

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 7<sup>th</sup> November 2017

The House met at 2.30 p.m.

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

### PRAYERS

### COMMUNICATION FROM THE CHAIR

#### NOMINEES FOR APPOINTMENT TO THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND COMMITTEES

**Hon. Speaker:** I think we can commence. I have a short Communication which relates to submission of names of nominees for appointment to the National Government Constituencies Development Fund (NG-CDF) Committees.

Hon. Members, my office is in receipt of three letters from the National Government Constituencies Development Fund Board dated 30<sup>th</sup> October 2017, 3<sup>rd</sup> November 2017 and 6<sup>th</sup> November 2017, forwarding lists of persons proposed to be appointed into various National Government Constituencies Development Fund Committees. The names so far received relate to 178 out of the 290 constituencies. The lists have been forwarded for consideration and approval by the House pursuant to the provisions of Section 43(4) of the National Government Constituencies Development Fund Act (No.30 of 2015) which provides, and I quote:

“The names of the persons selected under subsection (3) shall be submitted by the Board to the National Assembly for approval before appointment and gazettment by the Board.”

Hon. Members, it is worth noting that paragraph 5(2)(a) of the National Government Constituencies Development Fund Regulations of 2016 provides that a vacancy shall occur in a constituency committee upon commencement of a new Parliament. This, therefore, implies that vacancies occurred in all the 290 National Government Constituencies Development Fund Committees upon commencement of the 12<sup>th</sup> Parliament on 31<sup>st</sup> August, 2017.

I am aware that the National Government Constituencies Development Fund Board has since notified all Members to commence the process of nomination of persons to serve in the various committees for your respective constituencies, in accordance with the said Act and regulations. I, therefore, encourage all Members to expedite the nominations as requested by the Board for approval by the House. In the meantime, I have allowed the Leader of the Majority Party to give a Notice of Motion in respect of the names submitted so far, for prioritisation by the House Business Committee (HBC) and subsequent consideration by the House.

I thank you, Hon. Members.

Just to suggest, I want to say that the early bird catches the worm. So, those who may be interested to serve their people in those capacities can better move to get your constituency serving.

Proceed.

### MESSAGE

#### LAPSE OF THE INSTITUTE OF DIRECTORS OF KENYA BILL AND THE REFUGEES BILL

**Hon. Speaker:** Members, even as I read this Message, I want to indicate to the House that I will be making further Communication a little later. It is good to put on notice those of you who did not take seriously the various steps about being noticed as a Member. Since we seem, as a country, to place such high premium on technology, those of you who have not presented their biometric data will sooner than later have to either stay in the village or not come here. Even if you came, nobody will know that you came. We will stop any manual registration or recording of Members coming into the Chamber. There will be further Communication which will specify which Members have presented their bio-data for purposes of being put in the system.

*(Several Hon. Members walked into the Chamber)*

Hon. Member, even if you are.... What is his name now? I do not know some of them. You cannot come with something that purports to be a flash. Some people are calling you a bishop of sorts. Members could take their seats. Did they take the induction seriously? Do not do that. Freeze!

Hon. Members, this is Message No. 1 of 2017. It relates to a referral by His Excellency the President of the Institute of Directors of Kenya Bill, 2016, and the Refugees Bill, 2016.

Hon. Members, my office has received various inquiries from Hon. Members, institutions and individuals regarding the fate of the Institute of Directors of Kenya Bill (National Assembly Bill No. 30 of 2016) and the Refugees Bill (National Assembly Bill No. 29 of 2016).

For the information of the House, the two Bills which were sponsored by Hon. David Ochieng and Hon. Agostinho Neto respectively, were considered and passed in the last Parliament before the end of its term. Thereafter, during the June recess of the last Parliament, I presented the two Bills to His Excellency the President for assent in accordance with the provisions of the Constitution and our Standing Orders.

As a matter of fact, I presented the Institute of Directors of Kenya Bill, 2016 and the Refugees Bill, 2016 for assent on 21<sup>st</sup> June 2017 and 21<sup>st</sup> July 2017, respectively.

I wish to inform the House and the general public that, His Excellency the President, thereafter referred the two Bills back to the National Assembly for reconsideration pursuant to the provisions of Article 115(1)(b) of the Constitution on 4<sup>th</sup> July 2017 and 5<sup>th</sup> August 2017, respectively. In this regard, since the 11<sup>th</sup> Parliament had proceeded on a *sine die* recess from 15<sup>th</sup> June 2017 until the end of its term, the National Assembly did not have the opportunity to reconsider the two Bills.

This implies and means that the two Bills have since lapsed in accordance with the provisions of Standing Order No. 141(4), which provides that:

“A Bill, the consideration of which has not been concluded at the end of a term of a Parliament, shall lapse.”

Since the said Bills were sponsored by individual Members who have lost their seats, any other Member is now at liberty to reintroduce any of them in accordance with the provisions of Standing Order No. 114. I thank you, Hon. Members.

Next Order.

### COMMUNICATION FROM THE CHAIR

#### STATUS OF PETITIONS BEFORE NATIONAL ASSEMBLY

**Hon. Speaker:** Let me say that the Office of the Clerk has received, so far, a number of petitions from many Kenyans. But, in terms of our Standing Orders and more particularly Standing Order No. 227, we cannot read those petitions out here because they would, invariably, stand committed to the relevant Committees of the House. Since those Committees have not been formed, it will be futile. If you know, under Standing Order No. 227, the Committee would have 60 days within which to consider those petitions and make a Report, one way or another. It means it will be unfair to read those petitions because there is a chance the Committees may not be in place to consider those Petitions. Once a referral order is made, time begins to run from that date.

This is just for the information of Members and the general public that, indeed, we have received a number of Petitions, but we cannot read them out here. To which Committees will they be committed? For the time being, since it looks like it is the general agreement to remain in limbo, even the general public will remain in limbo, likewise, until the Committees are formed.

Next Order!

### PAPERS LAID

**Hon. Speaker:** Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Speaker, I beg to lay the following Papers on the Table of the House:

List of nominees to 178 National Government Constituencies Development Fund Committees from the National Government Constituencies Development Fund Board.

The Capital Markets (Online Foreign Exchange Trading) Regulations, 2017 and the Explanatory Memorandum pursuant to Section 12 of the Capital Markets Act.

The Kenya Defence Forces (Commissioning of Officers) Regulations, 2017 and the Explanatory Memorandum pursuant to the provisions of Section 304(1) of the Kenya Defence Forces Act, 2012.

The Kenya Defence Forces (Imprisonment) Regulations, 2017 and the Explanatory Memorandum pursuant to the provisions of Section 304(1) of the Kenya Defence Forces Act, 2012.

The Kenya Defence Forces (Pensions and Gratuities) (Officers and Service Members) Regulations, 2017 and the Explanatory Memorandum pursuant to the provisions of Section 304(1) of the Kenya Defence Forces Act, 2012.

The Kenya Defence Forces Rules of Procedure, 2017 and the Explanatory Memorandum pursuant to the provisions of Section 304(1) of the Kenya Defence Forces Act, 2012.

The Competition Tribunal Procedure Rules, 2017 pursuant to Section 71(6) of the Competition Act, 2010.

The Companies (General) (Amendment) (No. 2), Regulations, 2017 and the Explanatory Memorandum pursuant to Section 1022 of the Companies Act, 2015.

The National Land Commission (Investigation of Historical Land Injustices) Regulations, 2017 pursuant to Section 36 of the National Land Commission Act, 2012.

The Report of the Board of the National Government Constituencies Development Fund on project proposals approvals, disbursement status and restrictions imposed on constituencies' accounts for the First Quarter of the Financial Year 2017/18 (1<sup>st</sup> July to 30<sup>th</sup> September, 2017).

This is a very important Report. I hope Members will get a copy of it because this is a Report from the CDF Board dealing with project proposals, those which have been approved, disbursement status, restrictions imposed on certain constituencies' accounts for the First Quarter of this Financial Year. It is good if Members go through that Report to see whether your constituency falls within those categories.

The 2017 Budget Review and Outlook Paper from the National Treasury.

The Consolidated National Government Investment Report for the Financial Year 2016/2017 from the National Treasury.

The Bi-Annual Report of the Commission on Administrative Justice (Office of the Ombudsman) for the period July to December, 2016.

*(Hon. Kaluma consulted Hon. (Ms.) Mbarire)*

Hon. Speaker, Hon. Kaluma is discussing in high tones. I do not know whether this is part of the migration. Maybe, he has migrated. He thought it was from Safaricom to Airtel Kenya, but he has migrated from the National Super Alliance to Jubilee. He is consulting our Whip of the Majority Party. Ultimately, he will consult me on the way forward on migration.

The Annual National Government Budget Implementation Review Report for the Financial Year 2016/2017 by the Office of the Controller of Budget.

The Annual Report and Financial Statements in respect of the following institutions for the year Financial Year 2015/2016:

- (a) Salaries and Remuneration Commission.
- (b) State of the Judiciary and the Administration of Justice.
- (c) Higher Education Loans Board.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Members, just like with petitions, if you look at the Statutory Instruments Act, you will know that the obligation on any regulation-making authority or body is to table whatever regulations they have after gazettelement before the House. Thereafter, it is for the House to consider those regulations, make amendments, annul them or treat them in whatever other way that the committees of the House responsible deem necessary. Therefore, those regulations will remain in limbo because we do not have the relevant committee, which is the Committee on Delegated Legislation, to consider them.

Again, in terms of that Act, anything done with the authority of the regulations, unless and until annulled or otherwise acted upon by the House, remains valid. Therefore, the regulation-making bodies that have come up with the regulations are at liberty to begin implementing them until such time as the House will express itself one way or another regarding those regulations.

Next Order.

## NOTICES OF MOTIONS

### ALTERATION OF THE CALENDAR OF THE NATIONAL ASSEMBLY

**Hon. A. B. Duale:** Hon. Speaker, I beg to give notices of the following Motions:

THAT, pursuant to the provisions of Standing Order 28(4), this House resolves to alter its Calendar for the First Session of the Assembly (2017) as adopted on September 27, 2017 by proceeding for a further recess from Wednesday, November 8, 2017 and resuming its regular sittings on Wednesday, November 29, 2017.

### APPOINTMENT OF MEMBERS TO THE PARLIAMENTARY PENSIONS MANAGEMENT COMMITTEE

THAT, pursuant to the provisions of Section 19(1)(c) of the Parliamentary Pensions Act (Cap.196) and notwithstanding the provisions of Standing Order 173(1), this House approves the appointment of the following Members to the Parliamentary Pensions Management Committee, in addition to those specified under Section 19(1):

- (i) The Hon. Daniel Wanyama, MP;
- (ii) The Hon. Rehema Dida Jaldesa, MP; and
- (iii) The Hon. Andrew Mwadime, MP

### APPROVAL OF NOMINEES TO THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND COMMITTEES

THAT, pursuant to the provisions of Section 43(4) and Regulation 5(10) of the National Government Constituency Development Fund, 2015, this House approves the

list of nominees for appointment to the following one hundred and seventy eight (178) Constituency Committees of the National Government Constituency Development Fund, laid on the Table of the House on Tuesday, November 07, 2017:

1. Ainabkoi Constituency
2. Ainamoi Constituency
3. Aldai Constituency
4. Alego Usonga Constituency
5. Awendo Constituency
6. Bahati Constituency
7. Baringo Central Constituency
8. Baringo South Constituency
9. Belgut Constituency
10. Bomachoge Borabu Constituency
11. Bomachoge Constituency
12. Bonchari Constituency
13. Borabu Constituency
14. Bumula Constituency
15. Bura Constituency
16. Butere Constituency
17. Butula Constituency
18. Buuri Constituency
19. Changamwe Constituency
20. Cherangany Constituency
21. Chesumei Constituency
22. Dagoretti North Constituency
23. Dagoretti South Constituency
24. Eldama Ravine Constituency
25. Eldas Constituency
26. Embakasi West Constituency
27. Emgwen Constituency
28. Emurua Dikirr Constituency
29. Fafi Constituency
30. Galole Constituency
31. Gatundu South Constituency
32. Gem Constituency
33. Gichugu Constituency
34. Gilgil Constituency
35. Githunguri Constituency
36. Igembe Central Constituency
37. Jomvu Constituency
38. Juja Constituency
39. Kabete Constituency
40. Kabuchai Constituency
41. Kacheliba Constituency
42. Kaiti Constituency

43. Kajiado Central Constituency
44. Kajiado North Constituency
45. Kajiado South Constituency
46. Kajiado West Constituency
47. Kandara Constituency
48. Kangema Constituency
49. Kangundo Constituency
50. Kapenguria Constituency
51. Kapseret Constituency
52. Kasipul Constituency
53. Kathiani Constituency
54. Keiyo North Constituency
55. Keiyo South Constituency
56. Kesses Constituency
57. Khwisero Constituency
58. Kiambu Constituency
59. Kibra Constituency
60. Kibwezi East Constituency
61. Kibwezi West Constituency
62. Kigumo Constituency
63. Kiharu Constituency
64. Kilgoris Constituency
65. Kilifi North Constituency
66. Kilifi South Constituency
67. Kilome Constituency
68. Kiminini Constituency
69. Kinango Constituency
70. Kinangop Constituency
71. Kipipiri Constituency
72. Kipkelion East Constituency
73. Kipkelion West Constituency
74. Kirinyaga Central Constituency
75. Kisauni Constituency
76. Kisumu East Constituency
77. Kisumu West Constituency
78. Kitui Central Constituency
79. Kitui East Constituency
80. Kitui Rural Constituency
81. Kitui South Constituency
82. Kitui West Constituency
83. Kitutu Masaba Constituency
84. Konoin Constituency
85. Kuresoi North Constituency
86. Kuria East Constituency
87. Kuria West Constituency
88. Kwanza Constituency

89. Lafey Constituency
90. Laikipia East Constituency
91. Laikipia North Constituency
92. Laikipia West Constituency
93. Langata Constituency
94. Lari Constituency
95. Likoni Constituency
96. Likuyani Constituency
97. Luanda Constituency
98. Lugari Constituency
99. Lunga Lunga Constituency
100. Lurambi Constituency
101. Magarini Constituency
102. Makueni Constituency
103. Malava Constituency
104. Malindi Constituency
105. Mandera East Constituency
106. Mandera North Constituency
107. Mandera South Constituency
108. Manyatta Constituency
109. Maragua Constituency
110. Marakwet East Constituency
111. Marakwet West Constituency
112. Masinga Constituency
113. Mathioya Constituency
114. Matuga Constituency
115. Matungulu Constituency
116. Mavoko Constituency
117. Mbeere North Constituency
118. Mbeere South Constituency
119. Mbooni Constituency
120. Mogotio Constituency
121. Moiben Constituency
122. Molo Constituency
123. Mosop Constituency
124. Mt. Elgon Constituency
125. Mukurweini Constituency
126. Mwatate Constituency
127. Mwingi Central Constituency
128. Mwingi West Constituency
129. Nambale Constituency
130. Nandi Hills Constituency
131. Narok South Constituency
132. Navakholo Constituency
133. Ndaragwa Constituency
134. Njoro Constituency



135. Nyali Constituency
136. Nyaribari Masaba Constituency
137. Nyatike Constituency
138. Nyeri Town Constituency
139. Ol Joro Orok Constituency
140. Othaya Constituency
141. Pokot South Constituency
142. Rabai Constituency
143. Rongai Constituency
144. Rongo Constituency
145. Roysambu Constituency
146. Ruiru Constituency
147. Runyenjes Constituency
148. Sabatia Constituency
149. Saku Constituency
150. Samburu East Constituency
151. Samburu West Constituency
152. Seme Constituency
153. Sigor Constituency
154. Sigowet/Soin Constituency
155. Sirisia Constituency
156. South Imenti Constituency
157. South Mugirango Constituency
158. Soy Constituency
159. Suba North Constituency
160. Subukia Constituency
161. Taveta Constituency
162. Teso North Constituency
163. Teso South Constituency
164. Tetu Constituency
165. Thika Town Constituency
166. Tigania East Constituency
167. Tigania West Constituency
168. Tongaren Constituency
169. Turkana East Constituency
170. Turkana South Constituency
171. Ugunja Constituency
172. Uriri Constituency
173. Voi Constituency
174. Webuye East Constituency
175. Webuye West Constituency
176. West Mugirango Constituency
177. Westlands Constituency
178. Wundanyi Constituency.

Thank you, Hon. Speaker.

**Hon. Speaker:** Leader of Majority Party, you appear to have skipped the constituencies starting from No. 15 to No.44

**Hon. A. B. Duale:** I want to assure Members that there is no panic. As they come, we will read and approve. Even Garissa Township is not there.

*(Laughter)*

The other thing is that now that there is no Chairperson of the CDF Committee, we are in consultation with the Cabinet Secretary for National Treasury to ensure that he releases money this week to the Board.

**Hon. Speaker:** For those that may have done some things in the villages and they have not heard the names of their constituencies being read out, I want to assure you that the Office of the Clerk is in constant communication with the Chief Executive of the NG-CDF Board so that in the event we get more names of constituencies between now and tomorrow when the Motion is finally moved, the Leader of the Majority Party has agreed to move the Motion in an amended form, including any other constituencies whose names will have been received. They say in Swahili, *kazi kwenu*.

I am the only one who is allowed to do that, not you, Hon. Jimmy Angwenyi; notwithstanding your age.

Hon. Peris Tobiko.

### NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.33

#### KILLING OF LIVESTOCK IN LAIKIPIA COUNTY

**Hon. (Ms.) Tobiko:** Thank you, Hon. Speaker. Pursuant to Standing Order No.33(1), I seek leave of the House for adjournment of debate for purposes of discussing an urgent national matter relating to the recent killings of livestock in Laikipia.

There has been an ongoing conflict between herders, private ranchers and security agencies. Unfortunately, of late, and most recently on Sunday, 5<sup>th</sup> November 2017, the situation has escalated to loss of lives and livestock and destruction of property of unknown value. This is a matter that requires urgent Government intervention to restore peace among local communities and permanently resolve similar situations across Laikipia and the country.

