

PARLIAMENT OF KENYA
THE NATIONAL ASSEMBLY

THE HANSARD

Tuesday, 9th March 2021

The House met at 2.30 p.m.

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

PRAYERS

(Loud Consultations)

ADMINISTRATION OF OATH

Hon. Richard Onyonka (Kitutu Chache South, FORD – K): Hon. Speaker, I would like to introduce you to the Member of Parliament-elect for Kabuchai Constituency. His name is Simiyu Majimbo Kalasinga Joseph Wekesa.

Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: I hope you are a Christian.

The Oath of Allegiance was administered to the following Member: Mr. Simiyu Majimbo Kalasinga Joseph Wekesa.

(Applause)

Congratulations! You can now walk in and take your seat.

(Loud Consultations)

Very well, we can now proceed to the next Order!

PAPERS LAID

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I wish Members could allow the new Member to observe the proceedings of the House so that he does not get lost.

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

Annual Report and Financial Statements of the Kenya Ports Authority for the Financial Year 2017/2018

Annual Report and Financial Statements of the Office of the Controller of Budget for the Financial Year 2018/2019

Report of the Auditor-General and Financial Statements of the Ministry of Tourism and Wildlife for the Year ended 30th June 2018 and the certificate therein

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30th June 2019 and the certificates therein:

- (i) National Aids Control Council;
- (ii) Kenya Deposit Insurance Corporation;
- (iii) Outstanding Obligations Guaranteed by the Government of Kenya –
- (iv) The National Treasury;
- (v) The Kenya Law Reform Commission;
- (vi) The Kenya Accreditation Service; and,
- (vii) The Alupe University College.

Report of the Auditor-General and Financial Statements of the Kenya Power and Lighting Company (KPLC) for the year ended 30th June 2020 and the certificate therein.

Thank you, Hon. Speaker.

Hon. Speaker: Chairman, Departmental Committee on Trade, Industry and Cooperatives, Hon. Haji.

Hon. Ali Adan (Mandera South, JP): Hon. Speaker, I beg to lay the following Paper on the Table of the House:

Addendum to the Report on the consideration for approval of the ratification of the Economic Partnership Agreement (EPA) between Kenya - a member of the East African Community - on the one part and the United Kingdom of Great Britain and Northern Ireland on the other part tabled on 25th February 2021, Volume 1 and Volume 2.

Thank you.

Hon. Speaker: Next Order!

NOTICE OF MOTION

ALTERATION OF HOUSE CALENDAR

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I beg to give notice of the following Motion:

THAT, pursuant to the provisions of Standing Order No. 28 (4), this House resolves to alter its calendar 2021 regular sessions by varying the period for the short recess with respect to the first part of the session so that:

- (a) The short recess commences on Friday, March 12th and ends on Monday, 22nd of March 2021.
- (b) The House resumes on Tuesday, 23rd March 2021 to continue with the first part of the session.

Thank you Hon. Speaker.

ORDINARY QUESTIONS

Hon. Speaker: The first Question is by the Member for Matuga, the Hon. Kassim Sawa Tandaza. Let us move on to the next Question by the Member for Baringo Central, Hon. Joshua Kandie.

Question 044/2021

CONSTRUCTION OF SEWERAGE SYSTEM IN KABARNET TOWN

Hon. Joshua Kandie (Baringo Central, MCCC): Thank you Hon. Speaker. I stand to ask Question No. 044 of 2021. This Question is directed to the Cabinet Secretary for Water Sanitation and Irrigation. Could the Cabinet Secretary confirm whether the National Government has any plans to construct a sewerage system in Kabarnet Town which is the Baringo County Headquarters? If so, when will the project commence so as to address the continued discharge of untreated waste along the roads and open areas in Kabarnet Town?

Thank you Hon. Speaker.

Hon. Speaker: The Question is to be replied to before the Departmental Committee on Environment and Natural Resources.

Let us move on to the next Question by the Member for Emuhaya, the Hon, Omboko Milemba. I saw him here.

Question 074/2021

REPAIR OF ROADS IN EMUHAYA CONSTITUENCY

Hon. Omboko Milemba (Emuhaya, ANC): Thank you Hon. Speaker. I rise to ask Question No.074 of 2021, directed to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development.

- (i) Could the Cabinet Secretary explain whether there are any plans to rehabilitate and repair the Emustsusi-Khumusalaba and Emhumbe–Eburangwe Campus Roads in Emuhaya Constituency considering that the roads are in deplorable state, with several collapsed bridges?
- (ii) When will the Ministry upgrade the Emustsusi -Khumusalaba and Emhumbe–Eburangwe Campus Roads to bitumen standards?

Thank you Hon. Speaker.

Hon. Speaker: The Question will be responded to before the Departmental Committee on Transport, Public Works and Housing. For the Question by the Member for Jomvu, Hon. Bady Twalib, the Member wrote requesting that the Question be deferred. The request was acceded to.

Question No. 085/2021

(Question deferred)

Next Question is by the Member for Garsen, the Hon. Ali Wario Guyo.

Question 086/2021

STATUS OF OPERATIONALISATION OF THE ADMINISTRATIVE
UNITS IN THE TANA DELTA SUB-COUNTY

Hon. Ali Guyo (Garsen, JP): Thank you Hon. Speaker. I rise to ask the following Question to the Cabinet Secretary for Interior and Coordination of National Government.

- (i) Could the Cabinet Secretary explain the status of operationalisation of the administrative and service delivery coordination units established in the recently created sub-counties, divisions, locations, and sub-locations as specified in Kenya Gazette Notice No.CXIX-80 of 21st June 2017?

- (ii) What is the status of operationalisation of the above-established administrative units in the Tana Delta Sub County, Tana River County namely, Chira, Handaraku and Matangeni locations and Gomeza, Odoganda, Bura Kashi, Lailoni, On Wardei and Bora Moyo sub-locations?
- (iii) What steps has the Ministry put in place to ensure that there is adequate human resource and support facilities in the newly established units across the country, and in particular, in Garsen Constituency?

Thank you Hon. Speaker.

Hon. Speaker: The Question will be responded to before the Departmental Committee on Administration and National Security. The next Question is by the Member for Njoro, Hon. Charity Chepkwony.

Question 089/2021

MONIES DISBURSED AND PARCELS OF LAND ALLOCATED
TO THE INTERNALLY DISPLACED PERSONS (IDPs)

Hon. (Ms.) Charity Chepkwony (Njoro, JP): Thank you very much, Hon. Speaker, for giving me the opportunity to ask Question No.089/2021. My Question is directed to the Cabinet Secretary for Interior and Coordination of National Government.

- (i) Could the Cabinet Secretary provide a list of all integrated Internally Displaced Persons in Njoro Constituency?
- (ii) Could the Cabinet Secretary give details on all monies disbursed and parcels of land allocated to the Internally Displaced Persons (IDPs) including a breakdown of the beneficiaries?
- (iii) Could the Cabinet Secretary further indicate the amount paid to each of the beneficiaries, bank details, and disbursement methodology?
- (iv) What measures are in place to ensure that the remaining persons living in IDP camps or settlement areas in Njoro Constituency, who are living in deplorable conditions, are compensated and permanently resettled?

Thank you Hon. Speaker.

Hon. Speaker: The Question will be replied to before the Departmental Committee on Administration and National Security. The next Question is by the Member for Turkana County, the Hon. Joyce Akai Emanikor.

Question 091/2021

STATUS OF STALLED CONSTRUCTION OF TURKANA HIGH COURT

Hon. Joyce Emanikor (Turkana (CWR), JP): Thank you, Hon. Speaker. I rise to ask Question 091 of 2021. The Question is directed to the Judicial Service Commission.

- (i) What led the stalling of construction of the proposed Turkana High Court, which was awarded to M/s. Landmark Holdings Limited in 2017, and how is the Commission addressing the problem?
- (ii) When will construction of the project resume, and what is the revised contract period?

Hon. Speaker, I asked this Question in 2018. I revisited it in 2019, and this is 2021. It is clear that the JSC are unable to give the written response that was requested and, therefore, with your permission, I propose that the JSC gives an oral response through the Departmental Committee on Justice and Legal Affairs.

I am passionate about this Question because I was personally affected during my petition when the judge was giving a ruling. He was attacked in the semi-open court in Lodwar along with his bodyguard and my body guard who tried to protect the judge.

Moreover, I was almost beaten by my own supporters who were angry at the ruling. I also wish to say that that was against my wish and that Turkana people have since learned that ventilating their discontent does not necessarily have to be through violence and they are peace loving people as may be witnessed by Kamket.

Thank you Hon. Speaker

(Laughter)

Hon. Speaker: Maybe the witness is not around. Very well, Hon. Emanikor. I think the Question should be written, but replied orally before the Departmental Committee on Justice and Legal Affairs. The Chief Registrar of the Judiciary should be in a position to appear and explain the issues you have raised.

For the second time Question No. 026 by the Member for Matuga? Hon. Tandaza?

Tandaza, *amekosa kuja kutandaza.*

(Laughter)

COVID-19 RELIEF FUND FOR THE ELDERLY

Question No.026/2021

(Question dropped)

Let us move on to the next Order.

REQUEST FOR STATEMENT

GUIDELINES FOR CANDIDATES SITTING FOR EXAMINATIONS

Hon. John Mutunga (Tigania West, JP): Thank you, Hon. Speaker for the opportunity to request for this Statement.

Hon. Speaker, pursuant to Standing Order 44(2) (c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Education regarding lack of policy or guidelines for candidates sitting for examinations on syllabus coverage and attendance to classes.

Hon. Speaker, the Kenyan basic education system demands that all students who register for final examinations sit for the same examinations when it is scheduled. It is notable that no general or specific guidelines restricting registered candidates from sitting for such examinations for lack of proper coverage of the syllabuses or attendance to classes. This situation has led to cases of students registering for such examinations and failing to attend classes, only to appear during examinations time. Such negligence has demoralised many head teachers and principals, in view of reduced mean scores based on unprepared students.

Hon. Speaker, it is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Education and Research on the measures in place or if the Ministry is considering to ensure that a student can only sit for examinations, if he/she has been

regularly attending classes and has also attained a certain level /percentage of syllabus coverage.

I thank you, Hon. Speaker.

Hon. Speaker: The Chairperson of the Departmental Committee on Education and Research, when can you issue the Statement? The Chairperson is not present. Who is that raising up his hand? Are you a chairperson or a vice? Let the request of the statement be presented through the Office of the Hon. Leader of the Majority Party.

I see a number of interventions. Hon. Limo, what is your intervention about?

Hon. Joseph Limo (Kipkelion East, JP): Hon. Speaker. I was interested in commenting on the statement on the issue of examinations. My view is that even in the universities, there is a requirement that a certain number of hours must be attained. My view is that the Ministry of Education should be very serious about examinations especially in primary and secondary schools, now that the Competency Based Curriculum (CBC) is on. The worst time is that there is yet to be decided whether examinations will be done in Standard Six so that they transit to junior Secondary. Also junior secondary is yet to be decided whether it will be domiciled in primary or secondary schools. So, examination is a serious issue.

Hon. Speaker: Let us have Hon. Duale.

Hon. Aden Duale (Garissa Township, JP): Hon. Speaker, I sought two statements and I want you to ask the Chairs. There is a statement I sought and the timeline you gave was two weeks. One was to Hon. Florence Mutua the Chair, Departmental Committee on Education and Research, and the other one was to the Hon. Pkosing, a very good friend of mine. The two weeks have lapsed. I have checked my email and waited for the written response in vain.

Hon. Speaker, now being a senior Backbencher, I keep track of my business in the House. You should have asked the two chairs to treat our statements with the urgency they deserve. Two weeks have lapsed. I expected today by morning to have received a copy, but I am yet to receive one.

Hon. Speaker, you are the head of the institution. You are our Hon. Speaker. Hon. Pkosing is here. You can ask him what has happened to my statement. I have no problem if it is on the way, but he should not tell me that it has disappeared because the people that I have asked on their behalf are asking me what happened and they want answers.

Hon. Speaker: Hon. Pkosing, you have the Floor.

Hon. David Pkosing (Pokot South, JP): Thank you, Hon. Speaker. I acknowledge the sentiments of Hon. Duale. Remember he had asked before I came to the Floor and you noticed me when he had just asked.

Hon. Speaker, his statement is weighty. We, therefore, decided, as a Committee, that the Hon. Member and the Cabinet Secretary will appear before the Committee so that we can resolve the matter at that the level. This is because, you resolved that there are certain weighty statements that require the Member to appear before the committee so that they can ask supplementary questions rather than on the Floor of the House.

Hon. Speaker, we followed that direction. Most likely it will be tomorrow at 2:30 p.m. I will follow up with the Office of the Clerk to see whether Hon. Duale and the Cabinet Secretary have been invited to appear before my Committee tomorrow.

I thank you, Hon. Speaker.

Hon. Speaker: Very well. I am dealing only with interventions and I am following them as they have been placed. So, do not jump. Let us have Hon. Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you, Hon. Speaker. I rise to seek your direction because Hon. Charles Were of Kasipul Kabondo is a Member of the National Cohesion and Equal Opportunities Committee (NCEOC) which oversees the National

Cohesion and Integration Commission (NCIC). He is now a prime suspect in the violence, and was summoned by the NCIC.

Hon. Speaker, it is common sense that you cannot oversee an institution that is investigating you. So, I have read our Standing Orders. I have not seen the directive that we will take so that as NCIC investigates Hon. Charles Were, it is not in any way intimidated by his oversight role in the NCEOC. I, therefore, seek your directive. Is it in order for him to be the one overseeing the institution that is investigating him? It is common sense that he should not, but common sense is not common to everybody. Remember he is the one who complains. So, should he resign, step aside or be removed from NCEOC?

I thank you, Hon. Speaker.

Hon. Speaker: Remember the National Assembly, according to Article 95 of the Constitution, oversees all national state organs including the Ethics and Anti-Corruption Commission (EACC) which is generally overseen by the Departmental Committee on Justice and Legal Affairs, as well as the NCIC. These institutions investigate Members here. They are never scared whether they are investigating Members who oversee them or not. So, that is a matter that can be sorted out within the functions of the Commission. They will deal with it. Hon. (Dr.) Pukose is suggesting that he wants to do something a bit radical. Hon. Duale had raised an issue about his statement request to the Education Committee. Who is the Vice-Chair? Is it the Member for Nyeri Town? He must be busy elsewhere. I do not know what is happening to Hon. Florence Mutua. Let that request be raised through the Office of the Leader of the Majority Party. Hon. Wamalwa, you have the Floor.

Hon. (Dr.) Chris Wamalwa (Kiminini, FORD-K): Thank you, Hon. Speaker. I rise to seek your direction concerning the dress code of the Leader of the Majority Party emeritus. Hon. Duale has become a senior backbencher and when you look at his dress code you can see his chest is out. We want to know if that is parliamentary. Please give direction.

Hon. Speaker: I will refer you to my earlier communication and draw everybody's attention to it because I have now noticed another Member. It must be the Member for Mandera North. We need to address this issue because I do not want this House to be turned into some other place where people come in all manner. The communication is that there must be a collar. But we will look at that communication.

Let us hear Hon. Olago Aluoch.

Hon. Olago Aluoch (Kisumu West, FORD-K): Thank you, Hon. Speaker. On the same issue from where I am standing, I remember your ruling very clearly. The arms and neck must be covered. Hon. Duale's neck and upper torso are exposed. If he wants to wear what he is wearing he must button up to the neck. If he cannot button, then he gets out. Now he has buttoned.

Hon. Speaker: I can see there is another intervention by the Member for Moyale. All these are interventions.

Hon. Qalicha Wario (Moyale, JP): Thank you, Hon. Speaker. I asked for a Statement on 11th February. On that day, I expressed it was a matter of urgency because some schools were closed and people had moved away from their homes. That day you gave direction that it should be reported back to this House at the end of two weeks. The two weeks lapsed last Thursday. So, I am wondering.

Hon. Speaker: It was which Committee?

Hon. Qalicha Wario (Moyale, JP): The Departmental Committee on Administration and National Security.

Hon. Speaker: Where is Hon. Koinange? Vice-Chair, Hon. Fatuma Gedi, do you have a card?

Hon. (Ms.) Fatuma Gedi (WAJIR (CWR), PDR): Hon. Speaker, I ask for one more week or after the recess. We have a lot of challenges in terms of getting the Cabinet Secretary. So, after the recess we will come back to the House. There is police recruitment and many activities are going on.

Hon. Speaker: This House cannot be held hostage by activities happening elsewhere. Hon. Fatuma, have you heard what the Member for Moyale is asking?

Hon. (Ms.) Fatuma Gedi (WAJIR (CWR), PDR): Yes, Hon. Speaker. I did.

