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THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Thursday, 3rd August 2023

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Serjeant-at-Arms, continue ringing the Quorum Bell.

(The Quorum Bell was rung)

(Several Members walked into the Chamber)

Order, Hon. Members. We now have quorum to transact business. Clerk-at-the-Table, start.

Hon. Members, I have a Communication that I will make much later. It is still being drafted. So, we can stay Order No.3. Go to the next Order.

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Speaker.

I beg to lay the following papers on the Table:

1. Business transacted by the East African Legislative Assembly (EALA) at the 4th Meeting of the 1st Session of the 5th Assembly from 11th to 23rd June 2023, in Arusha, Tanzania:
 - (a) The Supplementary Budget of the East African Community for the Financial Year 2022/2023;
 - (b) The East African Community Supplementary Appropriation Bill 2023;
 - (c) The East African Community Supplementary Appropriation Bill, (No.2) 2023;
 - (d) The East African Community Appropriation Bill, 2023;
 - (e) Report of the Committee on General Purpose on EAC Supplementary (No.1) and (No.2) Bills;
 - (f) Report of the Committee on General Purpose on the East African Community Budget Estimates for Revenue and Expenditure for the Financial Year 2023/2024;
 - (g) Report on the Committee on Legal, Rules and Privileges on the Oversight Activity on Implementation of Protocols and Laws Governing EAC Institutions;
 - (h) Report of the Committee on Communication, Trade and Investment on the Oversight Activity on Civil Aviation Safety and Security Oversight Agency;

- (i) Report of the Committee on Legal, Rules and Privileges on Consideration of the Proposal to Amend Rule 80(6) of the Rules of Procedure of the East African Legislative Assembly;
- (j) Report of the Committee on Accounts on the Oversight Activity to Assess the Programmes and Performance of the East African Health Research Commission.
- (k) Report of the Committee on Regional Affairs and Conflict Resolution on the Oversight Activity to Assess the Progress Made in the Development of the EAC Refugee Management Policy.
- (l) A Resolution of the Assembly urging the Council of Ministers and the partner states to enhance the effective participation of women and youth in business and to equip them take advantage of the opportunities under the agreement establishing the African Continental Free Trade Area (AfCFTA).
- (m) A Resolution of the Assembly to reinstate the pending Bills of the 4th Assembly into the 5th Assembly.
- (n) A Resolution of the Assembly recommending the Council of Ministers and partner states to use local currencies in all transactions in the East African Community region to boost trade.
- (o) A Resolution of the Assembly to support the East African Pamoja Bid to host the 2027 African Cup of Nations in the East African Community region.
- (p) A Resolution of the Assembly urging the Council of Ministers and partner states to fast track the implementation of the 2014 Malabo Declaration on Accelerated Agriculture Growth and Transformation for Shared Prosperity and Improved Livelihoods.
- (q) A Resolution of the Assembly condemning the attack by the Allied Democratic Forces (ADF) on Lhubirira Secondary School, Kasese District, in the Republic of Uganda and in the Town of Kasindi in North Kivu.

2. Report of the National Constituencies Development Fund Board (NG-CDF) for the Fourth Quarter of 2022/23 Financial Year.

Hon. Speaker: Thank you, Deputy Whip of the Majority Party.

Chairman of the Departmental Committee on Health, Dr Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Departmental Committee on Health on its Consideration of the Cancer Prevention and Control (Amendment) (No.2) Bill (National Assembly Bill No.45 of 2022).

Hon. Speaker: Thank you.

Chairperson of the Departmental Committee on Agriculture and Livestock, Dr Mutunga.

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Hon. Speaker, I beg to lay the following Papers on the Table of the House:

1. Reports of the Departmental Committee on Agriculture and Livestock on:
 - (a) Its consideration of the Food and Feed Safety Control Co-ordination Bill (National Assembly Bill No.21 of 2023).
 - (b) The attendance to the 171st Session of the Food and Agriculture Organisation (FAO) Council held from 5th to 9th December 2022 in Rome, Italy.

Hon. Speaker: The Chairperson, Select Committee on National Government Constituencies Development Fund, Hon. Musa Sirma.

Hon. Musa Sirma (Eldama Ravine, UDA): Hon. Speaker, I beg to lay the following Paper on the Table of the House:

Schedule of budget ceilings for constituencies for the 2023/2024 Financial Year.

Hon. Speaker: Thank you. Next Order.

NOTICE OF MOTION

PROVISION OF ACCESS TO MARKETS IN THE COUNTRY

Hon. Beatrice Kemei (Kericho County, UDA): Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that the Kenya Roads Act of 2007 mandates the various road authorities to, among other functions, control roads and road reserves, and access to roadside developments; further aware that market centres are ordinarily constructed along road developments across the country; noting that due to improper planning some marketplaces have no access roads, leading buyers and traders to encroach on the roads and road reserves; further noting that there have been instances of accidents leading to multiple deaths due to this unregulated use of road developments; appreciating that proper access roads to market places would ease access by buyers and thereby avert accidents due to the converging of traders and buyers on roadsides, thus enhancing road safety and service delivery while providing opportunities for economic engagement for the traders; now, therefore, this House resolves that the Government, through the Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works develops a framework to ensure that where market centres exist along road developments, appropriate access is provided, including service lanes and access roads.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Beatrice. Member for Turkana East, Nicholas Ng'ikor.

NOTICE OF MOTION OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

INSECURITY IN TURKANA EAST CONSTITUENCY AND THE NORTH RIFT REGION

Hon. Nicholas Ng'ikor (Turkana East, JP): Hon. Speaker, pursuant to Standing Order 33(1), I seek leave for the adjournment of the House to discuss a definite matter of urgent national importance regarding insecurity in Turkana East Constituency and the North Rift region.

Hon. Speaker, there have been recent cases of insecurity in Turkana East Constituency with raids witnessed from the neighbouring community, leading to loss of lives and livestock. On Thursday, 27th July 2023, bandits attacked Lokui Village in my constituency, killed four people, namely Mr. Esinyen Aletia Lorutmoe of ID No.32870974, Mr. Ingokan Eiton of ID No.24399833, Mr. Lotiir Cheptai of ID No.20091399, and Mr. Lopem Akiyokor, who was killed by bandits believed to be from Tiaty Constituency.

It is against this background that I seek leave for the adjournment of the House to discuss this matter of great national concern with a view to exploring possible and lasting solutions for sustained peace in Turkana East and the North Rift region.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Nicholas. You need 20 Members to stand in your support.

(Several Members stood in their places)

It is overwhelming. Thank you, Members. You may take your seats. Hon. Nicholas, you will be given an opportunity to move your Motion at 5.30 p.m. Before the next Order, Hon. Members, allow me to acknowledge the following schools in the Speaker's Gallery:

1. State House Girls High School, Dagoretti North, Nairobi;
2. Githunguri Township Primary School, Githunguri, Kiambu;
3. Jamhuri Estate Primary School, Kibra, Nairobi;
4. Gatunduini Secondary School, Kangema, Murang'a; and,
5. Loreto Boys Secondary School, Nakuru West, Nakuru.

On your behalf and my behalf, I welcome the schools, students, and their teachers in the House of Parliament. Hon. Wamuchomba had requested me to give her one minute to welcome a school from her constituency. Let her take this opportunity to welcome all the schools on our behalf.

Hon. Gathoni Wamuchomba (Githunguri, UDA): Thank you, Hon. Speaker. I take this opportunity to welcome all the schools that have made their inaugural visit to the Parliamentary Buildings of Kenya. First, allow me to recognize and appreciate the staff of Parliament for the wonderful logistical support they have continued to offer. Hon. Members, the staff organized this wonderful visit to this honourable House. Parliament is one of the few institutions in this country that keeps time. When it schedules schools for 2.30 pm, none is ever late, even for a minute. Let me appreciate our staff and tell them to keep up because they have made this House honourable.

I longed and dreamt of visiting Parliament when I was a small girl in Kiawairia Primary School in Githunguri Constituency, but because I came from a very obscure community, I could not afford such a visit. Because these have afforded and God has given them the opportunity to come and see what happens here, I pray and wish that they grow to be strong students and great leaders of this country. One day they will also become Members of Parliament amongst the greater people of Kenya.

Thank you. *Karibuni* Bunge.

(Hon. Beatrice Elachi spoke off the record)

I thought Hon. Wamuchomba was speaking for you, but I can see you also want to say something.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. I welcome students from State House Girls High School. I also appreciate Members of Parliament who have students from their constituencies here today. I see *Mhe. Mukurino* has the best among them. She is performing very well. I wish Hon. Toto were in the House because we have a girl from Bomet and many others. That school has many girls from different counties in this country.

We welcome them to Parliament, the august House, whose motto is: For the Welfare of Society and the Just Government of the People. As they sit here today, I wish them well. Since they study History, they have come to learn and see how Members of Parliament behave.

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When they leave, they should realise that we are one team. In the House, we show this is Kenya, unlike when we talk out there. We are one team, and we work and serve Kenyans diligently.

I welcome them and wish them well. I thank my teachers, particularly James, who led the team. *Karibuni sana*. We shall have tea.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Beatrice. Next Order.

Hon. Mishi Mboko, Member for Likoni.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT

MANAGEMENT OF LIKONI AND MTONGWE FERRY SERVICES

Hon. Mishi Mboko (Likoni, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the management of Likoni and Mtongwe ferry.

The residents of Likoni have had two public pathways to Mombasa Island for many years: the Likoni and the Mtongwe ferry channels. The two channels ensure that over 300,000 commuters cross to Mombasa Island and back to the South Coast daily. They are, therefore, key infrastructure elements to the development of the economy of Mombasa as a regional economic hub.

The Mtongwe Ferry Channel has not been operational for the last nine months making commuters use alternative routes that take long travelling hours to their respective places of work. The Likoni Ferry Channel has, in the last three months, seen a serious upsurge in traffic, resulting in commuters with private vehicles having to wait for extended hours to cross the channel that otherwise takes only 9 to 15 minutes.

Further, commuters who cross the channel on foot have to wait for longer hours and, in the process, create traffic congestion in the channel, thereby causing insecurity to the residents.

It is with this background that I seek a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. What immediate steps are being taken to address the challenges facing Commuters using the channels?
2. When is the Mtongwe Ferry Channel expected to be back in operation to ease congestion at the Likoni Channel?

Thank you, Hon. Speaker.

Hon. Speaker: The Chairperson of the Departmental Committee on Transport and Infrastructure, Member for Ndia. Is he here? Is the Vice Chairperson here or any Member of the Committee?

Clerk, communicate to the Chairperson to bring a Statement to Hon. Mishi on the Floor of the House in the next two weeks.

Member for Kesses, Hon. Julius Rutto.