It is for this reason that I therefore seek for adjournment of the House to discuss this matter of great national concern.

Thank you, Hon. Speaker.

**Hon. Speaker:** Do you have the numbers?

*(Several Members stood in their places)*

Very well. This is overwhelming. You may resume your seats. Hon. Peris Tobiko, in the first instance, because of the number of Members desirous of contributing to this Motion, I would grant that you move it at 5.30 p.m., which is one hour and a half, or such earlier time as the House will have concluded the consideration of any other business that is on the Order Paper.

And it is also good to appreciate that the House sits on Tuesday afternoon from 2.30 p.m. to 7.00 p.m. So, that should keep you in the Chamber because you do not know when the House may conclude the business appearing. It may be in the next few minutes. So be ready. I can see you have the support of almost the entire House, only that I think in debating a Motion of this nature, we need to be careful about the language we use - it must be temperate -to avoid worsening the situation which already, as you have stated, is volatile.

*(Hon. Wario walked into the Chamber)*

I wish the Member for Bura could have come a little earlier. He is unable to find a seat. Is it because of his size?

*(Laughter)*

## COMMUNICATION FROM THE CHAIR

### BIOMETRIC REGISTRATION OF MEMBERS

**Hon. Speaker:** Hon. Members, I am aware that there is some business that we are getting into, but I want to make this Communication as I had promised earlier. And today, we will point at who it is, because I can see some of the Members who are affected are here, so that nobody walks out saying it was a general communication.

This Communication relates to registration of Members in the biometric system. As most of you will recall, on 12<sup>th</sup> September 2017, I made a Communication regarding, among other things, registration of all Members in the biometric system for purposes of recording your Chamber attendance. In the Communication, I informed the House that the Clerk of the National Assembly had commenced the process of registration of all Members in the biometric system for purposes of recording your Chamber attendance. This is in keeping with the provisions of Article 103(b) of the Constitution, whose implementation requires that an accurate record of your Chamber attendance is maintained.

**An hon. Member:** Why?

**Hon. Speaker:** I am surprised I can hear somebody asking why. Then you need to go back to your Constitution.

I also mentioned that it is only after the completion of this exercise, which was supposed to take a few days, that the system was to be fully operational for use. In the meantime, a window was provided to enable Members who had not registered in the biometric system to use the manual register to record their Chamber attendance. Indeed, most Members have since complied and registered in the biometric register.

In this regard, I want to remind the following 27 Members to ensure that they comply by having their thumb impressions entered in the biometric register by close of business on Friday, 10<sup>th</sup> November 2017:

1. Hon. Martha Wangari
2. Hon. Vincent Kipkurui Tuwei
3. Hon. John Walter Owino
4. Hon. Martin Peters Owino
5. Hon. Pamela Ochieng Awuor

6. Hon. Zadoc Abel Ogutu
7. Hon. Jared Odoyo Okelo
8. Hon. Mark Ogolla Nyamita
9. Hon. Thuddeus Kithua Nzambia
10. Hon. Paul Nzengu Musyimi
11. Hon. Jonah Mwangi Mburu
12. Hon. Peter Mungai Mwathi
13. Hon. John Kanyuithia Mutunga
14. Hon. Mishi Juma Khamasi
15. Hon. David Mboni Mwalika
16. Hon. Abdikhaim Osman Mohamed
17. Hon. Justus Murunga Makokha
18. Hon. Peter Francis Masara
19. Hon. Nimrod Mbithuka Mbai
20. Hon. Dominic Koskei Kipkoech
21. Hon. Francis Kimani Kuria,
22. Hon. Jungle Patrick Kimani Wainaina
23. Hon. Anab Gure Mohamed
24. Hon. Rehema Hassan
25. Hon. Abdi Ibrahim Mude
26. Hon. Safia Adan Sheikh
27. Hon. Adan Haji Ali

I wish to inform the said Members that the registration exercise will be done at the entrance of the Chamber during working hours when the House is not sitting from today evening. It will conclude at the close of business on Friday, 10<sup>th</sup> November 2017 as aforesaid, after which the use of the manual register will cease.

I thank you.

**Hon. Tuwei:** On a point of order, Hon. Speaker.

**Hon. Speaker:** There can be nothing out of order. If you have not registered, you have not registered. Maybe it means that you have...

**Hon. Angwenyi:** (*Off record*).

**Hon. Speaker:** Hon. Jimmy Angwenyi, Hon. Vincent Kipkurui Tuwei is number two in the list.

**Hon. Tuwei:** (*Off record*).

**Hon. Speaker:** Hon. Tuwei, you will approach the Clerk and explain what it is. It may well be that your fingers may not have been sufficiently captured.

(*Laughter*)

Anyhow, the Members whose names I have read out should make an effort to ensure that they are not locked out of the exercise by close of business on Friday this week.

**Hon. Speaker:** Next Order!

## PERSONAL STATEMENT

DEMISE OF NYERI GOVERNOR DR. WAHOME GAKURU

**Hon. Speaker:** Hon. Member for Nyeri Town, Ngunjiri Wambugu, the Floor is yours.

**Hon. Martin Wambugu:** Hon. Speaker, pursuant to Standing Order No. 43, I wish to make a Statement regarding the sad demise of the late Governor of Nyeri County, Hon. Dr. Wahome Gakuru today Tuesday, 7<sup>th</sup> November 2017 at the Thika Level 5 Hospital after a tragic road accident. The late Governor Gakuru was an accomplished scholar; being a holder of Doctorate in Public Administration and Policy from Arizona State University, two masters' degrees in Business Administration, MBA from Willamette University in the United States of America and a Bachelor of Arts in Business Administration Degree from the University of Nairobi before successfully contesting for the Nyeri gubernatorial seat in August 2017. He was a lead consultant and a former university lecturer. He had also served as a director of Vision 2030, Equity Bank and National AIDS Control Council (NACC). He was loved and adored by many especially the students' fraternity of the various schools whom he taught and mentored as well as the people of Nyeri County.

Hon. Speaker, he had a great connection with the business fraternity and was poised to be a great economic liberator of the people of Nyeri. A few days ago, the late Governor led a team of like-minded governors in launching the brainchild of regional economic integration and growth being the resurgence of the Nairobi-Nanyuki Railway Line.

Hon. Speaker, words are not enough to explain what a loss this is to the people of Nyeri County and in particular my constituency, Nyeri Town where his offices and residence are, and also where he voted. I therefore, wish to take this opportunity on my behalf and that of the people of Nyeri Town Constituency and Nyeri County as a whole to convey my deepest condolences to the people, family and friends of the late Governor. May his soul rest in peace.

Hon. Speaker, with your indulgence, I wish to request the House to pay tribute to this distinguished leader, scholar and man of stern action with one minute of silence.

Thank you, Hon. Speaker.

*(Hon. Members observed a moment of silence)*

**Hon. Speaker:** Hon. Wambugu made this as if it was a personal matter. I think it is only fair that we allow other Members to contribute. The Leader of the Majority Party, the Floor is yours.

**Hon. A.B. Duale:** Hon. Speaker, on behalf of the people of Garissa Township, my family and my colleagues, I want to send my deepest condolences to the family, friends and the great people of Nyeri County. Within this year, the people of Nyeri also lost their previous Governor, Hon. Gachagua. We have lost a man who had a great vision for Nyeri County. I remember that he went round the country. He was a very good friend of Governor Mandago. You could see him in Baringo, Bomet, Uasin Gishu and all the other counties drumming up support for President Uhuru Kenyatta to the run up of 26<sup>th</sup> October presidential repeat elections.

As a former lecturer at the University of Nairobi, today the social media was lit up with the many students he had taught economics and marketing who include Hon. Ichung'wah, the Member of Parliament for Kikuyu. I am sure those of us who are very religious and who read the Bible and the Quran know that this is the route and that this world is just a transit point. If you believe in other things, I do not know but for those who believe in the true teaching of the Quran and the Bible, surely, know this is the route. I am sure it is a wakeup call to the leadership of this country that, at all times, we must be conscious of the world thereafter. I am sure all of us together will stand with the people of Nyeri and his family at this very trying moment. We will

miss a very vibrant leader and a governor from a county that had just lost their other governor a few months ago.

I would also ask the people of Nyeri to take heart and as they say in the scriptures, we plan but the plan of the Almighty God supersedes our plan. Maybe God had a better place for Dr. Wahome in the hereafter. So, I send my condolences to his family and the people of Nyeri and of course to the Jubilee family.

**Hon. Speaker:** Member for Kiminini, the Floor is yours.

**Hon. Wakhungu:** Thank you, Hon. Speaker. On behalf of the great people of Kiminini Constituency, may I take this opportunity to send a message of condolences to the family of the late Governor Dr. Wahome Gakuru and the people of Nyeri County.

The late Governor Dr. Wahome Gakuru was my lecturer at the University of Nairobi when I was doing my masters. The last time we met was two weeks ago in Eldoret. We were great friends. He was a humble man. He could not even hurt a fly. He was ever smiling. In fact, if it was not the issue of politics, I am sure by now, he would have become a professor. We did some consultancy work together during the time he worked for Vision 2030 and when he was a director at Equity Bank. Through him, he recommended me to Strathmore University. I also taught at Strathmore University and the University of Nairobi because of him. I have lost a great friend. It is very unfortunate for the people of Nyeri. Just the other day, they lost Governor Nderitu Gachagua and today we are seeing Dr. Wahome gone. Ours is to pray for the Nyeri people. I can see Hon. Kanini Kega. I do not want to discuss what we discussed with you about Dr. Wahome because it was between me and you. Ours is to pray for you that the Almighty God gives you strength and comfort at this difficult time.

Thank you, Hon. Speaker.

**Hon. Speaker:** Member for Kieni, the Floor is yours.

**Hon. Kanini Kega:** Ahsante sana, Mhe. Spika kwa kunipa nafasi hii ili niomboleze na familia ya mwenzake Gavana wetu wa Nyeri. Kwa niaba yangu, familia na wale ninaowaakilisha katika eneo Bunge la Kieni, ninatoa rambirambi zangu kwa familia, jamaa na marafiki wa mwenzake gavana wetu.

Alfajiri ya leo, tulipata habari ya kwamba Gavana wetu alihusika katika ajali ya barabara ambayo tulifikiri ni ajali tu ya kawaida. Na muda si muda, tukaambiwa ametuacha. Ni pigo kubwa kwa watu wa Nyeri tukiangazia kwamba marehemu Mhe. Gachagua, ambaye alikuwa gavana wa kwanza, alituacha miezi tisa iliyopita. Kwa hivyo, ni wingu kubwa la simanzi ambalo liko katika Kaunti yetu ya Nyeri. Lakini kwa sababu sisi wote tukiwa kule ni wakristo na wacha Mungu, tunasema kwamba Mungu ndio anajua wakati mtu anazaliwa duniani na atakapoondoka duniani hasa kwa sisi viongozi. Waswahili husema; "Tenda wema nenda zako." Wakati tuko katika dunia hii, ni vizuri tuwe ama matendo yetu yawe ni matendo mema kwa sababu muhula wetu hapa ni mfupi sana. Kwa hivyo, wale ambao wanamjua wanajua kwamba alikuwa msomi na mpenda watu. Tulikuwa tunafanya kazi pamoja wakati huu wote tukiwa viongozi wa Nyeri.

Wakati alipokuwa akitawazwa kama Gavana wa Nyeri, sisi sote, kama viongozi, tuliungana na kusema kwamba tunataka Nyeri iende mbele; lakini hayo yalikuwa ni yetu. Mungu alikuwa na mipango mingine.

Ninatoa risala zangu za rambirambi kwa familia na marafiki wa marehemu, na kwa watu wote wa Nyeri kwa sababu Waswahili wanasema akufaa wakati wa dhiki ndiye rafiki. Nimuomba Mwenyezi Mungu aifariji familia ya marehemu, na aiweke roho yake katika mahali pema peponi.

Ahsante, Mhe. Spika.

**Hon. Speaker:** Member for Ainabkoi.

**Hon. Chepkut:** Hon. Speaker, I would like to take this opportunity to convey my heartfelt sorrow and message of sympathy and comfort. The cruel hand of death has robbed us of His Excellency the Governor of Nyeri. In fact, we were very shocked because we were together in Eldoret Town with Governor Mandago, and all Members of Parliament from Eldoret, campaigning for His Excellency the President of the Republic of Kenya. It is my singular honour to convey the heartfelt sorrow of my constituency, and that of the people of Uasin Gishu County.

Life is all about God. It is God who gives and takes life. The only thing that I want to leave with the Members of this august House is that it is written in the scriptures, Mathew 16:26: “What does it benefit a man or what does it profit a man to own all world and lose his own soul?” Mine is only to say that all of us shall leave this world, but it is good to leave a legacy.

I wish to take this opportunity to tell hon. Members that we lost a great peace maker; namely, the late Bishop Cornelius Korir. His funeral will be on Saturday. The Head of State and Government, President Uhuru Kenyatta, will be there. The funeral will be a State burial.

With those few remarks, may the Almighty God rest the soul of the Governor of Nyeri in eternal peace.

**Hon. Speaker:** Hon. Members, I can see that the requests are so many. Of course, if it was in the 10<sup>th</sup> Parliament and backwards, Member for Ainabkoi, you would have been out of order because you would not have been in a capacity to make an invitation to anybody. In those days, you would have been a Backbencher. However, since we are in a different dispensation, you are at liberty to make the invitation. Hon. Members, if you can be brief, we can allow as many of you as possible.

Member for Endebess.

**Hon. (Dr.) Pukose:** Hon. Speaker, may I take this opportunity to send my condolences to the people of Nyeri. The late Governor was part of our team during the campaign for re-election of the President on 26<sup>th</sup> October 2017. He came to my county of Trans Nzoia. He also hosted us in Nyeri, together with his members of county assembly. He was a great team captain. Governor Gakuru was a very simple guy. You would not even imagine the level of education that he had. He would mix comfortably with everybody. He made us feel at home when we were in Nyeri. We used to refer to him as “Son of *Mau Mau*”. We have lost a well-educated Kenyan – a man of great potential for this country and the people of Nyeri. I want to join my great people of Endebess in sending our condolences to the people of Nyeri.

May his soul rest in eternal peace.

**Hon. Speaker:** Member for Ugunja.

**Hon. Wandayi:** Hon. Speaker, although I am resisting, I have just come in and found this Motion in progress. I feel it is important that on my own behalf, and on behalf of my constituents of Ugunja, I express my deep condolences to the family of the departed Governor of Nyeri, Hon. Wahome Gakuru.

I did not have the opportunity to know Hon. Gakuru well but from the little I have read about him since his demise early this morning, I have come to realise that he was, indeed, a great man. I have also noted that Governor Wahome served at the University of Nairobi. I am an *Alumnus* of the University of Nairobi. I am very attached to that university community. This, coming in the heels of the death of another great scholar, Prof. Duncan Okoth Okombo of the same university, is indeed a very big loss not only to the University of Nairobi community, but to the entire Kenyan community.

When death happens, as it happened today, it should bring all of us together. We know that Governor Wahome has left us at a time when we are seriously polarised as a country. Indeed, this death should serve as a lesson; that, we, human beings, are mortal. Today we are here, tomorrow we are gone. Therefore, we need to understand that fact even as we conduct our affairs as Kenyans, and as Members of Parliament.

Therefore, I wish to express my deep condolences once again and pray that God continues to guide and help the family that the late Hon. Wahome has left behind. As I do so, I also wish to remember those other Kenyans who have lost their lives in last couple of weeks or so – very unnecessarily - during the skirmishes surrounding the elections in this country. I feel very much for them and the families they have left behind.

Thank you.

**Hon. Speaker:** Member for Kikuyu.

**Hon. Ichung'wah:** Thank you, Hon. Speaker, for giving me this opportunity to also join my colleagues in conveying my very sincere message of condolences to the family, friends and relatives of the late governor and friend, Dr. Wahome Gakuru.

I came to know Dr. Wahome Gakuru about 21 years ago as a 19-year old student. Dr. Wahome Gakuru taught me at Strathmore University when I was doing my CPS, in a unit called “Principles and Practice of Management”. Over the years, I came to know Dr. Gakuru even at the University of Nairobi, where he also taught my wife. We incidentally come from Nyeri County. He was an astute lecturer. He was not only knowledgeable in the practice and teaching of management, but he also had the requisite management skills in everything he did.

He was an astute lecturer and a person not just knowledgeable in the practice and teaching of management but, also in the utilization of those requisite management skills in everything that he did, including in his later years as a politician when he sought to run for Governor in 2013. I can remember recently during the presidential campaigns we met at a campaign rally and I told him that he had now come to an area where I could also teach him a thing or two, having taught me principles of management.

Therefore, this is indeed a great loss and not just to his family. My heart goes out to his young son and we pray for him because he is sitting for his Kenya Certificate of Secondary Education (KCSE) examinations at my former school, Alliance High School. It is instructive to note that over the weekend, Governor Wahome hosted the entire class of his son at his home in Runda and prayed with them. Let us pray for his family and also for the people of the great county of Nyeri that the almighty God may give them strength to deal with this unfortunate death and keep his soul in eternal peace.

Thank you, Hon. Speaker.

**Hon. Speaker:** I can see a Member raising his hand and I do not know him. This is strange because some Members have not been regular in their attendance. I only see them in Press conferences and there is no way of identifying them.

*(Laughter)*

**The Member for Kilifi North** (Hon. Owen Yaa Baya): Thank you, Hon. Speaker. Now you know me. I want to condole with the family of Dr. Wahome Gakuru because of his sudden death. Wahome was personally known to me because while he was a lecturer at Strathmore University and the University of Nairobi (UoN), I was a lecturer at Pwani University. I remember when we faced certain problems with units and how to conduct the business school



which we were setting up at the university, he come in and helped us solve those problems. He also consulted with us when we were doing performance contracts for universities. He was of immense help.