Hon. Speaker: He is raising an issue about some schools being closed. You had promised to bring the Statement by end of last week. You should have a word with him so that you can agree. If you understand the gravity of what he is raising, then you will be in a position to give an appropriate response. Hon. Gufu, what do you want to say? Can you press the intervention button?

Hon. Qalicha Wario (Moyale, JP): Hon. Speaker, I expressed the pressure I am facing on the ground because of the displaced communities. I clearly said that two school were closed and examinations are about to start.

On that day because the Chair and Vice-Chair were not around, I remember Hon. Kaluma said they would give me an answer by the end of two weeks. I have been following with the Chair on this because it is a very serious situation. People have been displaced from their homes; children are not going to school and are missing examinations. I will incur all expenses of returning the people from where they are. So, all I am requesting is provision of security. I think this needs urgent action and I plead for your indulgence.

Thank you, Hon. Speaker.

Hon. Speaker: Indeed, especially when you say students cannot sit for examinations. Yes, Fatuma

Hon. (Ms.) Fatuma Gedi (WAJIR (CWR), PDR): Exactly, Hon. Speaker. I agree with him that there is a problem in Marsabit. I commit to this House that on Thursday, I will bring a comprehensive response.

Hon. Speaker: This Thursday.

Hon. (Ms.) Fatuma Gedi (WAJIR (CWR), PDR): Yes.

Hon. Speaker: Very well.

Hon. (Ms.) Fatuma Gedi (WAJIR (CWR), PDR): Thank you.

Hon. Speaker: Let us have Hon. Pukose.

Hon. (Dr.) Robert Pukose (Endebess, JP): Thank you, Hon. Speaker. Over the weekend a very significant event happened in this country in the Mt. Kenya region, where the Speaker appeared before *Njuri-Ncheke* and was declared a spokesperson. We want to acknowledge that position. You know *Njuri-Ncheke* is just like the Kaya of the Coast Region. They are a very significant group of elders in this country. Whatever they speak must be noted and we acknowledge. I wanted to congratulate you for the support from the *Njuri-Ncheke*. You should come to Mt. Elgon for further blessings.

Thank you, Hon. Speaker.

Hon. Speaker: Next on line is the Member for Suba North.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Speaker. Let me take this opportunity to congratulate you for the new and important role you got. It is not a very easy thing.

May I encourage you, in your new role to promote the voices of women. There was a time I was doing a research when working with the International Commission of Jurists and we went with the American Ambassador who was a woman. The *Njuri-Ncheke* told us that it does not matter what position you hold as a woman, you cannot appear before them. Perhaps you can encourage the *Njuri-Ncheke* to be more sympathetic to women.

I have seen two worrying things not related to this which you may want to speak to. This is on the earlier one where people were talking about dressing which I have no problem with. But as we talk about dressing which he seems to borrow from Asia... An Hon. Member who I will not mention, because I do not want to victimise him, was actually walking out of the Chamber in jeans. It was blue jeans and not even black ones so we can debate whether they are jeans or khaki. Hon. Speaker, as much as we are liberal, there are still rules that need to be obeyed.

Secondly, I congratulate our Members in National Super Alliance (NASA) who have for once done well because they are not used to winning. Some of us are used to winning, but the rules have not changed. You cannot come into the House with party colours even when you are overexcited unless the rules changed during COVID-19 and I am not aware. That is why even when we win as ODM, we do not come here donning orange. It might have escaped your attention, but I saw a whole lot of people here with luminous green. Maybe we can be sympathetic for once just like a person born in a leap year and the birthday comes once. So, perhaps we might be sympathetic with them on account of that, but really the rules of the House are that you do not adorn party colours. They were about four Members and at the same time walking in unison and another one wearing a mask and adorning a dress of the same colours. They are not *kalasingas*. Hon. Shakeel Shabbir, I do not know if that is the colour of *kalasinga*. But, even as we encourage them so that they can do better in future, let us keep the rules of the House.

Thank you.

Hon. Speaker: That is absolutely right. Hon. Members, all these are interventions. There is an intervention by the Member for Murang'a.

Hon. (Ms.) Sabina Chege (Murang'a CWR, JP): Thank you, Hon. Speaker. Let me join my colleagues in congratulating you on the newly acquired role and the respect you got from *Njuri-Ncheke*. As a person from the region, I am very proud of you and I know you got what it takes. You have a big role first and foremost starting from this House to bring all of us together. I have always challenged you as our Speaker that you can be able to mobilise all of us especially where we are headed to. I am very sure and I believe in your leadership. We can come together and make sure that the handshake also works.

Hon. Speaker, why I had raised my intervention is about three matters.

One, before we went for recess in the last Parliament, I brought up an issue about Gituamba land and we had a long and lengthy session with the Departmental Committee on Lands, but among the prayers of the petitioners was that there were trees that were being planted on that land and they were growing. As you know, with nature, having a petition did not stop the trees from growing. I have not got a response from the Departmental Committee on Lands. I am afraid that the community might take the law onto their hands. So, I request that the Departmental Committee on Lands tables that report so that we are able to have a closure on that matter with the Kenya Tea Development Authority (KTDA).

Secondly, if I remember well, we passed a Motion such that the issues we had raised last session before we went on recess would not die. Some of those issues were a question about some tea farmers who are not able to pick their tea because they wanted to be moved from the factory. You committed the question to the Departmental Committee on Agriculture and Livestock. I have not had a response and since then it is now many months and the farmers are still stranded and we do not have an answer.

I also have several Bills. There is the Basic Education (Amendment) Bill. I met with the Departmental Committee on Education and Research, but somehow down the line, I do not know what happened to that Bill. I also had the Breastfeeding Mothers Bill. It is a Bill that we had passed in this Parliament last time, but we did not get to the last phase. So, it died with the

previous Parliament. Immediately we came back, I brought back the Bill. I met the Departmental Committee on Labour and Social Services. I do not know how it was again brought to the Departmental Committee on Health. The Bill is somehow lost. So, I request that the matters I have raised be taken with urgency and utmost priority so that I can give feedback to the people on the ground. Those are very important Bills, especially the Basic Education (Amendment) Bill, which had very important provisions.

I was the Chair of the Departmental Committee on Education and Research in the last Parliament. There were several very important amendments we had done in the proposed amendment Bill. So, I ask for your intervention so that those Bills again do not die.

Hon. Speaker, thank you for the opportunity.

Hon. Speaker: The information I have is on the question. Hon. Sabina, you know questions do not subsist. They do not go beyond a session. So, you needed to reintroduce them. We gave that Communication immediately we resumed. We gave communication to the effect those Members to revive their questions. What were saved by the last procedural motion in the last session were the various Bills at various stages from Members and I believe a few petitions.

With regard to the issue that is with the Departmental Committee on Lands, the Chair is indomitable. Hon. Rachael Nyamai's committee is one of the very active ones. Perhaps she could comment on that. Then on the Breastfeeding Mothers Bill, a report from the Committee is awaited. It is just waiting for the report of the Committee but we have given instructions that all the pending business before committees should be expedited so that we do not frustrate the efforts of individual Members. We shall pursue that with the Committee.

Hon. Rachael Nyama, you have the Floor.

Hon. (Ms.) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Speaker, for the compliments. Before I respond to Hon. Sabina Chege, I would like to congratulate you for the new role that you got. We have so much faith in you. You have taken care of this House in the 11th Parliament and 12th Parliament and I would like to say, from where I sit, that you are equal to the challenge.

Let me go to the matter that has been raised by Hon. Sabina Chege. The Departmental Committee on Lands took this matter seriously. We met the Hon. Member, the petitioners, KTDA and the National Land Commission (NLC). I would like to say that we are at the tail end of concluding this report. I would like to apologise to Hon. Sabina Chege for the delay, but I would like to commit that in the next one week it is going to be done. That is the response that I can give – that it is an important matter. It concerns matters that seem to have been changed with regard to ownership and I would like to say that we are going to conclude it in the next one week.

Hon. Speaker: With regard to the issue raised by Hon. Millie, yes, it has been confirmed indeed that there was a Member that was dressed in blue jeans. The Member was advised by the Serjeant-At-Arms to withdraw from the Chamber. He appeared to have travelled long distance from Turkana and I think he had forgotten where he was going. So, he has obediently withdrawn from the Chamber. I think it is good for him to have withdrawn without causing a lot of unnecessary fight. Thank you for the observation.

Next is the Member for Gem.

Hon. Elisha Odhiambo (Gem, ODM): Hon. Speaker, mine is not much. Let me join my colleagues in congratulating you for the enthronement by *Njuri-Ncheke*. I am now sure that when we come to Mount Kenya, *Baba* will be dealing with somebody he knows very well. Thank you very much.

(Laughter)

Hon. Speaker: Hon. Sankok, do you also have another issue?

Hon. David ole Sankok (Nominated, JP): Thank you very much, Hon. Speaker. I want to inform the House that there have only been four people who have been given the same honour as you, that is, Jomo Kenyatta, Mwai Kibaki, Uhuru Kenyatta and now you. So, let me join my colleagues in congratulating you for this new role. It is not by chance, luck, coincidence or coincidental. It is because you have leadership qualities. In this House, we refer you as a mobile encyclopedia when it comes to the mastery of our Constitution. So those elders really knew what they were doing and I take this opportunity to congratulate you for that new role. We believe and trust in you. Those of us who are new Members have really learnt a lot from you and we have been able to catch up soothingly because of your guidance.

I do not know who Hon. Elisha is referring to as *baba* because I only have two fathers, my biological father and my heavenly father. I may not refer anyone to as *baba*. I will advise my Deputy Party Leader, now that he knows who he will be dealing with as he comes to the mountain. Your voice will roar on the mountain. Congratulations.

Thank you very much, Hon. Speaker.

Hon. Speaker: The next one is Hon. Kamket.

Hon. Kassait Kamket (Tiaty, KANU): Hon. Speaker, I want to recognise you and say that the elders made no mistake in giving you the position of an elder. I want to welcome you to join some of us. As I speak, you know I was made the spokesman of the Pokot nation, from Laikipia to Uganda.

(Laughter)

So, I want to invite you to the council of elders and remind Kenyans that as we come to the end of the life of this Parliament, I want to persuade you to naturally go back to the house that nurtured you, that is the house of KANU. You will work with Senator Gideon Moi as we form the next Government.

Otherwise, congratulations.

(Hon. Members rose on point of order)

Hon. Speaker: All these are interventions. The next one on this end is the Member for Kilifi North.

Hon. Owen Baya (Kilifi North, ODM): Thank you, Hon. Speaker. I would like to take this opportunity too, to congratulate you for the new role that the elders saw fit to bestow you. Where I come from, there are *Kaya* elders. That is a sacred seat. Therefore, I wish you God's help in executing the mandate and new role that you have. As you do that, please do not forget us from the lower Coast region as you try to bring the country together.

Congratulations, Hon. Speaker

Hon. Speaker: Thank you. Let us have the Member for Nyando.

Hon. Jared Okelo (Nyando, ODM): Hon. Speaker, I thank you very much. On the same breath, let me also pass my congratulations to you for the enthronement. It could not have come at a better time. We are in a crisis as a nation. Courtesy of the political class, we see a lot of divisions in this country. We have been looking for a voice of reason, a voice of unity and a voice that can preach peace and tranquility. The *Njuri-Ncheke* saw that in you, and we fully support. This House plays a pivotal role when it comes to perpetuation of peace in this nation. I see the leaders of political parties with due respect to all of them, take a lot of solace and comfort each time Members of this House accompany them in their political activities or

escapades. Therefore, this House in retrospect would play a very important role to unite this nation and have it move forward.

How I wish that we will rise above self, political affiliations and considerations and unite this country. The year 2022 will come and go. That year is one of the reasons this country has experienced a lot of divisions. My Bible tells me that we should be so quick to listen and slow to answer. You are exactly in that position. When this country was at the brink of precipice in 2007, most of those who championed that particular occurrence were as a result of pronouncement from the political class. We have once again seen politicians playing the gongs of war and we are barely a year into the next elections. I am very afraid, that left unchecked, this country may go deeper into the morass where we do not want it to be.

Hon. Speaker, I support you, reach across the aisle. As you have always played a very impartial role in this House, we expect you to do the same. Please reach out to our political leaders, bring them together once again. Only one president can be in this country at any given time. We know those who cannot be presidents, however much they tried. We know those who can be presidents, if a level playing field will be in place next year.

I congratulate you. I ask you to help us bring peace and oneness in this country so that we live together as one unitary society.

I thank you, Hon. Speaker.

Hon. Speaker: The other one is Hon. Ochieng', the Member for Rangwe.

Hon. David Ochieng' (Ugenya, MDG): Thank you, Hon. Speaker. I come from Ugenya.

Hon. (Dr.) Lillian Gogo (Rangwe, ODM): Thank you, Hon. Speaker. I also rise to congratulate you. Many a times fruits just fall by the tree and they only fall when they are ripe. It is only prudent that a wise man who has discharged his duties responsibly be recognised by his community to be given another level of responsibility. This is exactly what has happened to you, and I congratulate you. The great people of Rangwe Constituency also congratulate you.

There was a matter that was raised here on the manner of dressing that Members need to observe. It is also getting worrisome. It is prudent that in your wisdom that your community and the larger Kenya has seen as you discharge your responsibility, that you spew this wisdom on Members who have juvenile tendencies.

As it were, among us here, there are Members who forget that all of us who are in this National Assembly for one reason or the other are representing an electoral college. There are Members who do not have respect for colleagues. I need to bring your attention to what is happening. What is making me to stand and talk in this National Assembly are the people of Rangwe Constituency. It is important that it is brought to the HANSARD that if you do not address and bring to conclusion matters of disrespect among colleagues, then it is going to escalate to something nasty which is not good for this House. I am saying this without fear of contradiction because I have looked at it responsibly and as an academic, if you do not address the matter of Hon. Gladys Wanga spewing a lot of political insults at me in my constituency, then it is going to degenerate into something else that is not going to be very pleasant for this House. So, I seek your indulgence on this matter that investigations are done accordingly, and it be addressed responsibly.

I congratulate you once more for your new role. Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, even as Hon. Kanini Kega, the Chair of Budget and Appropriations Committee speaks, I have always said and advised in the past that in all fairness, let us respect one another. You know that I am always hesitant even when I am invited by other groups to visit any part of the country, without the knowledge of the area Member of Parliament. It is just a matter of courtesy.

(Applause)

If you visit Hon. Kanini Kega's constituency in his absence, you may have been invited by whoever it may be, but it is only fair that, because you sit in this House with Hon. Kanini Kega, when you are there you try to project an image of collegiality. It is only fair that that happens. I am not saying that with respect to the issue that Hon. (Dr.) Lilian Gogo has raised but, generally, it is important that when you visit your colleagues' constituencies, particularly in their absence, you refrain as much as possible from projecting your colleague in the negative. It is not right. It is just a matter of courtesy.

Hon. Kanini Kega, you have the Floor.

Hon. Kanini Kega (Kieni, JP): Thank you, Hon. Speaker. I want to join my colleagues in congratulating you for the new role that you were given over the weekend. I want to remind Members and Kenyans at large that even in terms of the pecking order in the country, you are number three: after the President and the Deputy President. You are actually number three. So, the new role that you have been given is another feather that has been given to you. For those who come from the Mount Kenya Region, we know the importance of that position. We know that you are up to the task.

(Applause)

There are very many of us who are either envious of that installation, but at the same time, there are others who are jealous about the position, but what God has blessed no man can curse. So, proceed. We are behind you and we will support you.

Hon. Speaker, on what Hon. (Dr.) Lilian Gogo has raised, it happened two months ago in my constituency where a team led by Nominee No.001, another Member of Parliament and another Senator at a funeral, which was really not a good thing because they even snatched a microphone from the Father and all that...

However, the good thing is that when I asked my good friend, Hon. David ole Sankok what he did, he actually apologised and said it will never happen again. I ask the other Members that what you have said and how you have guided...

Hon. Speaker, we are colleagues. Let us remain colleagues. If you are coming to my constituency, kindly be courteous and tell me that you will be coming to the constituency or come but do not abuse your colleagues.

I thank you, Hon. Speaker. We are very much behind you.

(Hon. David ole Sankok stood in his place)

Hon. Speaker: Let us hear the Member for Kisumu West.

Hon. Olago Aluoch (Kisumu West, FORD-K): Thank you, Hon. Speaker...

Hon. Speaker: Sorry, Hon. Olago Aluoch. Just one minute.

On the matter raised by Hon. (Dr.) Lilian Gogo, which also touched on Hon. (Ms.) Gladys Wanga, please Members do not make reference to it. The matter, I am informed, has already been referred to the Powers and Privileges Committee. So, let us allow the Committee to deal with the matter. You have already reported Hon. (Ms.) Gladys Wanga. I have been informed that you made a report. There is no point of canvassing it here now because if you do so, there will be no need of us...

