people interested in profit.

**Hon. Aburi:** On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Let me interrupt you briefly. I have a point of order from Hon. Mpuru.

**Hon. Aburi:** Thank you, Hon. Temporary Deputy Speaker. Because this Motion has been discussed for long, can I ask that the Mover be called upon to reply?

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Member, I will put that Question to the Floor as soon as we complete the opportunity given to the Member from Kiambu. So, I will put the Question after she has completed. Go ahead.

**Hon. (Ms.) Gathecha:** Thank you, Hon. Temporary Deputy Speaker. We see misallocation of land and encroachment by developers who have no regard to the history of this country and where we have come from. Any country that does not recognise its heroes and their contribution to development is enslaved and will never grow.

I congratulate Hon. Yusuf and thank him for introducing this Motion, to widen the scope and ensure that all areas of this country that have contributed to the freedom of this country are allocated to the National Museum as historical grounds for protection, so that they become

grounds where we continue to learn about the history of this country. Kenyans can take pride of where we have come from.

When we look at Kenya's contribution internationally, we continue to draw monumental accolades, but when it comes to recognising our heroes and where we have come from, we have a very poor record. I hope with this Motion, we will allocate a significant part of our Budget to the maintenance of those monumental historical places to ensure that we focus on that.

I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Thank you, Hon. Member.

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

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Yusuf, you have 10 minutes. You could donate one or two minutes to other Members who really wanted to contribute.

**Hon. Abdi:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. There is Hon. Wamalwa who has been here since I moved this Motion. I will give him one minute and then I will give another minute to Hon. Wambui.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Wafula and then the Member for Othaya.

**Hon. Wekesa:** Asante sana Mhe. Yusuf. Hongera kwa kuileta Hoja hii. Mhe. Aliileta Hoja hii kwa kuzingatia kwamba eneo lake la Bunge linatokana na jina "Kamukunji". Sehemu nyingi hapa nchini hasa sehemu za mijini zinajulikana kwa jina "Kamukunji". Ajabu ni kwamba watu wengi hawajui umuhimu ama maana ya jina "Kamukunji."

Nilipokuwa naonega na Mhe. Hassan, aliniambia kwamba Kamukunji isionekane kuwa ndogo. Ni sehemu kubwa ambayo imenyakuliwa. Ni ajabu kuwa sisi kama viongozi tunakaa hapa, sehemu muhimu zinanyakuliwa na tumenyamaza. Sio tu Kamukunji, ni sehemu nyingi za aina hii ambazo zimenyakuliwa. Wengi wetu ambao tumepata nafasi ya kupitia sehemu ya Kamukunji hupigwa na butwaa tukiona hali ya mazingira yake ikilinganishwa na vile ambavyo "Kamukunji" inavuma. Ingekuwa vizuri kama Serikali ingefanya sehemu hiyo iwe mojawapo ya sehemu za ukumbusho wa kitaifa.

Naunga mkono Hoja hii.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Let us have the Member for Othaya.

**Hon. (Ms.) Munene:** Thank you, Hon. Temporary Deputy Speaker. I would also like to congratulate Hon. Yusuf for bringing this Motion.

As my colleagues have said, we need to respect our heroes because they have made it possible for us to be here today. We can name many after our heroes because they have worked for this country. If the Government allows it, we have many places in Nyeri County where tourists can visit and see how the Mau Mau used to do their work. There are many heroes in Nyeri and Meru counties. There is Mutungi, Mwariama and Ndung'u Gicheru who used to shoot planes from the sky. Nyeri County is a good tourist site. It is in the Mount Kenya region where freedom fighters would sit to discuss how to get freedom. The house in which Dedan Kimathi met with the Mau Mau is a historical site. We also have Mathenge Mirugi from Othaya. We also have the place where Mzee Jomo Kenyatta would meet with the freedom fighters in the forest, which is a good historical site. We must tell our people not to grab land like Kamukunji.

Kamukunji has its own history as a place from where we got a multiparty system of government. It is better for us to ask the Government to declare Kamukunji Grounds a historical site.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Yusuf, please, reply.

**Hon. Abdi:** Thank you, Hon. Temporary Deputy Speaker. I am grateful and delighted by the contribution of Members in support of this important Motion. I am touched. I would particularly like to highlight Mheshimiwa Patrick Wangamati as one of our unsung heroes who contributed to this debate.

I would like to emphasise the fact that a country without a history is not a country. A country without heroes is not a country. We need to energise and continue to inspire our young people by putting emphasis on important places like Kamukunji. In many countries where I have lived, there are signposts directing you to monuments, places, houses, streets and sites that commemorate and honour the people who fought and shed blood for the struggles of those countries. One of the things I find in Kenya is that we celebrate and protect imperial and colonial projects. There are so many places with tourist attractions. We do not acknowledge, support, protect, celebrate and honour our freedom projects. This is the time to support our freedom projects. Kamukunji is a fundamental and central site to the history of our struggle.

This Motion comes at a time when we are approaching 7<sup>th</sup> July. The 7<sup>th</sup> July, 2016 will be the 16<sup>th</sup> Anniversary of the major *Saba Saba* rally that brought down the repressive Moi KANU dictatorship. That was the time our people said enough was enough and that they will not accept dictatorship. We then started the journey to the democracy that we enjoy today.

Therefore, I would like to reply with thanks. There were two suggestions that I would like to take up. One is to set up a committee to specifically look at how we can realise Kamukunji as a national monument, consisting of Members. I would like to work on that. The second suggestion was that we visit Kamukunji Grounds as Members of Parliament, so that we agree on substantive recommendations to be made to the Government. Most importantly, we should proceed to pass this Motion and declare Kamukunji Grounds a protected national monument.

I would like us to proceed with the remembrance that a hero is a person who has given his or her life to something bigger than oneself. We have many such heroes in this country starting from Harry Thuku and Makhan Singh, the founders of our trade union movement.

I am very happy to see unity in the diversity of this House in acknowledging that struggle regardless of the race, ethnicity or party lines. We also had people like Jomo Kenyatta, Oginga Odinga, Tom Mboya and Pio Gama Pinto. Lately, we had Kenneth Matiba, Charles Rubia, James Orengo, Koigi wa Wamwere, Martin Shikuku, Masinde Muliro, Kijana Wamalwa, among others. All these people played an important role in our struggle. We are able to speak as we want. Freedom of speech, association, forming political parties and all the things that we today take for granted should not be forgotten by the current and future generations.

That would make it a place of heritage. Not only just an open ground, but also a place where one can read the history of the people who took part in the struggles in terms of the speeches they made to inspire us to rise against colonialism and dictatorship to become the free country that we are today.

I would like to thank all those who have been with us here. They have made it possible. Not a single dissent has been expressed on the Motion seeking to declare Kamukunji Grounds a national monument.

Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Thank you, Hon. Abdi. I want to add my voice to the voices of the Members for Roysambu and Mathare, who engaged you. Kamukunji Grounds do not just serve Kamukunji Constituency, but they serve the whole of Nairobi. That is good work.

Hon. Members, the Question will be put when we have a quorum.

### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. (Ms.) Shebesh): Hon. Members, the time being 1.00 pm, the House stands adjourned until this afternoon at 2.30 pm.

The House rose at 1.00 pm