Also, when he was at Vision 2030, I think he was one of the brilliant brains there. I remember when he applied for a programme at Harvard Business School. There were so many applicants but he was one of the few Kenyans who were granted an opportunity there to study economics. My heart goes to his family because he was a great man who transcended all tribes. Probably, somebody would ask what Dr. Wahome was doing in Kilifi. As you can see, he went beyond borders, political inclinations and everything else. He was a great human being and the people of Nyeri have lost a governor who would have taken their county to a greater height than any other person. Looking at this background in education, his interactions and travels, definitely, Nyeri has lost someone. If there is somebody who would really implement a vision like Vision 2030 in a county, then Governor Wahome would have done that very well. The people of Kilifi North, who I represent, send their condolences to Nyeri County, the family and the entire nation.

One thing of importance that we need to note is that, as we mourn the death of this great man of Kenya and Nyeri, we need to ask ourselves the circumstances under which he lost his life. It was through a road accident. Now, road accidents have claimed many lives in this country. Those who construct our roads need to be careful. Looking at that metal bar which went into that Mercedes Benz, you wonder what that contractor was doing by leaving such an eyesore on the roadside. Motorists, people who inspect roads and those who have the responsibility of making sure that our roads are safe, good, passable and usable by everybody need to take note that this death signifies the need to be more careful when constructing roads in this country.

With all that, I once again send my condolences to the family and may God rest the soul of Governor Wahome in eternal peace.

**Hon. Speaker:** Hon. Caleb Kositany.

**Hon. Kositany:** Thank you, Hon. Speaker. On behalf of my family and the people of Soy Constituency, I would like to pass our sincere condolences to the family of the late Governor of Nyeri County. As has been said before by Hon. Members, the late Governor of Nyeri County happens to have visited Uasin Gishu County and we hosted him for two nights as we went around the campaign trail in Uasin Gishu and Trans Nzoia counties campaigning for the re-election of His Excellency the President.

The late Governor Gakuru was a very humble man. We shared a meal the first time I sat with him in Eldoret. I gathered that he was a man of vision. As we mourn him today, I just took note of how much our social media is insensitive when a senior member of society passes on. I think it is upon us as Members of this House to try and see whether we can make some regulations on how people convey messages of death of such a senior member in society. That is because we saw so many photographs. I do not know how the family came to learn of the death, but I just pray that they did not learn about it through the social media.

I think as Hon. Members of this Republic, we need to safeguard and be sensitive to such issues. We went to the Lee Funeral Home and I want to thank all Kenyans who came to condole with his family. The Deputy President took time off his busy schedule to come and be with the family and spend some time with them. Once again, I say sorry and may God rest his soul in eternal peace.

Thank you, Hon. Speaker.

**Hon. Speaker:** The Member for Buuri.

**Hon. Rindikiri:** Thank you, Hon. Speaker. On behalf of the people of Buuri and my family, I wish to extend our condolences to the family of Dr. Wahome and the entire Nyeri County. I was privileged to meet Dr. Wahome because we are neighbouring counties and also the Association of Insurance Brokers of Kenya had hosted him in our various conferences. Whenever we had any conference, we used to invite him and he would diligently come and share his experiences with us. He is one person we looked upon especially when we were drafting various petitions on the way we do our business as insurance brokers. As Shakespeare said, "This is the world we come at and go." Fare thee well Dr. Governor Wahome of my neighbouring constituency, Nyeri.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. (Ms.) Lesuuda.

**Hon. (Ms.) Lesuuda:** Thank you, Hon. Speaker. I also rise to pass my personal condolences and those of my constituents in Samburu West to the family of the late Governor of Nyeri and the residents of Nyeri County. I would also want to wish a quick recovery to those he was travelling with and I pray that they will be healed and go back to their normal lives. I pass my condolences to this family because we have seen on social media that his son is sitting for the KCSE exams this year at Alliance High School.

We do pray that God will also grant him the necessary strength as he sits for his KCSE examination. I also rise to appreciate you and all those who stood with us when we lost one of the great old men of this country during the recess, namely, Mr. Soipin Lekoloo, who had been praying in Parliament at the beginning of very Session since 1992. We appreciate you for sending your condolences to the Samburu fraternity, and to the people of my constituency. We will remember him for his contribution to this country.

I once again send my sincere condolences.

**Hon. Speaker:** Hon. Members, I have so many requests. Let me just allow the following Members to each make a one-minute contribution: Member for Roysambu, Hon. Waihenya, the Member for Nyeri County, who is seated next to you; and the Member for Dagoretti South, will have one minute each.

Proceed.

**Hon. Ndirangu:** Thank you, Hon. Speaker, for allowing me this chance to also register my sympathy and condolences to the family of the late Governor of Nyeri. I happen to come from Nyeri Town Constituency. The former Governor was my neighbour at home. I wish to pass my sympathy to the wife and the children. We pray that his soul rests in the bosom of Abraham. He goes to join the happy company of Professor Wangari Maathai. We pray that he passes our regards to the legendary thespian, his namesake, Wahome Mutahi as well as to the legendary field marshal, Dedan Kimathi Waciuri and Mama Lucy Kibaki. We wish to mourn together with the people of Nyeri. On behalf of all the people of Nyeri who live in Nairobi, I wish to pass our condolences. We are with them in prayers.

Thank you.

**Hon. Speaker:** Member for Nyeri County.

**Hon. (Ms.) Rahab Wachira:** Thank you, Hon. Speaker. I rise to pass my heartfelt condolences to the family of our departed governor. It has been a heart-wrenching morning for those of us who have been working with him. The news of his demise has shaken us to the core. I appeal to all hon. Members to pray for his family so that they may find strength in the Grace of God as they move through this dark period of time. Let us also pray for Nyeri County so that God may hold our hands and guide us. Let us be still and know that there is God. It is well.

**Hon. Speaker:** Member for Dagoretti South.

**Hon. Waweru:** Hon. Speaker, thank you very much. I want to join the nation in passing condolences on my behalf, on behalf of my family and on behalf of the people of Dagoretti South Constituency to the people of Nyeri on the loss of the Governor Dr. Wahome Gakuru, whom I happen to have personally known as he worked at the Vision 2030 Secretariat, and later on at the National AIDS Control Council, where he personally interviewed my wife and gave her an opportunity to serve at the Council. Later on, as Director of Strategy at Equity Bank, I worked closely with him as a consultant. I know it will go in history that we have produced one of the finest marketing campaigns – the member campaign for Equity Bank.

Those who may never get to know him will not know why this nation mourns Dr. Gakuru. I want to say that we are mourning a great mind, an amazing thinker and a very good strategic planner. I take this opportunity to mourn with the Nyeri fraternity knowing that we were all eager to see how *daktari* was going to unveil the vision for Nyeri. I also want to add my voice to those who are here castigating others. Some of us who have the opportunity to use the social media are not using it wisely. I imagine what the feeling would be of a family that has not received news of the passing on of their loved one to see graphic images and very unkind words being transmitted through these digital platforms. I wish to add my voice to the voices of those of us who believe that there should be some sanitising of the digital platforms in this country.

I also want to take this opportunity to say that Dr. Gakuru has left behind an amazing legacy. We shall be eternally grateful for the time he had had on earth.

Thank you, Hon. Speaker.

**Hon. Speaker:** Member for Rangwe.

**The Member for Rangwe** (Hon. (Dr.) Lilian Achieng Gogo): Thank you so much, Hon. Speaker. This is a golden time for me to stand here for the first time to pass my condolences on my own behalf and on behalf of the great people of Rangwe, following the death of a great Kenyan scholar. My heart is wrenched because at this particular time, as a nation, we have an impasse. I only pray and hope that *daktari* did not go with the key that we needed to unlock the impasse, as a nation. I only pray that the brilliant brain that is right now refrigerated somewhere has not gone with our hope as a nation. I only plead with the leadership of this country that the only proper mourning that we can give our leader at this time is sobriety. How I pray that every one who is going to say anything kind about this great Kenyan scholar returns to sobriety, and to God, for the sake of Kenya moving forward.

Rest in peace, *daktari*. Mama and family, God is with you.

**Hon. Speaker:** Member for Siaya, Dr. Christine Ombaka.

**Hon. (Ms.) Ombaka:** Thank you, Hon. Speaker, for giving me this opportunity. The people of Siaya, my family and I send our deep condolences to the family and the people of Nyeri for losing such a brilliant mind, a leader and a person who has served this nation. I am not mourning him. I am celebrating his life as that is what we should be doing.

When I woke up in the morning and got this message, I thought of many things. I said how useless our lives are. You wake up in the morning healthy and strong; and as you proceed to work or to an assignment, you die on the way. I looked at our lives and said that they are useless. That is why we need to celebrate ourselves for the little time we are given on earth.

I want to conclude by also celebrating the lives of the Kenyans that we buried in the last month. It is only last Saturday that I buried, in my county, a pilot of an airplane that plunged into Lake Nakuru. Bodies of some of the people who perished in that accident have not been found. We buried Captain Apolo Malowa last Saturday. I take this time also to celebrate his life. I also

celebrate the lives of other Kenyans who died in the hands of man through brutal shooting at the back and everywhere. Bullets went through them and they died. We either die naturally, by accident or at the hands of man. All of them will go to heaven. I celebrate all their lives. May God rest their souls in eternal peace.

**Hon. Speaker:** Let us have the Member for Mathira.

**Hon. Gachagua:** Thank you, Hon. Speaker. I take this opportunity to offer my sincere condolences to the family of the late Dr. Gakuru, who was my governor. It was only on Sunday that he was in my constituency where he gave a very moving speech and made a lot of promises to the people of Mathira.

The people of Nyeri are in a very difficult situation. It is only eight months ago that we lost our first governor, who was also my brother. Today, we have lost our second elected governor. As the deputy governor takes over, Nyeri would have had four governors in one year. It is a difficult time for the county. We want to urge our people to stay calm, united, not to be disturbed and to know that God is there.

Finally, I would like to take this opportunity to appeal to the social media fraternity and the bloggers from Nyeri and elsewhere. This morning, as the doctors were frantically trying to save the life of Dr. Gakuru for one hour in the Thika Level 5 Hospital, people on social media had written him off an hour earlier, without any due regard to the feelings of his family. When my late brother was ill for a year, people on social media “killed” him a record nine times before he finally succumbed to cancer. I would like to ask them to appreciate that public figures also have families. They have wives, sisters, children and brothers. As we wait to bury Dr. Gakuru, we ask the social media fraternity to allow his family and the people of Nyeri to bury him in peace without bringing in a lot of other issues, speculation, a lot of malice and things that are unnecessary.

**Hon. Speaker:** Let us have the Member for Tetu.

**Hon. James Mwangi:** Thank you, Hon. Speaker. First of all, on my own behalf and on behalf of the people of Tetu, I wish to offer my sincere condolences and deepest sympathy following the loss of our beloved governor. I would say that while the loss of a loved one is never easy - even when anticipated - it is most painful. As other colleagues have said, we have lost two governors in one year. As people of Nyeri County and even the country at large, we are mourning. We have lost a visionary leader. I have lost a personal friend and the people of Tetu have lost a governor and a selfless icon.

As my colleagues have said, I also beseech people on social media to be at least extra careful on what they post or what they comment. This morning, even before the final word about the passing on of the governor was announced, news were already circulating in the social media about him having lost his life. It is high time that we are more careful than before, especially on such matters that affect our families, the people of this country and many friends.

My sincere condolences for the loss of our governor.

**Hon. Speaker:** Let us have the Member for Mukurweini.

**Hon. Kiai:** Thank you, Hon. Speaker. I rise on behalf of the people of Mukurweini to offer my condolences to the family of Dr. Wahome Gakuru. He was a good friend of mine. Mukurweini gave him the second highest number of votes in Nyeri County. He was my good friend, mentor, humble man, son of *Mau Mau* and great leader. I have no words to describe him. Here is a man who was humble enough to know that leadership and greatness comes from being humble. He went around the country campaigning for our President. He was one person upon whom Nyeri leadership revolved. He is the person who brought together all the leaders of Nyeri.

On behalf of my family, I want to condole with his family and more so, his boy who is in Form Four. I know it will be a very difficult time for him but I know God will give him courage to face all that.

As I conclude, I also want to wish a quick recovery to all those who were involved in the accident alongside him and in particular his personal assistant - AGM Gakuru - who is also my constituent. I also want to castigate the social media fraternity because we have taken away the family's privacy. As my colleagues have said, this morning, when Dr. Wahome Gakuru was being attended to in hospital, he had already been declared dead by people on social media. His personal assistant - who is also my constituent - had been declared dead more than four times. Fortunately or unfortunately for those perpetuating that, his personal assistant is alive and kicking.

Rest in peace my brother and governor.

**Hon. Speaker:** Let us have Hon. Chelule, Member for Nakuru County.

**Hon. (Ms.) Chelule:** Ahsante sana, Bw. Spika kwa kunipa nafasi nitume risala zangu za rambirambi kwa familia ya marehemu Gavana wa Nyeri.

Tunapotafakari, kuna sababu kubwa sana ambayo ilifanya wakaaji wa Nyeri kumchagua Dkt. Gakuru kama kiongozi wao. Kama wakaaji wa Jimbo la Nakuru, tunawaomba sana kwamba wakati huu wa majonzi, Mungu aweze kuwasimamia, kulisimamia Jimbo la Nyeri na kuisimamia familia, hasa kijana wake ambaye anakalia mtihani wake. Mungu aweze kusimama naye na kumpa nguvu ili aweze kustahimili shida ambayo imeipata familia yake.

Pia, ntoa risala za rambirambi kwa watu waliotoka katika kijiji changu na Jimbo la Nakuru ambao walipoteza maisha yao katika ajali ambayo ilitokea katika barabara ya Salгаа inayojulikana sana kama barabara mbaya ambapo tumepoteza watu wengi sana.

Pia, ntoa risala zangu za rambirambi kutoka Jimbo la Nakuru kwa wale wote ambao walipoteza maisha yao katika ajali ya ndege ambayo ilitumbukia ndani ya Ziwa la Nakuru. Watu wawili walipatikana lakini watatu hawajapatikana mpaka sasa. Ni maombi yetu kwamba Mungu aweze kuzisimamia familia zao na kuwapa nguvu. Ninawaza kwamba Bunge hii pia iangalie vile tutatua ama kuchunguza mambo ya ajali ambazo hutokea kila mara. Nafikiri tukifanya uchunguzi kuhusu ajali zinazotokea, itakuwa ni njia moja ya kupunguza ajali katika nchi yetu. Kama Bunge, bado tutarudi hapa tuongee tena na kuona vile ambavyo mambo ya ajali yanaweza kutatuliwa katika nchi yetu.

Poleni sana kwa wale wote ambao walipatwa na ajali na familia zao.

**Hon. Speaker:** Let us have the Member for Kipipiri.

**Hon. Kimunya:** Thank you, Hon. Speaker. I would like to join my colleagues in expressing my heartfelt condolences to the family and the people of Nyeri on my own behalf, my family, the people of Kipipiri and, indeed, the wider Nyandarau region. We share a common border with Nyeri. We lost a governor who only a couple of weeks ago we had a meeting together with some Members from Nyeri. It was a different function but he took time to take us through some of the issues and his vision. One of the things that came out very strongly is his commitment to ensuring that good governance becomes an issue within counties. He was going to use Nyeri as a prototype of a county that embodies good governance in everything. I am hoping that those who will take over from him will continue with that dream.

I have known Dr. Gakuru for quite a while. From a social perspective, we are members of the Muthaiga Golf Club. We socialised together a lot. At the academic level, he was one of my unofficial supervisors during my doctoral studies. Every time we met, the discussion would not be how I was doing in golf, but he kept on asking where I was on my thesis. He was very

committed to academic work. I also worked with him. I spearheaded the Vision 2030 as the Minister for Finance and he was one of my directors. His vision and commitment to work was exemplary. As a defender of the public service, I took him to the Diaspora in 2007 to speak to Kenyans to try and get some of them to come back. He was the biggest defender of the Kenyan public service. He convinced them why their brains would be better used in Kenya than in the United States of America (USA). He used himself as an example. He told them to see what he was doing for his country. He requested many more of them to join him.

We can say so many things about him but we will miss him. It is unfortunate that the cruel hand of death has taken one of our best. We can only hope that those who will take over from him will live to his expectations. For the family, take heart. They had a great dad. We trust God to give them peace and comfort during these difficult times.

Thank you, Hon. Deputy Speaker.

**Hon. Speaker:** Member for Kandara

**Hon. (Ms.) Wahome:** Hon. Speaker, I do not have my card.

**Hon. Speaker:** I gave direction a while ago about what we shall be doing with Members who come without their cards. They will be going to the streets or join some...

**Hon. (Ms.) Wahome:** Thank you, Hon. Speaker. I want to take this opportunity to join my colleagues in passing my deep sincere condolences to the entire family of His Excellency Governor Wahome Gakuru, the people of Nyeri, the entire Kenyan fraternity, and the Council of Governors because I believe they had an expectation from each of them. I give these condolences on my own behalf and my family, which is closely known to the Governor.

I want to thank the people of Kandara Constituency. This accident occurred at a place called Makenzi or in my language Makenji. This area has had other serious accidents. It happened very early in the morning and people started calling me. I am happy that at that particular time, there were people of good will. Ordinary Kenyans came to his aid and assisted in taking him to hospital. Taking into account what has been said about social media, there are people who assisted in that particular time of need. This area is on the dual carriageway on the Thika Superhighway. Serious accidents have occurred on this road. This particular area had a problem in terms of construction, and I believe it was fixed. It is important to know because investigations will take place. It is good to analyse that specific area properly because it had problems on how the road had been finished. It was extremely smooth and vehicles were skidding. It is important to find out whether that could have been part of the problem. This road has a big maintenance budget. It is important to know whether there is anything that could have been avoided.