STATEMENT

DEMISE OF HON. (DR) JOSEPH KIPTIONY ARAP MISOI

Hon. Julius Rutto (Kesses, UDA): Thank you, Hon. Speaker, for according to me this opportunity. I rise to make a Statement about the demise of the former Member of Parliament for Eldoret South.

Hon. Speaker, pursuant to Standing Order 259D(2)(a), I report the untimely passing on of the former Member of Parliament for Eldoret South, the late Hon. (Dr) Joseph Kiptiony arap Misoi on Friday, 28th July 2023.

The late Hon. (Dr) Joseph Kiptiony arap Misoi was born on 25th September 1943. He attended A.I.C Kapchemoiwo Primary School for his Common Entrance Examinations (CEE) in 1952. He then proceeded to A.I.C. Kaptumo for his Kenya African Preliminary Examination (KAPE), where he excelled and joined Government African School, now known as Kapsabet Boys, for his Cambridge School Certificate (CSC) between 1960 and 1963. Hon. Misoi received a scholarship to attend Eotvos Lorand Scientific University for his undergraduate diploma and the University of Veterinary Sciences in Budapest for his doctorate between 1964 and 1970. Thereafter, he proceeded to Copenhagen, Denmark, to the Royal Agricultural and Veterinary College for his Advanced Postgraduate in Food Microbiology and Hygiene, where he was awarded a fellowship of the F.A.O. Veterinary Faculty of the Royal Veterinary and Agricultural History.

Hon. Misoi began his career as a senior veterinary officer at the Ministry of Agriculture and lecturer of Veterinary Public Health at the Kenya Meat Commission. He later worked as a Senior Food/Agricultural Standards and Quality Control Officer.

Hon. Misoi joined politics in 1988 following his election as the Member of Eldoret South Constituency. He served for two terms as an Assistant Minister at the Ministry of Agriculture and Livestock Development and later under the Office of the Vice-President. Known to many as *Bwana Majimbo*, the late Hon. Misoi fought for multipartyism and was a passionate agitator for *majimboism*, now devolution or devolved government units. In recent years, he served as the Director of Election at the Orange Democratic Movement (ODM) Party. He is survived by his spouse and six children.

Hon. Speaker, on my behalf and behalf of the people of Kesses Constituency, I wish to take this opportunity to condole with the family of the late Dr Joseph Kiptiony arap Misoi, his relatives, friends, and the people of Kenya at large. May his soul rest in eternal peace.

Thank you, Hon. Speaker. Allow me to use this opportunity to ask Hon. Members to stand with the family during this difficult moment and offer any support they can in this honourable House, as he was a Member of this honourable House.

Thank you very much, Hon. Speaker.

Hon. Speaker: Hon. Members, the Hon. (Dr) Joseph Misoi was a very active Member of this House. He served in the Sixth and Seventh Parliaments. Yours truly was privileged to be with him in the Seventh Parliament, and he was an extremely committed Member of the House. We extend our condolences to the family on my behalf and the whole House. Concerning the late Hon. Misoi and those who want to know how active he was, you may visit the library and look at *Hansard* debates.

He was famed for being the courageous Member who blew the whistle that powder milk had arrived in the country from Ukraine after the Chornobyl disaster. It cost him his job as an Assistant Minister at the time.

In respect of Hon. Misoi, I ask all Members to be upstanding and observe a minute of silence. The students in the galleries, you may also stand.

(Members observed a moment of silence)

Thank you.

I will allow two or three Members to eulogize the late Hon. Misoi. I will start with Hon. Musa Sirma. Remember those of you who are Members of the ODM Party, he was your secretary general and your Executive Director.

Hon. Musa Sirma (Eldama Ravine, UDA): Thank you, Hon. Speaker. I want to join the family and the people of the larger Keiyo South in condoling the passing on of our great friend, Dr Misoi. Misoi was with me in the Seventh Parliament and was a great man. He debated very strongly in this House. Dr Misoi, famously known as Dr Majimbo, was one of the people who wanted devolution in this country. Majimbo at that time was significant to some, saying we would have different states. However, they did not understand that it was all about devolution. So, Hon. Misoi, having served this House and served the people of Keiyo South, I want to join the Member of Parliament for Eldoret South. I want to join the Member of Parliament for Kesses in condoling this great man.

Thank you, Hon. Speaker.

Hon. Speaker: Let us have Hon. (Dr) Nyikal.

Hon. (Dr). James Nyikal (Seme, ODM): Thank you, Hon. Speaker, for allowing me to eulogize the late Hon. (Dr) Misoi. Dr Misoi was a hardcore physical science professional who ventured into politics. It is not easy for people of hardcore science-based professions to stick in politics and do well because the realities of politics often conflict with the perception concept in politics. Physical scientists believe there is clear white and black, which is not what it is in politics. Despite that, he was committed to the service of Kenyans and his principles. I interacted with him several times before I even came into politics, and this thing called *majimbo* meant that people in all parts of Kenya should get their services regardless of who is in power.

As he was committed to these principles, he defied what is sometimes very difficult in our circumstances, particularly in Africa, where politics tend to take ethnic lines. To that extent, he became a hardcore and committed member of the ODM, and even at times, it looks illogical that looking at geopolitics, he should still be there. He stayed there, was steadfast, and held his positions until his demise. So, this is not the usual ordinary politician, but a committed man who believed in his principles at any cost, sometimes even at the expense of himself, as you have been told about the milk in Ukraine. With his background, I know that is something he could not accept, whatever the circumstances.

Therefore, Hon. Speaker, I take this opportunity to eulogize him on behalf of the people of Seme and my behalf. We pass our heartfelt condolences to the people who have lost their great leader, Dr Misoi. We all in the ODM fraternity appreciate how committed he was.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Chepkonga.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Speaker. I want to join the Member of Parliament for Kesses in condoling the family for the very unfortunate loss of indeed a person I would say was a great man. Dr Misoi happens to be a neighbour of mine in his constituency. Although I live in Ainabkoi, I also have a property close to him. I have known him as a man who stands for what he thinks is correct and does not waver. Whenever I met him, he would tell me, 'You people, why do you not do politics in the right way?' People who are not firm on something. That is why, when we left ODM in 2007 after the elections, he continued to remain in ODM himself until today. He never left.

Hon. Speaker: He is dead now.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Yes, although he is dead,

(Laughter)

It is true that he is no longer with us, but his last station was ODM.

(An Hon. Member spoke off the record)

Yes, he is still with you in spirit. So, he is one man who has defied all odds. He was the only ODM Member in his area. Everybody inside his village is a UDA member. He was the only one, and he was an official of ODM. That tells you that this man was steadfast in his principles. You know, you do not have to run away from the heat. Just stay there even if you are the only one. You become one army standing in a course that you believe is right. So, I would like to eulogize this great man who stood for what was right. On behalf of the people of Ainabkoi, I want to convey our sincere condolences to the family of the late Dr Misoi.

I thank you, Hon. Speaker.

Hon. Speaker: Hon. Ferdinand.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Thank you, Hon. Speaker, for allowing me to condole with the Member for Kesses. I can tell you Mr. Majimbo was a very outspoken person. You could hear him on the Kenya Broadcasting Corporation (KBC) when we had *Matokeo Kutoka Bunge*, so they called it. He was a very outspoken person. I knew him because, at that time, I also wanted to be a Member of Parliament. I even went to his home. I want to tell my brother that even my son married in Kesses, and I knew him as a former Member of Parliament. I take this opportunity on behalf of the people of Kwanza to say *pole sana*, and may God bless you. May his soul rest in peace.

Thank you.

Hon. Speaker: Hon. Wangwe, you will be the last. Okay.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. On behalf of the great people of Navakholo and the entire ODM fraternity, where the late Hon. (Dr) Misoi worked, I wish to convey my sincere condolences to the community as a whole that he attended while serving as a Member of Parliament.

The Swahili people say, “*ukiona vyaelea, jua vimeundwa*”. When you see ODM today, it is because Hon. (Dr) Misoi was the Secretary-General and later served as Executive Director. We enjoy what he served and did for us, and we wish him well as he rests in eternity. God rest his soul in eternity.

Hon. Speaker: Last, Deputy Leader of the Majority Party, Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Speaker. I take this opportunity to condole with the people of Kesses. My brother and friend, we say *pole* for the loss of Dr Misoi. I did not share time with Dr Misoi in the Chamber, but I knew a few things about him as a young person.

First, he embodied the spirit of Ronald Ngala, the spirit of *Majimbo*. After Ngala, probably the person who came out very strongly about *majimbo* even during the writing of the new Constitution, I think was Hon. (Dr) Misoi.

Hon. Speaker: Ngala and Muliro.

Hon. Owen Baya (Kilifi North, UDA): Ngala and Masinde Muliro. He came out very strongly. It reminds me of the tripartite life between Western Kenya, Coast and Rift Valley during that time when the Kenya African Democratic Union (KADU) was formed and the strength which KADU brought into the democratization process of this country.

We will always remember Hon. (Dr) Misoi for his astuteness and contribution to this Parliament and how he served his people of Kesses in this Parliament. There are many lessons we learn from these great men. One of them is that staying and being active in Parliament pays. Such that people who were young then can still remember someone. I want to ask the young Members of Parliament here to emulate Hon. (Dr) Misoi. Stay in this House and contribute so that one day when we have to sign your book outside there, people can say things about you because you served this country, and not in the streets or anywhere else; but you contributed to this Parliament.

I pray that God rests his spirit in eternal peace. Thank you.

Hon. Speaker: Hon. Makilap, I will give two minutes.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Speaker. I also wanted to join my colleague, Hon. Rutto, from Kesses, formerly Eldoret South, where the late Hon. (Dr) Joseph Misoi was a Member of Parliament.

In my youthful age as an aspiring politician, I admired Hon. (Dr) Joseph Misoi for his principles. He was a person that believed in Kenya. Politicians today believe in personalities instead of believing in their country. Hon. (Dr) Joseph Misoi, a veterinary doctor, is one astute Kalenjin politician who believed in Kenya and wanted devolution to change the lives of the people of Kenya that live in far-flung areas or those whose regimes and governments have marginalized.

I admired him as an academician, as a person who had focus and steadfastness in his ideologies for Kenya. That is one son of the Kalenjin nation who had joined the forefathers who wanted Kenya to become a federal or *majimbo* state at the onset of Independence.

May his soul rest in peace. Thank you.

Hon. Speaker: Indeed, may his soul rest in eternal peace. Thank you, Hon. Members. Hon. DK, you are locked out. We will end there.

Before the Leader of the Majority Party issues his usual Thursday Statement, Hon. Owen and your team, we expect a statement on the issue raised yesterday by the young parliamentarian from Manyatta and Hon. Wangari, who was not here.

Hon. Osoro, you will hold your horses. Let me make a Communication first. Back to Order No.2.