(Hon. (Ms.) Gladys Wanga spoke off record)

It is not going to be helpful. Hon. (Ms) Gladys Wanga, I have been informed that you have already reported the matter. So, let us deal with it that way.

Hon. Olago Aluoch, you have the Floor.

Hon. Olago Aluoch (Kisumu West, FORD-K): Thank you, Hon. Speaker. I wish to join my colleagues in congratulating you. I wish we did not have to trivialise your installation as an elder by *Njuri-Ncheke*. We are trivialising it by introducing partisan political issues into the matter, forgetting the major issue that your role now entails.

Apart from Hon. Kassait Kamket's, you join another team of elders, including myself. Although I am not the spokesman for our nation, I am an elder. In this new role, your responsibility will now help us, as a nation, to talk in one voice, even if we have our own differences. I ask for God's blessings that in that new role, which is a demonstration of the way you have led this House so far, it is a manifestation of your capacity to lead the Mount Kenya Region to unite other Kenyans as one nation.

Hon. Speaker, arising from the matter raised by Hon. (Ms.) Gladys Wanga – I do not want to comment on what Hon. (Dr.) Lilian Gogo has said – in the 10th Parliament we had an *ad hoc* Committee of people who were skilled in mediation, who would help Members to reconcile with each other without this pouring out. In my humble will, this pouring out on the Floor of the House is a demonstration of the fact that we lack the skills to resolve those petty differences ourselves.

I thank you.

Hon. Speaker: I wish we could all be as brief as Hon. Olago Aluoch.

Let us now hear the Member for Gilgil.

Hon. (Ms.) Martha Wangari (Gilgil, JP): Thank you, Hon. Speaker. I join my colleagues in congratulating you. I agree with Hon. Olago Aluoch that your coronation is actually a matter of national importance and it should be given the time that it deserves because it is not a small issue. The one thing that I noted about it is that it was not controversial. You did not need to go at night. There is no one faction that denied it. It was unanimous.

(Laughter)

That is very serious and very commendable. Being the number three in the leadership of this country, it is a symbol and a sign of what you need to do. Going forward, I cannot see Hon. Charles Njagagua; we have a problem because of one reason that you and I know. We also own you as part of us in Gilgil Constituency. So, you cannot be limited to Mbeere or to Mount Kenya East. We expect that your tentacles will go to the Rift Valley and, generally, to the country because that is where you belong.

Again, congratulations.

Hon. Speaker: Deputy Speaker, you have the Floor.

Hon. Moses Cheboi (Kuresoi North, JP): Thank you, Hon. Speaker. Off course, I rise to congratulate you in your new role. In fact, I can see you taking this role very quickly because I have seen you have ruled very correctly that we should not refer to any other issue other than this one. Even the issue between Hon. (Dr.) Gogo and the Women Representative for Homa Bay County is coming to you more in terms of your new role than you being a Speaker, because it is bringing colleagues together.

(Laughter)

Having known you for a very long time, that is something that is late. It should have come a little earlier. The only thing is that I would like to send a few Members to go and consult the *Njuri-Ncheke* for them to tell us whether when they gave you this role, they also allowed your Deputy to deputise you so that he can handle the...

(Laughter)

Something I will not take now.

Just to confirm to you, Hon. Speaker, as I finish, on the allegation by the Hon. Member for Tiaty, we will need to look into it because, coming from that particular region, I know the real elders because the Pokot are part of the larger Kalenjin community. It is a group called the “Miot.” So, it is definitely not Hon. Kassait Kamket who is the head of that one. He must be in some small factional ones, which we do not have a problem with because you being the overall head, you can accommodate even the smaller ones like that of Hon. Kamket.

(Laughter)

If you want to deal with the real Rift Valley one, it is the Miot Council of Elders, led by Retired Major-General John Seii and others.

Congratulations once again.

Hon. Speaker: We took away the microphone from Hon. David Ochieng’. Let us hear him.

Hon. David Ochieng’ (Ugenya, MDG): Thank you, Hon. Speaker. In a deeply divided country – in a country where no one knows whether we are going forward or backwards – it is refreshing to know that one of us, because you are a Member of this Parliament, has been bestowed a very high honour in one very important region of this country.

On a weekend where there was a cabal of civil servants that want to rob the “handshake”, the job you have been given is not light. As we congratulate you, you need to know that you should start running immediately. I do not know whether you will hand over the reins to Hon. Cheboi for the remainder of your term, but the work that you need to do in that position is enormous. We hope that Parliament can devote some resources to enable you to do that job so that you are able to unite this country. We are in a situation where no one knows who the head of the Jubilee Party is, who the head of the Orange Democratic Movement (ODM) is or who the head of which faction is.

(Loud consultations)

(Laughter)

You need to unite the forces that are fighting. We hope you can use that position to ensure that the country is united.

On a more serious note, I wanted to raise an issue of national importance. There is a Question I raised on the Floor of the House in early June last year. Yesterday, I was listening to the news and I heard the Cabinet Secretary (CS) for the Interior and Coordination of National Government, who spoke in *lingua* in Kisii. I got a translation that he said that they will push for some reforms in this country and whether people go to court or not, even if they are given beds to sleep in court, they will not obey court orders. He said that yesterday in Kisii.

The issue I raised in early June last year - whose answers were brought back to this House - is whether the Government has a choice on whether or not to respect court orders. This

House and all organs of Government can never act in vain. When this House pronounces itself on a matter, it is like a High Court; it must be respected. When the Judiciary acts, it cannot do so in vain. The issue I raised in early June last year was about six particular judgements that had been issued by the courts but had not been respected. To date, no answer has been brought to the Floor of the Assembly by the Committee concerned. I was sent a copy of the answer. I was not even asked to go to the Committee to ask the Question to the persons concerned, namely, the Attorney General (AG) and the rest.

That happens because this House has not put its foot down in as far as ensuring that our orders and resolutions are respected; and secondly, that the orders given by the court are respected by the Government. That is why this is not the first time Matiang'i has spoken about not respecting court orders. This is the Cabinet Secretary who, some time back, lectured Members of Parliament (MPs) when asked why Miguna could not come back. It is important that this House puts its foot down and tells Cabinet Secretaries that there are things that they cannot say out there, however powerful they are.

As I finish, could I request the Committee concerned to bring to this House the response to the Question I asked on 3rd June last year?

Hon. Speaker: Which Committee is it?

Hon. David Ochieng' (Ugenya, MDG): The Departmental Committee on Justice and Legal Affairs.

Hon. Speaker: If you asked it in June last year and there was no response, and now we are in 2021, that means that it lapsed. Perhaps, you may need to formally revive it. If it was a Question or a request for a statement, it lapsed with the last Session. Perhaps, you could just take advantage of the period we have to revive it.

Hon. David Ochieng' (Ugenya, MDG): Hon. Speaker, I stand guided.

Hon. Speaker: Let us have the Member for "Kikuyus".

Hon. Kimani Ichung'wah (Kikuyu, JP): Thank you, Hon. Speaker. I hope you said Member for Kikuyu not Kikuyus. I represent the people of Kikuyu Constituency, which is very cosmopolitan. I know it could be a slip of the tongue to mention Kikuyus.

Let me also join the rest of the House to congratulate you on the role bestowed on you in the *Njuri-Ncheke* shrine in Meru. As the Hon. Member for Rangwe mentioned, it is only honourable for us as Members of Parliament to be honourable to ourselves and to fellow Members, including you. You will appreciate that the many Members, including Hon. Millie Odhiambo, who have congratulated you this afternoon, are not doing so because you have been named as a spokesman of a region. They are congratulating you because they respect you as the Speaker and a Member of this House. They also respect you as an elder statesman in this country because the position you hold today as Speaker of the National Assembly is no mean feat.

I did not know about your bestowment as a spokesman. Because I have no ill faith against anybody or any Member of this House, I appreciated that the people and elders of Meru have seen something in you and decided to bestow on you the role of spokesman. I know that a week before, the elders from Embu had done the same. I pray that the elders from the larger Mt. Kenya region, the Kiama Kia Ma, will also do the same to you and we will appreciate.

The only thing I would ask of all of us is to respect each other. I was rather taken aback when I saw one of the nominated Members, who ought to be an elder in our community - and I do not know if the Chair of the National Cohesion and Equal Opportunity Committee, Hon. Kamanda, is here - say some very disparaging things against you, not just in your new position as a spokesman of a region, but also as Speaker of this House. The Majority Whip, the Member for Igembe North, Hon. Maoka Maore, said very unpalatable things about you on a television (TV) station. That is behavior that we must condemn as a House. We must respect you.

(Loud consultations)

We must respect you, first, as our leader in this House; and secondly, as a statesman who has served this country, even as a Member of Parliament, not seated where you are today, but representing the people of Siakago. Hon. Maoka Maore may take offense because he was not invited and say that you were invited to a public rally. It was not a public rally. I know in the Meru, Embu and Agikuyu communities, our Kiamas or councils of elders are not political affairs. Therefore, nobody should say that you were invited to address a political rally in Meru. I am sure if you wanted to address a political rally, you have the wherewithal to even mobilise more members of the public to attend a political rally than some of the people insulting you. No wonder some of them are nominated to represent unknown interests and they have the audacity to disrespect you. I take this opportunity to condemn them in the strongest words possible. They must be ashamed of their actions.

(Loud consultations)

It is indeed shameful.

I congratulate you as a Speaker and elder in this country because you are of age to be an elder. I know you. I know your children. Some of your children are as old as I am and some are older than me. You are an elder and you can speak on behalf of the people of Siakago, the people of Embu, the entire Mt. Kenya region and even this country, besides being the Speaker of the National Assembly. The honour that you have been given by the Aembu and Ameru people is good. It is a small group of elders that have bestowed you with that respect to speak on behalf of the people. Those elders are representatives of people on the ground. I beseech you to become a spokesman of the people; a spokesman of the hustler nation. Speak on behalf of the people.

(Loud consultations)

Speak on behalf of those who have no voice, and speak on behalf of those who have no opportunity.

(Loud consultations)

Hold on! Speak on behalf of those who have no voice to attend the meetings of the councils of elders. Speak on behalf of those who are not able to be in this House.

With those many remarks, I congratulate you and ask that you be firm and stand for the hustler nation.

(Loud consultations)

Hon. Speaker: We should have taken note of what was said by the Member for Kisumu West. Let us make the contributions brief. Hon. Fatuma Gedi, you have the Floor.

(Laughter)

(Loud consultations)

Hon. (Ms.) Fatuma Gedi (Wajir (CWR), PDR): Hon. Speaker, so that we move from the politics to the reality, I want to join my colleagues in congratulating you because you deserve that role. As a first-timer, I have learnt a lot from you. You are a humble judge. We have Members of *Tanga Tanga* and Kieleweke political groups in the House, but you are firm and fair to us. That is the leadership we want.

I have no doubts that you will unite this country. Going forward, I want to urge my colleagues not to politicise issues and insult each other. We need each other. That is what you have taught us. If indeed we are good students, we shall learn humility from you and the way you carry out your role as Speaker in this House and unite Members of Parliament.

Once again, I congratulate you from the bottom of my heart. Yesterday was the International Women's Day. You come from Mt. Kenya region. As women in this country, we want you to hold one of our own and put her on that table. That is none other than Her Excellency, Governor Ann Waiguru. That is the leader that we, as women, have. Take her to *Njuri-Ncheke*.

Thank you, Hon. Speaker.

(Laughter)

(Loud consultations)

Hon. Speaker: Let us have Hon. Wang'a. Hon. Members, we need to do business now.

Hon. (Ms.) Gladys Wang'a (Homa Bay (CWR), ODM): Hon. Speaker, this is very important business. Congratulating you is very important business for the House.

(Laughter)

You provide us with leadership. The last Parliament was very difficult. That was where it was make or break. However, you showed tolerance, patience and non-partisanship on many occasions. We had many things and many people said that we should leave some Members out. However, you said that this House is for all Members.

The *Njuri-Ncheke* has seen a person who has grown from serving in the Judiciary for over 15 years. You served the people of Siakago Constituency for 10 years. You served here as a Whip in the Opposition. You served as the Chairman of the Public Investments Committee (PIC). You have served as the Speaker of this House and the Chairman of the Centre for Multiparty Democracy (CMD). If there is anyone with more experience, especially in the Mt. Kenya region, it is you. Your coronation as Mt. Kenya East region spokesman is well deserved. For that, we all rise to congratulate you from all angles and every space that we look.

I served with you in the Parliamentary Service Commission. You are a man of integrity. Even at times when people expected that you would do something out of this world, you always stood by your word and put your foot down. Congratulations!

On the other matters that have been raised, I am a seasoned Member of this House. You have made a ruling which I will hold on to. I will let your ruling on the matter prevail because you lead us and we follow your leadership. However, much I feel pressed to say something, I will hold myself back in honour of this House.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you very much, Hon. Wang'a, for maintaining that. Member for Tigania West, you have the Floor.

(Applause)

Hon. John Mutunga (Tigania West, JP): Thank you, Hon. Speaker for giving me the opportunity to join my colleagues in congratulating you for the coronation over the weekend. I declare that the *Njuri-Ncheke* shrine is in my constituency. I was very happy to see the *Njuri-Ncheke* elders invite you. Most importantly, I would like to thank you for taking up the invitation. It is possible to be invited and then you do not go.

Secondly, I would like to inform our Members that *Njuri-Ncheke* is a long-lasting council of elders which was there even before Independence. They take time to analyse before they take action. They are the ones who resolve very difficult problems of boundaries and many other problems. They must have watched you over time and realised the kind of person you are. This House is applauding you today because you are a very special man in this country. You have time for everyone. You are extremely patient. You take time to make decisions which are very well informed.

Thank you very much for taking up that position. As the Members of the Mt. Kenya East region, we support you.

Hon. Speaker: Let us now have the Member for Kisumu East.

Hon. Shakeel Shabbir (Kisumu East, Independent): Hon. Speaker, you are the President of the African Parliamentarians Network against Corruption (APNAC) and the Vice-Chair of Global Organisation of Parliamentarians Against Corruption (GOPAC). It is a great honour for one of our leaders in the community to be recognised in the fight against corruption. You are now the spokesman of a very solid leadership of Mt. Kenya region. There is nowhere in the world that people do not remember the Mt. Kenya region for the fight for freedom.

Our President of APNAC and Vice-Chair of GOPAC, we are proud of you. We congratulate you. We are really honoured to work with you.

Thank you, Hon. Speaker.

Hon. Speaker: The Member for Mwea, you have the Floor.

Hon. Josphat Kabinga (Mwea, JP): Thank you, Hon. Speaker. I rise to not only congratulate you, but also let you know that we are solidly behind you on this coronation. Those Members who have spoken before me have congratulated you in a good manner. Some do not understand what it means for you to be in the position you are in. I want to let them know that leadership in our region traditionally is bottom-up. You are recognised in your area and in the next one until you become a leader of the whole region.

As an elder in the region, I saw it coming. When you and I went to Mwea Constituency in 2018, I told you that was the beginning of a journey that we now see where it is going. I want to let people know that when a cultural group like *Njuri-Ncheke* recognises you and calls for a cultural ceremony but not a political one as many want to convert it, it is taken seriously. It should not be taken lightly because they have taken time to identify you among many. I have listened to others who think that you have been coronated to represent their interest. I can only tell them that is not the case. This is a serious issue which is heading to a very serious situation where you will be a representative of a region.

For those who think that they can invade the region without passing through some of our leaders like you, it is high time they start learning the signs that the region is now getting together. It is starting to be itself. It is only fair for them to start preparing.

We are ready to talk to anyone and discuss issues. However, they should not politicise this particular issue. We know that we have the President who is the party leader of Jubilee Party and the head of our region. The party leader said that he will identify slowly the person whom he will work with because a wise man in a family always has a young one. In our Kikuyu language we say that, "*Kiugo gitari njau ni guthira githiraga.*" That means that if there are no young ones, that community perishes. We see where we are headed to. Let us not politicise it.

On the issue of respect to one another, it is high time this House walks the talk. We have now started to see people going to other people's constituencies and hurling a lot of insults. When we come here and are expected to sit, talk, and eat together with these people, I do not think it is fair. I say this because I know I have visitors coming to my constituency on Sunday. I went on air and said I welcome them and I will be with them in church, but because they did not expect it, they have now converted that to mean that I will be going to take conflict in church. That is very unfortunate. Some of them are in this House right now. They were on air saying that an old man like me can organise a gang. Shame unto them! Shame unto them! I am an elder who cannot be dragged into such things. People are welcome. I will be there as an elder and as the MP for Mwea representing 237,000 people. When they think that I can organise goons to fight against them, it is too unfortunate.