Having said that, for the people of Nyeri, it is time to reflect on these losses. We want to condole with you and support you as you mourn. As Kenyans, we have had serious issues in the country and looking at the condolences coming to this Floor, it is obvious that Members are condoling as one family. We need to move that way as a family of Parliament. It is important to take note. Nyeri has been really unfortunate in losing their governors. One would want to look at Kenya. Devolution has lost a very good brain. Governor Gakuru would have been one of those governors who would have looked at Nyeri and seen that implementation of devolution has a good place in our Kenyan history.

With those words, I want to say my sincere condolences to this young family, including the young man who is sitting for his exams. It must be very difficult. We want to remember them in prayers, as a family. Mr. Nderitu Gachagua left after a very long illness. So, it cannot be easy for parliamentarians from that county. They had a lot of hope because they had looked forward

to working together as a team. Those words are enough for now, Hon. Speaker. My sincere condolences to all of you.

**Hon. Speaker:** I can see a hand up. Hon. Kamoti. Hon. Members, the requests are overwhelming. It is not possible for everyone to contribute.

**Hon. Mwamkale:** Ahsante, Mhe. Spika. Kwa niaba yangu na wakaazi wa eneo Bunge la Rabai, natoa rambirambi kwa familia na marafiki wa Mstahiki Gavana Gakuru. Tunatoa rambirambi pia kwa wakaazi wa Nyeri. Tunajua kwamba ni wakati mgumu kwa sababu ni miezi minane tu iliyopita mliachwa na Gavana mliokuwa mmechagua na sasa imetokea tena. Letu ni kufanya maombi pamoja nanyi. Msimame na mungu. Tuna imani kwamba mungu atawapatia nguvu wote ambao wamesumbuka.

Pia nataka niungane na wenzangu kuwaambia wale wahusika wa mabarabara... Tumeambiwa hapa kwamba katika sehemu ya Makenzi, Salгаа, na hata kule Bonje katika Rabai, ajali zinatokea kila wakati. Ombi langu kwa shirika husika la Kenya National Highways Authority (KeNHA) ni kwamba wahakikishe kwamba hatungoji maisha yamalizike kila wakati mahali pale. Kama barabara ile haiko sawa, basi shirika hili la KeNHA lifanye kazi yake ili tusiwe tunashuhudia tu ajali. Ikisemekana mahali ni *black spot* shirika la Kenya National Highways Authority (KeNHA) linatajikana lituambie mikakati linalofanya ili maisha yasiendelee kupotea hapo.

Kwa yote hayo, letu ni kumuomba mstahiki gavana kwamba Mungu aipokee roho yake peponi na wote ambao wameachwa, pia Mungu awe nao na akawafariji.

Asante Mhe. Spika.

**Hon. Speaker:** Finally, Member for Tharaka Nithi.

**Hon. (Ms.) B.N. Nyaga:** Thank you Hon. Speaker for giving me this opportunity. On behalf of myself and the people of Tharaka Nithi County, I wish to send my condolences to the family of the Governor of Nyeri. In fact, in the morning, as I was coming from Tharaka Nithi, I found the vehicle of the late governor being towed. It was a very sad and tragic sight. We are praying for the family and we are telling the wife of the late governor that the Lord is there and will fill the gap left by the late governor. He is going to see the family through this tragedy and particularly the son who is sitting for his examination.

It is very unfortunate because Nyeri County lost their first governor recently. We are praying with them. They should not ask the question why it is happening to them. Everything that happens has a purpose. God will see them through. We are praying. The late Governor Wahome was a great man. He taught my sister at the university. He is also a friend to Tharaka Nithi people. The other day he came to Tharaka Nithi to campaign. He was very close to my governor. We need to pray and console the family and the people of Nyeri County. We are praying with them and may God bless them much.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Members, I request that we all be upstanding to observe a moment of silence in honour of the departed soul of the late Governor Dr. Wahome Gakuru, alongside the loss of Professor Okoth Okombo and Mzee Soipin Lekolool both of whom, just like Governor Gakuru, rendered great service to this Republic.

*(Hon. Members observed a moment of silence)*

May their souls rest in eternal peace.

**POINT OF ORDER**DELAYED FORMATION OF COMMITTEE ON  
MEMBERS' SERVICES AND FACILITIES

**Hon. Mulu:** On a point of order, Hon. Speaker.

**Hon. Speaker:** What is your point of order, Hon. Makali Mulu?

**Hon. Mulu:** Thank you, Hon. Speaker. My point of order relates to Standing Order No.212B. If you allow me, I will read it:

(1) "There shall be a select committee to be designated the Committee on Members' Services and Facilities.

(2) The Committee shall be responsible for-

a) receiving and considering views of Members on the services and facilities provided for their benefit and well-being."

We all know that we have not formed parliamentary committees and because of that issues of Members' welfare are suffering. I would like to give an example. I was in the 11<sup>th</sup> Parliament and also a Member of the Budget and Appropriations Committee. We factored into the Budget money to be paid to Members of Parliament who would lose their seats as a result of the General Election. We are aware that 70 per cent of the Members of the 11<sup>th</sup> Parliament lost their seats and that is why we have 70 per cent of new Members in the House. Unfortunately, because of lack of formation of parliamentary committees, our colleagues who lost their seats have not been able to access their benefits. They are our colleagues and we still interact with them. It is now almost three months since they lost their seats. There are also other welfare issues that we want to articulate but not in a plenary sitting like this one.

Hon. Speaker, I plead for your direction or indulgence in terms of how we should address these urgent matters to do with Members' welfare. We could request you to convene a *kamukunji* so that we give some of the details or take up other measures as you may possibly advise. That way, Members of this House and more so our colleagues who are out there would not suffer. They also want to start a new chapter in their lives having lost in the general election.

Thank you, Hon. Speaker. I wish to get your direction.

**Hon. Speaker:** I do not think that the issues you have raised, Hon. Makali Mulu, can even be resolved in a *kamukunji*, but suffice it to say that just this afternoon, the Leader of the Majority Party gave a Notice of Motion proposing the appointment of three Members into the Pensions Management Committee that is chaired by the Speaker and which has membership from other arms of Government particularly from the National Treasury and the Attorney-General's Office. I suggest that we await the decision of the House tomorrow regarding the appointment of that Committee which will deal with one of the aspects that you have raised. I know that you have passion for some of the many issues that revolve around this matter. If, indeed, the House approves its establishment tomorrow, then perhaps, the Committee could invite you to come and canvass some of the critical issues that are intertwined in the matters that you have raised.

In the meantime, of course, Members are still at liberty to meet even in caucuses. I do not want to take you outside the Chamber. It is only fair that Members should meet and discuss matters to do with their welfare until such a time they agree to form committees. Why should we even call for a *kamukunji*? The Standing Order you have read out was created deliberately, if you recall, towards the tail end of the last Parliament for exactly those reasons. However, if the



House has found it necessary to stay without committees so that Members can operate in the streets, it is still its decision. The House has the capacity to either act in the plenary only or to act in coffee places and other social joints. It is within the power of this House.

Yesterday, I received a letter from the National Super Alliance (NASA) Coalition - I hope they have not changed its name and I hope it does not change very soon - requesting that it be given until the end of this month to sort out some of the internal problems that may be in existence in the formation of committees. We really do not know where to begin. On one hand the leadership of the coalition you serve in, Hon. Makali Mulu, has asked for until the end of this month to sort out its issues and on the other hand, you have very pertinent issues that you have raised, which naturally would have been attended to particularly by that Committee if it had been formed by now.

I am sure that within one or two days, we will have all those committees up and running. I would just urge that you continue putting pressure on those who are responsible for making decisions about leadership to see the need to conclude that exercise as soon as possible. It is a matter that needs to be addressed urgently, but we will deal with it.

Next Order!

### MOTION

#### ADOPTION OF SESSIONAL PAPER ON NATIONAL CLIMATE CHANGE FRAMEWORK POLICY

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

THAT, this House adopts Sessional Paper No.5 of 2016 on the National Climate Change Framework Policy, laid on the Table of the House on Wednesday, 11<sup>th</sup> October 2017.

Hon. Speaker, Kenya is a developing country whose economy is highly dependent on natural resource base, thus making it highly vulnerable to climate change. Members can attest to the rising temperatures and changing rainfall patterns being experienced currently throughout the country. This in effect has resulted in droughts and flooding, which threaten the sustainability of the country's development. In order to safeguard development, the Government has developed this national climate change framework policy to provide for a clear and concise response to climate change and variability. Hon. Members will agree with me that this policy framework is long overdue.

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

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

The Constitution of Kenya sets out a commitment to ecological sustainable development. Sessional Paper No.10 of 2012 on Kenya Vision 2030 establishes the goal of Kenya becoming a middle income country in order to provide high quality life for all its citizens by the year 2020. Climate change poses a significant challenge to these sustainable development goals. Further, the country has shown commitment in dealing with climate change issues by supporting implementation of the United Nations Framework Convention on Climate Change Protocol and

the ratification of the Kyoto Protocol of 2005 – efforts that contribute to continental and regional climate change mitigation initiatives.

Climate change has adverse impacts on key sectors that are important to the economy and the society. They include the environment, water and forestry, agriculture, livestock and fisheries, trade, extractive industries, energy, physical infrastructure, tourism and health. Actually, climate change affects everything that we depend on as human beings. Therefore, in order to safeguard sustainable development, the national climate change framework policy is essential in providing a clear and concise articulation of overall response priorities to climate variability and change. The national climate change framework policy aims at enhancing an adaptive capacity that will build resilience to climate variability and change while promoting low carbon development pathway.

The policy focuses on the interlinkages between sustainable national development and climate change through intervention measures that can help achieve the goal of low carbon resilient development. The policy is designed to provide a framework to guide the development and implementation of specific, detailed and costed climate change interventions through regular and periodic change action plans. The objectives of the policy are the following:

1. To establish and maintain an effective institutional framework to mainstream climate change responses across relevant sectors into integrated planning, budgeting, decision-making and implementation at both national and county levels.
2. Reduce vulnerability to the impact of climate change by building adaptive capacity, enhancing climate change resilience and strengthening capacities for disaster risk reduction.
3. Catalyses Kenya transition to clean lower emission and less carbon intensive development.
4. Incentivise private sector involvement in building climate change resilience and engaging in low carbon development opportunities.
5. Facilitate widespread public awareness, participation, ownership and oversight of Kenya's climate change response efforts and action plans.
6. Provide a framework to mobilise resources for Kenya climate change response and ensure efficient, effective and transparent utilisation of resources.
7. Adopt intergenerational special needs and gender mainstreaming approaches across all aspects of Kenya's climate change response.
8. Provide the policy framework to facilitate effective implementation of regularly updated and scientifically informed climate change action plans.
9. Enhance research and use of science and technology in policy decisions and sustainable management of resources.

Kenya's continued vulnerability to climate change and the threat it poses to achieving long term development goals has not been clearly recognised. Therefore, this is a policy designed consisting of legislative and institutional framework that will provide a regulatory architecture comprising the vital components of climate change governance.

I beg to move and call upon Hon. Kositany to second.

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Kositany.

**Hon. Kositany:** Thank you, Hon. Temporary Deputy Speaker. I can see I have been given a new name. I will try and adopt it.

I rise to second this Motion. As a matter of importance to our country, we need to adopt climate change for our country. I come from an agricultural county that depends heavily on rain-fed agriculture.

As it has been mentioned here, climate change also affects the rain pattern. We can see right now it is harvesting time in Uasin Gishu, Nandi and Trans Nzoia counties. For every 10 bags of maize we harvest, we have three bags that we throw away or mill for cows because they have become rotten due to excessive rain.

(Question proposed)

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Members, before I give opportunity to Members to speak to this Motion, I would like to remind you that contributions will be for five minutes. This is in accordance with our Standing Orders. We will start with the first Member who is on record showing interest.

Proceed, Hon. Wachira Kabinga, the Member for Mwea.

**Hon. Joshat Wachira:** Thank you, Hon. Speaker, for giving me an opportunity to contribute to this very important Motion on climate change.

Climate change issues have been with us for a very long time. I believe this policy framework is even late for adoption. In our country we have many changing climatic patterns. Some of us come from agricultural areas. I come from Mwea where we produce rice. Our production of rice highly depends on the rainfall patterns. It is therefore important to ensure that our people have the capacity to adapt to climate change. When we talk about this Motion, I am forced to look at the policy framework not only in terms of policy issues at the Cabinet level, but also at the level of our communities which lack the capacity to adapt to various climate changes. When they are affected by climate change, they do not know how to look for alternative means of survival. In the last season, in my constituency, we did not harvest rice due to drought. My people in Mwea ended up suffering because of an inadequate capacity to adapt to climate change. It is high time we put in place a policy framework that will enable our people down there to be prepared for some of these changes, say, eventualities and seasons that they may not have witnessed in the past.

In the history of Mwea, never before has the bottom of a canal been seen. We do not know how it looks like. In the last season, because of drought, all the canals dried up. As a result, our people suffered hunger. They were not expecting it. Some of them went to the extent of withdrawing their children from school because they lacked alternative means of survival. All these things I have mentioned are effects of climate change.

Therefore, I rise to support this Motion that Kenya requires a very effective policy framework on climate change that should trickle down to the people. Technical people out there should enlighten our people on climatic issues that are rarely expected. Had that been done in my constituency, we would have grown something else as opposed to waiting for another whole season to plant rice thus affecting our people.

I support.

**The Temporary Deputy Speaker** (Hon. Omulele): We shall now have the Member for Buuri, Hon. Rindikiri Murwithania. He has chosen to absent himself. We shall now have Hon. Osotsi Godfrey.

**Hon. Osotsi:** Thank you, Hon. Temporary Deputy Speaker for that opportunity to contribute to this Motion. I rise to support this Motion. The issue of climate change is very

critical to our lives as human beings. It is also very critical to our development both as a country and globally. I say so because climate change is a key component on environmental management. It is important for Kenya, now that it relies heavily on agriculture, to invest substantially on climate change and issues of environmental management. It is now clear that environmental management goes hand in hand with sustainable development. If we want to develop as a nation, we must invest and plan matters to do with environmental management.

This policy is very important. I concur with my colleague who has said that this policy is long overdue. It should have been introduced in this Parliament many years back. We see the effects of climate change all over. In some areas in this country, we have regions that used to harvest twice a year, but now they can only harvest once a year. This is an effect of climate change. We have also suffered because of *El Nino* rains. The country has lost a lot of money because of the effects that come with *El Nino* rains. As a country, we need to think widely and invest substantially on matters to do with climate change. When we talk about climate change, we are talking about things like drainage systems. When you are designing the drainage system, say, for Nairobi and other major towns, you must take into account climate change. You can clearly see that climate change is central to our lives. In fact, my advice to the Government is that we need to enhance our budgetary allocation to the ministry in charge of environment. It is because environment affects everything. Environment affects planning, our roads, agriculture and virtually anything you can talk about in this world.

I support the Motion.

**The Temporary Deputy Speaker** (Hon. Omulele): We shall now have Hon. Lentoimaga Musa, Member for Samburu North.

**Hon. Lentoimaga:** Hon. Temporary Deputy Speaker, kindly go to the next person in the list, I did not prepare for this particular Motion.

**The Temporary Deputy Speaker** (Hon. Omulele): Very well. We shall have Hon. Wanjira Wangari, Member for Gilgil.

**Hon. (Ms.) Wanjira:** Thank you, Hon. Temporary Deputy Speaker for this opportunity. As I contribute to the Motion, allow me to give my condolences to the people of Nyeri on my own behalf, on behalf of my family and the people of Gilgil on the loss of Governor Dr. Wahome Gakuru. I knew him for quite some time. May his soul rest in peace. I pray for the quick recovery of his aide, the driver and the bodyguard.

I was privileged to serve in the Senate in the 11<sup>th</sup> Parliament. I sat in the Committee on Environment and Natural Resources. I was very fortunate to participate in the Conference of Parties (COP) 20 and COP 21 that took place in Paris and Marrakech last year. I can say that the issues of climate change need more than just deliberations and high profile meetings. We send quite a large delegation to these meetings every year. Even this year we shall do the same. We need to break down the commitment of every country to make sure that the environment is better.

The Paris Agreement that was a commitment to the reduction of the greenhouse emissions must really be taken up by every country. More importantly, the highest contributors and the highest polluters in the world must also take the highest responsibility - I am now speaking to politics in the global arena that the commitment must come from every country. First World countries must bear more responsibilities as the bigger contributors to these emissions.

The other important thing in the commitment that we must see from the adoption of this Sessional Paper is the issue of public participation. We speak jargon in these meetings. So many people apart from the technical team do not understand what they mean.

The ministry in charge of environment must ensure that issues are broken down for the Kenyan people to know the dangers of what we do through public participation, inclusivity and Article 10 of the Constitution. There should be enough education not just as part of the curriculum but part of public participation to explain what greenhouse gases are, what it means and what its dangers are. We must have a clear elaborate plan to break it down to ensure that it is done.

We have three bodies that we are still looking for in Lake Nakuru. That is the late Mapozi John, the late Veronica Muthoni and the late Sam Gitau, who perished in a nasty accident that involved a plane crash in Lake Nakuru. We have had teams trying to recover these bodies. It has been hell of a time for the families as they sit on the shores of Lake Nakuru waiting for anything, even a body to bury. It is a desperate situation. One thing I can tell you is that even the Navy have complained of the level of pollution in Lake Nakuru, in terms of being able to look inside the water and find the debris or the bodies. These families have had long days. It is bad enough to lose your son who is a young, promising man and worse if you do not find the body. One of the biggest contributors is the level of pollution in that lake. I think we need enough education to break it down, not just attending Conference of Parties (COP22) this year, COP23 next year yet we do not understand the commitment of the Government and how *wananchi* and everyone plugs in to play their part.

Hon. Temporary Deputy Speaker, with those few remarks, I support the adoption of this sessional paper. Thank you.