COMMUNICATION FROM THE CHAIR

ANNUAL GENERAL MEETING OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION - KENYA BRANCH

Hon. Members, this is a Communication regarding the Annual General Meeting of the Commonwealth Parliamentary Association (CPA) Kenya Branch.

The Commonwealth Parliamentary Association (CPA) is an international organization that brings parliamentarians from over 180 parliaments and legislatures of countries and territories within the Commonwealth community. The association was established in 1911, making it one of the world's oldest and most significant parliamentary associations.

The CPA's main objectives are to promote parliamentary democracy, provide a platform for parliamentarians and parliamentary staff to exchange ideas and best practices, and foster cooperation among member countries. The Association is committed to upholding the values of the Commonwealth, including democratic governance, respect for human rights, equality, and the rule of law.

The CPA Constitution provides for establishing branches, and Members of the legislature in which a branch is formed are entitled to become Members of the branch. In this regard, Hon. Members, membership is open to all Members of the National Assembly and the Senate on payment of the applicable subscription fees. The affairs of each branch are managed by an Executive Committee, and the Parliament of Kenya is one such branch.

Members of Parliament who wish to become members of the CPA are required to pay a subscription fee of Ksh4,000 for life membership and Ksh1,000 for annual membership to the branch, payable before January of each year. The fee is deducted from the Member's emoluments upon acceptance by completing a membership form which Members may pick at the main reception and return the completed forms to the Office of the Clerk of the National Assembly by or before 7.00 p.m. on Tuesday, 8th August 2023.

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Further, in accordance with the rules of the CPA Kenya Branch, the branch is required to hold annual general meeting to, among other things, hold elections of Members of the Executive Committee. For this purpose, the Joint Presidents, the two Speakers of the Houses of Parliament, have convened a meeting on Thursday, 10th August 2023 at 10.00 a.m. in the National Assembly Chamber. The elected Members of the Executive Committee will be responsible for steering the branch toward achieving the objectives of the association.

The Executive Committee Members will be elected based on their expertise and dedication to the principles of the Association. It is, therefore, essential to elect individuals who can represent the interests of Kenya and contribute meaningfully to the CPA's collective efforts in promoting democracy, good governance, and respect for human rights.

The available slots are 12 to be shared on a ratio of 3 to 5 between the Senate and the National Assembly. In this regard, five Members will be drawn from the Senate, and Seven will be drawn from the National Assembly. Interested Members should be Members of the association, and only duly registered Members will be eligible to participate in the elections.

I would like to bring this matter to your attention and invite interested Members to tender their applications for election to the Executive Committee by writing to the Office of the Clerk by or before Tuesday, 8th August 2023.

For those of you who have not appreciated the CPA, when we had our induction conference in Mombasa, you saw Mr. Twigg, the Secretary-General of CPA from the United Kingdom (UK). He is the one who assembled the resource persons we had from South Africa, New Zealand and Canada. Equally, it is important to acknowledge that our current representative in the Executive Committee - International is Hon. Makali Mulu, who is finishing his term in the next international meeting in Ghana.

Equally important, it is good to inform you that yours truly, Hon. Makali Mulu, was the first to serve in the Exco-International of the CPA since 1911 when it was formed. It was during my time that we got the first and only African Secretary-General of the CPA, the late Dr Ferdinand Shija, from the Republic of Tanzania. It is good to note that I was his campaign manager when he was elected. More important engagements in the CPA include opportunities to travel to almost every corner of the Commonwealth.

You may recall during the bragging rights of the British that the sun never set on the British Empire. So, from Tonga to Canada to everywhere, that is where the CPA is. Those of you who want to be elected register and campaign among your Members because you are the electorate so that you can be elected to the CPA, Kenya Branch Executive. It is not shaped on any party lines, but your leaders can do horse trading if they wish so that we get a real vibrant membership.

Before the elections, I should inform the House that I had nominated Hon. Beatrice Adagala and Hon. John Paul to represent Kenya in the just concluded CPA Conference in Cameroon, West Africa. Get ready for your elections next Thursday. It will be presided over by the two Speakers of the National Assembly and the Senate.

May good Members who can represent us at the East African, African and international levels, be elected. Thank you.

Hon. Osoro, proceed.

REQUEST FOR STATEMENT

EFFECT OF STAY OF APPLICATION OF EAC CET ON REVENUE COLLECTION FOR FINANCIAL YEAR 2022/2023

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the

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Chairperson of the Departmental Committee on Finance and National Planning on the effect of stay of application of East African Community (EAC) Common External Tariff (CET) rates on revenue collection for Financial Year 2022/2023.

The Deputy Commissioner in Charge of Risk Management Division, Customs and Border Control directed a stay of application of the EAC CET rules and rates that are applied on minimum yields for the containerized cargo covered by the fourth band of the 2022 EAC CET *vide* a memo dated 27th July 2022.

The EAC Council of Ministers controls tariffs. The Deputy Commissioner, alongside one other officer, wrote a memo asking their staff members to stay application, which in turn had an effect on the year's revenue target. Further, the same officials extended the stay through a letter dated 7th September 2022.

It is with this background that I seek a statement from the Chairperson of the Departmental Committee on Finance and National Planning on the following:

1. Could the Committee provide an explanation on whether the Deputy Commissioner or any other Revenue Authority staff member has the power to direct the stay of EAC CET rates as presented under Legal Notice No.EAC/117/2022 and Legal Notice No.EAC/118/2022. Is this directive not an economic crime owing to its low effect on the country's revenue target?
2. Could the Chairperson state when the Legal Notice No.EAC/117/2022 and Legal Notice No.EAC/118/2022 took effect?
3. Could the Chairperson provide details on the amount of revenue that this country lost due to the stay, as per the memos?
4. Who should be held responsible for the said economic crime, if any?

Thank you.

Hon. Speaker: Thank you, Hon. Osoro. Where is the Chairman of the Departmental Committee on Finance and National Planning Committee or its Members? Hon. Benjamin, you are the Vice-Chairman. Kindly bring a Statement in two weeks.

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you, Hon. Speaker. We will undertake the exercise and report to the House in two weeks.

Hon. Speaker: Leader of the Majority Party, your Thursday Statement, kindly.

STATEMENTS

BUSINESS FOR THE WEEK OF 7TH TO 11TH AUGUST 2023

Hon. Silvanus Osoro: Thank you, Hon. Speaker. I am holding a brief for the Leader of the Majority Party today. Pursuant to the provisions of Standing Order 44(2)(a), I rise to give a Statement on behalf of the House Business Committee (HBC), which met on Tuesday, 1st August 2023, to prioritize business for consideration during the week.

As Members are aware, this week, the House concluded various business, including the Second Reading of the Penal Code (Amendment) Bill of 2022, debate on the Report on the United Nations Convention against Corruption and Global Parliamentarians against Corruption Meeting, and the Report of the Committee on Regional Integration on a visit to Semi-Autonomous Institutions of the East African Community. The House also commenced debate on Members' Motions and other Committees' Business.

Following a request by the Departmental Committee on Justice and Legal Affairs on Wednesday, 2nd August 2023, Members will note that consideration of the Conflict of Interest Bill 2023 has been extended by 30 days to allow for in-depth consultations and stakeholder engagements.

The House will also recall the Communication that was issued yesterday regarding prioritisation of legislation or legislative proposals and Bills before Committees. I wish to reiterate on behalf of the HBC that Committees are expected to fully adhere to the timelines provided for in the Standing Orders and, as communicated, should it be noted that a Committee has inordinately delayed undertaking pre-publication scrutiny of legislative proposals before it, reconsideration of committal of those legislative proposals or Bills will be done without recourse to the specific Committees. I, therefore, urge Committees to expedite and finalize their reports on Bills, treaties and inquiries for consideration by the House.

Regarding the business for Tuesday next week, the House is expected to continue the Second Reading of the Food and Feed Safety Control Coordination Bill, 2023 and the Statute Law (Miscellaneous Amendments) Bill 2022, should they not be concluded today.

Additionally, debate will also be undertaken on the following Motions should they not be concluded today:

1. Inquiry into the Maize Flour Subsidy Programme for the Financial Year 2022/2023.
2. Consideration of Reports of the Auditor-General on the Financial Statements for various Funds.
3. Consideration of the Report of the Auditor-General on the Financial Statements of State Corporations (Regulatory and Governance Agencies).
4. Consideration of the Excise Duty (Amendment) Regulations, 2023.
5. Consideration of the Excise Duty (Excisable Goods Management System) (Amendment) Regulations 2023.
6. The Report of the Kenyan delegation to the 146th Assembly of the Inter-Parliamentary Union and related meetings.

In accordance with the provisions of Standing Order 42A(5) and (6), I am writing to notify the House that the following Cabinet Secretaries are scheduled to appear to respond to Questions on the afternoon of Wednesday, 9th August 2023.

The Cabinet Secretary for Defence will be responding to the following Questions:

1. Question 229/2023 by the Member for Mwingi North Constituency, Hon. Paul Nzengu, regarding the deployment of Kenya Defense Forces (KDF) troops in the Democratic Republic of Congo.
2. Question 230/2023 by the Member for Kacheliba Constituency, Hon. Titus Lotee, regarding alleged malpractices during the KDF recruitment exercise.
3. Question 311/2023 by the nominated Member, Hon. Ali Abdisirat, regarding the deaths of Ms. Naima Abbas, a minor, and Ms. Elmia Abbas in the Diff area of Wajir County.
4. Question 312/2023 by the Member for Moyale Constituency, Hon Prof. Guyo Jaldesa, regarding the settlement of KDF in Odda Camp in Moyale Constituency.
5. Question 313/2023 by the Member for Moiben Constituency, Hon. Phylis Bartoo, regarding compensation of Corporal Jackson Kimeli Cheruiyot, an ex-service member.
6. Question 314/2023 by the Member for Suna West Constituency, Hon. Peter Masara, regarding the discharge and compensation of Mr. Churchill Odhiambo Osano of Service No.7771.

The Cabinet Secretary for Investments, Trade, and Industry will respond to the following Questions:

1. Question 110/2023 by the Member for Sirisia Constituency, Hon. John Waluke, regarding the impact of excise duty imposed on manufacturers in the beverage industry.

2. Question 140/2023 by the Member for Konoin Constituency, Hon. Brighton Yegon, regarding the importation of fully finished foreign product edible oils into the country.
3. Question 141/2023 by the Member for Mathare Constituency, Hon. Anthony Oluoch, regarding the reinstatement of Mr. Ezekiel Owuor Otieno as the substantive CEO of the Export Processing Zone (EPZ).
4. Question 142/2023 by the Member for Kabete Constituency, Hon. Githua Wamacukuru, regarding the sale of Gachiko liquor popularly sold in Kiambu County.
5. Question 330/2023 by the Member for Suna West Constituency, Hon. Peter Masara, regarding foreign assignments undertaken by the Cabinet Secretary and the expenditure of the delegation.
6. Question 331/2023 by the Member for Kesses Constituency, Hon. (CPA) Julius Rutto, regarding the key players of the second-hand clothing commonly known as “Mitumba” and the mixed assorted goods business across the country.