Hon. Speaker, please lead us. Let people walk the talk. When they are in media or out there, let them be themselves. They were elected to represent people out there and they hear. I know like now there are many people watching and listening to us. They are listening as we say that you are there and will be representing so and so. That is not the case.

Hon. Speaker, I congratulate you and we are behind you. We will be with you to the end. We call upon those you are doubting us to join us as we walk this journey. Thank you, Hon. Speaker, and may God bless you abundantly.

Hon. Speaker: Yes, the Member for Ndhiwa.

Hon. Martin Owino (Ndhiwa, ODM): Hon. Speaker, the people of Ndhiwa salutes you. It is not easy to be picked by elders. It did not come on a silver platter, you earned it. Before I joined this House, I used to watch you. You survived sprinkling of water from Hon. Wanga to the Firimbi Movement of Opiyo Wandayi and I could see how you handled it. So, you have earned the respect, you have endured and the most important thing with you is that your power is based on humility. By that you will go very far.

Hon. Speaker, I do not have much but to congratulate you. May God bless you and your future be green as it is. Thank you.

Hon. Speaker: Majority Whip, you have the Floor.

Hon. Emmanuel Wangwe (Navakholo, JP): Thank you, Hon. Speaker. It would have been very unfortunate that you do not get congratulations from the Mulembe Nation.

At the outset and on behalf of the great nation of Mulembe people, I congratulate you for your staunch coronation as a *Njuri-Ncheke* elder. Hon. Speaker, what has happened to you should be emulated across the country. The only way to resolve disputes among the communities is to have responsive people who can sit together to reason in terms of their cultural and social wellbeing. Therefore, by you being the spokesperson of the Mt. Kenya East, you have made it very easy for us people from the lower side of the soil be able to access the knowledge of the people from the Mountain through a common direction. You can guide us and tell us what is supposed to happen in terms of the Mountain and its culture.

Therefore, on behalf of the people of the Mulembe Nation, once more, I congratulate you. Thank you, Hon. Speaker.

Hon. Speaker: Let us have the Member for Tharaka. Is the Member for Tharaka not there?

Hon. George Gitonga (Tharaka, DP): I am sorry Hon. Speaker. Hon. Wathayu distracted me by trying to find out slightly more about the *Njuri-Ncheke*.

Hon. Members: Wear your mask.

Hon. George Gitonga (Tharaka, DP): Thank you. I have my mask on now.

Hon. Speaker, allow me to kindly congratulate you on my behalf and on behalf of the people of Tharaka who are quite close to Tigania and the Igembe where *Njuri-Ncheke* is anchored.

Njuri-Ncheke is a revered institution and I speak from a point of being a member of that organisation. I was initiated into it but not coronated. Hon. Speaker, you were coronated. I was too junior to be coronated but I hope one day I will be coronated so that I can also step into your shoes when the time comes.

What we wish to tell you, Hon. Speaker is that, you now hold a revered position, a position which begins with Mt. Kenya East, comes to the entire Mt. Kenya region and by extension, it goes to the entire country. Kenyans would be watching you because you have to give them guidance and leadership in matters that are very difficult in consonance with the norms and practices of the *Njuri-Ncheke* which include peace-making, unity and ensuring togetherness in communities. Therefore, as you move forward to step into those shoes, you have to be prepared to discharge those duties.

We know very well that in spite the fact that there were no political overtones in the coronation, we have since heard many things said about it on what is going to happen and what will not. I advise you to be careful not to be yoked with either some presidential candidates or other persons who do not have a very bright future especially in terms of the presidency, the reason being that you are number three and Kenyans look forward to your promotion from number three to possibly number two or number one. However, that can only be a reality if we make the right choices away from influen

ces which do not resonate with the will of the people.

Let the will of the people of Kenya be upon you as you endeavour to move forward to unite this country and give us leadership. I congratulate you, Hon. Speaker.

Hon. Speaker: The Member for Yatta, you have the Floor.

Hon. Charles Kilonzo (Yatta, Independent): Thank you, Hon. Speaker. Where I come from, we have a custom of recognising somebody's achievements when he is alive. Many might not know that before you joined politics, you served for five years as a principal magistrate. As a principal magistrate, your colleagues saw you fit to serve as a chairman of the Judges and Magistrates Association.

In 1997, I believe, you tried your luck in politics and served in the 8th Parliament. I served with you in the 9th Parliament. As a Member of Parliament, I can say that you were among the best Members of Parliament during that time.

Later on, you served as a Speaker, not only one term but two. Now that makes me start suspecting that when you were in primary school, you must have been a monitor, and when you were in secondary school, you must have been a prefect, Hon. Speaker, and that is for you to confirm.

So, Hon. Speaker, as I congratulate you on your new achievement and recognition by the *Njuri-Ncheke*, I appeal to Members of Parliament that we all saw what happened in the two parliamentary by-elections and the others for county assemblies. I say so because we have a by-election coming up in Machakos. I remind Members and more so the new ones, that elections are only a democratic process. Let them not fight other Members. Do not give goons money to attack other Members of Parliament. I saw a Member of Parliament who belongs to the Tanga Tanga faction almost getting killed. That young Member of Parliament was almost killed. I do not belong to that side, but it is being done by other MPs. Members should know that friendly fire kills. They need to be advised, as they come to Machakos, that we believe in democracy. So, if you want to come to Machakos, please, do so, but do not come with money to incite young men to beat up other youth or to attack other leaders.

(Applause)

With those few remarks, I congratulate you.

Hon. Speaker: Hon. Mbarire, you have the Floor.

Hon. (Ms.) Cecily Mbarire (Nominated, JP): Thank you, Hon. Speaker. I must say that, as a person coming from Embu County, I am extremely delighted this afternoon listening to Members from different political divides across the country give accolades to your coronation during the weekend.

(Applause)

That confirms the fact that you have been a leader who has provided leadership impartially, respected MPs and given a fair playing ground for MPs in this House.

So, I congratulate you and tell you that, as people of Embu, we are extremely proud of your leadership. We are even more proud that people from without Embu County have recognised you, and seen it fit to coronate you as an elder and spokesperson for the region. This is the first time that the people of Embu are getting that kind of recognition. We have not seen this happened before, and so, you have truly made the people of Embu County very proud and we will support you in your future endeavours.

I have heard many people say a lot of good things about you. Having been an MP, this being my fourth term, indeed, you have provided the right leadership at a very difficult time in the history of this country. You have given every Member a chance to see you in your Office. Right here, in this Chamber, I have seen you ensure that all the interests are taken care of during debate.

I have also seen moments when Members are travelling and you have to make a choice of who goes and who does not, you always ensure that you balance. Therefore, you come out as a person who is above our political divides and tribal inclinations, and this shows that you are a leader who is capable of doing even better given a higher position going forward. We support that.

There was some piece of advice you were given earlier by an MP who said that the decisions you make going forward will be very critical on your upward mobility. We will be looking closely at the decisions you make, and we look forward to be part of that process as people of Embu County.

Finally, I too participated in the by-elections that happened last week, and I have never faced so much political violence in my life. I have been a politician for this long, but what I saw in Nakuru was very disheartening. I hope that, going forward, we will have an impartial security organ of this Government that will be able to oversee peaceful and fair elections across the country without fear or favour. This is because the worst thing that can happen is when we, civilians, decide to go for each other and the people who are supposed to stop you are partisan.

So, I hope that we will not witness what I saw in Nakuru where Hon. Nixon Korir was almost beaten up and killed by a gang of youth for no reason other than standing at a polling station as a chief agent in that polling station. As MPs, we should all be very worried with that kind of culture because it means that any of us can be a victim. So, we must all collectively condemn any act of violence that is politically instigated, and insist on impartiality on the part of security organs to ensure that there are peaceful and fair elections.

(Applause)

Since there are more by-elections coming, I beg that, going forward, the national Government administration and the Inspector-General of Police will ensure that never again will we see any form of violence in any election in this country. This is because we have come from a dark past of 2007, and we must never forget where we came from.

So, Hon. Speaker, I hope you, as an elder and a leader with great future, will play your role in pushing for that kind of environment in our politics going forward, especially during this time when a lot of politics are going on.

With those many remarks, I beg to congratulate you and support the discussion.

Hon. Speaker: Let us have the Member for Funyula.

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Speaker. On behalf of the people of the great Constituency of Funyula, I take this opportunity to congratulate you for your coronation as an elder of *Njuri-Ncheke*. Indeed, that is a very big honour and I trust that you deserve to hold that position. I hope that you will use that position to advance the ideals, virtues and values of the people of Kenya collectively. Kenya is one undivided country, and we should not descend to partisan and tribal cocoons that do not support the ideals of the people of Kenya. I hope and pray that you be a voice of reason as well as a bridge to unity, prosperity and indivisible Kenya.

There have been many people who have been appointed to the so-called councils of elders, and they simply turn out to be elders for hire. Indeed, in this new political dispensation, one of the most lucrative businesses is to become an elder of hire. Today you are hired to go and coronate this person; tomorrow you are hired to go and endorse another person. At that rate, you embarrass and bring disrepute to the position of a council of elders. I pray and hope that you will make us proud. For those who are joining politics, and probably, who aspires to rise to such big positions, we look upon you as role models so that we do not feel embarrassed wherever you go.

Hon. Speaker, you have served us well in this House and you will continue serving us. In your long history, we wish that, as you go, you also continue to mentor others. The many years you served in Western Kenya in various capacities in the Judiciary are well noted. The only regrettable part, on a lighter note, is that, as I walk around, I see no “photocopy” of you in the entire Western region.

(Laughter)

We hope that one day you will go back and fulfill your noble duty of spreading the good seeds that have brought you to that level so that they can also have people who will also follow after you.

As I conclude, I want to address my colleagues. We belong to different political persuasions, but ultimately, we are Members of the National Assembly. We deserve to respect each other in which ever circumstance. I will never go to any constituency and insult anybody. I hope those who go roaming in other Members’ constituencies will also do the same. It is very unfortunate to go to somebody’s constituency, for instance, my constituency, and insult me and expect me to keep quiet. When we are out there, we will deal with you squarely and perpendicularly.

Thank you, Hon. Speaker.

(Laughter)

Hon. Speaker: Member for Mosop, you have the Floor.

Hon. Vincent Tuwei (Mosop, JP): Asante sana, Mhe. Spika. Nachukua nafasi hii kwa niaba ya jamii ya Nandi na Eneo Bunge langu la Mosop kukupongeza sana kwa sababu ya kupewa heshima kubwa na jamii yako. Kuwa kiongozi sio kitu rahisi. Sisi kama jamii ya Nandi, pia tuko na wazee kama hao. Majuzi mliona tukipeana nafasi kwa viongozi wengine ili pia wabarikiwe.

Nami nakuambia kwamba jamii yetu pia itakuunga mkono kwa sababu wewe ndiwe baadhi ya wale wazee kwao tunasema “muacha mila ni mtumwa” kwa sababu ya mila zetu na taratibu zetu kama jamii. Kwa sababu jamii ambayo unatoka imeona kwamba unafaa, tunakuunga mkono na tunakuomba utumie nafasi hiyo kama balozi wa amani kwa sababu una tajriba ya kuwa wakili.

Umekuwa hakimu. Umekuwa mwanasiasa. Sasa wewe ndiwe unasimamia Kiti cha Spika katika jamii. Mmetangamana na viongozi wote walio juu yetu kwa njia moja au nyingine—awe Rais, naibu wake au viongozi wa upinzani. Tunakuomba kwamba katika karne hii uwe kiongozi wa matumaini kwetu na kwa Wakenya. Kwamba, kwa wakati wote, uwe mmoja wa wazee wakati heshima ya wazee mashauri inatakikana.

Tunakuunga mkono kama Wabunge. Uendeleo mbele kuweka Nyumba hii ya Bunge kuwa nyumba ya heshima. Naomba na kusihhi viongozi wenzangu kwamba sisi ni mfano mwema ambao wananchi kule nje wanaiga. Tujipe heshima kwa sababu heshima haitatoka kule nje kama sisi hatujiheshimu.

Nikimalizia, nashukuru kwa sababu hili limekuja kwa wakati mzuri—kwamba nchi hii inaenda kutafuta uongozi wa Rais wa tano. Tumia nafasi hiyo ukiangalia kwa macho yako kwa upevu na makini ili kiti ambacho utalenga kiwe kile kitatuunga sote.

Mwisho ni kwamba, kama unaweza wanasiasa, ni nani mgumu kuliko mwanasiasa? Wewe ndiwe mwanasiasa mkuu. Cha kufurahisha zaidi na kutamausha ni kwamba unaelewa sheria za nchi hii na wewe ndiwe uliweka kidole chako na bongo lako pale. Tunakuomba usimame imara. Viongozi ambao wako hapa na wale ambao wako nje na wananchi wa Kenya wanategemea wewe na sisi viongozi hapa tutoe maamuzi na muelekeo. Hasa kwa wakati huu ambapo kuna manung'uniko hapa na pale ya Katiba ambayo inatazamiwa kubadilishwa na wengine wanaona kwamba haifai.

Tungepewa nafasi sisi kama viongozi tuchangie kwa sababu kwa umoja tutakuwa pamoja na kwa uongozi wako tutakuwa na baraka. Mungu akuzidishie neema na akupe ubora wa afya na upevu mwingi wa fikra na mawazo. Asante sana.

(Applause)

Hon. Speaker: Member of Shinyalu, you have the Floor.

Hon. Justus Kizito (Shinyalu, ODM): Mhe. Spika, japo wengi wamekutolea kongole katika lugha ya Kingereza, ningependa kuongeza sauti yangu nikisema kwamba nakupa pongezi kwa niaba ya watu wangu wa Shinyalu na kongole kwa wewe kutunukiwa nafasi hiyo ambayo ni muhimu katika jamii zetu.

Suala la muhimu ni unavyotukalia hapa kama Kinara, unafanya kazi yako sawasawa. Wewe una maingiliano mazuri na Wabunge hawa. Mimi kama Mbunge ambaye amekuwepo hapo awali pia nimeona Spika wengi wakikalia mahali ulipo. Lakini, kwa sasa wewe ndiye mufti na bora zaidi. Ni kwa sababu umeweza kutoa ule ubabe pale. Kuna wale wengine ambao wanakaa pale na ubabe. Wewe umekuwa ni mtu mvumilivu, mzuri, mwenye maingiliano mazuri na Wabunge na pia tunakaa mahali pamoja, tunakula pamoja na tunazungumza pamoja. Hilo ndilo suala ambalo nakuambia kwamba huo ndio uongozi. Suala hilo ndilo limekupa kipaumbele na watu wa kwenu wakaona kwamba watosha.

Nami najua kwamba hata sisi katika Mkoa wa Magharibi tunakutambua. Umefanya kazi kwingi katika ule uitifaki wako wa kutarazaki katika masuala ya kisheria. Kule kwetu tumeona umefanya kazi nzuri japo, kama ilivyosemekana kule, labda mambo yapo. Lakini, tunajua kwamba pia wewe si mchache katika maingiliano na watu.

Kwa hivyo, tunakusifu na tunakutakia kila la heri kwa sababu watu wa upande ule wa mlima hawakukosea. Wewe umejaa tajriba na vilevile una ukiritimba mkubwa sana katika masuala ya kisheria, masuala ya mambo haya ya Kanuni za Kudumu na kadhalika.

Tukirudi katika Bunge, wewe umeleta mabadiliko mengi sana katika Bunge hili. Tumeona Kanuni za Kudumu zimekuja katika Kiswahili. Tunaweza kuzungumza kwenye Bunge katika Kiswahili. Hata tumewapiku wale wenzetu wa Tanzania. Kama unavyojuua, Kiswahili cha Kenya ndicho cha *ustandadi* mkubwa. Wewe umetusaidia sana hapo na tumefurahia kwa sababu tuna ule *ustandadi* sasa. Tunaweza kuzungumza Kiswahili hapa. Tunaweza kusoma mambo mengi katika Kanuni za Kudumu.

Kwa hivyo nasema heko na kongole. Hata nikienda kule kwetu nitaweza kuwauliza wale wengine ambao ni wenzetu waige mfano wako. Nasi tukija jaribu zile za mlimamlima, tutaweza kuja kule tumuambie Baba wa kwetu ambaye tunamjua ndiye kiongozi wetu. Tutamuambia “ukienda kule ujue kwamba kuna kigogo na kigogo huyo anaitwa Bwana Muturi”.

An Hon. Member: Musalia!