**The Temporary Deputy Speaker** (Hon. Omulele): We shall now have Hon. Baya, Member for Kilifi North.

**Hon. Baya:** Thank you very much, Hon. Temporary Deputy Speaker. I rise to support this Motion for the following facts: One, climate change is something that has affected the world in many ways, but when policies are drawn they need to address specific things. One of the things that you noticed if you followed the presidential elections in the United States of America is that climate change became one of the greatest talking points. And the current President of the USA disputed issues surrounding climate change. We, as Africans and as Kenyans, have always borrowed heavily what comes from the West and America. But Americans themselves doubt some things about climate change.

Today in Kenya, Turkana has discovered a lot of oil. Carbon oils will definitely emit a lot of gases out there. How does a policy like the one that we have mitigate climate change when it allows the people of Turkana to get their oil and the money that comes with it? Policies, especially on climate change, have been known to muzzle mining and exploration of oils. So if we sit here today as Parliament and budget a policy framework on climate change, which has not taken care of the fact that it is now in Kenya that we are discovering hydrocarbons... Lamu which is in the coast is in the process of discovering hydrocarbons and mining in the ocean. Today a framework like this might impede the exploration of those oils, because it says we are moving to green energy. How has the ministry, therefore, looked at this policy *vis-à-vis* the new discoveries that we are making that are going to affect the people of Lamu who have been poor for many years and are now in the process of discovering oil? If you mine oil and gas from the ocean you will be told you are polluting the environment and it is not allowed, therefore shut up and go away.

I have gone through the policy framework and I think it is short in addressing certain things. One of them is housing and how it is going to mitigate climate change against housing. Today if you go to Mariakani, a neighbouring constituency in Kilifi, you realise that houses have been corroded because of the emissions that are coming from the factories in that area. Families are having more kids sick because of the emissions that are coming from there. How has this policy addressed issues of housing and emissions that are coming out of big factories? If you go to Kaloleni where there is a mining for limestone and cement, families there have suffered greatly because of things that come from the earth. It is important, yes; we want mining to continue; we want cement to be produced in this country but it has affected families. Do we stop the production? What are the mitigating features that the ministry or this framework is proposing to ensure that it does not affect such?

This policy has addressed the issue of tourism. Yes, climate change has come, temperatures have gone up, oceans are melting, glaciers are melting, and all that. Therefore, we are saying that in the parks it is not easy to find animals the way we used to find them. Therefore, tourists pay more money looking for animals in the park. Does this mean therefore, as we adopt this policy, there will be rises in taxes? The climate change policy proposes certain taxes to curb certain things. So is the ministry or this framework robust enough to really cover the common *mwananchi* so that he is not affected by some of the taxes that are proposed? The framework proposes certain taxes in some of the recommendations it makes. So as we adopt, we need to be very careful whether it is going to increase the cost of life. The American president, if you allow me one minute, said that because of our stringent...

**The Temporary Deputy Speaker** (Hon. Omulele): The Member will have an extra minute.

**Hon. Baya:** Thank you. If you look at what the American president said, he said, "Because of stringent frameworks on climate change, we have shifted all our jobs to China because it has very loose policies on this." We as a Third World country are trying to put stringent measures on climate change. Are we not going to also ship some of our jobs to China because we cannot manufacture here because of emissions?

Thank you very much. I beg to support this policy.

**Hon. Murugara:** Thank you, Hon. Temporary Deputy Speaker. I rise to support the adoption of the paper. But first and foremost, let me convey my deepest condolences to the family of the late Governor for Nyeri, Dr. Wahome Gakuru, and the people of Nyeri on my own behalf and on behalf of the people of Tharaka. It has been a very tight week, having lost Bishop Korir. We have also lost Prof. Okoth Okombo. For those who remember, that is the orderly gentleman who participated in our induction at the Intercontinental. He has passed on. May he rest in peace. In Meru, we have also lost an icon of liberation of Kenya, a former Cabinet Minister, Mr. Kabeere M'mbijiwe. We are also conveying condolences to the people of Meru.

When we talk about climate change, sometimes the discussions become emotive, simply because our lives revolve around and are governed by climate. Unless we have a proper framework on the way we manage our climatic conditions, we will always have problems in the country. Remember the late Prof. Wangari Maathai saying that if we do not conserve our environment, if we do not conserve our rivers, one day we may end up drinking soil or sand instead of water. Slowly by slowly, this is becoming true.

This is because in places like Tharaka, a month ago it experienced severe drought. The climate had changed. We had no water and the rivers that crisscross the constituency had dried up and everybody was in panic. That situation does not prevail today again because of climate

change. We have heavy rains pounding the area. Areas around Mt. Kenya, Meru, Tharaka Nithi and Embu are experiencing heavy rainfall and those rivers are now overflowing. In fact, I am told that this morning most parts of the Lower Tharaka were flooded because of these rivers that are overflowing. The net effect is that we need a national policy on climate change; a policy that will actually drive this country from where we are today towards a better tomorrow and towards a vision that we all envisage of Kenyans having better lives. Therefore, having gone through this Paper that actually starts with what we think the position is, we go down to what the policy issues are and eventually conclude with implementation of those policy issues. It is my humble submission that the country needs to have a policy paper such as this so that we can move forward to having better climate not just for Kenya but for the entire Africa and the world so that our people can live better lives. Therefore, I do support that we adopt this Paper. I have proposed to my people of Tharaka that we must endeavour to plant trees. Let us plant as many trees as we can because by so doing we are mitigating against negative climatic changes.

I support the Sessional Paper.

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Hulufu Oda, Member for Isiolo, the Floor is yours.

**Hon. Hulufu:** Thank you, Hon. Temporary Deputy Speaker for the opportunity. I would like to start by sending my heartfelt condolences to the people of Nyeri County on behalf of the people of Isiolo North and Isiolo County in general. I would like to support the Motion. As one of the Members representing an Arid and Semi-Arid Lands (ASAL) constituency, I would like to say that climate change is one of the biggest threats to our very existence as people. It undermines our livelihood. Most of the things we do like economic activities are based on natural resources. They are dependent on rainfall and are therefore sensitive to climate variation and climate change. I would like to add my voice to those Members who have spoken before me and who have stated that probably we needed to have this policy long time ago. I am sure it has been in draft form for quite some years but finally it is with us now. As the representative of the people we need to applaud it.

In ASALs, we are facing frequent droughts whose severity is increasing year after year. When we were growing up, we used to experience drought after every 10 years. The frequency reduced to five years. Currently, every year is literally a drought year especially in pastoral counties of our nation. Looking at the policy paper, it is fortunate that it was tabled before we adjourned the House. Therefore, we had adequate opportunity to go through the document. Probably, there are a number of areas which the Member who spoke before me mentioned which need to be refined further. However, generally since this is the first policy paper on climate change, it is a good start. One of the challenges we have had especially those who have had opportunities to do climate-related work before they join this House is that we have a lot of efforts by the Government at different levels by non-State actors but most of these efforts are disjointed in nature but there are a lot of good efforts which have been done especially at micro-level.

However, one thing which has been missing is an over-ranking policy framework which ideally should be developed at a national level and it is with us now. I am sure with this framework now, all the stakeholders and governmental and non-governmental research institutions and so on and so forth will have an opportunity to contribute towards building resilience of our nation to climate change. Of course, as a country, we are very vulnerable to effects of climate change because everything that we do is affected by negative impacts of climate change.

However, one important thing which again is highlighted in this policy document which we need to appreciate is that not all impact of climate change are negative and therefore as a nation, the policy also encourages us to take advantage of the positive effects of climate change as few as they are and so on and so forth. The beautiful thing which I have seen in this paper also is that unlike past policy papers, it has provided a clear direction in terms of how it is going to be implemented. It is going to be integrated into our planning processes, medium term planning including even the budgeting process and therefore resourcing the actual plans will be easier. Also, the role of the two levels of Government is clear and it provides guidelines in terms of how the national Government and the county governments are going to ensure that at their two levels they are going to integrate and mainstream climate change issues into planning, budgeting and so on and so forth.

I support the Motion. Thank you.

**The Temporary Deputy Speaker** (Hon. Omulele): Member for Mwingi North, Hon. Nzengu Musyimi.

**Hon. Nzengu:** Thank you, Hon. Temporary Deputy Speaker. First, I would like to start by joining my colleagues in sending messages of condolences to the family of the late Governor Dr. Wahome the Governor of Nyeri County. A person of that calibre is equivalent to the president of a county hence I send this message to the people of Nyeri County.

On the matter of this climate change policy, I want to say that the matters of climate change can no longer be trivialised. Where I come from in Mwingi North, when I was growing up we had predictable seasons where we could say that rain is coming this month or the other month. However, right now you cannot predict anything about rain. It can even rain in September while it only used to come in October. It used to come around 20<sup>th</sup> October. Today, it can come in November or December and sometimes it does not come completely. The issue of climate change is really a critical issue in our country. It has economic, social and even security impacts. As a matter of fact, we have lived in harmony in the past with the people of Somalia and the only problem we used to have was banditry and *Shiftas* coming to steal cows from Kambaland because both of us are herd's people and we keep animals like cows and goats. However, right now the problem we have as I report to this Parliament is that of the grazing land. Because of climate change, the land on the side of Somalia has actually degraded so much so that there is a section of the borderline between Mwingi North and Somalia where a river terminates and, therefore, it is grassland and has become a source of insecurity. Many deaths have been reported in the recent past. In about 10 years, we have had to deal with that issue almost on a yearly basis after the rains. Therefore, this policy document will guide our country in trying to forestall questions of insecurities such as we have in my constituency. I support this Motion.

**The Temporary Deputy Speaker** (Hon. Omulele) Next on my list is the Hon. Member for Kiambu. Hon. Wamuchomba

**Hon. (Ms.) Wamuchomba:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this important debate.

First, I send my sincere message of condolences to the people of Nyeri County, more specifically to the family and relatives of the late Dr. Gakuru. Indeed, we have lost a scholar and pray that heavenly Father will give them peace.

On this issue that we are discussing today, the adoption of the National Climate Change Framework Policy, I recognise that Kenya is one of the countries that require a policy framework that is going to help us to adequately plan on issues of agroforestry and afforestation. In counties such as Kiambu where I come from, great acres of agricultural land is being transformed into



human habitat zones and so, we need this policy. For us to join the rest of the world in the control of hazardous emissions and to achieve low carbon releases according to the levels expected in the world, even as we look forward to the levels of industrialization that we aspire as a country, we need a guiding principal. This is the policy that we should adopt as a guiding principal. For us to harness good health systems in Kenya, we need to plan the balance of ecosystems, noting that there are communities that are heavily dependent on ecosystems for their existence such as the coastal communities and those that live at the periphery of natural forests.

These are the communities that are affected by extreme weather conditions which greatly affect their livelihoods. We need these policies so that we can plan reasonably and control factors that negatively affect these ecosystems. It is because of those very many factors and issues that I have touched on that I rise to support the adoption of the National Climate Framework Policy. Thank you very much.

**The Temporary Deputy Speaker** (Hon. Omulele): Let us have the Hon. Member for Bomachoge Borabu, Hon. Ogutu Abel.

**Hon. Ogutu:** Thank you, Hon. Temporary Deputy Speaker. Let me begin my contribution by sharing the experience that has been expressed by my colleagues this afternoon about the sad news on the passing away of the Governor of Nyeri Dr. Wahome Gakuru. It is most unfortunate. On behalf of myself and the people of Bomachoge Borabu, may God help Nyeri County and the immediate family to recover from bruises that have been caused by the death of the governor.

I support this Motion. I feel it is extremely timely, my colleagues have said it is long overdue. The issue of climate change has been rather controversial and that has given Kenya a basis to move gradually to come to appreciate and seriously begin to engage itself to the extent it is now ready to develop this framework. I support this framework because it touches on key areas of mainstreaming climate so that it is not an isolated component of development. It sets out to mainstream gender into climate issues. This is a very encouraging component because we know that men, women and youth relate to climate issues differently. I appreciate that it is part of Kenya's effort to reflect the seriousness of the nation, that climate change is not less of a gender issue.

The framework also looks at how to promote green energy. We have made good strides in isolation but now we want to consolidate these and see how we can tap form hydropower and solar energy in a more organised strategic way. So, it promotes job creation. We know that when we go green, we are likely to promote the private sector that will be involved in promotion of various alternative sources of energy. Also, we will embark much more on how to ensure that the natural resources that promote green energy are also well addressed. I also agree that the framework is going to not only build capacity, promote database and generation of information but also bring on board the various actors who are involved in climate issues.

For that reason, I support this Motion but also raise caution in line with one of the issues that have been raised by one of my colleagues. Kenya has recently entered into the world of producing gas fuel. How does this affect us in terms of our focus in promoting green energy? Do we look at this as an alternative opportunity? Do we have enough information to back this as an alternative opportunity or do we see this as a golden opportunity that has no competitor? Those are some of the concerns that I may want the Paper to address.

With those few remarks, I concur with this policy and support it. Thank you very much.

**The Temporary Deputy Speaker** (Hon. Omulele): Member for Funyula.

**Hon. Oundo:** Thank you, Hon. Temporary Deputy Speaker. I have been waiting for the whole afternoon such that I almost doubted technology.

First, I rise to support the subject matter in discussion but before I make any comments, let me join my colleagues, Kenyans and the people of Nyeri to send my condolences to the family of Dr. Wahome Gakuru, the former governor of Nyeri. Also on behalf of the people of Funyula, the same goes to the people that have lost their lives in this month of November when we Catholics remember the departed souls. We particularly remember those who have lost their lives as a result of police brutality while exercising their democratic right.

The question of climate change has been a thorny issue in the Third World. In my years as a lecturer at the University of Nairobi (UoN), I have had on many occasions undertaken research to ascertain the connection or relationship between climate change and land use conflict. The results are very clear that unless we address climatic change, competition for natural resources, especially in nomadic and semi-arid areas, is going to become a social and security issue. Therefore, this policy is timely and we hope it will not be left to rot in the shelves. Measures and intervention plans must be put in place to ensure that what is provided for is implemented in all aspects of our life.

I particularly want to draw our attention to the fact that when we were young, in my constituency of Funyula, we had predictable weather patterns. Of late, crop failure as a result of lack of rain has become a recurrent issue every year. Of course, as a community we want to commend the youths who have taken it up upon themselves to plant trees in order to avoid the rapid rate of deforestation. I believe we need to address the issues at hand and I sincerely wish the Ministry will liaise with the county governments since most of the environmental issues fall within the purview of the county governments so that this policy is implemented.

Hon. Speaker, I beg to support.

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Members, in accordance with our rules, I will now call upon the Mover to reply.

**Hon. (Dr.) Shaban:** Thank you, Hon. Temporary Deputy Speaker. I beg to reply and in doing so, I want to give Hon. Beatrice one minute.

**The Temporary Deputy Speaker** (Hon. Omulele): Very well. Hon. Tum was also interested if you could donate one minute to her also.

**Hon. (Dr.) Shaban:** And also give Hon. Tum one minute.

**Hon. (Ms.) Adagala:** Thank you, Hon. Temporary Deputy Speaker for the opportunity. I also thank Hon. Naomi for giving me that one minute. This is a very important policy because Kenyans need it as a guide on how to handle climate change. Climate change affects all sectors of every area and this includes health, agriculture, trade, tourism and many more. With this kind of a policy all stakeholders can focus on how to protect the climate systems so that it can benefit the present and future generations.

Hon. Temporary Deputy Speaker, with those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Shaban.

**Hon. (Dr.) Shaban:** Thank you, Hon. Temporary Deputy Speaker. First of all I want to thank all my colleagues for the import they have given to this Sessional Paper No.5 of 2016 on National Climate Change Framework Policy. It is obvious that climate change has been a problem the world over, in many conferences people have sat down to discuss issues and the Kenya Government has decided to put in a policy so that we can encompass all the issues that have been raised not only locally but also internationally.

We are part and parcel of the agreements which have been signed at the United Nations (UN) level and many other forums. It is important for us to plan, budget and educate our people on this issue. Some of the climatic changes which we face can certainly as much as they are being tackled at the national level be also tackled individually. Issues like taking care of our environment and keeping it clean and planting trees to have a 10 per cent cover for our country and issues on the sensitisation level can be dealt with quite easily if we are all committed to this.

This policy paper is very comprehensive and it does not only talk about planning and budgeting but also about research and technology, so that our Government can carry out all these commitments comprehensively. This paper has come at a good time in terms of the problems we are facing like floods, drought and all other changes attacking Kenya and more so the biggest threat which is that Kenya is becoming more arid as we go on.

Hon. Temporary Deputy Speaker, I beg to reply.

**The Temporary Deputy Speaker** (Hon. Omulele): Very well. Hon. Members for obvious reasons, I will not put the Question. I direct that we move to the next Order.

*(Putting of the Question deferred)*

## BILL

### *Second Reading*

#### THE PHYSICAL PLANNING BILL

**The Temporary Deputy Speaker** (Hon. Omulele): Proceed.

**Hon. (Dr.) Shaban:** Hon. Temporary Deputy Speaker, can we defer Order No.9?

**The Temporary Deputy Speaker** (Hon. Omulele): I direct that Order No.9 be deferred and we move to the next business. Hon. Tobiko, we are moving to Motion for Adjournment which I believe is yours.

*(Bill deferred)*

## MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.31

### KILLING OF LIVESTOCK IN LAIKIPIA COUNTY

**Hon. (Ms.) Tobiko:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I know it is because of a lot of consideration by this House to adjourn all other business to discuss this particular matter which is of grave concern to the Kenyan people. As I had earlier stated while moving the Motion, there has been ongoing conflict between the herders, private ranchers and security agencies and this has contributed to a lot of loss of life and livestock.

At this particular time when drought is already biting hard on our people it is very unfortunate to continue losing livestock in unnecessary ways. It is natural to lose livestock through drought but very painful to lose livestock through the gun. The pains, anger, despair and frustration that this atrocious act has caused to all the pastoralists communities is unthinkable and

unimaginable. There has been a lot of hue and cry. Whereas drought has forced pastoralists into very difficult circumstances in all parts of the country we are all suffering from different directions. Just the other day, livestock from Kajiado County that crossed the border to Tanzania was auctioned by the Tanzanian Government, around 1,300 livestock and we are still going through the pains and trauma of losing that livestock.