Hon. Speaker, the House Business Committee will reconvene again on Tuesday, 8th August 2023, to schedule the business for the rest of the week. I now wish to lay this Statement on the Table of the House.

Thank you.

Hon. Speaker: Thank you, Hon. Osoro. Hon. Members, I can now see that the Leader of the Majority Party is back in the House. You have a debt with the House on mining data from Kenyans by some foreign group. You heard Members yesterday raising their concerns. Hon. Mukunji is around. He is the one who requested for a statement. Hon. Martha Wangari had also raised the same issue as one other Member.

Go ahead, the Leader of the Majority Party. In any case, the Statement is a property of the House. It is not Hon. Mukunji's.

ACTIVITIES OF WORLD COIN IN KENYA

Hon. Kimani Ichung'wah (Kikuyu UDA): Thank you, Hon. Speaker. As you have rightly said, Hon. John Mukunji, Member of Parliament for Manyatta, sought a statement from the Cabinet Secretary for Interior and National Administration and Cabinet Secretary for Information, Communication and Digital Economy on why Worldcoin was collecting data from Kenyan citizens by way of scanning iris in exchange for some money. In particular, he wanted to know the following:

1. The steps the Government is taking to ensure control of data access, collection and storage by foreign entities.
2. Who licensed and authorized the biometric data collection by Worldcoin, and was the correct procedure followed?
3. Safety guarantees that the Government has put in place to ensure that the data will be exclusively used for the intended purpose and Kenyan citizens will not incur any loss.
4. The ultimate objective of this exercise and the purpose of the data collection.
5. The source of the money being used to pay participants and who stands to benefit from this exercise.
6. Whether precautionary steps were taken by the Government on the already mined data.

The two Cabinet secretaries state as follows:

1. An entity calling itself Worldcoin was reported to be harvesting eyeball/iris data from Kenyans for three days until yesterday in exchange for cryptocurrency

tokens worth approximately Kshs7,000/- on condition that the beneficiaries allowed the scanning of their eyeballs/ iris.

2. The aforesaid entity is not registered as a legal entity in Kenya.
3. Preliminary investigations reveal that the entity has hired a company in Kenya called “Sense Marketing” to do the data capture for them in the country.
4. The local representatives of Worldcoin have been interrogated by the Directorate of Criminal Investigations (DCI) since yesterday, Wednesday, 2nd August 2023.
5. Among the foreign nationals associated with Worldcoin is Mr. Poitr Piwowarczyk, who is on record to have entered Kenya on several occasions, the last being in June 2023. His arrival was on 11th June 2023, and his departure was on 25th June 2023.
6. Yesterday, the Government, through the Ministry of Interior and National Administration, suspended the activities of Worldcoin in Kenya.
7. Consequently, criminal investigations have commenced to establish the authenticity and legality of the aforesaid activities, the safety and protection of the data being harvested, and how the harvesters intend to use the data.
8. Further, it will be critical that assurances of public safety and the integrity of the financial transactions involving such a large number of citizens be satisfactorily provided upfront.
9. All the activities of Worldcoin and any other entity that may be similarly engaging the people of Kenya has been stopped until relevant public agencies certify the absence of any risks to the general public whatsoever.
10. As a precautionary measure, the Immigration authorities have been directed to ensure that no person, whether Kenyan or foreign nationals associated with this entity, leaves Kenya without the clearance of the Director of Criminal Investigations, who is in charge of the ongoing investigations.
11. The investigations will also cover any persons of interest who may be outside the territory of Kenya in accordance with relevant international procedures and protocols on Mutual Legal Assistance (MLA) and the exercise of extraterritorial jurisdiction.
12. Earlier, the Office of the Data Protection Commissioner learned that the company had set up booths across the country to scan the iris of interested Kenyans on 19th April 2022. This was in anticipation of the launch of their cryptocurrency, which happened last week. The Office of the Data Protection Commissioner commenced its assessment of the organization in May 2022. In the course of its assessments, the Office initially suspended the operations of Worldcoin in May 2022 for 60 days to ascertain the lawful basis and safeguards adopted by Worldcoin.

Earlier, the Office of the Data Protection Commissioner (ODPC) learned that the company had set up booths across the country to scan the irises of interested Kenyans on 19th April 2022. This was in anticipation of the launch of their cryptocurrency which happened last week. The ODPC commenced its assessment of the organisation in May 2022. In the course of its assessment, the office initially suspended the operations of Worldcoin in May 2022 for a period of 60 days to ascertain the lawful basis and safeguards adopted by Worldcoin. Subsequently, the ODPC conducted a spot check on 24th May 2023. The office, again, raised concerns with the processing activities of the entity, wrote to the entity on 30th May 2023, and directed immediate cessation of processing of sensitive personal data, namely, iris and facial data of subjects. The office further directed that Worldcoin safely restricts the processing of

any data that had already been processed, and advises the office on safeguards placed on the restricted data.

The Government registered Worldcoin as a data controller, pursuant to the Data Protection Act, 2019, and the Data Protection (Registration of Data Controllers and Data Processors) Regulations, 2021. Those pieces of legislation require that entities that process data be registered with the office as a compliance obligation. Such registration is done by applying through the ODPC registration portal. An application for a certificate of registration only signifies that the entity has complied with Sections 18 and 19 of the Act and does not endorse an entity's compliance with the Data Protection Act or its subsidiary regulations, nor is it a valid license for any organisations to operate in Kenya, or authorise the operations of an entity. The certificate signifies that an entity is known to the ODPC and that it processes personal data of persons located in Kenya. Further, it does not amount to certification of the processing activities of an entity, or serve as an endorsement from the office of an entity's compliance with other provisions of the Act or any other laws. A registration certificate was issued to Worldcoin on 18th April 2023 following receipt of the requisite documentation pursuant to the Data Protection Registration Regulations.

The Government has commenced investigations to ensure that Worldcoin complies with data collection, storage, and sharing principles. Immediate mitigation steps being undertaken include the constitution of a multi-agency team comprising security, financial services, and data protection agencies, which has commenced inquiries and investigations to establish the legality of the activities of Worldcoin, and the safety and protection of data collected with the aim of safeguarding personal data and mitigating against any adverse practices.

The Government is not aware of any prior public participation exercise by the crypto firm. This is the reason the Government issued cautionary statements through the ODPC on 28th July 2023 advising the public to be vigilant when engaging with Worldcoin and, in particular, when providing sensitive personal data.

Further, the Communications Authority of Kenya (CAK) and the ODPC issued a joint statement on 2nd August 2023 raising concerns on the operations of Worldcoin as they relate to cybersecurity, data protection, and consumer protection. The Government is not aware of its source of funds. Part of the mandate of the multi-agency team will be to investigate the source of the money being issued to participants and beneficiaries of this activity.

The Government has expressly directed Worldcoin to cease collection of personal data and to restrict further processing of any data that has already been collected from persons located in Kenya. Further, there is need to sensitise Kenyans on the risks of cybersecurity attacks, data breaches, and the need for full disclosure before giving consent.

The suspension of the processing of sensitive personal data was not lifted by the ODPC. In particular, the office raised concerns on whether consent sought from individuals was voluntary or illusory. In this regard, the office noted that persons are requested to give consent, and a monetary incentive provided for the exchange of sensitive personal data.

This is a preliminary Statement on a matter that is under active multiple investigations. Should the National Assembly require any further information or clarifications, we remain available to attend a request for a further Statement, or even an in-person appearance as may be directed.

This is signed by Kithure Kindiki, Cabinet Secretary for Interior and National Administration, and Eliud Owalo, Cabinet Secretary for Information, Communications and the Digital Economy

Thank you, Hon. Speaker.

Hon. Speaker: Martha Wangari

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Speaker, for giving this important issue the priority it deserves. This is a national security issue. I want to inform the Leader of the Majority Party that when he mentions consent, going by the lengths of queues that we saw at the Kenyatta International Convention Centre (KICC), it is not possible for a jobless person to give consent. Therefore, that is not applicable.

I have a few questions for the Leader of the Majority Party. The Worldcoin founder is a tech entrepreneur from the United States of America (USA) called Sam Altman. However, if you read their terms of reference, the company is not applicable in the USA. If you are a resident of the USA, a company registered in the USA, or a USA citizen, you cannot access those tokens. Therefore, they are taking advantage of jobless Kenyan youth to lure them into data mining that is not only illegal, but also evil.

How many eyes and irises have been scanned so far? What are we talking about? I walked around the KICC yesterday and the day before and I saw women carrying children whose eyeballs were also scanned. Even a child's scanned eyeball was fetching money. How many irises have been scanned? Even if we are conducting an active investigation, where is this data? Has it been confiscated by the Government? Where is our National Intelligence Service (NIS)? For this to have happened for four days before the cabinet secretaries reacted is quite sad. If these cautionary measures have been in place since May, how has this company been operating with impunity and without a care in the world?

The data that has been collected should be produced and should not be shipped out of the country, so that we not only protect our citizens, but as a Government, ensure that their safety is guaranteed. It is not the work of cabinet secretaries to issue cautionary statements. It is the role of the Government to protect its citizenry. I expect clear guidance and answers from the cabinet secretaries and the Leader of the Majority Party on this matter.

Thank you, Hon. Speaker.

Hon. Speaker: Leader of the Majority Party, note that. Mukunji, take the next microphone.

Hon. Gitonga Mukunji (Manyatta, UDA): Thank you, Hon. Speaker. I would also like to thank the Leader of the Majority Party for acting swiftly and getting a preliminary Statement on this pertinent issue. I also appreciate the fact that the two cabinet secretaries have agreed on some issues and have signed the same document. However, due to the weight of this matter, I propose that we have a session where the two cabinet secretaries appear in the House for scrutiny by Members, so that they delve into this matter even more.

After doing a simple Google search on the owner of Worldcoin, I came to learn that he is also the owner of another company called ChatGPT, which is working on artificial intelligence. ChatGPT is a company that uses our young people by giving them jobs to do homework, exercises, and questions online, and then uses the answers to craft essays that can be downloaded anywhere in the world. If you log onto ChatGPT and ask for a description of Hon. Wetang'ula in 300 words, it will give you every single detail of what you have done in your life. It is a company that has seen an easy way to access data from this country due to our ease of allowing people to come here to misuse our people. I agree with Hon. Wangari that it is upon the government to ensure our young people are not misused for a few coins. One of the next frontiers for these rich *fellas* in the United States of America in the sale of data. This data is sold to the United States military, FBI and all manner of organisations for huge sums of money. As I said yesterday, it is no wonder to find people impersonating yours truly or another Member here because of the data that they have because that can also happen. I would call upon this House to check on how we can improve the strictness of our data protection through relevant laws and also to control whoever comes here in the name of getting information from our people and the reason behind it.