Hon. Justus Kizito (Shinyalu, ODM): Nasema Baba Raila Odinga. Sijasema Musalia mimi. Kwa hivyo, wakati ule ukifika tutakuja kule tukuombe na kukuambia tutembe pamoja. Tunafurahia kwa sababu tunaona viongozi wanaibuka. Wewe ndio wale viongozi wapya na viongozi wanamapinduzi ambao wana mawazo mapya ambayo yanaweza kutusukuma mbele.

Heko na naunga wote mkono kwamba wafaa—wafaa zaidi. Kama kuna nafasi pale mbele, usikawie bwana. Nenda kule kwa sababu tunajua wewe ni wetu. Shukrani.

Hon. Speaker: Hon. Members, I appreciate that. Can we close?

Hon. Members: No!

Hon. Speaker: Let us hear the Member for Saboti, Hon. Caleb Hamisi. Is that so? Can we take one minute each so that we can have more Members?

Hon. Caleb Luyai (Saboti, ODM): Thank you, Hon. Speaker, for this opportunity.

I join my colleagues in expressing my profound praise over your recent coronation. It is on my behalf and on the behalf of the people of Saboti and indeed on behalf of the young people of this country that we represent here. I think nobody has represented the young people. I also stand to praise you on behalf of the young people of this country for a successful event. The event of coronation of the *Njuri-Ncheke* is very peculiar. In fact, when I was observing it, I tended to think that this country is not mature for democracy. If you look at such events, they could have given us better leaders than the democracy we subject or suffocate this country to. Indeed, it is actually the democracy that has fired up tribalism.

I think we would be a very peaceful country if our events like this could be used to produce leaders to sit at the helm of this country. Compare the events of the *Njuri-Ncheke*. You will not see chaos. You will not see violence. There was no police. No Kshs2 million was stolen. No IEBC clerk was chased away. The event was very peaceful. There was no cacophony of tribalism. There was absolutely nobody arrested. No tear gas. You can see the people's representatives are all in praise. There is no Petition against you.

So, these are some of the events that can be used to give us leaders instead of taking this country into the democratic process. Democracy has not always produced the best leaders. Good leaders like you, if subjected to democracy, do not make it. Going forward, maybe these are some of the events that we should use. I do not think our country was mature for democracy. These are events that should be used to give us leaders in the meantime as we slowly mature democratically.

Hon. Speaker: The Member of Mbeere South, you have the Floor.

Hon. Geoffrey Muturi (Mbeere South, JP): Thank you, Hon. Speaker. Let me add my voice to congratulate you for your recognition by the Council of Elders of *Njuri-Ncheke* at Njiru.

Hon. Speaker, Members here might not understand that before you went to Njiru, in the shadows of Mount Kiang'ombe in Kanyuambora, the Council of Elders of Mbeere, known as Ngome, had already met and decided that their son was mature and ready to move out and face the world, and gave you their blessings. I stand here as a proud Mbeere. I am sure all the Mbeere people are proud this afternoon to see you being recognised beyond Mbeere. This afternoon, you received accolades from both sides of the House. Those who do not always agree have all agreed that your leadership has been recognised. However, I fear that moving forward, many factions will be approaching you. Hon. Kamket has already invited you to some grouping. We are not giving you accolades because of belonging to a group, but because you remained neutral and became the Speaker for all and whenever we disagree, we approach you. Moving forward, I want to note that the reactions from this House are reactions of Kenyans who are watching this afternoon. They have followed your tenure as the Speaker and they know that they can trust you. I hope you do not fall into some trap of these partisan groupings and join in our fights. I hope you stand as a true elder and be the arbitrator in Kenya.

As I speak, Kenyans are very apprehensive and we are not sure where the leaders are taking them. They are not sure what 2022 holds, but it is only your character that can calm their nerves and give them hope. You have been blessed by the people of Mbeere, Embu and Mount Kenya East. I hope that wave will continue all the way to Turkana and the Coast and Kenyans can finally find somebody they can rally behind.

With those few words, I congratulate you.

Hon. Speaker: Member for Kitui Central.

Hon. Makali Mulu (Kitui Central, WDM-K): Thank you, Hon. Speaker. I want to join my colleagues in congratulating you on behalf of the people of Kitui Central. The Members are aware that you are the President of the Commonwealth Parliamentary Association (CPA) - African Region, and the people of Mbeere have now confirmed that you are up to the task. This is a great honour to you and this House because you are one of us. We all look up to you. I am sure no leader in this country will get this kind of congratulation from all corners. This was clear when we started attending some of those groupings and people would shout down other leaders. I want to state that no leader got the kind of support you have been given this afternoon and this is because of your experience. Since I joined this House, most of us look up to you in terms of conducting business and carrying ourselves around so as to earn respect from our colleagues.

As noted by other Members, I want to urge the new Members that as they visit other constituencies, they should recognise the elected leaders because you have also been elected elsewhere. As you visit those constituencies, you must respect the fact that they were elected just like you. Some of these Members behave as though they never went through the process of being voted for.

Congratulations, Hon. Speaker. As the CPA family, we wish you well and other than being the President of the CPA - African Region, we look forward to having you as the President of Kenya.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, the interventions are so many. Let us have the Member for Bomachoge Borabu.

Hon. (Prof.) Zadoc Ogutu (Bomachoge Borabu, Independent): Thank you, Hon. Speaker, for giving me an opportunity to join my colleagues to congratulate you for that achievement. I want to state that it takes many factors for someone to be recognised as a leader.

I want to congratulate the elders who installed you into this new position. If I had the opportunity to be in that team, I would have put my weight behind you. Having been in this House for more than three years, I want to confidently say that you deserve that new role.

Hon. Speaker, it takes a lot of courage to unify this House to produce legislation or even reach a consensus. I believe the elders have made a new mark in your life and have blessed you. I have listened to this House and all the voices Members point to that direction. I want to congratulate you and pray that God gives you the vision that this country needs. May you continue to serve this country diligently without discrimination, fear or favour?

On behalf of the people of Bomachoge Borabu, I am sure a new chapter will shine in your life. May God bless you.

Hon. Speaker: Thank you, Let us have the Member for Nandi.

Hon. (Dr.) Tecla Tum (Nandi CWR, JP): Hon. Speaker, I want to join the other Members in congratulating you. I want to state the following: You are neutral and candid in your leadership. You are full of wisdom and charisma. You are a father figure and a voice of reason. May God bless and use you in your new role, and open doors that no one man can shut, in Jesus' name.

Hon. Speaker: Member for Kiharu.

Hon. Ndindi Nyoro (Kiharu, JP): Thank you, Hon. Speaker. I also rise to congratulate you following the coronation. Many Members may not know that Mukurwe wa Nyagathanga in Kiharu Constituency is home to the origin of Gikuyu and Mumbi and, therefore, by inference, I can say that I am a Member of the Kikuyu Community. Looking at the pecking order in this country, you are currently number three. After the President and the Vice-President, the third most powerful person is none other than Hon. J.B. Muturi. The coronation by the elders is commendable. You are astute and as a young politician and youth, I look up to you. Having studied your history, your journey is enviable. Humanity including politicians, are progressive and not static. We always look forward to progress. Now that you have been coronated, you cannot afford to rest, but aim higher. There are two other positions remaining in terms of the pecking orders. Being the spokesperson of the entire region, and the Speaker of the National Assembly, you can only go higher to either the position of Deputy President or President.

Hon. Speaker, having studied your history, you have come from far, and risen to that position you occupy. You know the hustles of the ordinary Kenyans and understand their problems. As you look around and even when you go to Embu over the weekend, you can tell where the region and country is facing.

As a politician albeit young, my advice is: Follow the people and join where they are. You have the ability and what it takes to even become the Deputy President of Kenya in 2022. You go to Embu more often than not and I am sure you already know where the people of the region are. This was a wakeup call to all of us that the way the fabric of our nation is, we are now running away from the politics of big names.

Having studied your family, I am sure you are the first person to rise to the position you now occupy. I know for sure you are not resting where you are, but looking forward. We are with you. I congratulate you. We are moving away from big names and families and heading towards meritocracy. When you look and evaluate merit and the calibre of leaders we have in this country, you are ahead of the pack.

We have plainly said in our region that we have an outgoing President. I am sure as our President moves to the other phase of his life, we also need a person of your calibre - a person evaluated on the basis of merit and who understands the problems and issues of our region. Looking around in terms of merit, putting you on the scale comparatively with other people

who are looking forward to the kind of positions that you occupy, no one can even come close to where you are.

As my mentor, our Speaker and leader, I am proud of you. Congratulations, Hon. Speaker, J.B. Muturi - the spokesperson of Mt. Kenya East Region.

(Applause)

Hon. Speaker: Hon. Members, I appreciate your comments. We still have many requests. I am being told “*Wamama wako hapa.*”

Let us hear “*Wamama.*” Hon. Wamuchomba, kindly, have the Floor.

Hon. (Ms.) Gathoni Wamuchomba (Kiambu CWR, JP): Thank you, Hon. Speaker, the elder who is now bestowed the honour of being elder of the *Njuri Ncheke*, the man who has the elderly respect from the communities of the Mt. Kenya region.

As a woman leader, I must say that this did not just come as a mistake. The elders must have sat down, evaluated and re-evaluated you from when you started being in the public limelight to where you are today.

We are used to negative news covering Members of Parliament over the weekends. On our screens, we see Members of Parliament chasing each other in funerals. We see negative news concerning Members of Parliament wanting to be the first ones to be vaccinated against COVID-19, which is not true and such like negative news. However, you gave us the best piece of news over the weekend. We saw you walk in honour and pride representing the great men of Mt. Kenya in that event. There was no heckling, stone throwing or police in sight. It was a well-managed calm event that you held. That tells us who you are. It tells us that you are a sober and contained leader and a man of respect.

I, however, looked around, but did not see the women of Mt. Kenya in the event. I am hoping that you will soon collect yourself and host women leaders, the *Nyakinyua*'s, so that we can bring you the blessed porridge, so that you can ably represent the great people of Mt. Kenya. When I say Mt. Kenya, it is not only Mt. Kenya East, because I have heard some Members talking about Mt. Kenya East. We are talking about Mt. Kenya because you are the son of the mountain.

Well done, Hon. Speaker. You are now the elder, the very great elder who will bring soberness in the Kenya political topography and arena.

I look forward to the day we shall hold by-elections without the fracas that we saw over the weekend. As a leader, I felt pained when I saw a woman, an Independent Electoral and Boundaries Commission official, being frog-marched by men. It does not matter what side of the divide you stand when it comes to politics, but we must respect humanity. We cannot allow such kind of scenarios when police are watching. Where were the police when a woman was being frog-marched by men? It does not matter what she was carrying. There are courts of law in this country where such a person should be taken. We cannot stand and watch that kind of scenario in our political arena.

Hon. Speaker, we look up to you. We see you as a man of few words, but of serious impact when it comes to creating soberness in events of such nature. We look forward to seeing you move forward. I love this phrase that says: “Victory is always possible for the person who refuses to stop the fight”. Do not stop the fight, but stand there. We look up to you. You are our mentor and we are with you.

Thank you and congratulations.

Hon. Speaker: Hon. Members, what do I do?

(Loud consultations)

Hon. Millie, International Women's Day was yesterday. Member for Pokot South, kindly have the Floor.

Hon. David Pkosing (Pokot South, JP): Hon. Speaker, I thank you for giving me this chance. I want to join my colleagues in appreciating what nature did to you. Communities have their own way of appreciating their sons. Pokots, Europeans, Chinese, Indians and the entire world have a way of appreciating their sons. Allow me to, therefore, join my colleagues in appreciating nature that was done to you. You deserve it. That is not even the debate.

We were here in the 11th Parliament. God has blessed us because our people allowed us to come back for a second term. Those of us who were in the last Parliament, that is when Hon. Justin Muturi's leadership came out. It might be easy to say, but to be honest, this 12th Parliament might have been very easy for you and it is true. Maybe, it was made possible by the "handshake" or something natural might have happened to ensure this Parliament is easy to manage.

The first Parliament was difficult to manage. However, even with those difficulties, you produced results that were required to be done for the people of Kenya. I want to tell you the truth, Hon. Speaker, you stood your ground and managed that kind of division that was in this country in the 11th Parliament. In addition, everybody liked you whether they were on this side or on the other side. Everybody liked you. That is why even the people at home also like you. Therefore, it is natural and we agree. You have even extended your assistance not only in Mount Kenya, but also in Pokot. I want to attest that if you are to come today to Pokot, we will also make you an elder. Even my colleague, Hon. Kamket, is not an elder when I am here. He cannot be. However, you are a person with a heart to extend all over the country. You have been in Pokot where even the people of Siakago do not know where it is. I want to tell them that you came and helped our people and it would be wrong for me not to speak about it. Outside the entire place, you have been in remote places which border Uganda which is our home. Therefore, you deserve it, Hon. Speaker.

(Laughter)

Moreover, we wish you well. When things like that happen, they do not happen for nothing. They happen for a reason. There is something that is coming that will be pushing you towards where Kenyans want you to go. Therefore, I will only ask you, as a human being, to take that honour with a lot of humility and the sky will be the limit. As I conclude, you know my community was mentioned adversely that my friend Hon. Kamket was installed a spokesperson of the Pokot nation. Of course, you know that cannot happen. It cannot happen like that. For someone to be installed like you, how many years did it take you to be there? You were a judge, elected in Parliament, became the Chair of Public Investments Committee, Chair of Parliamentary caucuses, worked at the Centre for Multi-Party Democracy (CMD) and the Speaker, not only once, but twice. My colleague, my friend, my mono, Hon. Kamket, has never been anything.

(Laughter)

Therefore, how can you claim to be installed? Hon. Speaker, you know what I am referring to. I do not want to say it here. Moreover, you know the people who refer to me. However, I am humbled. I do not claim and stand on top of roofs and speak the way... I will tell you, Hon. Speaker, leadership is earned. Moreover, my colleague, Hon. Kamket, in Parliament, for example, if we were to give eldership as the Pokot people, we would have given

Hon. Moroto because he is serving his fourth time. I am the second, Hon. Speaker. How can a mono talk when I am around?

(Laughter)

That is why he has gone because he knows I was going to speak. Moreover, he got some few people whom he called elders maybe somewhere in Tiaty. Tiaty is one constituency in Baringo County. Therefore, even if he were to become a spokesman, he would become a spokesman of one constituency. West Pokot County has more than four constituencies. That is where the original spokesperson should come from. It cannot be my colleague. However, I wish him well. It is good to be ambitious. I will advise him this afternoon to come to your office tomorrow, so that you can guide him on how to become a real elder; how to become a trusted elder. In addition, it comes slowly and it is not... How old is Kamket? He needs to be 70 years old. In Pokot, when you are 70 years old, that is when you become a spokesman. Maybe a spokesman of some people who are going to be circumcised, but not a spokesman of a community like you have been bestowed, Hon. Speaker. You have a right. Even if it was in Pokot, you would be the spokesman and not small people who are monos and who have not even finished first term. Let him first of all finish his first term. He should come to you and ask and only then will he learn.

Hon. Speaker, I thank you and God will bless you. You are going far. You are going far my brother. Humble yourself before God and he will bestow you what you do not know. I thank you, Hon. Speaker.

Hon. Speaker: Member for Nambale

Hon. Sakwa Bunyasi (Nambale, ANC): Thank you, Hon. Speaker. Let me add my voice to those who have wished you well in your new appointment. I think it will be a challenging appointment. You will use soft power. You are not going to use the power of the law or the power of our Standing Orders. You are going to go deep into traditional powers. However, I am sure you are going to use the part of your brain that is not what you have been using either on the bench or in this House. That part is going to be very useful in the next segment of this Parliament where we are going. That is where I think contention is going to be the order of the day, grandstanding is going to be the order of the day and truth will sometimes be lost in between. With that appointment, I think you have to marshal all those faculties, bring them together and I think they are certainly going to be extremely timely where we are headed. In addition, I am sure you are up to the task and I wish you well in that discharge.

The second thing, it will be quite brief, I want to add my voice of congratulations to Hon. Kalasinga for being a Member of Parliament in this National Assembly. I will say the other bit when that next Member of Parliament comes. I think this has been a momentous weekend. However, I would like to urge my fellow colleagues that the fault is not only a fault when you see others. See yourself. We are part of the problem of violence in elections. Therefore, we ought to be honest with ourselves. We ought to set standards devoid of what we are thinking inside and let us hope that those standards are objective enough and can be followed by all of us.

With those few remarks, I want to thank you Hon. Speaker

Hon. Speaker: Member for Turkana.

Hon. Joyce Emanikor (Turkana CWR, JP): Thank you, Hon. Speaker. The great people of Turkana County cannot be left behind in celebrating this extraordinary inordinate achievement. I wish to congratulate you on this. My colleagues have poured many accolades and I do not want to repeat that. However, what really mesmerises and fascinates me about you is your mastery of the law; both Kenyan and international, your neutrality, objectivity and impartiality in handling political issues and even here in the House and most importantly your

humility. Some of us are following in your footsteps in learning some of these values. Thank you and may God bless you.