Back here in our own country our own security agents took their guns which have been bought using taxpayers' money to kill our livestock and sabotage our economy which we depend upon. Livestock has brought up a number of us who are in this House, paid our school fees and those cattle have been our banks. It is like uprooting coffee and tea in farms. This is the pain we feel and so due to public demand, I had to bring this Motion to the Floor of this Hon. House hoping to indulge the Members and to look for a lasting solution.

In that rugged plateau, poor herders, white settlers, large-scale farmers, small-scale farmers, commercial cattle ranchers, tour operators, passionate wildlife activists, elephants, lions, hyenas, goats and zebras compete for the same space. Laikipia has profound inequalities in land ownership, with 40.3 per cent of the land being controlled by only 48 individuals. Even with this kind of inequality, it has been apparent that the ranchers cannot contest the idea of ever giving up the giant parcels of land to the original owners. Some of them have been offloading the land to other rich people, some of whom are foreigners, while top business---

*(Technical hitch)*

One would wonder whether the sabotage begins from here. Political elites and businesspeople in the country have also increasingly acquired land there. Thousands of herders are being chased by drought. I blame this situation entirely on the drought in Laikipia. The herders are being pushed by the biting drought. They have invaded farms, ranches and wildlife conservancies. The key thing is how our security forces dealt with this situation because one wrong cannot correct another wrong. Pumping a bullet into a cow will not solve the situation. The conflict between the pastoralists and the ranchers is bound to escalate as the drought ravages large parts of the country and as small pastoral land is converted into conservancies. Once it rains, pastoralists always go back to their areas of abode in peace. I underline the words "in peace". They always go back in peace. The community has many adaptation measures to cope with the impact of extreme climate change. The effects of climate change have been discussed in the just concluded Motion. We need to address them as a country, and not just by the large-scale polluters of the environment. We also need to discuss this issue at the grassroots level. We need to sensitise our communities. Persistent drought has resulted in the continued violence that has been witnessed in Laikipia County, where there is always direct confrontation between herders and security personnel drawn from the various police units and, sometimes, from the Kenya Defence Forces (KDF). This confrontation has led to loss of thousands of livestock, and thousands of lives of people. This is the situation I am asking this House to address.

This has been particularly seen in a number of conservancies in Laikipia, including Ratia, Mugie, Sossian and Suyian, where many animals have been shot dead by police officers. Nothing justifies the horrific massacre of innocent and sacred animals. I call them sacred because the cow, to some communities of Indian origin, is a god. To our people, the cow is everything. The cow is school fees, food and basically everything you can think of. Therefore, there is no justification for killing livestock.

*(The Temporary Deputy Speaker  
(Hon. Omulele) left the Chair)*

*(The Temporary Deputy Speaker  
(Hon. (Ms.) Tuya) took the Chair)*

I recognise your presence, Hon. Temporary Deputy Speaker. There was a write-up and a cry by a certain girl called Joy Kakenya Enolebachat. I have no proper way of putting her cry because it is in mother tongue. Many people in this House may not be able to get the deep pain of the girl but I hope that today, on this Floor, I am able to speak for her and for others. I also want to quote one William Lasoi Kipintoine, who wrote on social media; that not everything done should be viewed in terms of fighting the Government. Some mistakes that have remedy in the law must be allowed to roll out without political connotations, and without a big brother patronage kind of approach.

As I conclude, I want to say that it is high time that this House revisits and implements the Truth, Justice and Reconciliation Commission (TJRC) Report, on which a lot of money was used. As land leases expire in Laikipia---

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): I give you an extra minute to conclude.

**Hon. (Ms.) Tobiko:** Thank you, Hon. Temporary Deputy Speaker. This was very important to me. I was just saying that as land leases expire in Laikipia and other areas across the country, the ownership of that land should revert back to the original owners. My hope and prayer is that the ownership of the land in Laikipia will revert back to the indigenous Laikipia Maasai people, who are the rightful owners of those ranches.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Members, there is no seconder for this kind of Motion. Therefore, I will, straightaway, allow the Members who have made requests to go ahead and make their contributions. I will just go on to remind everyone that as we go into the debate on this matter of very serious public interest, we have five minutes for each Member. Therefore, Members should utilise their time well.

I will start with Hon. Kimilu Joshua, the Member for Kaiti.

**Hon. Kimilu:** Thank you, Hon. Speaker, for giving me a chance to contribute on this Motion but before I do so, I want join my colleagues in sending my condolences to the family of the late Governor of Nyeri. I learnt about his death this morning. I encourage the family and tell them that my family and the people of Kaiti are with them in prayers in this trying moment.

Coming back to the Motion, it has been a challenge to this country. We know that there are some communities who depend on livestock for their livelihood. Therefore, this is a serious issue we need to address as a matter of priority because when one community in this country is affected, all of us are affected.

We know that when one community in this country is affected, all of us are affected because we depend on livestock. The Government should do something about this issue. We should be fighting the natural loss of livestock due to climate change that we are talking about, but the loss of livestock by guns is an issue that we need to address as a country. We need to put in place some policies and make sure that we implement them so as to curb this problem.

Also, we need to beef up security along our boundaries to make sure there is no loss of livestock. We need to handle the issue of boundaries with a lot of care. If we leave it to the hands of our neighbours, it will bring losses to our country and affect our economy.

I take this opportunity to support this Motion, which is very important. I stand with the affected communities. We need to get a solution. As the Member of Parliament for Kaiti, I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Let us have the Member for Mwingi Central, Hon. Mulyungi.

**Hon. Mulyungi:** Thank you, Hon. Temporary Deputy Speaker. I rise to empathise with the Kenyans who lost their animals.

As we all know, livestock is life in our Kenyan culture. It is the centre of our hearts. We wake up with domestic animals, sleep with them and even take care of them during the day while grazing them. Therefore, loss of even one cow is a very serious business in our villages. Livestock gives us food, milk, manure and money to pay school fees and feed our families. It is a driver of our economy. Losing over 300 cows is not a small matter. That is a loss of close to Kshs20 million. In our villages, Kshs20 million is a lot of money.

This matter has affected many families. It has affected both the old and the young. It is very sad for those who are supposed to guard us to turn the bullets on us and our animals. I take great exception to this. One would ask a basic question: Why should an officer go berserk and instead of dealing with cattle rustlers, vent his anger on animals? An animal is innocent and, therefore, should not be killed because of cattle rustling. They should struggle to save the animal because it is harmless. Killing a cow is like killing our livelihood. Where I come from, if you kill my cow, I kill you. There are no two ways about it. It is very dangerous to do that. I find this completely unacceptable. I stand with the Maasais who lost their animals. This is madness. It is irresponsible.

Those who killed the animals must be held to account, irrespective of who they are. I am not sure whether they have been arrested. I am also not sure whether they are police officers or not. They should be looked for, handcuffed, taken to police cells whether they are policemen or not and arraigned in court for killing innocent animals.

Finally, as we punish those who committed this heinous act, I urge the Government to look into how we can compensate the families which were affected by this act. I rise to support my colleague, Madam Tobiko, on this matter of national interest which should be treated and dealt with as such.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Let us have Hon. David Sankok, Nominated Member of Parliament.

**Hon. ole Sankok:** Thank you very much, Hon. Temporary Deputy Speaker for giving me this opportunity.

For sure, the Maa nation and the pastoralists are mourning. I have received calls from all pastoralists within and outside this country. I have even received calls from the Karamojong of Uganda, the Maasais of Tanzania and the pastoralists from Sudan, Ethiopia and Somalia. They are mourning with us because this is a great loss to the Maasai people. For us, a cow is not just a cow. We have a social attachment to cows. When you kill our cows, it is not only ignorant, but retrogressive, unpalatable, ignominious and stupid.

Human beings who are involved in the killing of animals have stooped so low to reduce themselves to the reasoning of animals. Animals do not decide where to invade. Cattle cannot decide that today they will invade this particular farm. It is human beings who decide to invade a

ranch or a farm. When human beings in the name of security agencies shoot animals - who are very innocent - it is sad. I have heard police officers saying that they shot and the other party returned fire. I do not know if the cows actually returned fire, but as the Maa nation, we are mourning because of that.

We ask that there be a lasting solution. If there is none, then there will be perennial conflict between the pastoralists, farmers and ranchers. This happened around three months ago and a number of livestock were killed. As the Maa nation and leaders from the Maasai pastoralist community, we kept quiet and thought that there would be a lasting solution only for it to be repeated after three months. That is why we demand that a lasting solution be found. A lasting solution will first of all be by compensating the affected families. They have lost their livelihood. But for us, compensation is not enough. As I said earlier, we have a social attachment to our animals. We also demand an apology from the security agencies through Boinett, the ranchers and the ranch guards. As Hon. Peris Tobiko has said, the leases of the ranches are expiring and big businessmen and politicians have rushed to Laikipia to purchase the ranches. The ranches should revert back to the original owners. That is the only time we will find a lasting solution.

Another lasting solution is through drought mitigation. We should find ways of mitigating drought. Without drought, conflict between the ranchers and the pastoralists will be limited. I request the Government to mitigate drought through livestock insurance. This is economic sabotage which is equivalent to the one that I have heard of people resisting and boycotting Safaricom products. I do not know how you can boycott Safaricom products because it sells airwaves. The Mpesa shops are owned by normal Kenyans. The sim cards are sold by normal Kenyans. Safaricom only sells airwaves. I do not know if the people are boycotting the airwaves. You cannot boycott airwaves.

Thank you very much, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): Member for Laikipia West, Hon. Mariru.

**Hon. Mariru:** Thank you very much for giving me this opportunity, Hon. Temporary Deputy Speaker. I stand here because this matter touches Laikipia West Constituency and Laikipia County as a whole. I am very delighted that this Motion and matter has come to the House this afternoon.

Let me start by saying that it is very unfortunate that cows owned by Kenyans have been caught in cross fire between illegal armed herders and members of our security agencies. It is unfortunate, but it is important for us as Kenyans and Members in this House to understand the context of this matter. It is not a matter of yesterday or last week, but a matter that has been there for many years. It is very good that it has found its way into this House. It is also coming against the backdrop of an initiative by our governor and leaders from Laikipia, Samburu and Baringo. We have had two meetings in Nyahururu to discuss peace and peaceful co-existence between our people from the five counties in our region, which are Baringo, Isiolo, Samburu and Laikipia counties. It is very unfortunate that this is coming against the backdrop of that.

We have to ask ourselves very hard questions. I have been asking myself questions. This is not a discussion about the Kikuyus versus the Samburus or the Samburus versus the Pokots or the Pokots versus the Maasais. It is a regional and Kenyan issue. It is an issue of Laikipia, Samburu and Isiolo counties. It should not degenerate into tribal or community discussion or conversation. It is an issue that needs to be discussed rather soberly.

I have a few questions to ask myself. Kenyans should ask themselves these questions. One of the questions I have been asking is: Who are the owners of the cows from Laikipia? How

powerful are they that even after being driven out by security agencies, in a few weeks or days, they find themselves back to Laikipia County? Who actually owns these cows? That is the first question. How come the herders come to look for pasture? We understand that there has been drought across the country. How come those who come for pasture in Laikipia are armed with guns? They are armed with AK47 and with other very sophisticated weapons. Who speaks for the Officer Commanding Police Station (OCS) from Rumuruti who just three months ago was shot by illegal herders who had thousands of cows? Who speaks for the six police officers from my region in Matuiku area who were shot dead by illegal herders who were armed with guns? Their families are suffering today. Who speaks for the 3,000 small-scale farmers whose maize, beans, tomatoes, sugarcane and bananas have been wound up by thousands of cows? These are discussions for all of us. Who speaks for the 50 Kenyans in Laikipia who have been killed in the last one year? In fact, 80 Kenyans were injured in the last one year. These are questions we need to ask. Who speaks for that young lady in Matuiku who was raped in the presence of her family by illegal herders? These are the hard questions for all of us as a House.

I want to end and I beg that you add me a minute because this touches on matters in Laikipia. If you do not mind, please, add me one-and-a-half minutes.

I have heard Hon. Tobiko saying that there are historical issues. How come the discussion here today is about who owned Laikipia? Who are you talking about?

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): I will allow Hon. Tobiko to raise her point of order, and also afford Hon. Mariru an extra minute to finalise his contribution. Hon. Peris.

**Hon. (Ms.) Tobiko:** Hon. Temporary Deputy Speaker, we cannot afford sideshows on this issue. It does not matter who owns the cows. As far as we are concerned, they could be owned by a Somali from Isiolo, a Samburu, an indigenous Laikipia or a Kikuyu. The question that I have raised on this Floor is: Why kill livestock by the bullet? Were these cows armed? The Member is trying to bring sideshows and justify possibly who has been giving orders to the security agents.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): I have heard you Hon. Peris. I know the matter is very emotive and it is of great public interest. However, I am sure we can handle it in a very sober manner and express our concerns. This is a very critical mandate that we have, as Members of this House, to discuss matters of interest to our constituents. So, let us do it within the confines of the order of the House and restrict ourselves to the matters at hand. Let sobriety reign in our debates.

Hon. Mariru, I have added you one minute.

**Hon. Mariru:** Thank you very much, Hon. Temporary Deputy Speaker. It cannot be sideshows when Hon. Tobiko says that the land in Laikipia must be returned to the original owners. That needs to be a bigger discussion. It almost makes me think it is a scramble for Laikipia when the Laikipians have been set aside and other people are discussing the issues. I must go on record. We cannot condone the killing of cows, but we also need to discuss the issues in a global manner. When the illegal herders hide themselves among the cows and shoot at the police, what do you expect the police to do? Even if it is one cow, we must say in no uncertain terms that it is not acceptable to shoot at cows. We must understand the circumstances. We must look at the issues in a global and more comprehensive way. The issues of the small-scale farmers, the police officers who have lost their lives and the OCS who was shot must be looked into. When you are talking about compensation, that farmer in Matuiku needs to be



compensated. Moving forward as leaders, we must join hands and find a solution not for Laikipia, but for the entire region.

I thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): Hon. Jessica Mbalu, Member for Kibwezi East.

**Hon. (Ms.) Mbalu:** Hon. Temporary Deputy Speaker, I did not raise an interest to contribute on the Motion, but to support it, through the Member, that we should not allow killing of cows. It is important to consider that cows are very important in some parts of this country. So, this is, indeed, a matter of national importance. Let us not discriminate because cows are everywhere. Let us not limit our debate to cover only certain regions. This Motion was moved as a matter of national importance. It is a matter that affects everybody.

I agree with you, Hon. Temporary Deputy Speaker, that we should have sobriety in the debate so that we can solve this matter once and for all. I congratulate Hon. Peris Tobiko who moved the Motion. We need to discuss it and come up with solutions. The right departments should address these matters.

Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): Hon. Musa Lentoimaga, Member for Samburu North.

**Hon. Lentoimaga:** Thank you very much, Hon. Temporary Deputy Speaker for giving me this opportunity. This is a very emotive matter. It has touched many of us and it came as a surprise.

The people who were herding cows in Laikipia on that particular day are Kenyans and they respect the rule of law. It is not true that they were armed. We know them. There were two young men who were looking after cows when two Armoured Personnel Carriers (APCs) confronted them. The first APC shot in the air and the herders ran away. As they ran away, the second one started shooting the animals even though they were not in a ranch. They were in an open community land which had no crops at all. It is unethical and criminal to kill animals. The animals were not armed. In the first place, no pastoralist hid behind the cows to shoot at policemen. The policemen used unnecessary excessive force. We are not saying that herders should invade ranches or small-scale farmers' land. We cannot do that. This particular group of pastoralists were migrating. They were watering their cows so that they could move back to their home. They were caught unawares. They were not ready to confront the police at all.

This issue is very emotive. We call on the Government to take action by first letting the Independent Policing Oversight Authority (IPOA) to investigate and go deep into the issue so that we can have an independent report. There are very many statements going around in the social media which are not helping us at all. Instead, they are making the matter more emotive. So, we need to ensure that a new and independent investigation is done.

This is a matter of life and death for our people. We do not depend on anything, but those animals. As Members have said, we sell animals to get money for school fees, healthcare, to buy food and even shelter. We depend on the animals for everything. It is just like somebody who has coffee, maize, cotton or tea. We depend on the animals wholly. So, the killing of the animals was destroying our livelihoods. One particular family lost 120 cows. The old man and his wife, who own the cows, are in hospital. What can we tell such people? We want the Government to compensate the owners of the animals. Whether they compensate those whose crops were destroyed or not is not our concern. Our concern is that the owners of the 300 cows that were killed by the police be compensated.

Before the election, another 600 animals were massacred in the same area. So, this is a continuous thing. The policemen who broke the law should be arrested. They acted intentionally. When we met the IG and the Deputy IG, they said they were not aware of the incident. We do not know what is exceptional with Laikipia. Is there no law and order there? Do the police not use the normal procedures in conducting operations in Laikipia? Even in Samburu North where we sometimes have cattle rustling, we have never witnessed policemen shooting cows. They confiscate the animals, wait for the owners to claim them and arrest him and take him to court. They do not kill cows. This is very painful. We call on the Government to compensate the owners of the animals that were killed so that they can go on with their lives like other Kenyans.

Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): Let us have Hon. Chumel Moroto of Kapenguria.