I would like to know how many people were able to sign up for Worldcoin and how many people's irises have been signed up. We are ignoring that among the data that was collected, was contacts. People's phonebooks were part of the data that was being collected during signing up. Maybe you passed by your village and one of the young people got your number and by the fact that they went there to sign up, you are also in line to give these guys your information. This is not an issue that we can ignore as a House. We have to take it with the seriousness that it deserves.

Thank you very much.

Hon. Speaker: Hon. Deputy Speaker.

Hon. Gladys Boss (Uasin Gishu County, UDA): Thank you, Hon. Speaker, for the opportunity to lend my voice to this very important matter. I think that it is very important that we have a response by the Cabinet Secretary for Information, Communications and the Digital Economy and the Cabinet Secretary for Interior and Coordination of National Government. This matter is bigger than we actually think. This is a national security matter because if an organisation has the data of your citizens, one day you might have to buy it from them. They will have more information about our citizens and have better sensors than we have.

This is also an issue that touches on the Central Bank of Kenya. CBK has never pronounced itself on cryptocurrency and bitcoin. They also need to get involved. The Communications Authority of Kenya must also look at this issue. I also call upon the customs officials because when any equipment comes into the country, they usually charge tax on it. What were the equipment logged in as? Why were they coming into the country? Recently when I had a medical camp in Uasin Gishu County, the medical equipment that was brought in had to be cleared by customs. You must declare the purpose for which you are bringing the equipment into the country. So, how did this pass through our airports? If Kenyans recall, the reason they went to court on the issue of Huduma Number was because of harvesting people's data without a clear methodology or understanding of how that data will be protected. This is not just about the Data Commissioner, but also the various institutions within our country. I think it is our responsibility as Parliament to make sure that we set regulations.

I did some research today and discovered that UNESCO has pronounced itself on this matter and so has the European Union. They are in the process of setting up guidelines. Namibia has a Bill that has been passed in their Parliament. It is either coming into force soon or it is in the process of coming into force. We must take the lead as Parliament and have that legislation so that we set guidelines. Artificial intelligence is here with us and it is not going to leave. In fact, if we just say we are getting rid of Worldcoin, even if we deport them from Kenya, remember they can still reach individuals in Kenya through Facebook and Twitter and other platforms. Remember many of you Parliamentarians open your phones using facial recognition which is the same concept. They can still recruit our youth using those other social media channels hence it is important that we have legislation to be able to deal with it. We have just discovered that they are here because they were at KICC but remember I am told that they have more than 20 centres around the country and they have been undertaking work with various institutions in Kenya. I checked their website earlier and, on their website, some of the people who are supporting them is Africa AI, Bowmans, which is one of the biggest law firms in Kenya, Strathmore University and Nairobi County. All these are already their partners here in Kenya so they could have harvested much more data than we know about. What we saw was public and all that is available on their website. I will personally be looking at the Namibia legislation and see how we can bring legislation to deal with this.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Junet Mohamed.

Hon. Junet Mohamed (Suna East, ODM): Thank you, Hon. Speaker. I listened very keenly to the Statement by the Leader of the Majority Party and it is not carrying detailed

information about this issue. Even though he has said that it is just a preliminary Statement, I think the House deserves detailed information than this because this affects the lives of Kenyans. I am happy that the matter was stopped urgently but because of the dangers it could have posed, we would not know what this data would have been used for in this digital era. This could be another digital Shakahola. Something could have happened that you are not sure but the biggest problem that I am seeing here is one that Africans have. We do not take responsibility. Somebody has slept on the job here. If you listen to the Statement by the Leader of Majority Party, it was clear that these people were licenced on 18th April 2023 therefore they have been around. They were licenced and put-up tents in a big installation in the city centre at KICC. They were not doing this work in dingy places. They are people who are sure of what they are doing. It looks like they had all the backing that they need to do their work in daylight at KICC.

In my view, I propose that we need to hand over this matter to a committee of Parliament, either the Departmental Committee on Communication, Information and Innovation or a Special Committee that can bring back a detailed report on this matter to the House. The world is moving towards Artificial Intelligence (AI). There are a lot of things happening in the world and if we do not protect our people from this kind of issues, they will become very vulnerable. Yesterday I was told that when the irises of the people were taken, they were being paid Ksh7,000. With the levels of poverty today, if you tell somebody that you will give them Ksh20,000 to remove their eye, they will accept it. Next week I will come for the second one and offer you Ksh40,000.

People are being misused because of the poverty levels. It is our responsibility to protect them so that they do not become vulnerable to people who have ulterior motives. I want to urge that this matter should not end with a Statement. It is bigger than a Statement. A committee of this House should be seized of this matter. As you know, in Parliament, your former House is known for taking over many things. You will hear a select committee of the Senate investigating Worldcoin. I know them. This is where this matter should be discussed because we are very good at doing things. Let us look into this matter deeply so that we get to know the details.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. David Ochieng’.

Hon. David Ochieng’ (Ugenya, MDG): Thank you very much, Hon. Speaker. I just want to pick from where Hon. Junet has left. It is like people have left the country on its own. Anything goes on in this country. Anybody can walk from anywhere to this country, do anything and leave.

The story of the Artur brothers come back to mind. This country has been through very many weird things in the last 10 years. There was a time we were told that the Independent Electoral and Boundaries Commission servers were based somewhere in France and they were mixed with some documents. So, we could not access them. Last week, we were told that e-citizen which hosts Government servers and documents is manned by a private entity. The Cabinet Secretary for Interior and National Administration visits Shakahola almost every week in the last three months because of lapse in security. Things happen in this country on the nose of our security agents and they just let them pass.

The queues at the Kenyatta International Convention Centre did not only start yesterday, but have also been there for four days in a row. If you asked what was happening there, no one would tell you. We, as a House, have a duty to protect our citizens. That is why we must demand from the Cabinet Secretary concerned. Even as this happened, the information was conflicting. One Cabinet Secretary said it was legal and another one said it was not okay. We demand to know, from the person concerned, the number of Kenyans who have been scanned so far.

An issue arose about Worldcoin in Indonesia. They lie to you about getting your consent and how much information they want to get from you. Three, they basically steal the consent. As it has been said today, a hungry person does not know what is happening in the world. His only interest is to get a packet of *unga* tomorrow. He is being told to put his eyes somewhere to be scanned and then he is given Ksh7,000. Where are our security agents, the NIS and the Directorate of Criminal Investigations (DCI) before these kinds of things happen? Parliamentarians are not investigators. We have set up institutions that are supposed to do this. Therefore, I agree with those who are calling for a holistic review of what has happened so far. I believe that even the Office of the Data Protection Commissioner is complicit on this. So many people are involved. The people in charge of company registration, the Ministry of Information, Communications and the Digital Economy, the Ministry of Interior and National Administration must be questioned.

As I end, I want to know the measures the two cabinet secretaries have taken so far since this issue was discovered, apart from stopping it from happening. Have they confiscated their machines? Have they closed their offices? What have they done to assure members of this country that their data will not be used in a wrong manner?

Finally, the cabinet secretaries concerned should wake up, man up and run the ministries in the right way. Thank you, Hon. Speaker.

Hon. Speaker: Hon. Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you very much, Hon. Speaker. I want to take this opportunity to add my voice on this matter on Worldcoin.

The world today is technological. Firstly, as a House, we need to realise that we may not be in a position to run away from technology. I also want to concur with what Hon. Ochieng' has said. This country is experiencing very unfortunate situations, apart from the Shakahola killings that we hear of everyday and the problems that people go through. You cannot imagine at any minute that Worldcoin has been in this country for several months. They have been collecting this information from people, but it has not been reported. What happened to NIS which is feted with a lot of public coffers? It is one of the institutions that get almost anything they want. Unfortunately, today, we do not know the exact information that was collected through the iris biometric cryptocurrency project and how it will be used. Will we get the information or we will investigate? Even as we investigate, who is using it and for what purposes? If you keenly look at what this technological company does, you will see it does a lot of research.

You might be walking around in this world and you are picked one day in some corridors or airports to be questioned or arrested because your iris was scanned and used to mismatch with some other things. This is an opportunity for this Parliament to take up the challenge, call the Cabinet Secretary for Interior and National Administration and NIS. It is very unfortunate that we are here watching people queueing for several days and no one can question what they are doing. They were actually bragging all over our Facebook that they were there collecting this information. It is unfortunate that the people who are giving this information are young. They are not poor, but they are just curious. That curiosity can land them into a bigger problem in future.

Hon. Martha has put it across that the owner of Worldcoin is also the owner of ChatGPT which is a very complex thing. You can imagine when you ask for information and someone knows a lot of things about you. You also want to understand how they collected that information. As much as we are encouraging technology, these are some of the things that we... The Ministry of Interior and National Administration must use a lot of resources to understand what is happening in the technology world.

I call upon the Government of Kenya to take up this challenge and take possible ways to arrest the information that has been taken. They should give Kenyans good information about it. Thank you, Hon. Speaker.

Hon. Speaker: Thank you. I think we will end there. Yes, Hon. Bensuda. Contribute for two minutes.

Hon. Atieno Bensuda (Homa Bay County, ODM): Thank you very much, Hon. Speaker. As a Member of the Departmental Committee on Communication, Information and Innovation, I would like to add my voice on the Worldcoin issue.

Since much has been contributed towards this issue, I would like to advise that this House should not only call upon the Cabinet Secretary for Interior and National Administration to come and explain, but also the Cabinet Secretary for Information, Communications and Digital Economy because we are talking about data issues. He will explain the security issues behind data which has been collected and how it will be managed.

Secondly, when I looked at the age of the people who were queueing at KICC, most of them were youthful. Even the way they had dressed up, it meant that most of them were idle. When you looked at the dress code and hair, there was a big problem.

Thirdly, I heard the contribution of the Deputy Speaker. I support that the targeted group is the youth. Most of our youths in this country learn at Strathmore University. It is the same in Nairobi City County. The person who is behind the Worldcoin is not somebody who shall just pack and go home. Questions and gaps are there. Why were they queueing? Who allowed them to occupy KICC which is a serious Government institution? As a country, we are threatened. I agree with the President's information yesterday that some of our officers are very incompetent to an extent that he knows much of the things which happen in various ministries and others do not know. We are sleeping on our jobs. I fully support him on this. I want him to cascade seriously to the cabinet secretaries for Interior and National Administration and Information, Communication and Digital Economy.

Thank you.

(Applause)

Hon. Speaker: Hon. Mary Emaase. I will just give about two more Members.

Hon. Ruku GK (Mbeere North, DP): On a point of order.

Hon. Speaker: What is out of order, Hon. Ruku? Hold on, Hon. Mary Emaase.