Hon. Speaker: Hon. Nguna

(Loud consultations)

Hon. Charles Nguna (Mwingi West, WDM-K): Thank you, Hon. Speaker. Elders have spoken. People have spoken through their representatives in the National Assembly. God has spoken. On behalf of myself, my family and the people of Mwingi West, let me take this opportunity to say congratulations to you. When I met you the first time, you spoke to me in Kamba and I was really moved. I saw a person with a great sense of humility, and a great sense of leadership. I am only wishing that in 2022, which is a political year, God will reward you, and if so, you climb from position three to one or two. I am speaking this from my heart. Thank you so much. You have shown to this nation you can rise beyond tribes. You can transcend regions. You have demonstrated that, and on behalf of people of Mwingi West, your neighbours, I say congratulations. God bless you and see you through this promotion you have been given by the elders.

Hon. Speaker: Member for Dagoretti South

Hon. John Kiarie (Dagoretti South, JP): Hon. Speaker, we celebrate you and I stand to thank you for taking up the position that was bestowed to you by the very esteemed *Njuri Ncheke* over the weekend. It is great to note that a man from a very dusty village somewhere in Embu can rise to the position that you have risen to in your life. This is a story that gives hope to many young people who begin from nowhere. I know your story. I know about you going to school without shoes as a young boy. I know your ambition that saw you rise to become one of the finest legal minds in your time. You had the opportunity to serve this country as a very good judicial officer; a magistrate and a judge. I had the opportunity to witness - as a young man - how you ran campaigns and won a seat to come to this House and how well you served your people as Member of Parliament.

Hon. Speaker, when you left this House, I had opportunity to be under your chairmanship at the CMD where you encouraged us as very young members of political parties back then to take up the mantle and the mission of changing this country.

It was under your watch that we formed the Inter-Party Youth Forum (IPYF). The first of its kind and it was bi-partisan. I was the President of the Orange Democratic Movement (ODM) Youth League and you said to me that the Party of National Union (PNU) only differs with ODM on ideology, but we are all Kenyans. We celebrate that you brought young people together under the forum of IPYF, some of whom are serving as Members here today because of your able leadership at Centre for Multi-Party Democracy.

Your performance in this House has been stellar. You are one of the people celebrated to be a peace maker in this country. These are the things that the *Njuri Ncheke* must have seen when they were picking an individual of your calibre to be decorated as the one and single spokesman of the region. At a time like this, this country needs tolerance. It is intolerance that leads to the violence such as what we witnessed last week. I, having previously been a victim of election violence, know how we operate in this country. When there is an election or a by-election, we suspend all laws including the Constitution to the extent that political violence is no longer seen as violence.

You have also been a victim of political violence while presiding over a session of this Parliament. I know Hon. Moses Kuria can bear me witness because he was present in that session. You were a victim of political violence, but your tolerance, I believe is what has made you rise above the fray to become the leader that you are.

I believe in the theory of political science that talks about the horseshoe theory, that people from opposing sides might end up meeting because there are no people from two extreme sides of the median, but there are people who have an interest that can converge at a place. You are one of those people who walk on the middle of the road and are bi-partisan. I believe that is why the *Njuri Ncheke* identified you as one exemplary leader in this country. What we witnessed over the weekend was a lesson to those of us in politics; organic leadership in this country can work better at times than democracy. Organic leadership is not bought. It calls for persuasion and consensus. It does not go for coercion and violence. So, when we observed that very beautiful event over the weekend, we took something that we can apply in our politics even as we go back to constituencies. We observed that a rally can be held peacefully. That a rally does not need to be interrupted by police and that administration officers have no business whatsoever meddling in politics as we saw last week during the by-elections. Politics can be done to achieve a consensus even with two opposing sides.

My reason of rising was to congratulate you and thank you for the amazing leadership you have given in this House, and the hope that you have given to the future of this country up to and including that young boy in Embu who is what you were many decades ago who saw what happened in Meru and believes that one day, he can be decorated as you were decorated by the *Njuri Ncheke*. You gave hope to the hustler nation of this country in your coronation.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Yussuf Halima.

Hon. (Ms.) Halima Mucheke (Nominated, JP): Thank you, Hon. Speaker. Let me join my colleagues in congratulating you for your coronation over the weekend at the *Njuri Ncheke* Grounds in Meru County.

As I stand here as a woman, I am very lucky because the late Hon. Mwiraria happened to have introduced me to what they call *Nyumba cha Njuri* (Njuri Houses). Therefore, I know the seriousness in which our community takes your coronation. Your installation was very timely. I have talked to several elders and most of them are confident. They had vetted you and are sure that you are the right person for the position.

It is time that our senior brothers from the entire Mt. Kenya noted that we have supported them for years. Therefore, it is time they also supported us from Mt Kenya East, so that when there is another position, it should come to us through you, Hon. Speaker. I have spoken to several elders in Meru and they are confident of you. They asked us about you and we are happy that you are a very humorous person, respectable and likeable.

I am happy because I know there are other leaders who would have taken this position, but among them, the elders narrowed down to you. You fit the position. We are happy and will support you.

I thank you, Hon. Speaker.

Hon. Speaker: Member for Uriri

Hon. Mark Nyamita (Uriri, ODM): Thank you, Hon. Speaker. I was away earlier and said I would not miss on such a day. Speaking as a first timer, the first time I came to your office, one of the things you told me is that fidelity to your political party is a very critical thing. You told me of your history in the Kenya African National Union (KANU) including the days when the National Rainbow Coalition (NARC) was sweeping across the country. I remember you telling me when Hon. Raila came with his entourage with loud music, you ran and hid in the farm behind your house because it was such a big thing. You also told me that political positions are temporary; that at some point you will lose them, but never be too worried if you have been a good person and done your actual work. That even when you lose, a bigger door may open. We saw that when you lost, but eventually became the Speaker of this House.

Hon. Christopher Omulele (Luanda, ODM): On a point of order.

Hon. Speaker: There is a point of order.

Hon. Christopher Omulele (Luanda, ODM): Hon. Nyamita is speaking a good thing, but let him just wear his mask. Let us be obedient to this mask. This disease is dangerous. Please, let us protect each other.

Hon. Speaker: I think the point by Hon. Omulele is a valid one, Hon. Nyamita. It is only that we do not keep publicising what is happening. But from time to time, when you observe that a few of your colleagues have not been around for some time, we normally know where they are. So the point made by Hon. Omulele is a valid one.

Hon. Mark Nyamita (Uriri, ODM): Thank you and much obliged. I am fully masked. I want to tell Hon. Omulele that soon I will be one of the people leading the rest of this House to take the jab.

Back to my story, you said that when you lose a political position, you should not be too worried if you are doing a good job, something bigger and better could possibly be coming. When you lost your seat in Siakago, you ended up becoming the Speaker and you are serving your second term.

I was also a bit worried because I belonged to the other coalition that did not support you. I remember you giving me your history with Hon. John Mbadi. He had promised to vote for you in your second term until the last minute, but when he came, he was honest and told you that he would not vote. You told him you understood.

I invited you to visit my constituency. Again, I was not sure you would honour that invite, but you said you had never been to Uriri though you had served with a former Member, Hon. Odhiambo Omamba. You said you would try. On the material day, I remember the weather was not very good. I was very worried because all the preparations had been done. You ended up arriving at almost 5.00p.m., meaning you keep your word.

I want to tell you that you are the first Sitting Speaker of this House to come to my constituency. We do not take it for granted because you made history in my area. We did a fundraiser for a church with you and my people prayed for you. I remember the prayer was that you were set for bigger things. I can see some of those prayers are already being answered. I want to tell you that you are not only the first Speaker to come to my constituency, but history will be that you will be the first Deputy President to visit my constituency. Please, allow me, it is my time, because I know the plans *Baba* has for you.

(Laughter)

I want to take this opportunity to wish you well. We will work with you. May God bless you. Thank you.

Hon. Speaker: Member for Igembe South.

Hon. John Paul Mwirigi (Igembe South, Independent): Thank you, Hon. Speaker, for giving me this opportunity. I want to join my fellow colleagues in congratulating you on behalf of the people of Igembe South and Meru County.

You are a leader to be emulated. Whenever I attend meetings in my constituency, they advise me to follow in your footsteps in your earlier duties. Last Saturday was just a beginning of your bright future. My fellow colleagues have congratulated you and this means all leaders have identified something very special in you. It is time to start exploiting the good in you even by the entire country.

I will be happier if you go for the high position because you are third in command. Come next year, I pray that you will take a step ahead and ask to be No.1 in this country. We will be ready to support you because your leadership has been tested and proven. That is why

the elders from Meru identified you and decided to elevate you as the spokesperson of Mt. Kenya East. I pray that the entire Mt. Kenya Region and the country will speak with one voice and endorse you for the presidency come 2022.

God bless you and your desires as you aspire to move higher. Thank you.

Hon. Speaker: Member for Westlands.

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Speaker. I want to congratulate you for being given that mantle by the elders of your region. I know the journey you have travelled. One of your first stations you served as a magistrate is my home county. Even there, as much as you were young, you were already installed as an elder. This means they recognised and saw leadership in you.

Even as I congratulate you, I want to bring a hearty congratulation from my father, who is your friend. He said he saw his friend being installed and told me to come and congratulate you. I wish you well and pray for you. I know you are destined for great things. Please keep going. We will support and work with you as we have done. I know the 11th Parliament was one of the most difficult Parliaments in this country, but you steered through and managed to balance. Hostility was there and you balanced between the Opposition and the ruling party. You managed and this showed your great leadership skills.

I wish you well. May God bless you. Thank you, very much.

Hon. Speaker: Finally, the Leader of the Majority Party.

Hon. Amos Kimunya (Kipipiri, JP): Thank you, Hon. Speaker. I was hoping I would be the last one to summarise. I have listened to the accolades and messages sent your way by colleagues and I want to congratulate you. I would have wished to be there so that we could celebrate, but some of these ceremonies take longer to sink. So, I know we will still have the celebratory occasion with some water of some divine characteristics where Hon. Sankok may not be welcomed and a few others.

It is a water shed in an elder's life. I know we have been through similar things in our own local situation, but it is a recognition by the elders of your leadership capacity. Most importantly, looking at the Mt. Kenya East Region, it is one of the regions that since the loss of the anchor, the Angaine's, it has been left almost without some leadership. This has led to all aspirants assuming the people of Mt. Kenya East do not have leadership, cannot think for themselves and everyone takes advantage of them.

One of the things this is showing is that the people of Mt. Kenya East have woken up. They have said these are not the old days when they looked to President Kibaki or President Uhuru to hold together the entire Gikuyu, Embu, Meru Association (GEMA). As we move forward, Mt. Kenya East feels like it has been left behind as Mt. Kenya West sorts out its issues. They have recognised that you can hold the three huge counties together and give them some sense of direction, so that people stop taking advantage of that region. This is something we all appreciated and will help in guiding the people even as we go through the Building Bridges Initiative (BBI) process, so that the people can see the wider benefits in a document rather than the propaganda they are being fed with.

I am sure you will soberly guide that situation because there are some good elders in that region. The Mbuis and Bishop Imathius have been trying, but they are getting old. I am happy this has happened and you were picked. I could see the signs even when we were at Sagana. I saw people beckoning and asking if the Speaker can help in governing some issues. There is nothing as bad as a house divided. It can never stand. Now we will see unity and this is something that will help in governing the rest of Kenya.

So, as we talk about building bridges, as one is building a bridge between Mt. Kenya East and West, there has to be anchor pillars between Mt. Kenya East, West and the Mulembe nation. There has to be some pillars and you provide a focal point for that. So, I congratulate

you for that and look forward to the day when we shall sit down as elders. I am not sure whether Hon. Sankok will qualify. We will sit initially as elders and then we will have the next ring for the invited aspiring elders. We will sit with him and continue the celebration and more importantly, the big role of unifying Kenya starting at the family level or micro level before we get to the wider macro level and eventually into the place of Kenya within the region and the world. Once again, I wish to join my colleagues and thank them for all the kind words they have uttered.

I also know that you are a great listener. I know there is a lot of advice you have been given like we give during weddings, but eventually I know you will sift and know which one to take, which one not to take and continue. The wisdom of elders is to listen and know what to absorb and what to take forward. I am sure it has been a good day, but the avalanche of goodwill messages that have been sent is an indication of how the Members of this House value your leadership.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, I appreciate. Let us now do some business. What do you mean by “minorities?” You have one minute each. We will start with Hon. Nzambia, then we will have Hon. Marselino Arbelle.

Hon. Thuddeus Nzambia (Kilome, WDM-K): Thank you, Hon. Speaker, for this opportunity. I will be very brief. I join my colleagues to congratulate you. On behalf of the residents of Kilome Constituency and the Lower Eastern Region, we really have a lot of hope in you. Now that you have assumed a new role, you have a lot on the way to engage this country in terms of uniting the whole country and the people of Kenya.

You represent a House with 290 constituencies where all the Members come from different destinations. It is now clear that the role you are going to play in the next few years to come will be based on the hope that Kenyans have in you.

Congratulations and may God bless you.

Hon. Speaker: Hon. Arbelle, Member for Laisamis. It is good for everyone to know their colleagues’ constituencies as well.

Hon. Marselino Arbelle (Laisamis, JP): Thank you so much, Hon. Speaker. On my own behalf and on behalf of the people of Laisamis, I join my colleagues in congratulating you for having been endorsed as a statesman and speaker representing the Embu, Meru and Tigania communities.

Human beings aspire to become something and eventually they go up the ladder to become somebody, to occupy a certain position. Therefore, in you, I have come to learn that at one time in your life, you have been a judge. You have equally been a Member of Parliament and a Speaker not once, but twice. That translates to the fact that you are a man of your calibre. The *Njuri Ncheke* are elders of stature who have sat down, looked around and seen that you will be the kingpin and spokesman for the particular community. Throughout history, the Mount Kenya Region has been a very united community, whether they come from Meru or Tigania and whether they are Kikuyus or not. They are referred to as the GEMA Community. Politically, today we are seeing that some people are trying to make some crossroads into that territory trying to break that unity. I hope the elders who have settled on you have realised they want to have one voice from Mount Kenya.

Indeed, for Kenya to be united, we are all looking at the mountain, including the minority tribe in Kenya; the Rendille. We are looking at the mountain. If the mountain gets to break into two or three, then Kenya is divided. Now that the *Njuri Ncheke* have settled on you as the spokesman and leader, you are supposed to show brevity in that position. You need to win their confidence by showing leadership, the same leadership you have shown in this House by saying: “Order! Order! Order!” Indeed, I believe you will deliver. Under your leadership,

the Mount Kenya house that is splitting will bring everybody together. If, indeed, it means taking some of us with you to Mount Kenya to show solidarity because we represent the entire Kenya, I assure you we will join you, so that your people can see and witness that, indeed, you are not walking alone, but you are walking with the entire Kenya and the Members of this House.

With those few remarks, I wish you all the best. I wish you good health. I pray for you to have wisdom in order to see your vision come true. Everything is possible. Having gone up the ladder this way, you can easily become the President of Kenya. I wish you all the best and that God helps you to go up the helm, but if you reach there, do not forget your friend, Hon. Malimo Arbelle from Laisamis.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, we must now go to the next Order, but before we do so, I want to draw your attention to the existence of a Supplementary Order Paper. I believe it has been uploaded. There are certain additions which might not have been there earlier.

Next Order!

BILL

Second Reading

THE NARCOTICS, DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL

(Hon. Paul Koinange on 2.3.202)

(Resumption of Debate interrupted on 4.3.2021 – Evening Sitting)

Hon. Speaker: Hon. Members, I want to draw your attention to a few facts. This Bill was moved by the Chair of the Departmental Committee on Administration and National Security, Hon. Paul Koinange. It was seconded by Hon. Peter Kaluma. Thereafter, a number of Members contributed. I am saying this because some of you have placed your intervention buttons. The Members are Hon. Ali Rasso, Hon. Mohamed Ali, the Leader of the Majority Party, Hon. (Ms.) Millie Odhiambo, Hon. (Dr.) Pukose, Hon. Oku Kaunya, Hon. Emmanuel Wangwe, Hon. Owen Baya, Hon Janet Nangabo, Hon. Garane Hire, Hon. Fatuma Gedi, Hon. Makali Mulu and Hon. Anthony Kiai, who has a balance of two minutes. Is Hon. Kiai in the House?

This is information Members need to know. When you are told that you have a balance of time, it is advisable that you be in the Chamber on the next sitting day. So, Hon. Kiai not being present in the House, the next one who spoke outside the *Hansard*, but was somehow captured, was Hon. Shakeel, Member for Kisumu East.