**Hon. Chumel:** Ahsante sana, Naibu Spika wa Muda kwa kunipa nafasi ili nami pia nitoe wazo langu juu ya Hoja ambayo iko mbele yetu. Nalaani kitendo cha kuwaua wanyama. Ningependa kuwauliza wale ambao wanahusika na masuala ya wanyama, kama wale wanaopigania haki za kibinadamu na wengine kuangalia suala hili. Hii si mara ya kwanza kitendo kama hiki kimetendeka katika eneo hili. Wengine wetu tumetoka mahali ambapo kumekuwa na shida ya usalama kwa muda mrefu kama vile Turkana, Pokot, Karamajong, Sebei hata upande wa Trans Nzoia. Hatujafika kiwango ambacho tumeona operesheni kama ya 1984 iliyoitwa *Operation Nyundo* ambapo walikuwa wanatafuta watu. Hawakukusanya ng'ombe na kuwapiga risasi. Najulisha wenzangu wajue kwamba huu si ule wakati wa zamani. Tuko na Katiba mpya. Ule unyanyasaji wa wafugaji tangu wakati wa ukoloni umeisha. Ni lazima tuwaheshimu wafugaji. Ripoti ya Tume ya Ukweli, Haki na Maridhiano, ambayo imetajwa na mmoja wetu, iliweka wazi shida za eneo hili.

Wakati wazungu walichukua maeneo hayo makubwa, je, hakukuwa na wenye kuishi hapo mbeleni? Tunataka jibu kwa hilo swali kwanza. Ripoti ilisema tufuatilie jambo hilo na tuhakikishe kwamba suluhisho limepatikana. Wengine wetu tumepakana na Trans Nzoia na tunasikizana na wenyeji. Tunahitaji kufidiwa ili tukae kama wengine. Lakini polisi kutumia nguvu kupita kiasi na hatimaye kuua ng'ombe ni hatia.

Wengine wetu tumefanya kazi kwa Serikali na tumehusika na masuala ya usalama. Kuna fununu kwamba ng'ombe waliuliwa kwa sababu wakora waliwatumia kama kinga. Mbona hakuna mkora hata mmoja ambaye alipigwa risasi wakati ng'ombe 300 waliuliwa? Hao wakora wako wapi? Hata mtu mjinga anaweza kuuliza: Mbona ng'ombe 300 waliuliwa bila mkora hata mmoja kupatikana? Halafu tunaambiwa wakora walitumia ng'ombe kama ngao.

Kenya ni yetu sisi wote. Hakuna kabila lililo bora kuliko lingine. Tuko sawa sote. Naomba tuteue kamati ya Bunge ili ichunguze kitendo hiki na ilete ripoti ili tujue makosa yalikuwa wapi. Kitendo hiki kilifanyika mara ya kwanza na watu wakafikiria kitapita. Baadaye, wanyama wakauliwa tena. Hakuna mtu amesimama hapa kusema mkora asipigwe risasi. Lakini kwa nini wanyama wauliwe? Mbona wanyama wa kundi moja waliuliwa na sio wa kundi lingine? Kwani hao pekee ndio walikuwa na ng'ombe huko? Mbona hatujasikia ng'ombe ameuliwa hata wa Mbunge wa eneo hilo? Mbona ng'ombe wa watu wengine ndio wanauliwa?

Kama ni ng'ombe wangu wameuliwa, watu wasikie hata ng'ombe wa Moroto wamepigwa risasi na wa wengine. Lakini katika laini moja pekee yake ndio watu wanazungushwa. Hiyo ndio italetaka hasira. Sisi ni wafugaji. Ninataka niiambie Serikali kwamba watatuzungusha kidogo lakini tutaungana na mapambano yatakuwa kati ya wafugaji maskini na matajiri. Mungu atawasaidia maskini ambao ni sisi, wale ambao tunanyanyaswa mchana na usiku.

Naunga mkono.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Member for Samburu West, Hon. Naisula.

**Hon. (Ms.) Lesuuda:** Thank you, Hon. Temporary Deputy Speaker. I rise to contribute to this very important Motion and thank my colleague, Hon. Peris, for tabling it in this House. Some things leave us without knowing what to say, where to start and where to end. This is not the first time such a thing is happening in this country. Many other similar incidences have happened, like the one just before the elections. Kenyans were so engrossed in the campaign for the repeat presidential election that they did not realise that it happened. That is why this case is really shocking. Some of us almost do not know what to do or what to say because before the election, as Hon. Lentoimaga said, over 700 cattle were shot dead in the same manner. Now, over 300 cattle have been shot dead. I am sure this matter has the attention of Kenyans. The question that begs is what the cows have done. Even if we say that we have issues of invaders, profiling entire communities and calling them illegal herders and bandits is unacceptable. In this country, when a suspect from a certain community is shot dead, we never profile the entire community and call it a community of thieves or criminals. However, when it comes to pastoral communities, they are branded certain names. That should not be happening.

Secondly, I want to say that no pastoralist will take cover behind a cow. Cows are sacred and very special to pastoralists. A pastoralist cannot take cover behind a cow so that a bullet hits the cow before it hits him. We have never heard of it. Since Independence, we have never seen the things that are currently happening. What we have read is that cows used to be rounded up and taken to a police station or to some designated areas. Subsequently, as the owners looked for their cows, the authorities would take appropriate punitive measures against the pastoralists. The authorities would arrest the pastoralists, arraign them in court and have them fined. The Government would confiscate guns from the pastoralists or take whatever necessary action. We have never seen such thing as cows being shot dead in the Republic of Kenya. There is something wrong with the Office of the Inspector-General of Police. It is like there is a standard statement template that only awaits change of date. The template justification statement is waiting for other cows to be shot dead, so that the date can be changed for that specific incident. What does the statement say? It says that there was an exchange of fire and the herders took cover among the cows. This begs the question: What are the people on the ground doing that Nairobi does not know? We have desk officers in Nairobi who just wait for such incident to happen in order for them to issue that standard statement. We are following this matter with the IPOA. We are not going to let those who have done this to the affected families go scot-free.

We can discuss issues of drought and invasion. There is a matter that is not being raised. Now there is profiling. A young child was found by a policeman and was asked: "You Samburu, what are you doing here?" Then the nine-year old boy was shot on the head. Even as we put emphasis on the cows, what has that child done? That is just a child who was walking home from school. That also happened in the constituency of my colleague, Hon. Mariru. Hon. Mariru, please, speak on behalf of the children and the pastoralists who are in your constituency.

I support the Motion and the suggestion to form a parliamentary committee to look at the bigger picture of what is going on in Laikipia, so that a report can be brought to this House for debate.

Thank you.

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

**Hon. Nakara:** Thank you, Hon. Temporary Deputy Speaker. I support the Motion since I come from a background of pastoralism.

Pastoralism is an economic activity in my area. Killing cows is reminiscent to destroying a 10-storey building. The economy of that particular tribe is down. It is like coming to Nairobi and destroying all the storey buildings. When you do that, you render the people poor in that area. Pastoralism is a lifestyle. We cannot live without pastoralism. When you want to marry, you have to give cows. When you want to initiate young men, you have to give cows.

When you kill cows, you have killed our culture. You have killed our education and our institutions. Pastoralism is a lifestyle to the Maasai, Turkana and the Pokots. When you kill livestock, you have destroyed almost five institutions in the particular area. We encourage intercommunity living in this country. All of us live in this country. You are allowed to go anywhere you want. You can buy land anywhere. We need to copy the system that the Ugandan Government is using of giving security to livestock and the persons taking care of them. The Uganda People's Defence Force (UPDF) makes sure that livestock graze anywhere. Pastoralists are told to go and stay at home. We pay our men and women within the Kenya Defence Forces (KDF) and other security agents a lot of money. What is their work? Just to sit in offices or kill cattle and demonstrators? It has reached a time where this country must bring to account anybody who kills another person or livestock.

The Maasais and Samburus have no guns. The Maasais have spears. The people who had guns were the Turkana and they surrendered them to the Government because they went to school. When you stand here and say that the Maasais have guns that is a total lie. The Maasais are known for bearing spears. If you kill an animal and say that the herder had a gun that is a lie. We should tell the IG that we need the officers who killed the livestock to be brought to book so that they can compensate the affected families. The Government of Kenya must go ahead and identify the soldiers and make sure that the land where the livestock were killed is given to the people who lost their livestock. This will ensure that they stay there and develop it the way they could have used their livestock to develop themselves.

In our region, whenever you want to kill an animal, first of all, you must know where it comes from. We have drought in this country. We cannot deny that fact. I can get my livestock from this place to another. Why? Because I am a Kenyan. That land does not belong to anybody. It was just a ranch. There were no crops there. If crops were there, we could have said they did a mistake by trespassing. Killing animals as they graze is not good. The Jubilee Government does not care about pastoralists. I wish we could go back to elections to take them home.

Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Members, I have a lot of requests with me. It is a matter of national interest that is being discussed. I also appreciate that we have Members from the particular areas who want to contribute. So, I will try and balance all these interests from both sides of the divide.

Let us have Hon. Cecily Mbarire.

**Hon. (Ms.) Mbarire:** Thank you, Hon. Temporary Deputy Speaker, I rise to support the Motion and thank Hon. Peris Tobiko for bringing it to the Floor. Let me begin by saying that it was extremely sad to watch all the livestock lying dead on the ground. This was a loss of livelihood and economic capacity of the owners of the livestock. The one thing anybody would ask is: What would animals do to deserve to be shot dead? Although we have explanations from the IGP that some herders were hiding behind the cows, that is not good enough reason to deny people a livelihood, especially at this time when we are going through some very hard economic

times as a nation. I really would like to add my voice to those that feel and say that we need to compensate the farmers. It is the only right thing to do. I do not think that is debatable at all.

I want, in a very critical way, to add my voice to that of those that have spoken before me and ask serious questions. How much longer are we going to keep fighting over cattle? How much longer are we going to suffer from drought-related problems that we encounter as a nation in magnitudes never seen before, especially in view of climate change? As Members of this House, both pastoralists and non-pastoralists, we need to begin to have a conversation about this problem. Time has come for us to come up with mitigation measure that would ensure that we end this human-animal conflict caused majorly by climate change. The Members that come from pastoralist communities must begin to think of what measures the Government can put in place and whether we should not think of passing a particular budget allocation for this purpose. As long as nothing is done in terms of mitigation, we will be back again next year with the same problem and, maybe, at a higher magnitude.

I, therefore want to support Hon. Naisula who has said there is need to set up a select committee of this House, not just of pastoralists, but even Members of Parliament who are not pastoralists. Pastoralists also invade the small-scale farms in Meru and Laikipia. By the way, those farmers also have rights. So, we must look at this from both sides of the coin. Pastoralists should not think that they are the only ones who are most hit. We must also think about the farmers who have not harvested a thing because of invasion of their farms by pastoralists. So, even as we debate this particular issue, it should open our eyes to the bigger issue and as a matter of urgency, upon resumption of the House on 29<sup>th</sup> November 2017, come up with a Motion that seeks to establish a select committee that would look into the matter and possibly come up with a way forward.

With those few remarks, I beg to support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Chepkut Chirchir, the Member for Ainabkoi.

**Hon. Chepkut:** Hon. Temporary Deputy Speaker, what happened in Laikipia is, indeed, very sad. Killing innocent animals is uncalled for. In fact, when it comes to conflict resolution in cattle rustling areas, I condemn this in the strongest terms possible. We saw what happened on television. It was sad. I support Hon. Peris.

I want all Kenyans to be very objective. What happened was criminal. I appeal to the operational arm of the Government, especially those who are in charge of the police, to take action. I rise to support the Motion, but sincerely ask the Inspector-General of Police to take action against those who were involved.

As I speak, those who are involved should have been arrested. I do not want the Government to compensate the victims. I want the offenders to be surcharged. I want them to be jailed so that they will be a living example for this generation and generations to come.

The Maasais and Samburus are our people. It is not about land. Animals are very precious. They give us milk and meat and more. Even God himself will curse those who killed the animals. If the law is not going to be followed, I pray to God who gave us life to punish them. I am asking Maasais, because they have *Laibons*, including from the Kalenjins like Koitalel arap Samoei, whom we all adore and respect--- Animals are sacred. So, I condemn the killing of animals in the strongest possible terms.

I wish to inform Hon. Peris that we shall support the Motion, but let the Government not set aside money to compensate the victims. I want the offenders to pay from their pockets. I want them to be surcharged. Apart from that, I want this august House to institute a committee to

investigate the operational arm of the Government to know the details of the real cause of all these issues.

I beg to support. Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): Hon. Paulata Korere, the Member for Laikipia North.

**Hon. (Ms.) Korere:** Thank you, Hon. Temporary Deputy Speaker. At such moments, I am lost as to what language to use to make my point across clearly and loudly. As the Member for the area where the massacres are happening, sometimes I wonder whether in this country there are children of a greater god and children of a lesser god. I want to condemn, with the strongest words possible, the killing of the cows.

From where I sit, I am a serious livestock keeper and the only thing that can keep a smile on my face when everything else has failed is when I visit my herd of cattle. I am very much attached to them.

But let us be clear on some things. In Laikipia North, for the last two or three years, the residents have suffered through the hands of armed gangsters hovering all around the constituency. Where I come from, children have been killed. Women have been shot in the stomach, for example, a pregnant woman was shot and the child removed. We have lost thousands and thousands of animals to cattle rustlers from the neighbouring Isiolo and Samburu counties. I must say it because in this country, it looks like being few is a sin and a disadvantage.

When the children of a lesser god were being killed and our animals were being driven away, nobody spoke. I want to tell the Maasai nation that we are not a lesser community. The Laikipia Maasai are not a lesser community. I want to condemn the hypocrisy with which all Maasais are shouting at rooftops. Yes, compensate the people whose cows were killed. That is their livelihood. That is correct, but compensate the residents of Laikipia North who have been made paupers by armed gangsters.

*(Applause)*

From where I come, parents are not able to take their children to school. We are not able to feed our children. We are not able to even do our own range management because we have greater human beings who feel like they can walk and trample on our rights wherever and whenever they feel like. I want to say in this House that where our rights start is where their rights end. It is so painful that as I speak in this House, we want to believe that Laikipia is up for grabs. It is not. Laikipia has got owners and we are the owners of Laikipia. I want to say in no uncertain words, that we are not talking about a certain community in Laikipia. I represent people, Laikipians, from all ethnic groups, who have suffered. They have been maimed. Their crops which is the sole thing they depend on to feed their children, have been destroyed.

I want to humbly request us from the pastoralist communities that when we address national issues like this, let us not politicise them. Let us stop having two faces, namely, a face for day time and another one for the night. Let us put our faces straight and say it is wrong when our communities are wronged and say they have been wronged when they have been wronged. Let us have a clear conscience and intent to correct the wrong.

As I wind up, I want to say that it is not going to be business as usual in Laikipia because we are not going to sit down.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): Hon. Marania, the Floor is yours.

**Hon. (Ms.) Teiyaa:** Asante sana Mhe. Naibu Spika wa Muda kwa kunipatia nafasi hii nami nichangie kwa mjadala huu. Ninataka kumpongeza Mhe. Peris Tobiko, Mbunge wa Kajiado Magharibi, kwa kuleta Hoja kama hii.

Hili ni jambo mbaya sana. Ninaanza kwa kukemea sana kitendo kama hiki. Kuamuka na kukuta ng'ombe wakilala chini na sio kiangazi imefanya wakufe ni uchungu sana. Ni vibaya sana kuua ng'ombe ambao hawawezi kujitetea ilhali hakuna ngo'mbe alijipeleka hapo. Wangetafuta mahali pa kuwapeleka badala ya kuua ngombe. Hakuna siku ambayo ng'ombe atachukua risasi apige binadamu. Kwa hivyo, hicho ni kitendo cha kukemewa. Tunajua kwamba wafugaji hutegemea wanyama kupeleka watoto shule na chakula. Kwa hivyo, tunajua kwamba ng'ombe wakiisha hakutakuwa na maisha na watu watarudi kuwa masikini, ilhali hao ng'ombe wangewasaidia kusomesha watoto wao na waishi vizuri. Tunataka kama ni askari wamefanya hicho kitendo, washikwe. Hili ni jambo ambalo halikubaliki na hatuwezi kusimama tukiona mabaya yakitendeka.

Haya ni mambo ambayo yametupata mara nyingi kama wafugaji. Tunaongea kuhusu Laikipai kwa sababu leo imefanyika huko lakini hiki ni kitendo ambacho kimefanyika mara nyingi kwa jamii ya wafugaji. Hivi juzi, kule Kajiado tulilia kwa sababu ya ng'ombe ambao walipigwa mnada nchini Tanzania. Kuongea hapa hakutatusaidia. Ni lazima tutafute suluhu ya kudumu. Ninaunga shinikizo la kuundwa kwa kamati ya kuchunguza mambo haya. Pia, ninaunga mkono pendekezo la kuwalipa fidia wale watu amabo ng'ombe wao waliuliwa na polisi. Kuna watu ambao wamepoteza maisha kwa kupigwa risasi ilhali hawakuwa na hatia. Familia za watu hao pia zilipwe fidia. Pia, tunafaa kuelewa masuala ya kiangazi. Tunapoambiwa hapa ni pabaya, pia tuelewe kwamba hakuna kiongozi anayewambia wananchi waende wakaharibu shamba za watu wengine. Hakuna kiongozi atakayeamrisha askari wawapige ng'ombe risasi. Kwa hivyo, ni lazima jamii ielewe kwamba wale waliotekeleza mauaji ya ng'ombe hao ni wahalifu. Hakuna vile kiongozi anaweza kuwatuma askari waende wakawaue wanyama ambao ni tegemeo la kila mfugaji. Kwa hivyo, tumekataa jambo hili na tunasema ni lazima watu walipwe fidia.

Kwa hayo machache, ninaunga mkono.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya: Let us have Hon. Nzambia.

**The Member for Kilome** (Hon. Thuddeus Kithua Nzambia): Thank you, Hon Temporary Deputy Speaker. I take this opportunity to make my Maiden Speech. I congratulate the people of Kilome Constituency for electing me overwhelmingly. I also take the opportunity to congratulate the sitting Members of Parliament who are here, and those who made it back to the 12<sup>th</sup> Parliament. I will be very brief.

The issue of cattle rustling must get a long-lasting solution. In the last three weeks, before the rains started, I had to rescue over 1,000 cattle from the Maasai community. I allowed them to bring their cows to my area. I have made several dams on my farm, but not everybody understands what I did. We had to agree as a community and allow them to graze their cows around Konza City on Mombasa Road, where we boarder them.