Hon. Ruku GK (Mbeere North, DP): Hon. Speaker, is it in order for Hon. Bensouda to purport that the Cabinet Secretary for Interior and National Administration is sleeping on his job, when we know very well the kind of job he has done to ensure that we get rid of bandits in this country and to ensure Shakahola massacre is not going on?

Hon. Speaker: Order, Hon. Ruku. You should have stood up to challenge her when she was on the Floor.

Hon. Emaase.

Hon. Mary Emaase (Teso South, UDA): Thank you, Hon. Speaker. I join my colleagues to also contribute to this very important matter.

When I saw in newspapers that Kenyans were queueing for free money, I told myself there is no free money. There is nothing like free money. You must always work to earn. I noticed that safety concerns on world coin trading is valid. I applaud the Ministry of Interior and National Administration for the action it has taken. I happen to have been a guest of the DCI yesterday, and while there, I met managers and directors from Worldcoin who had been summoned. The Ministry of Interior and National Administration is already carrying out investigations to unravel and find out what is behind this Worldcoin. Why give people free money? We all know that there is no free money.

Whereas I agree with some Members that cryptocurrency trading is the trend now and happening internationally, that business must be operated under a proper legal framework with guidelines aimed at protecting Kenyan traders. We must be sure that they are safe. The Budget and Appropriations Committee has already looked at a Bill that has been proposed by one of the Members of this House. We passed it. This Member is seeking to establish a legislation upon which cryptocurrency trading like Worldcoin will operate within a certain platform. The Bill will be coming to the Floor of this House. Whether the money is meant to entice more Kenyans to join the trading is something that needs to be investigated. We need to be informed so that when Kenyans are involved in this business, we know that they are trading in the right business.

Thank you.

Hon. Speaker: Thank you. Hon. Members, I want us to stop here. I want to give the Leader of the Majority Party an opportunity to respond. The concerns of Members who have spoken and those who are eager to speak are the same; security and safety of our people and the danger of foreigners coming here and doing things the way we saw. What are you doing to protect the population of Kenya?

Leader of the Majority Party, go ahead. Remember that was just a preliminary statement as I directed. You should assure the House when the cabinet secretaries will be brought here by yourself to respond to these concerns.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I am laughing because there are Members who are asking me to donate a minute to them. I do not know whether they will now respond to the issues on my behalf.

It is, indeed, true that this matter was of grave concern to Kenyans and even Members of Parliament. I must thank Hon. Martha Wangari and Hon. Mukunji for raising this issue before the House. This afternoon, I had a meeting with the Cabinet Secretary for Interior and National Administration and the Data Commissioner, Madam Immaculate Kassait. I also had a lengthy telephone conversation with the Cabinet Secretary for Information, Communication and Digital Economy, Hon. Eliud Owalo. I just want to assure the House and the country that this matter is now under active investigation by a multiagency team that encompasses the ministries of Interior and National Administration; Information, Communication and Digital Economy, investigative agencies and even the financial reporting agencies. As Hon. Martha Wangari was asking, they have been tasked to find out the number of people who have been registered in the country. I saw in the news yesterday being reported that this company has collected data from about two million people's eyes globally. We want to specifically know the number of Kenyans. On the safety of that data, as I indicated in this Statement, the multiagency team has assured us that the company that was collecting this data was not Worldcoin. It is a local marketing company by the name Sense Marketing.

I have heard the issues that Hon. Junet Mohamed and Hon. Bensouda have raised. Were it not for the quick action of the Cabinet Secretary for Interior and National Administration; Information, Communication and Digital Economy and the Data Commissioner, we would not be where we are. Probably, more data would have been collected. Yesterday, I indicated that the Data Commissioner's cautionary statement was a bit too late, but I have since learnt that she gave her cautionary statement a week before this matter came to the public limelight.

Therefore, it is not lost on Kenyans that, indeed, Government was on track of what these people were doing. Since last year, the office of Data Commissioner was on track. They wanted to start collecting this data last year but they were not registered. They were waiting for the launch of that bitcoin in the cryptocurrency. It was after it was launched late last month that they started collecting this data. The office of Data Commissioner has been on that case. We must commend them. It is unfortunate that someone like Hon. Bensouda has the kind of views on the Cabinet Secretary for Interior and National Administration, who swung into

action, not just on Shakahola, but what is now being described by Hon. Junet Mohamed as the new Shakahola in data harvesting.

We commend the quick action by the Cabinet Secretary for Interior and National Administration. In our meeting this afternoon when he brought this statement, he assured the country that they have not just stopped these people from collecting any more data, but they have also ensured that all data they have collected has been seized. It is now with some of the agencies under the Ministry of Information, Communication and Digital Economy, being analysed to ensure that there is no data that had been carted away to the cloud. They are working on it, but were very cautionary that we do not jeopardise the ongoing investigations in whatever we say. I am, therefore, restricted as to the other information he has confided in me as to what they are doing. I just want to give the people of Kenya the highest assurances that whatever data had been collected has been secured and is in the hands of investigative agencies.

Lastly, the Office of the Data Commissioner cautioned Kenyans as to the activities of this company. As I said yesterday, Kenyans are too eager to collect money from any person for whatever reason. I just want to caution them not to rush to getting money from sources they do not know. What if they are people who are engaged in terrorist activities? It is true that if you speak to people from the North, they will give you harrowing stories of young people, taxi drivers, people who do courier work, who have been used and enticed using money. At times, it is not a lot of money. They could be given Ksh5,000 or Ksh10,000 and they end up being entangled in terrorist activities. They get arrested and end up suffering as terrorists, yet they were probably just enticed with small money. Let me use this opportunity to ask Kenyans to be cautious whenever they get people offering them money. In the words of Hon. Mary Emaase; “there is no free lunch”. There is no free money. Do not exchange anything that is not out of a productive economic activity for cash. It may be detrimental to your wellbeing in future.

Hon. Speaker, as I said earlier, the Cabinet Secretary has indicated they are ready to update the House on the outcome of the investigations anytime. I believe it is through the relevant departmental committees of Administration and Internal Affairs and that of ICT.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Leader of the Majority Party. I will expect you to give us a progress report before the close of next week.

Hon. Omboko Milemba (Emuhaya, ANC): On a point of order.

Hon. Speaker: Yes, Hon. Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Speaker, because of the weight of this matter, you had earlier indicated that cabinet secretaries involved be invited to the House and that the Leader of the Majority Party give a timeline or dates when that can happen. That would be very important. Now he ends up by saying that they will just update the House from where they are. I thought your first pronouncement on that matter should prevail because this is a very weighty matter. I hear these guys are also creating clubs of harvesting the iris in schools.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Irene Mayaka. Is it on the same matter?

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker.

I would like to inform the Leader of the Majority Party that we do not have a committee called the Committee of ICT in this House. It is the Departmental Committee on Communication, Information and Innovation. The ICT is just a component of that Committee.

Thank you.

Hon. Speaker: Hon. Ichung’wah.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Hon. Speaker, I stand well informed by Hon. Irene Mayaka. However, Hon. Irene Mayaka must understand being an old Member of

this House when we had the Committee of ICT, I am still in that old regime. Now it is the Departmental Committee on Communication, Information and Innovation.

Hon. Speaker, I have heard what Hon. Omboko has said. Probably one of the things we should be telling Kenyans is that you never know artificial intelligence. Maybe these people could switch off their eyes at one point and you will have to pay to see. Kenyans must be cautious. We must caution Kenyans. With the technology around the world today, you never know. Maybe at one point your eyes will be switched off from somewhere and you will have to pay to see or read. Let us just caution Kenyans wherever we are, even our schoolchildren. As *mwali* Hon. Omboko says, we also need to sensitise our schoolchildren. As someone said, it is unfortunate that there are mothers who were queuing with their babies strapped on backs. You never know whether they were capitalising on harvesting the iris of the mother and that of your child.

Hon. Speaker: Hon. Leader of the Majority Party, in view of what you are saying and what Members have expressed, I direct you to bring the two cabinet secretaries to the House on Wednesday at three o'clock. Given the weight of the matter, you will shift the cabinet secretaries you had listed to come and answer Questions to the following week, namely, the Cabinet Secretary for Trade, Investment and Industry, and the Cabinet Secretary for Defence.

(Applause)

You can shift the Cabinet Secretary for Trade, Investment and Industry to the other week. We can proceed with the Cabinet Secretary for Defence as scheduled.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Yes.

Hon. Speaker: We can do the Cabinet Secretary for Defence. However, you will start with the Cabinet Secretary for Interior and National Administration and that of the Ministry of Information, Communications and the Digital Economy. They will tell the House and the country what they know and what they are doing about this grave matter.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Most obliged.

Hon. Speaker: Hon. Members, I acknowledge the following schools in the Public Gallery, and I think some are in the Speaker's Gallery: Longisa Boys High School from Bomet East in Bomet County; Karaba Secondary School from Laikipia West in Laikipia County; DEB Karou Primary School from Tharaka in Tharaka Nithi County; Olenkuya Primary School from Narok West in Narok County; and Njunu Primary School from Githunguri in Kiambu County. On your behalf and on my own behalf, I welcome the students and their teachers to the House of Parliament. Thank you.

Next Order.

MOTION

ADOPTION OF REPORT ON INQUIRY INTO MAIZE FLOUR SUBSIDY PROGRAMME FOR 2022/2023

Hon. (Dr) John Mutunga (Tigania West, UDA): Hon. Speaker, I beg to move:

THAT, this House adopts the Report of the Departmental Committee on Agriculture and Livestock on its inquiry into the Maize Flour Subsidy Programme for the Financial Year 2022/23, laid on the Table of the House on Wednesday, 7th June 2023.

During the consideration of the Supplementary Estimates 1 for the 2022/2023 Financial Year, Members of the Departmental Committee on Agriculture and Livestock observed that a total of Ksh7.267 billion had been spent on the Maize Flour Subsidy Programme. Out of that,

Ksh4 billion had been paid under Article 223 of the Constitution while the balance of Ksh3.267 billion was yet to be paid. It had been presented to the Committee for regularisation.

Hon. Speaker, the amount of Ksh4 billion was paid in July 2022 and presented to the Committee for regularisation through the Supplementary Estimates as required by Article 223 of the Constitution. The Committee did not approve the expenditure on account of non-disclosure of information on maize suppliers, the quantity of maize flour supplied, the areas supplied with the subsidised maize flour, and the retail outlets that sold the maize flour.

It was for the above reasons that the Committee resolved to conduct an inquiry into the Maize Flour Subsidy Programme whose objectives were to:

1. Find out whether the programme achieved its objective.
2. Establish whether the identification process of millers was free and fair.
3. Find out if there was value for money in the execution of the entire programme.