Hon. Shakeel Shabbir (Kisumu East, ODM): Thank you, Hon. Speaker. Thank you for recognising that I was to speak, but there was a little bit of confusion. The issue of narcotics is very important. We are getting very concerned about it all over Africa and particularly in Kenya. It is a concern in my constituency too. I support the Narcotics, Drugs and Psychotropic Substance (Control) (Amendment) Bill, especially on the issue of increasing penalties for those who have been found in possession of narcotics. However, the real crooks are the big boys. Some of the big boys, especially at the Coast region, have been Members of Parliament and even governors. They got away with it and they have gone into different ideas.

There was the Akasha family, which seemed to get away with everything. A number of narcotics have been found with some of these people. They were taken to court, some of them ran abroad, while others were taken to the USA. The problem we have in this country is that the anti-narcotics police are part and parcel of the main police force. They are speaking of billions of shillings. There was a senior officer in the police who tried to take this issue of narcotics forward, but he was killed. Hon. Mohamed Ali, now a Member of Parliament, exposed the drug lords that we had at the Coast, but for some reason, the drug lords got covered. The small boys are the ones who get charged.

It is not *cannabis* that is the problem here, it is heroine. Our youths, especially in Mombasa, Kisumu, Nairobi and other places, have lost their livelihoods and their future to these drug lords. In Mexico, there was El Chapo, in Colombia there was somebody else. In Kenya, we have had the Akashas and others who have destroyed the future of our youth. The fact of the matter is that even if we increase the fine, these guys will get away with it. They have advocates and lawyers in the highest places and they get away with it. As much as I agree with the object of this Bill that we should increase fines, I think somewhere along the line, we have to act decisively to make sure that those people who are benefitting from heroine and other strong narcotics are pinned down and taken to task. Unfortunately, in this country, they get away with it.

We do not want State capture like Colombia or Bolivia. We really wish that the special arm of police, the anti-narcotics, is paid well, looked after and we ensure that they take action. In as much as we are saying that everybody should be given a chance to protect themselves, some of these drug lords encourage murder and breaking away of society. In as much as we are talking about the fact that somebody could be charged millions of shillings, that will not happen. All that should happen is that the police force should be stern. Since there are billions of shillings involved, people get away. I urge this House to improve and increase the power of the Cabinet Secretary and others to attack the issue of narcotics.

(The Speaker (Hon. Justin Muturi) left the Chair)

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

Kenya has become a transit country for drugs coming from places like Afghanistan. We are now a transit country for drugs to Europe and America and nothing is happening to the people who have made millions of shillings out of it. I speak about the Akasha family because they made millions. There are others as well who are in power right now, who have started and received their millions through drug dealing. It is time these people are mentioned, taken forward and dealt with in accordance with the law. Sometimes we need to find shortcuts for murderers and drug dealers who spoil the lives of many people and get away with it. Their lawyers should be blacklisted. There are high powered lawyers who protect these dealers. Somewhere along the line, the country and the people must come first. As much as I agree that the fines should be increased, there is no need to increase fines if you cannot catch the criminals. It is time the power, salaries and remuneration of the anti-narcotics police is increased and they are given special authority to move against drug dealers without following too much law, where they get frustrated and the drug dealers get away with it.

With those few remarks, I support the Bill. I thank you, Hon. Temporary Deputy Speaker. However, I think it is not strong enough, and I wish it was much stronger.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Shabbir, you have contributed very well. However, I do not think you would be happy if somebody pointed

a finger at you, made allegations against you like the one you were making or whatever it is, denied you access to any lawyers, judged you and threw away the key. Anyway, you know this is the House of debate and you have made your contributions. That is good enough. We shall now have contributions from Wachira Kabinga, Member for Mwea.

Hon. Josphat Kabinga (Mwea, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill and congratulate the Chair of the Departmental Committee on Administration and National Security for providing real leadership in coming up with this amendment.

I can confirm, as a Member of that particular Committee that we met several groups and people who enriched what was initially drafted. Drug production, consumption, possession and trafficking has increased and advanced in terms of handling and people developing mechanisms for evading arrests and manipulating our law enforcement institutions. Therefore, the existing law cannot handle the present day drug trafficking, production, handling and consumption because there are many loopholes and advancements that have come up from the time that particular law was put in place.

This Bill is coming at the right time when the future of our country is getting doomed because our young generation, a large part of it, is involved in drugs in one way or another. This is also slowly creeping into the working class. I am hoping that here, in this House, we do not have people who are victims. Sometimes, we discuss and tend to think that we could be having problems even here. The problem of drug trafficking is everywhere.

For that reason, this Bill comes in at the right time when we need to relook at our law to see how effective it is. The existing one has a lot of loopholes. Among them, are the lenient penalties that are given to people who are involved in drug trafficking, consumption, possession or production. A number of them were never scared even when they were arrested and taken to court because the value of what they were handling *vis-à-vis* the sentences they got was incomparable.

Furthermore, Hon. Temporary Deputy Speaker, some of them have now developed ways of manipulating institutions. That is why we find some of our drug traffickers, when arrested in other countries, are convicted because the laws in those countries are much stricter and tighter than ours. Therefore, this Bill comes at the right time. It is, therefore, important that we relook at the penalties we are putting on offences that are related to drug trafficking, production or consumption and ensure that people feel it when they are taken to court and jailed. I am particularly happy that drug traffickers and users will find themselves in prison for life and will pay penalties that are three times the value of what they are handling. Therefore, anybody who indulges in that business will be sure to one day be in prison for life. That is really good.

One of the areas that the existing Bill did not cover is conspiracy. Conspiracy, whether within the country, people in our country conspiring with others outside or even two groups of people outside this country conspiring to traffic drugs in Kenya, will find themselves on the other side of the law. We will have a law that can be extended to those that conspire to traffic drugs in this country.

At the same time, this law provides for a way of dealing with advancements in terms of communication. Our law enforcement institutions can intercept communication that would lead to arrests and such communication can be admissible in a court of law, something that was not there. This will help a lot because all of us are using communication to evade arrests. With the admissibility of communication that has been intercepted, we are likely to get more people arrested.

At the same time, our law enforcement officers are greatly involved in some of these offenses. The current law did not provide for charging of law enforcement officers. This law,

as amended, strengthens and brings up the element of charging law enforcement officers who are caught up in the ring of drug trafficking, consumption and production. This will be very good.

Hon. Temporary Deputy Speaker, one of the things that we believe this Bill will bring in strongly is recognition of alternate forms of punishments, especially when it comes to our youngsters who are slowly driven into this menace by people who want to make money out of them. This young generation needs not be put in prison. This young generation needs to be put on rehabilitation. This young generation needs to be put on probation, so that immediately they recover from the menace, they can get back to school and we preserve the future generation.

It is true that when some of these young men and women are put in prison because of taking things like *bhang*, we only add to their problems. They do not reform. They come out more dangerous criminals than probably the way they went in. For that reason, some of us are proponents of this alternate way of punishing offenders and especially *bhang* traffickers, which in some countries like Ethiopia, the consumption of *bhang* is not an offence, but they take offence if you are caught trafficking or transporting it.

For us to be somewhere in the middle, it is good that we consider especially the young generation in school. When I hear a pupil in Standard Seven or Standard Eight being caught with a few rolls of *bhang*, I get worried about the generation. If we have a way of rehabilitating young men and women, we can preserve our generation for tomorrow. I fully support. Once again, I congratulate our Chairman for the leadership he has provided on this important Bill.

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. (Dr.) Lilian Gogo.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me time to indulge in this matter. I rise to support. I am so glad that this particular matter has been brought by the Committee. Even as the previous speaker was speaking, I was trying to take particular caution on the elements that deal with the collusion with traffickers. They normally say that when you want to destroy a home, you introduce the young girls and boys in that family to either alcohol or hard drugs.

Drugs have really destroyed homes and brilliant brains in this country. Coming up with a law that mitigates the spread of use of drugs and getting stiff penalties on people who traffic drugs and take the drugs to our young men is timely and needs to be supported.

As I support this Bill, I appreciate the Committee for also looking at the element of the communication systems and channels that traffickers use. They use very sophisticated systems. As a nation, we need to go a notch higher and counter what they use in order to bring down the scourge and menace of drugs.

When it also comes to the element of rehabilitation, we should spread rehabilitation facilities across the country.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Just hold on Hon. Gogo. Hon. Oundo seems to have something burning. What is out of order, Hon. Oundo?

Hon. (Dr.) Wilberforce Oundo (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker. With due respect to my colleague, it seems all of us support the Bill. Pursuant to Standing Order No.95, I request your permission to call the Mover to reply.

(Loud consultations)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well. Hon. Members, you know the rules of the House. Hon. Oundo, having stood in his place in accordance with Standing Order No.95, it is incumbent upon the Speaker to...

(Loud consultations)

Just hold on. Hon. Ichung'wah, you cannot shout at the other Members. This is a House of rules. There is a way to deal with this. Members will make a resolution. I will proceed to do that.

(Loud consultations)

After Hon. Gogo finishes, I will ask the House to make a resolution, one way or the other. Hon. Gogo, finalise your submissions.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you so much for protecting me, Hon. Temporary Deputy Speaker. I do not know what specific issue Hon. Oundo has with me because other Members have spoken to this matter and I had an opportunity to speak. Just allow me to speak because it is Rangwe people speaking. I do not know why you want to gag over 160,000 people.

I will conclude now that the mood of the House is that the Temporary Deputy Speaker puts the Question for the Mover to reply.

This Bill is important, especially when we look at the element of rehabilitating the people. They should not be condemned. Rehabilitation should be a key pillar of this Bill, so that those who are already affected are brought back to their useful position and we move forward as a country.

I support the Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, Hon. Oundo stood in his place and requested that the Mover be called to reply according to Standing Order No.95.

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

We shall proceed with this. Let us have Hon. ole Sankok.

Hon. David ole Sankok (Nominated, JP): Asante sana, Naibu Spika wa Muda kwa kunipa fursa hii ili nichangie Mswada huu wa Narcotic, Drugs and Psychotropic Substances (Control) (Amendment) Bill (National Assembly Bill No.27 of 2020).

Mswada huu umekuja wakati ambao unafaa. Naunga mkono Mswada huu mia kwa mia. Vizazi vyetu viko mashakani kwa sababu ya dawa za kulevya, pombe ikiwa moja zao. Watu ambao wamejaribu kutusaidia ni kama Mheshimiwa "Jicho Pevu" ambaye kwa hilo jicho pevu, aliweza kutuelezea kwa kina wale watu ambao wanauza madawa katika nchi yetu, ijapokuwa vitengo ambavyo vinatakiwa kuwakamata na kuwapeleka kortini vilishindwa na ikabidi nchi za ng'ambo ziwashike wale Akasha brothers.

Sisi kama walemavu hatujaangaziwa sana katika Mswada huu. Kwa sababu hiyo, nitaongea na rafiki yangu, Mwenyekiti wa Kamati hii, Bwana Koinange, ili tuweze kuangazia maneno ya walemavu. Nambari yetu inaongezeka kila kuchao kwa sababu watu wengine wanavuta bhangi, wanaharibika kiakili, wanatumia dawa kama *heroine* na kuwa walemavu. Wengine wanatumia dawa za kulevya wakiwa na mimba halafu baadaye, watoto wanazaliwa wakiwa walemavu wa kiakili. Kwa hivyo, tunaongezeka ilhali kilabu chetu huwa kimejaa. Hatutaki kuongeza watu wengine kwa sababu yale manufaa ambayo tumepewa na Serikali hayatutoshi sisi wenyewe, sembuse wale watakaongezeka kushindania hayo manufaa.

Tumeangazia sana kuhusu watu ambao wanauza dawa za kulevya lakini hatujaangazia mambo ya jamii ambayo inachangia sana kwa utumizi wa hizo dawa za kulevya. Hatujaangazia mambo ya shuleni ambapo walimu wengine hawafunzi watoto wetu wakati wako nao ili wajikinge kutokana na dawa za kulevya.

Sababu nyingine ni jamii ambayo haina kiongozi. Nasihi akina dada kuwa wakati mwingine, hata kama dada hajaolewa, atafute mjomba ili ahakikishe kuwa watoto wake wamelelewa kwa njia inayofaa. Wakiwa na tabia nzuri ama wamelelewa vizuri, watakuwa wazuri, wangwana na watakataa hata hizo dawa za kulevya wakiletewa. Wakikataa, hiyo biashara ya dawa za kulevya itakufia hapo.

Nasihi akina dada. Bibilia inasema kuwa mama aolewe na mzee mmoja. Tamaduni zetu pia zinasema hivyo. Lakini wakati ambapo unachanganya kana kwamba hapa uko na mtoto ambaye amezaliwa na Mkisii, mwingine na Mmasaai, mwingine na Mjalu, huo mchanganyiko maalumu ndio huleta *confusion* na shida wakati mwingine. Jambo hilo husababisha watoto kutoroka na kupatwa na watu hao wanaouza dawa za kulevya. Hata kama jamii haina baba, tafuta mjomba ili awaelezee watoto njia ambayo wanatakiwa kuchukua.

Hon. Kimani Ichung'wah (Kikuyu, JP): On a point of order, Hon. Temporary Deputy Speaker.

Hon. David ole Sankok (Nominated, JP): Wale ambao wameumia sana kwa sababu ya...

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok, please, hold on for one minute. Hon. Kimani seems to have a point of order.

Hon. David ole Sankok (Nominated, JP): Lakini azungumze kwa Kiswahili.

Hon. Kimani Ichung'wah (Kikuyu, JP): Naibu Spika wa Muda, ninajua ulikuwa unashauriana na Kiongozi wa Walio Wengi kwa hivyo labda hukusikia yale ambayo ndugu yangu, Mheshimiwa *Nominee* 001, amesema. Amesema kuwa mtoto akichanganyika uzazi awe na baba ambaye ni Mjalu, mwingine sijui amezaliwa na Mkisii, na mwingine na kabila lingine, hayo ndiyo mambo yanayochangia utumizi wa dawa za kulevya. Sijui ni ushahidi gani alio nao wa kuonyesha kuwa ukichanganya uzazi, utatumia dawa za kulevya kutokana na uzazi ama mambo ya ukabila.

Hayo ndiyo mambo tunaomba viongozi kuwa tuwache kuchanganya kila kitu na mambo ya ukabila. Hakuna mtoto ambaye huchagua atazaliwa na baba yupi. Hata *Nominee* 001, kuna ushahidi kuwa kuna vile ambavyo anahusiana na Mheshimiwa wa Bahati, Kimani Ngunjiri, ilhali yeye amezaliwa kule Narok. Sijui kama ni ushahidi kutokana na utumizi wake mwenyewe ama mambo namna gani. Ningeomba afanue ama atoe matamshi ya kukejeli wale ambao wamezaliwa kutoka kabila tofauti.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hiyo ni hoja ya nidhamu ya kweli. Tusichanganye mambo ya ukabila na mambo ya kukosa nidhamu na mwelekeo katika maisha. Mhe. Sankok, fafanua zaidi hilo jambo na kama hauwezi, itabidi uliondoe.

Hon. David ole Sankok (Nominated, JP): Mhe. Naibu Spika wa Muda, Mhe. Kimani Ichung'wah amekuchukua kama Kiongozi wa Waliowengi. Hukuelewa vizuri vile nilikuwa nasema. Nilisema ya kwamba kuna boma ambayo iko na watoto ambao wako na baba tofauti. Kuna huo mchanganyiko maalum katika hiyo boma.

Nitatoa mfano. Tuseme hii boma iko na bwawa ambalo ng'ombe anakunywa maji. Uko na mtoto wa Mjalu, Maasai na Mhindi. Huyu wa Maasai analeta ng'ombe akunywe yale maji na huyu wa Mkikuyu anataka kupanda nyanya zake hapo karibu anyunyizie maji. Sasa, hawa watu wanapigana. Yule mtoto wa Mhindi anataka kutoa *mineral water* ndio auze. Yule mtoto wa Mjalu anataka kuweka samaki. Huyu mtoto wa Maasai analeta ng'ombe 1,000 ambao

wanakojelea maji na wanaua wale samaki kwa sababu ya gasidi. Watoto wanapigana kwa boma halafu wanatoka nje. Katika ile boma ambayo iko na utaratibu mmoja...

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok, you are out of order! Withdraw your statement and proceed.

Hon. David ole Sankok (Nominated, JP): Kwa heshima, nimeondoa hiyo, Mhe. Naibu Spika wa Muda kwa sababu uko hapo.

Ya mwisho, wale ambao wameumia sana na hizi dawa za kulevya sio matajiri, ni wale ambao tunaita *hustlers* ambao ni watoto wa maskini.