The Government ought to come up with substantial solutions to this matter. As we look for food for the people who are in dry areas, we should set aside a budget for the pastoralists. We also encourage them, if possible, to sell the cows to the Government when they suspect that drought is about to set in. However, when they have enough pasture, they can buy them back.

I also recommend that we constitute a committee in this House which will give us a report on the number of cattle that were killed. How can innocent animals be killed? We need a clear report. The committee should be constituted immediately, so that the owners of the cattle

can be compensated. I understand that there are issues concerning land upon which the cattle were shot. We need a comprehensive report from that committee.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuyu): Let us have the Member for Laikipia County, Hon. Waruguru.

**Hon. (Ms.) Waruguru:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. As the County Woman Representative for the area, I have had opportunity to interact very closely with the residents of Laikipia North under the leadership of Hon. Sara Korere. I have interacted with the people of Laikipia West under the leadership of Patrick Mariru and the people of Laikipia East under the leadership of Hon. Deddy. I hereby confirm that this House needs to take this dialogue beyond the conversations on the ground in Laikipia about livestock.

I also want to confirm that what has been appearing in the local dailies is not factual. Something needs to be done to ascertain and prove the number of cattle that were killed, civilians and policemen who died, lodges that have been torched and details concerning the animosity that is between Laikipia, Isiolo, Samburu, Baringo and other counties which are neighbouring Laikipia. As a woman and mother, I wish to appreciate one thing, that this country and Laikipia County is made up of so many tribes and people of different origins. It is not a conversation that is going to be healthy or one which will help Laikipia to move to the next level if we start discussing who owns Laikipia, who has what and does not have what.

The Constitution of Kenya talks about the right to access your property and the right to human life, your properties and everything about them. As a modern woman in this country, I want to appreciate that there is nothing which any Kenyan does that is not meaningful to their lives. If you are selling *sukuma wiki*, a cattle grazer or taking care of your fish in a certain fishpond in Laikipia West, everything about any Kenyan and any citizen in Laikipia must be respected. I also want to confirm that the police organ and the security officers have done a commendable job in Laikipia. I can recall very well that the same leadership of Laikipia--- Please, ask the Members to allow me to finish what I am saying because they have had their time.

One spoilt potato does not make the whole sack to be cast out and say nothing has been done. I want to confirm to this House that in Laikipia County, eight policemen died in the hands of criminals. I do not want to use the term “illegal grazers”. I want to confirm that 18 men and women who are civilians in Laikipia have died in the hands of criminals purporting to be doing certain economic activities. I want to confirm to this House that six lodges, starting with II Ngwesi and the same Tassia we are talking about have been burnt down by criminals purporting to be doing certain economic activities.

I want to confirm to the Members and beseech them that, please, let us have the eyes of a leader. A leader does not necessarily look into the fine details of the crying baby. I want to challenge us leaders in this House from Samburu, Laikipia and Isiolo to tone down and stop the habit of pulling our blankets towards ourselves.

In your communities, you have farmers. Who is looking into their interest? Our young girls who have been raped, and I want to specify a situation in a town called Matuiku in Kinamba in Laikipia West Constituency, where criminals attacked a police vehicle. Six police officers were killed. I have not heard a narrative that is asking and digging down into the police officers who lost their lives. My good friends in this noble House, please, let us focus this discussion to issues of poverty and the problems that the entire region is facing. We should dialogue from that



point so that if there is any compensation, the farmers and those who were raped should be compensated. I want to confirm that as the Woman Representative for Laikipia County, I do not advocate for the killing of animals or destruction of any property like burning of lodges.

**Hon. ole Sankok:** Thank you very much. I am on the Floor.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): No, Hon. Sankok! You only rise when I give you the Floor. Time is really running. Members have a lot of interest to contribute. So, unfortunately, Hon. Waruguru, let me give it to another Member.

Alright, you are the Member for Laikipia County. Let me give you one minute.

**Hon. (Ms.) Waruguru:** Thank you, Hon. Temporary Deputy Speaker. I just want to request this House that we establish a conversation among the governors of Laikipia and all the counties in the region. We eat and drink with these people. What happens at night? It is alleged that the cattle that were killed at Ratia belong to a senior civil servant who is in Samburu County. He is “inspector-general” somewhere in Maralal in a place called Wamba. Please, if you are watching Parliament, we want to tell you that we are seeing and watching you. Stop bringing confusion to other counties on small issues.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Order! Order, Hon. Waruguru! You only address the Speaker when you have the Floor and not any other person.

Hon. ole Kenta.

**Hon. ole Kenta:** Thank you, Hon. Temporary Deputy Speaker. I also want to add my voice to this very emotive issue. Killing of cows does not resolve any problem. Killing livestock and diminishing the livelihoods of people does not add any value to any political setting.

I would like to tell the pastoralists that when we are fighting and killing one another, other people are taking the opportunity to exploit our resources and taking our opportunities. I think it is time we settle down as communities who thrive or live on livestock and determine our future as one.

To say that we have been treated as aliens in our own country will be an understatement. In fact, this is a clear case of abuse of power. It is use or misuse of raw power, but I can assure that whoever is doing these things to the pastoral communities is going to pay for it one day. There will be a time of reckoning and I can assure them that it shall not go unpunished. We know, as the Maasais, that you kill a cow and you have killed a child or a woman. We never touch animals because it is our livelihood. You have no right to do that. I can say that in the fullness of time, the injustices visited on the pastoral people will be addressed. It does not matter how long it will take, but those issues will be addressed one day and I think it will be soon.

I suggest that we constitute a select committee to look at this matter. Let us have the offenders arrested, arraigned in a court of law, jailed and the key thrown so far away that they will never come out because that is what they deserve.

I think as leaders from all communities, we must come together. I appeal to the Laikipia Maasais and the Samburus to come together. They are brothers and sisters and somebody is trying to divide them so that they are not able to fight for themselves. They are killing one another and other people are taking their opportunities. When it comes to land, we know the issue is not livestock. Livestock have been grazing in the *mzungu* farms from time immemorial. The *wazungu* said that they normally give the people a place to graze in times of hardship like drought. So, what has happened all of a sudden? The leases have expired. I am a lawyer and I know that they have expired. People are running to Laikipia to grab what was not theirs from the beginning.

There is a cartel of greedy people in this country who think you must own all the land in this world for you to be something. I can assure you that people will go to court, argue their case the way the *Mau Mau* argued, and we shall get what is ours. For any leader to say that we should not talk about this or that, how can we keep quiet when our people are destroyed like wild animals? We cannot keep quiet. One thing I would like to tell the Kenyan Government is that when you kill livestock in Laikipia, there are people in Narok who belong to you. What do you think the Maasais and the Turkanas will do to them? You must know that this has a ripple effect. It will affect so many people all over the country. You are not safe.

If you destroy my livelihood, you are destroying the fees for my children and the security for my health. You are destroying me psychologically. What is the effect of that? I will go mad. What does a mad man do? He does things that he did not intend to do. Let us not politicise this matter. Let us not say the Maasais are not supporting us. Let us come together as leaders, establish a committee, look at the way forward and decide as a country. We are too divided and we cannot deny that however much we want to.

The issue of land leases must be addressed. And ownership and historical injustices must be addressed and that report must be brought to this House. Why is it hidden like there is something so explosive that it should not come to the light? As leaders, let us come together, and resolve this issue once and for all. Let us not stereotype and say that the Samburus are like that and that. It cannot happen because we belong to this country. Nobody can take us away from this country. Nobody can do that.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Let us have Hon. Namsi Shaban.

**Hon. (Dr.) Shaban:** Thank you very much, Hon. Temporary Deputy Speaker. I want to join the others in thanking Peris Tobiko for bringing this Motion.

It is high time people had a conversation around matters livestock and farming in terms of agriculture. I come from a county where we have the expansive Tsavo National Park. We not only have running battles with the Kenya Wildlife Service (KWS) staff, but also with the big land owners in terms of us fighting for the little pasture that there is.

It is high time the Government takes an active role in making sure pastoralists are sensitised and educated on issues of making sure that their livestock have enough food in terms of having land where they can not only do their grazing, but also plant grass. The grass can be used during times of drought. This is a conversation which has been ongoing for so long to an extent that at a certain point somebody suggested that cattle rustling should be looked at as a national disaster. Apart from that, the bigger problem that we have is drought and floods. When we have floods, we lose livestock and human lives. During drought, we also lose the same.

No security personnel has the right to kill livestock deliberately. There is no reason for Kenyans to lose their lives at a time when we should be sitting down and having a conversation on the way forward resolve some of our problems. Just this afternoon, we were talking about matters climate change and how it affects the livelihoods of our people. It is a fact that Kenya is an Arid and Semi-Arid land (ASAL). About 83 per cent of Kenya is ASAL. Because of that, we need to plan and have better plans. The Jubilee Government is trying its best to construct dams everywhere so that water is not wasted during rainy seasons. This water can be used even for livestock and agricultural farming.

This conversation need not degenerate into serious emotions and people not wanting to sit down and talk. This august House can sit down and look for a solution and then advise accordingly through special reports. This can be done in terms of getting the Government to put

measures in place which can assist the livestock farmers and at the same time assist the other people so that they do not destroy their basic livelihoods.

In my area, I have tried to sit down with elders, provincial administrators and security agencies to discuss these matters so that we do not reach a level of killing each other. This should be done in a bigger scale nationally. We need this conversation. We should stop being emotional. We should start thinking straight. We were elected by people to represent them. Some of them are livestock farmers, farmers and land owners. We need to look at that, sit down, discuss and come up with a way forward to influence Government policy in dealing with these issues.

Hon. Temporary Deputy Speaker, I beg to support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Member for Samburu County.

**Hon. (Ms.) Leshoomo:** Ahsante sana, Mhe. Naibu Spika wa Muda. Ningependa kutoa shukrani kwa Mhe. Peris kwa kuleta Hoja hii. Mambo ya ng'ombe yamezungumziwa sana. Kama watu wangesikia, mambo haya hayangefika hapa. Kila mtu ameumwa na hayo mambo.

Hii si mara ya kwanza kwa ng'ombe kupigwa risasi. Ukiona vile tumenyamaza sisi wengine, ni kwa sababu ya mshangao. Wale wamepiga ng'ombe risasi wajue wamebeba laana kubwa sana. Wakati ng'ombe anapigwa risasi na analia, ujue ataenda na mtu tu. Haendi peke yake.

*(Laughter)*

Kwa hivyo, tunaona hakuna haja ya kupiga kelele. Ningependa kuwaambia ndugu zangu ambao ni viongozi wa Laikipia kuwa ni lazima tukae chini na tujue haya mambo ya Laikipia yalianza namna gani. Hii si mara ya kwanza taabu imetokea Laikipia. Imetokea mara mingi na tukajaribu kuleta *peace caravan* na itapoa. Mambo ya kupiga ng'ombe risasi ilianza miaka mitatu iliyopita. Ukame huwa kila wakati na kila wakati tunaenda Laikipia kutafuta nyasi. Hatuendi kuchukua shamba ya wenyewe kwa nguvu, kuvunja ama kubeba vitu. Watu wanaenda kununua nyasi kwa wale ambao wako kwa mashamba. Mambo ya kuleta askari kupiga ng'ombe risasi ilianza miaka mitatu iliyopita. Ng'ombe wengi walipigwa risasi na tuko na ushahidi wa kutosha. Pia, tuko na ushahidi wa watoto na kina mama kupigwa risasi. Mimi sifurahishwi na mambo ambayo viongozi wetu wengine wanasema. Ni kweli askari wameuawa. Hatukatai. Lakini nani ameuwa askari? Ungeenda kushika mwenye ameuwa askari na si ng'ombe. Tunajua askari wamekufa lakini yule amewaua angeshikwa. Kwa nini wanapiga ng'ombe risasi?

Kile hatuwezi kukubali pia ni kile IGP, Mr. Boinett, amesema kuwa watu wanaenda kushika ng'ombe na ndio wanapigwa risasi. Hatujawahi kumpata mtu ambaye ameenda kushika ng'ombe na akafa naye. Kuna shida ya ng'ombe mahali kwingi. Pia, maafisa wa Serikali ambao wako kule wako na shida nyingi. Kama wanasusia Serikali, wasisusie Serikali kwa kutumia Wasamburu. Wasusie Serikali kwa njia nyingine kwa sababu kuna mambo mengi pale. Kwa hivyo, dada zangu viongozi, kuna mambo mengi pale. Tushaajua na tushaakaa mara tatu na lazima turudi tukae chini tujue ni nini kinaendelea.

Naomba viongozi wa Laikipia tusitie hili jambo moto sana isionekane kama kwamba Wasamburu wanatolewa Laikipia. Tukifuata mkondo huo, tutaleta taabu Kenya nzima. Hatuulizi kwa sababu gani Wasamburu wako pale. Wasamburu wa Laikipia ni wazaliwa wa huko na wako na ng'ombe. Si kwamba ng'ombe wa Wasamburu pekee ndio wamepigwa risasi. Hata ng'ombe wa wale wanaoishi huko wamepigwa risasi na tuko na ushahidi.

Naomba sisi viongozi tujaribu kufuatilia kujua ni nini kilifanyika huko Laikipia. Wale ambao ng'ombe wao waliuliwa wako na shida nyingi sana. Kwa mfano, watoto wao hawawezi kwenda shule. Katiba yetu inawachunga wananchi na mali yao. Lakini sasa mali imeharibiwa na Wasamburu hawana shamba ya kwenda kuchuna majani. Ng'ombe wao ndio majani chai, sukari, mahindi na miraa. Kwa hivyo, ni lazima tujue ya kuwa ng'ombe ndio tegemeo la wafugaji. Ni ng'ombe wametulea sisi mpaka tukawa hivi na bado wanatulea. Tutafute njia ya kisheria ya kutatua jambo hili. Naunga mkono kuundwa kwa kamati ya Bunge ya kuchunguza mambo yanayoendelea. Naomba Mbunge wa eneo hilo na Wabunge wote wa Laikipia tukae chini bila kuchelewa kwa sababu tumepata ujumbe kwa simu zetu ukitangaza eti Wasamburu warudi kwao. Hatuwezi kukubali jambo kama hilo.

Ahsante.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Kamket.

**Hon. Kamket:** Thank you, Hon. Temporary Deputy Speaker for this opportunity. If this House thinks that the killing of 300 cows is a big deal, let me shock you. The Pokot who live in Laikipia, since that region was declared to have disturbances, have lost 6,439 cows through gunshots by the police. A lot of our people have been killed extra-judicially. We lost a Member of the County Assembly of Baringo from Tiaty, who was killed in mysterious circumstances. We, the people of Tiaty, suspect that his killing was connected to the matter in Laikipia. I have here with me names of the people who have been killed in the most recent past.

What is happening in Laikipia is a criminal enterprise that is being perpetuated by the security agencies with the support of powerful elements in the Government. Within a very short time, if nothing is done to address this matter, we will realise that we are sitting on a time bomb. This time bomb is ticking and it is going to explode in a manner you have never seen before. If, indeed, livestock keeping is illegal, we must be told by this Government. We must be told in no uncertain terms that it is illegal to keep cows in this Republic. What is happening is a situation where people are being profiled. They have been given names that are unpalatable. How can our people be called illegal herders? How can we be illegal herders in our own country? If, indeed, we are illegal herders, then those other Kenyans who are doing business in Maralal, Chemolingot and whichever other towns that we live in are also illegal businessmen. Therefore, we must be prepared for the consequences.

**Hon. Members:** Resist! Resist!

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Order, Hon. Members! Hon. Kamket, your time is up.

**Hon. Kamket:** I have not spoken, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): You have made your point, Hon. Kamket. I will give one minute to each of the next speakers. I have leaders from Laikipia, including Hon. Amin Deddy, who is the Member for Laikipia East. Hon. Members, our closing time is 7.00 pm. We cannot extend beyond that hour.

**Hon. Kipyegon:** (*Off-record*).

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Order, Hon. Ng'eno! I know what I am saying. Hon. Deddy, go ahead.

**Hon. Ali Amin:** Thank you, Hon. Temporary Deputy Speaker. My name is Amin Deddy, from Laikipia East Constituency.

This is a very emotive issue which has to be handled with a lot of care. It is a problem that needs a solution. The solution has to come from the security agencies and the local leaders because lives and properties of people matter. What we are talking about are issues related to

land and pasture. That is an economic activity for the people of Laikipia North and some parts of Laikipia West. At the same time, lives of policemen matter. The lives and properties matter.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Korei.

**Hon. ole Lemein:** Thank you, Hon. Temporary Deputy Speaker, for this minute. I wish I had more time. I truly want to empathise with the people affected in Laikipia. One point I want to make so that it goes on record is that there is no pastoralist in this country who can use an animal, more so a cow, as a shield. The people and the leaders from the affected areas should come together, reason and come up with a way forward.

I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Kassim.

**Hon. Amin:** Thank you very much, Hon. Temporary Deputy Speaker, for giving me this opportunity to add my voice and condemn the killing of livestock in Laikipia. This happened yesterday. It is going to happen tomorrow and it has happened in the past. I would like to condemn it. This is a case of use of excessive force in order to curtail the economy of pastoralist communities. This is a way of destroying our life. Cattle mean a lot to us. So, I urge that anybody who has been made culpable be brought to book. The culprits should be arrested and jailed for their excesses.

Secondly, I wish to suggest two things, namely, establishment of a drought contingency fund that should be made available so that animals and people can be able to move from one strategic area to another. Movement of livestock and movement of herders is a way of life. It has to be respected. It is a way of securing our animals during dry spells. Animals and people in pastoral communities have, in the past, been hurt by the KWS rangers and the Kenya Police Service officers. It has happened again. In addition, I suggest the formation of a special select committee of this House to address the issue.

## ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Members, the time being 7.01 p.m., the House stands adjourned until tomorrow, Wednesday, 8<sup>th</sup> November 2017 at 9.30 a.m.

The House rose at 7.01 p.m.