In recent years, Kenya has been experiencing maize deficit attributed to prolonged droughts that has increased in frequency and intensity. This is due to the low average rate for performance, high cost of agricultural inputs, decreasing acreage of land for farming due to population growth, poor agronomic practices, among others. To bridge the deficit, the country relies on maize imports from the East African Community and COMESA countries. However, this was not the case in 2022 because there was poor production of maize in the entire region. Due to the maize shortage, prices increased from between Ksh3,000 per a 90-kilogramme bag to Ksh3,500 per a 90-kilogramme bag in April 2022 to Ksh4,600 and Ksh5,000 shillings in May 2022.

To cushion consumers from the high prices, the Government waived duties and levies on maize imports from countries outside East Africa and the COMESA region to bridge the gap. Despite this, maize prices continued to rise due to shortage, disruption in the global supply chain, and high fuel prices. A two-kilogramme packet of sifted maize flour was retailing at between Ksh190 and Ksh215 at that time. The Government made a decision to further cushion consumers through the Maize Flour Subsidy Programme.

In May 2022, flour prices skyrocketed to a record high of Ksh210 for a two-kilogramme packet. The Government introduced a short-term Maize Flour Subsidy Programme implemented between 21st July and 17th August 2022.

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

[The Temporary Speaker (Hon. David Ochieng) took the Chair]

Hon. Temporary Speaker, under the programme, consumers were to purchase a two-kilogramme packet of sifted maize meal at Ksh100 instead of the prevailing Ksh210, in a move aimed at making flour affordable to most Kenyans. In carrying out the inquiry, the Committee held meetings with the Cereal Millers Association, the Grain Owners Association and the Ministry of Agriculture and Livestock Development. The Committee also received written submissions on the programme from the National Treasury and Economic Planning and the Office of the Attorney General. The Committee observed as follows.

From the meetings and submissions, the Committee observed that the programme may not have achieved its intended objective of supplying sifted white maize flour to citizens in all parts of the country at a price of Ksh100.

First, from the submissions of the Cereal Millers Association, the Committee established that the millers manufactured the white sifted maize flour and supplied it to the wholesalers who supplied it to the value-chain. It was not the responsibility of the millers to find out who the maize flour was sold to and if it got to the consumers where it was sold at Ksh100. On the other hand, the Grain Owners Association stated that most of their members

are small-scale millers that operated in estates and areas close to residential houses. Due to this, the flour was bought by neighbours and families, most of it, therefore, was not distributed through the value chains. A multi-agency team comprising various Government agencies was put in place to oversee the programme in all stages. However, the team did not provide a report on the areas of coverage of the subsidised maize flour. Sifted maize meal under the programme was not stamped subsidy and this may have reduced the success rate of the programme because the flour could have been hoarded by unscrupulous value-chain players and sold at a higher profit at the end of the programme.

The second issue that was of concern is whether the process of identification of the millers was free and fair. The Committee established that the process was free and fair because of the following. The Cereal Millers Association, the Grain Owners Association and the Ministry of Agriculture and Livestock Development informed the Committee that the programme was open to all millers that are members of the two associations that were willing to participate in this programme. Contracts were signed between the millers and the Ministry of Agriculture, Livestock, Fisheries and Cooperatives then.

The Grain Mill Owners Association informed the Committee that the members of this association signed the contract for supply of sifted maize flour a day after their counterparts in the Cereal Millers Association. Scrutiny of the contract, however, show that the millers from both associations began signing the contracts on 20th of July. On the other hand, the contracts submitted by the Ministry in their presentation was different from the contracts signed by the millers. We established that the contracts submitted by the Ministry were similar to the one presented to the Committee by the Grain Mill Owners Association while the contract that was signed by the millers was similar to the one presented to the Committee by the Office of the Attorney-General and the Cereal Millers Association. So, we had two contracts.

On the third issue, the presentations made by the Grain Mill Owners Association was genuine and had no underlying issues hence the value for money. The presentation made by the Cereal Millers Association had a number of underlying issues and, therefore, no value for money on their part due to the following reasons.

One of the reasons is that the figures of the maize supply into the programme provided by Ministry of Agriculture and Livestock Development and the Cereal Millers Association and the Grain Mill Owners Association were all different. From the Ministry, the records show that Ksh3.5 billion was paid to the maize millers under Article 223 of the Constitution for the programme. In the meetings, the Cereal Mill Association submitted that they had been paid Ksh1,905,845,377.70 while the Grain Mill Owners Association stated that they were paid Ksh841,784,292.89 which makes a total of Ksh2,747,627,669.96 and not Ksh3.5 billion as stated. On the Ksh4 billion that was paid to the maize millers, Ksh500 million was paid to members of the Cereal Millers Association to cater for the interest accrued from the debt owed to the millers for the maize flour subsidy programme for the Financial Year 2017/2018. They had refused to sign the contract for this particular programme because they had not paid the interest accrued in debt. Neither the Ministry nor the Cereal Millers Association provided a proper explanation on how the money was distributed to the millers.

Despite the undertaking to submit documentation on the same, none has been received by the Committee at the point of writing the Report. The amount of money owed to Cereal Millers Association submitted to the Committee was different from the amount of money that they were demanding from the Ministry to pay as seen from the letters that were attached to their presentations. Cereal Millers Association explained that the figures submitted to the Committee had gone up because two other millers joined the programme later. They however, did not submit details of the two millers.

The fifth issue that we established was that during the consideration of the Supplementary Estimates No.1 of the Financial Year 2022/2023, the Committee established

that the total amount spent on the maize flour subsidy programme was Ksh7,267,000,000. However, Cereal Millers Association informed the Committee that the total amount for the programme was Ksh6.6 billion while the Grain Mill Owners Association stated that the total amount for the programme was Ksh6.4 billion. So, the three figures are different again. There was discrepancy in the amount presented to the Ministry's submission and that presented during the Supplementary Estimate No.1 of the Financial Year 2022/2023. The Ministry explained that the figures amounting to Ksh3.267 billion submitted during the Supplementary Estimates had been arrived at before reconciliations were done. The figures were mainly because of repeated invoices, therefore, the new figure is Ksh3.025 billion which is outstanding. As such, there were a number of issues that need to be interrogated on the part of Cereal Millers Association, like the details of the millers that were paid Ksh500 million on account of interest accrued on the maize flour subsidy for the Financial Year 2017/2018 and how the money was paid to them.

The second issue is the total amount of money owed to the Cereal Millers Association which was changing. The third issue is the members of the Cereal Millers Association that supplied the maize flour to the subsidy programme.

The Committee will conduct further investigations to table a report with recommendations on the way forward in view of those issues. The Committee, therefore, makes the following recommendations:

1. From the above observations the Committee recommends that an amount of about Ksh500 million owed to the members of the Grain Mill Owners Association should be factored in the Budget Estimates for the Financial Year 2023/2024 and paid because their computations were clear, the membership of the associations that participated were static and they did not participate in the maize flour subsidy of 2017/2018 which had issues.
2. A total amount of Ksh841,784,292.89 that was paid to Grain Mill Owners Association under Article 223 of the Constitution be regularised because the Committee established that there was value for money on the Association's part.
3. The Ministry of Agriculture and Livestock Development should come with a policy on how to engage in future on subsidy programmes within three months of adoption of this Report and submit a copy of the same to the Committee.

I would wish to acknowledge the following in view of their participation in this Report. Hon. Temporary Speaker, we are grateful as a Committee to the Speaker of the National Assembly and the Clerk for the logistical and technical support accorded during our sittings. The Committee further wishes to thank Cereal Millers Association the Green Mill Owners Association, the Ministry of Agriculture and Livestock Development, Office of the Attorney General and National Treasury and Economic Planning for making this inquiry successful.

Finally, I wish to express my appreciation to the Members of the Committee and the Committee Secretariat who made useful contributions towards productions and preparations of this Report.

I wish to call upon Hon. David Kiplagat, a Member of the Committee, to Second the adoption of the Report.

The Temporary Speaker (Hon. David Ochieng): Hon. David Kiplagat.

Hon. David Kiplagat (Soy, UDA): Thank you very much, Hon. Temporary Speaker. I wish to Second the Motion on maize subsidy. We did the inquiry and invited all the stakeholders involved in the subsidy. As you know, just before and after elections, the maize subsidy was a hot issue. This Government is now focused on production subsidy rather than consumer subsidy.

We found a lot of challenges that resulted in us questioning whether there was value for money for this subsidy. Further inquiry revealed that the small millers who supplied maize

flour do not know the entire architecture, unlike the large-scale millers. They were just brought in at the eleventh hour and spent their money in supplying the maize for the subsidy. They are in dire financial straits. They took bank loans and the Government has not paid them for a long time. That is why the Committee came to the conclusion that the small-scale millers were very genuine and are currently suffering. We urge this House to approve this Report so that this segment of millers who are struggling like any other Kenyan can be paid to a tune of Ksh500 million which is still pending, so that the ministry does not take more time to alleviate their suffering.

Looking at the big fish, the large-scale millers are the ones that sat with the big bosses, designed the programme and executed it. You can imagine the design whereby you have the flour subsidy going for Ksh100, that is a drop from Ksh230 then. But there is no label to indicate that this bag is from the maize subsidy, it does not have the Government of Kenya (GOK) label, and it does not have the subsidised label. What we found is that the brokers and cartels managed to benefit and they might have used that maize flour to create an artificial shortage. I know most of the Members given that you were interacting with the public, getting the maize flour was not an easy thing. It disappeared from our shelves. These cartels took maize and stored it. When the subsidy was stopped suddenly what happened is that the maize flooded the market, but the millers could not sell their maize because there was a lot of it in the stores of cartels.

Hon. Ruku GK (Mbeere North, DP): On a point of order.

The Temporary Speaker (Hon. David Ochieng): What is out of Order?

Order. Order Members. Points of order nowadays are done through intervention, not through howling at your seat. If I see an intervention here, I will know.

Hon. David Kiplagat (Soy, UDA): May I proceed? What I am saying...

The Temporary Speaker (Hon. David Ochieng): Order. Hon. Ruku GK what is out of order?

Hon. Ruku GK (Mbeere North, DP): Hon. Temporary Speaker, this is a House of records. We were sworn in to oversee on behalf of Kenyans. This Committee is extremely important. The Member who is seconding has talked about cartels. Is he in order to talk about cartels without mentioning names so that people of Kenya can understand who these cartels are who have been causing trouble when it comes to the issue of *unga*? *Unga* is an extremely pertinent issue. Actually, it is a security issue.

(Loud consultations)

Hon. David Kiplagat (Soy, UDA): Thank you, Hon. Temporary Speaker, for coming to my rescue. Hon. Ruku GK unless you do not live in Kenya, we have cartels in Kenya, we do not need to elaborate. Since I cannot substantiate, I withdraw that statement, but kindly know that there are cartels in this country. May I proceed?