(Hon. Kimani Ichung'wah spoke off record)

Mhe. Naibu Spika wa muda, nilinde kutoka kwa Mhe. Ichung'wah.

The Temporary Deputy Speaker (Hon. Christopher Omulele): You are fully protected from Hon. Ichung'wah. Let Hon. Sankok finish his contribution.

Hon. David ole Sankok (Nominated, JP): Nikimalizia, Mhe. Naibu Spika wa muda, naunga mkono Mswada huu.

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hold on, Hon. Sankok. I will give you a minute to contribute. Hon. Millie Odhiambo, what is out of order?

Hon. (Ms.) Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Deputy Speaker. I notice that Hon. Sankok wants to say very strange things. That is why he is contributing in Kiswahili so that he can confuse some of us. However, he has not succeeded.

(Laughter)

Is he, as a person who confesses that he is a hustler, in order to allege that his hustler followers are drug addicts? That is what he is saying. That is why Hon. Duale is attacking him. Why is he abusing his followers?

(Laughter)

Hon. David ole Sankok (Nominated, JP): Mhe. Naibu Spika wa Muda, sijasema hivyo. Itabidi unilinde kutoka kwa Mhe. Millie Odhiambo. Unajua historia yake. Unajua maneno yake ni makali. Nimesema ya kwamba wale ambao wanaumia sana na wanauziwa dawa za kulevya...

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok, you are in so much trouble today. I do not know what it is. You seem to be jumping from the frying pan into the fire. I do not know any history about Hon. Millie Odhiambo other than that she has served in this House for three terms with fair distinction. That is the history that I have. Hon. Sankok, I will allow you to contribute for one minute to wind up.

Hon. David ole Sankok (Nominated, JP): Katika historia ya Mhe. Millie Odhiambo, nakumbuka wakati alitembea bila viatu.

Mhe. Naibu Spika wa Muda, kuna ushahidi katika Chuo Kikuu cha Maasai Mara ya kwamba kile chakula kinaitwa ngumu ama *KDF* kinawekwa dawa za kulevya na bhangi na kinauziwa watoto pale mitaani. Ndio sababu nilikuwa nikisema kuwa saa zingine wale walio chini wanafanya watu wakuwe waraibu wa kutumia ngumu na *KDF*. Wanaendelea kuwa wachochole kwa sababu wanafanya kazi kidogo na ile pesa kidogo wanapata, wanaitumia kununua dawa za kulevya.

Watoto wa matajiri ndio wako na pesa ya kununua dawa za kulevywa za bei ya juu na ndio wanaumia zaidi. Ndio sababu sisi wote kama wananchi wa Kenya na Wabunge ambao ni wawakilishi wa watu wote, tunaunga mkono huu Mswada.

Asante sana, Mhe. Naibu Spika wa Muda.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sabina Chege, you will speak as the Chair of the Departmental Committee on Health on this issue.

Hon. (Ms.) Sabina Chege (Murang'a CWR, JP): Thank you, Hon. Temporary Deputy Speaker. At the outset, I want to tell Hon. Sankok that some of these things are not things to joke around with. It does not matter who is the father of a child who abuses drugs. There is no proof about Deoxyribonucleic Acid (DNA) or whether somebody has mixed profiling.

Hon. Aden Duale (Garissa Township, JP): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Duale, what is out of order? Let us allow the Member to contribute.

Hon. Aden Duale (Garissa Township, JP): Hon. Temporary Deputy Speaker, you have said that Hon. Sabina will contribute as the Chair of the Departmental Committee on Health. At what stage does Hon. Speaker choose a Member will speak as the Chair or Member for Murang'a County?

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Duale, you are out of order! Hon. Sabina is the Chair of the Departmental Committee on Health, which is a fact in this House. If I have allowed her to speak as the Member for Murang'a County and Chair of the Departmental Committee on Health, what is out of order?

Proceed, Hon. Sabina.

Hon. (Ms.) Sabina Chege (Murang'a CWR, JP): Thank you. I want to tell Hon. Duale that it is true that I am the Chair of the Departmental Committee on Health. Drug use and abuse are health matters.

As a parent, this matter is not about the children of the poor or the rich. It is not the issue of dynasty or hustlers. This is a matter that affects many children from all walks of life in this country. As a mother, I feel sad when Hon. Sankok, whom I respect, trivialises disability and everything else about drugs abuse. I appreciate the Committee and Chair for the effort that they have put because there are many gaps in the law that exists. There are some things that are not very clear. There are also some gaps, especially the ones on penalties for people who conceal information and conspire in drug trafficking. These things are not clear in the previous law and the punishment that they are supposed to face.

I have looked at the increase of drug abuse in Kenya. I would like to refer to the Judiciary Report in the Financial Year 2018/2019. There was drastic rise of use of drugs up to around 44.1 per cent. The individual cases which were prosecuted were around 2,268. This is just a tip of the iceberg. Mental health is a reality in this country. A lot of mental health cases are contributed by drugs abuse. The people who are affected by law in this country are the drugs users who are victims of circumstances. When students join universities, there are *freshers'* parties that are done. They are given drugs unknowingly and they become addicts.

As the Chair of the Departmental Committee on Health, I have gone to several conferences and have met young people who are drugs abusers who are fighting to quit. If they tell you the story of how they were introduced to the hard drugs, it is a very sad story. They did not start using them willingly. These are the people the law runs after leaving out the cartels or drug barons who make a lot of money out of our innocent children. There is a mistake. I hope the Departmental Committee on Administration and National Security will look at it. The National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) is the body that looks at the regulations of drugs in Kenya, especially the misuse of drugs. It is supposed

to help or save our children from drugs abuse. It is under the Ministry of Interior and Coordination of National Government. Drug abusers are people who are sick. They are not criminals. The criminals are the ones who sell the drugs. I hope the office of NACADA will move from the Ministry of Interior and Coordination of National Government to the Ministry of Health, so that they can do the work they are supposed to do. They should build more rehabilitation facilities in this country because they are very minimal. The ones that are there are very expensive.

If you have a meeting with the parents of children who abuse drugs or even with some of the children who would like to leave or quit, they will inform you that it is almost unaffordable to go for any rehabilitation. When they do, sometimes, the National Hospital Insurance Fund (NHIF) covers up to around Kshs60,000 in the very few facilities that have been approved. So, as a nation, as we look at the way we punish the ones who sell the drugs, we need also to look at how to build rehabilitation centres, make drugs available and even have in place regulations of people who treat drug abusers because some of them make them depend more instead of helping them.

Hon. Temporary Deputy Speaker, it is important for this country to know that the Government runs a harm reduction programme in Kenya where we have some Non-Governmental Organisations that give a drug called methadone to help drug abusers to quit and some are even given syringes to avoid transmission of diseases. But the same Government that gives these kinds of facilities for harm reduction is the same one that arrests the ones that use the drugs. So, as a country, we need to have a candid talk and see how we can help many of our children who have become drug addicts. It does not make sense when a young man who smokes *bhang* is arrested and taken to jail because he is not able to afford the penalties and may have been enslaved by his friends. When they get to jail, they are supposed to be corrected, but they get introduced to hard drugs. So, it makes it very difficult.

I support this Bill because it clearly defines the various penalties for various people especially the ones who traffic drugs. It is also important for us to have clear penalties for the law enforcers who sometimes collude. You hear that a big consignment of drugs was intercepted at the airport or somewhere, but it disappears. Even the ones who conceal information, it is now clear how they will be fined.

As I conclude, I alert the House that Hon. Sankok, before he decided to trivialise the matter, mentioned about our children being given food substances that are laced with drugs. I have learnt from my local administration of a sweet that is being sold in shopping centres next to schools at Kshs1. Children and teachers have confessed and this is something I am following up. Children go to class and are not able to concentrate. That sweet is laced with a drug called Kuber. It is sold over the counter at Kshs1. Children are becoming addicts and are stealing from their parents to purchase the sweet. I urge this House that we pass this Bill, so that we can follow these criminals. The ones who transport the chemicals and the ones who manufacture the drugs should be put on the spot. It is also important that we regulate over-the-counter drugs. I am aware of some chemists that sell tablets very cheaply at Kshs10 and you see young people over lunch time taking a soda with a drug and they totally become addicts.

With those remarks, I support. I urge the House that we fast-track the Bill and pass the proposed amendments in the Bill, so that we can save a generation. Let us not take this matter lightly. It is a serious matter and if we pass the amendment Bill, we will save a generation.

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Masara.

Hon. Masara Peter (Suna West, Independent): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice to the Narcotics, Drugs and Psychotropic Substances (Control) (Amendment) Bill (National Assembly Bill No.27 of 2020.

First, I congratulate and appreciate the work done by the Committee. It has taken them a long time. I am a Member of the Committee and I know there were many interests concerning the same Bill because it is going to affect many drug barons and cartels in the system of selling drugs.

I support this Bill. It has tried to bridge the gap that exists in the current principal Act. For example, with regard to penalties in the current Act, those who handle small drugs are penalised highly compared to drug barons. That is captured in Clause 4(a) of the current amendment Bill. This clause will ensure that real drug barons are penalised to an extent that they may not use the money from sale of drugs to relieve themselves of the penalties. For a long time, those who are dealing with low volumes of drugs have suffered a lot under the existing Act. Therefore, this amended Bill will cure that.

Clause 80(a) and (b) of the Bill is talking about information with regard to drugs. The current Act is silent about somebody who has information concerning commissioning of drug abuse or sale of drugs, but the amended Bill has detailed ways of dealing with that kind of information. This is to an extent that if somebody has information and gives it to the right authorities, he or she will not be penalised. It states clearly that there is no criminal or civil proceeding which will be taken to court for somebody who has given information concerning the subject matter.

The other aspect which is very important in this Bill concerns somebody who is dealing with drugs outside the country. If you can recall, there are so many pending cases in court because there are no laws on how to handle somebody who has information or is dealing with drugs, but is outside the country.

Clause 4(b) of this Bill is very clear about how to handle such a person who is outside the country and is dealing with drugs or somebody who is within the country and is dealing with other people outside the country in selling of narcotic drugs.

Hon. Temporary Deputy Speaker, you let Hon. Sankok run away with a big omission. When he mentioned that people with lower earnings are the people who use drugs, it was not right. If you take the statistics of those who are using drugs, it is both the rich and the poor. It does not matter whether you are educated or not. Therefore, we need to support this Bill to help this society.

The society today was built by the former leaders when they put mechanisms which would have stopped people from using drugs. Therefore, when we want to profile people and talk in the National Assembly about people based on “hustlers” and “dynasties” politics concerning drugs, that is uncalled for. So, I would love to request you to order that that aspect of whatever Hon. Sankok mentioned be deleted from the records of this House.

(Applause)

It should be deleted because it is going to set a very bad precedent, so that people who do not have money and call themselves “hustlers” will start taking drugs because, after all, somebody in the name of *Mhe*. Sankok talked about it in the National Assembly and nothing was done about it. So, it is like we are justifying the use of drugs in our country.

Thank you, Hon. Temporary Deputy Speaker, for the opportunity.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Murugara Gitonga, Member for Tharaka.

Hon. George Gitonga (Tharaka, DP): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill, that is the Narcotics, Drugs and Psychotropic Substances (Control) (Amendment) Bill (National Assembly Bill No. 27 of 2020). This is a timely Bill that tries to bring virtue into life as far as drugs and drug abuse is concerned. Issues of drugs are security

issues because anything that deviates from the normal life especially when someone is under the influence of drugs becomes a security threat, and it needs to be tackled in security parameters.

Drugs are a menace in this country. It is vitally important that we have a law that is going to protect our children and citizens against drug abuse. Drugs affect life in different ways. We have seen drug abusers unable to work. They have become junkies who cannot do anything meaningful to earn a living. We have seen drugs raiding into our schools and we had cases of misconduct and cases of breach of discipline surely because of drugs. We also know for sure that there are people who try to earn a living through trading in drugs. These people are known as “mills” or “couriers.” This has grave consequences. As Members of Parliament, quite often we have been called upon to try and help our constituents who are jailed abroad because they have been nabbed with drugs. This is the reason we are saying that this law is timeous. This law should come into force so that we are protected.

The law we have before us today provides for very heavy penalties - penalties that are unusual in criminal jurisprudence. In criminal law, it is a cardinal principle that the judge must always have discretion to mete out penalty without any interference from the law. This is the reason in all criminal cases, and in all penalties prescribed, we have maximums. In this law, we have minimums. The idea is to ensure that those penalties deter criminals from committing these offences, whether the criminals are Kenyans or international traffickers. We know very well that there are international elements who have converted our country into a haven of drugs. This is where they do their lucrative business that has made them go up the scales of life at the expense of our children. Therefore, for this very moment, I agree that the penalties stipulated here should be the minimums - minimum jail terms and minimum fines - such that a judge will have no option. In the least of cases, he can only give the minimum. Otherwise, he will be at liberty to give as much as he can under the sun.

There is an element of this debate where one would argue that as we make penalties stiffer and thus make this business expensive, we encourage corruption, that dealers in drugs will find it easier to bribe law enforcement officers so that they can get away from the law. That is why we must extend this law to cover corrupt enforcers such that if anyone abets any criminal offence dealing with drugs, he is as good as the drug dealer and he actually faces similar consequences.

I also agree that the minimum penalties prescribed for aiders and abettors of crimes in drugs are good and stiff. Importantly, it is high time we safeguarded our country from drug abuse. The drug abuse menace extends everywhere across the country, including the constituencies. I will take the case of my constituency of Tharaka as a rural constituency. It may not be exposed to many of these drugs apart from *cannabis*, which is a special type of a drug prescribed elsewhere in a different way, but again, this is rampant. I have heard of cases in schools where boys and girls are smoking *bhanga*. This problem needs to be addressed. There are various ways of addressing it. We must move into teaching our children in schools about virtues in respect to not abusing drugs. Our curriculum should provide for such education so that we can teach our children the effects of abusing drugs, alcohol and indulging in vices that can lead to crimes.

Hon. Temporary Deputy Speaker, of late, we have seen a surge of indiscipline cases in our schools. So many dormitories and school infrastructural facilities that were built with labour and pain using the National Government Constituencies Development Fund (NG-CDF) are going up in flames. About 99 per cent of those infrastructural buildings have been set on fire by students and in many cases, they are not normal, but acting under the influence of drugs. This is how serious the drug menace is in the country.

As a House that propagates law, as we pass this Bill, let us make it our rallying call that we will make our country safe and drug free so that our children can live normal lives that are free from vices that disrupt their lives. Once we do this, we will be on the right track, but before we do that, we must dare every drug dealer especially international criminals from South America or those on transit to other African countries that are notorious for drug abuse. They must be aware that once we arrest them and put them in our jails, they will serve for 20 years if they cannot pay a fine of Kshs20 million. By doing this, we will discourage them from undertaking drug business in our country and where they attempt to do so, they will face the consequences if they are caught.

I support the Bill and urge the House to pass it, so that we can have a better law in place. The Narcotics, Drugs and Psychotropic Substances (Control) Act was passed a long time ago, but it has not been operative because of a debate regarding penalties, court challenges and in most cases, corruption has hindered the fight against drug abuse.

I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. (Dr.) Nyikal.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this Bill that I support. Abuse of narcotics and psychotropic substances is a big problem in the country. It is affecting people, particularly the youth and disrupting their lives, education and young families. Apart from the mental illnesses that occur, they also get physical diseases like Hepatitis and HIV/AIDS, which are rampant among people who are using drugs. The biggest issue is the mental illnesses and personality problems that arise from these drugs. After long use, some of these drugs predispose users to some of the non-communicable diseases like heart diseases. This is made worse by the availability of a wide range of substances and some are even thought not to be very dangerous such as alcohol, *marijuana* and Kuber as a Member mentioned here. There are sedatives such as valium and stronger analgesics such as morphine codeine that are prescribed for palliative reasons for people with cancer and long term painful conditions. There are hardcore drugs such as heroine and cocaine. There are also precursors that would at times be used in normal medical circumstances, but can be used to produce these drugs. The environment is...

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Dr Nyikal, we have been caught up with time. I always enjoy listening to you on matters like this. I am sure you will inform the House about these particular proposals we are making here the next time this matter is set down. You will have eight minutes when the matter is set down and you will be given the priority.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, there has been a lot of interest. There are still 20 Members who are interested in speaking to this. So, clearly, it is a matter that affects our nation greatly. But we have run out of time and hopefully when the matter is set down for consideration again, Members who have interest will be available to ventilate and express themselves on it.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, the time being 6.30 p.m., the House stands adjourned until Tuesday, 9th March 2021 at 7.00 p.m.

The House rose at 6.30 p.m.