(Laughter)

Our Report is very clear. The small-scale millers were not on the design and architecture of this programme. They were brought in, in the eleventh hour. They milled the maize and took their products to the market. As for the large-scale millers, there was a whole chain from the cereals, provincial administration and security apparatus only those were supposed to guard that food chain to ensure that it reached the distributors, wholesalers and retailers. However, for the small-scale millers, we are urging this House to kindly, consider the Report and alleviate the suffering of these small millers.

Finally, there is need for this House to look at Article 223. Currently, The National Treasury is using it to approve expenditures that are not within our budget. Some of those expenditures might not be emergency expenditures. Let us re-look at that Article and put caution so that it can only be used when need arises. We have noted that as we head towards the election period, there is misuse of Article 223 for Government to spend money that has not been voted by this House.

I second and call this House to approve.

The Temporary Speaker (Hon. David Ochieng'): Thank you, Hon. David Kiplagat. Before I propose the Motion for debate, I wish to recognise pupils from the following schools: Komotobo Secondary School from Kuria East in Migori County; Kinungi Primary School from Naivasha in Nakuru County; Kakenya Centre of Excellence from Kilgoris in Narok County; Ntepes Primary School from Samburu East in Samburu County; Eburru Secondary School from Gilgil in Nakuru County; and, students from Teresia's Schools from Gilgil in Nakuru County. They are all welcome to follow the proceedings of the House this afternoon. We welcome them warmly.

(Question proposed)

Hon. Robert Mbui.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Temporary Speaker, for this opportunity.

As we debate this Motion, it is important to remember the purpose behind the introduction of the maize subsidy because sometimes it seems to be getting lost in discussions. Because of prolonged drought towards the end of last year, the Government of the day noted that the price of *unga* was rising all the way beyond Ksh200 per packet. So, the Government made a decision, which in my opinion was a very decent decision, to support the Kenyan public. By subsidising that product, the prices were actually targeted to go down to Ksh100. The idea was noble and brilliant. The Government was showing that it has a heart and cares for the people of the country. However, as much as it was a brilliant idea, there is still too much agony amongst people. There is agony among people who supplied maize. In fact, Paragraph 43 of the Committee Report indicates to us that some of the millers, due to non-payment, are suffering a great deal. They are facing closure due to the debt burden. Some of them have lost jobs. They are faced with operational losses. As a result of non-payment, we are seeing families breaking up. Of course, they also say that they have reduced faith in Government because they did a contract with the Government and they were not paid. We must make it very clear that the Government exists in perpetuity. It does not exist because someone is in the Office of the President. The Office of the President can change hands. The leadership of the country, in terms of political parties, can change hands yet the Government exists in perpetuity. These people that supplied goods have the right to be paid.

I am happy that finally the Committee is also seeing some sense in some of them being paid. Although, there is still a lot of opaqueness within the whole deal. I sympathise with the Committee because it was trying to squeeze water out of a rock. This is because they have conflicting details from every organisation that came to them. From the Ministry of Agriculture and Livestock Development to the MA and the GMOA. All of them were giving different figures. That tells me that there is a problem. It makes me smell a rat in the whole deal. Article 10 of the Constitution is very clear about values and principles of good governance. One of the most important tenets is transparency and accountability, public participation and involvement of the public.

Hon. Temporary Speaker, there is too much opaqueness in the whole deal, that I feel that there are people who are trying to hide information so that they can gain. This is a

straightforward matter. I mean, look at it this way: the Ministry of Agriculture and Livestock Development decided that it would procure maize flour for purposes of bringing down the price. All they needed to tell us is who they contracted, how much was supplied, what was the supply price, what or who was paid, and who has not been paid. But when we come here and the CMA are giving one figure, GMOA are giving another figure, the Ministry is sometimes almost acting clueless, Agriculture and Food Authority (AFA) is also giving their own figures, it is very unfortunate. That, therefore, tells me that there must be some greed and corruption that took place within this deal. Clearly, that must be what happened. When you find opaqueness in the information that is being shared, it means somebody somewhere was benefiting, and they did not want that to come out.

It was surprising to learn that the GMOA did not supply to the value chain. So, it did not even end up in the shops. In fact, it is very shocking, if you read Paragraph 55, that they were supplying their neighbours! Who were their neighbours, and how was that being accountable? This thing is very unfortunate, but the idea was brilliant. If we ever go back to doing some subsidy programme, we must think through from the beginning till the end. So that we can have some efficiency...

The Temporary Speaker (Hon. David Ochieng’): I will allow Hon. Mbui one more minute.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Temporary Speaker.

I was saying that it is important that as we are dealing with these things, let us find a way to slay this dragon called corruption. That is basically the bottom-line in the whole of this arrangement. Let us deal with corruption. Let us have an effective Government dealing with corruption. Let us have an Executive that cares for the people so that Kenya can move forward.

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

The Temporary Speaker (Hon. David Ochieng’): Listening to the Chairman of the Committee and the Secunder of the Motion, you hear undertones of something wrongly done. But, you do not see it in the recommendations.

This chance goes to Hon. Rindikiri Mugambi.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker.

I was waiting for this Report like any other Member of Parliament. My congratulatory note goes to the Chairman and the Committee for taking a bold step to start an inquiry. This issue of subsidy has been used by both political divides. We were looking for explanations about the subsidy because we were told that *unga* prices will come down to Ksh100. We were waiting for that, but we never saw it. When we joined the Government, we said that we will bring the prices of *unga* down, which we are doing. However, time has come to call a spade a spade. This is not about the Kenya Kwanza Government; it is about Kenyans.

The idea which the Whip of the Minority Party is purporting was a good idea to me. I see it as a business decision of organised criminal elements. They sat together and found out the best way of lying to Kenyans is to propagate introduction of the subsidy. If there is a case for a Doctor of Philosophy (PhD) study, then it is this one. It is very unfortunate that the people criticising the Government for corruption and insensitivity are the same people who perpetuated this programme. It is very unfortunate indeed. We all know it. I will agree that there is some data which is missing from this Report. The Committee only looked at and focused on the good suppliers and millers. That is what they are telling us to approve. The Chairperson should give us a list of the good millers as an addendum for the Ksh5 billion owed to them. The Committee should also give us the list of the bad millers that they identified for us to blacklist them. I do not agree with what has been said that some of these millers stopped manufacturing and are suffering now. They enjoyed eating taxpayers’ money so this is their time to pay back; to be named and to be blacklisted. They have to face the consequences. We should not shy away from that. This Government is doing everything to make sure that there is

food on the table by providing subsidised fertiliser. Those who conspired with the then Government must be brought to book. They must be exposed. We should not look at them at the same level as the good manufacturers because they ate and plundered taxpayers' money. They did not make any effort in reducing the cost of *unga*.

Hon. Temporary Speaker, we cannot publicise this. I tell my good friend—who is my mentor—that it is not okay to, every time, speak negatively about this Government that has only been in power for eight months. I agree that this Report is deficient. The Committee should give us another report inclusive of what has been omitted. The report should contain a list of the manufacturers who are not yet to be paid and the reason they should not be paid...

The Temporary Speaker (Hon. David Ochieng'): Next is the Member for Chesumei.

(Hon. Ruku GK raised his hand)

Hon. Ruku, I request that you be patient enough and wait for your turn.

Let us have the Member for Siaya.

Hon. (Dr) Christine Ombaka (Siaya County, ODM): Thank you for this opportunity. I would have loved to contribute to the next Order. However, the issue of maize is still going on and it is a big issue which has not been resolved. The Government owes the small-scale millers over Ksh5 billion. This should be settled. These young millers are struggling because they got involved in agriculture to support the country in terms of food security. They should be paid. I support that.

Thank you for this opportunity.

The Temporary Speaker (Hon. David Ochieng'): Thank you. Member for Seme.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. I rise to discuss this Report with a very heavy heart. I cannot support this Report because the small-scale millers are suffering because of their empathy. This Report does not give the whole context. We get the impression that much more serious things which are not in the Report have happened.

First, these millers supplied flour to wholesalers and it was not their responsibility to know what happened thereafter. The Report goes on to say that millers supplied flour to neighbouring families whom they do not know. A multi-agency comprising various Government agencies was put in place to oversee the programme at all stages. We are not even told how this multi-agency linked with the small-scale millers. Again, the Report says that the sifted maize was not stamped for subsidy. This gives the impression that it only went to the market and was probably sold as any other maize flour. This leaves you with the idea that we are paying people for the subsidised maize flour that was bought at a more expensive price. The maize flour was to be bought at a lower market price. So, what is the rationale behind this?

In my view, this Report is premature. It should have come with clear details of who did what. I do not want to help some people without knowing who to punish. First of all, I want to know who to punish for this sin then I would sympathise with the small-scale millers because they suffered on behalf of others. I assume that the Grain Millers Owners Association are the small-scale millers and the Cereal Millers Association are the large-scale millers. This Report is right but we need to know what happened before we make this payment. This is my view.

It is painful that small-scale millers are suffering. However, I am worried that there are many issues surrounding this maize milling. I also live in the same area and I do not go to the market to see whether the maize on the shelf is being sold at the recommended price. Thus, I cannot say that I was completely oblivious to what was happening. We need a more detailed Report. This should be done quickly so that we will help the small-scale millers. Let us know who these cartels and the multi-agencies team are. We need to put them to task before we pay

the millers. We cannot just do a quick job and pay these people without knowing the truth. If we do that and there is no more heat, the matter will go unanswered.

With a very heavy heart, I do not support this Report. I oppose it.

The Temporary Speaker (Hon. David Ochieng’): Thank you, I am trying to follow the list and I cannot see some Members. The Member for Turkana County, Hon. Cecilia Ngitit. I thought I saw her in the House. Hon. Irene Mayaka. Okay, let us have Hon. Ruku.

Hon. Ruku GK (Mbeere North, DP): Thank you, Hon. Temporary Speaker. This Report has been done by a Member of the Kenya Kwanza Coalition. I would be very happy to support it but I rise to oppose it. I oppose it in the strongest terms possible because we have the cardinal responsibility to tell Kenyans the truth. I listened to the presentation by the Chairperson and the Member who seconded the Motion and I realised there is too much information left out than meets the eye.

Every Departmental Committee of this House has quasi-judicial powers to call anybody and ask for any evidence possible, so that it can be tabled in this House. This is so that Kenyans can know exactly what is happening within the public sector. The matters *unga* touch the core of even the security of this nation. We have seen violent demonstrations being done because of *unga*, not only in this country, but also in other nations. Therefore, these are very important matters of the nation, which should be investigated by the Departmental Committee on Agriculture and Livestock without fear or favour of anything. We cannot rush to conclude that we authorise payment of Ksh1.3 billion without Kenyans being told how the entire programme of subsidy started. Companies were involved. Give us names of those companies, their directors, how long they have been in operation, and how much the subsidy was.

The Secunder of this Report has talked about cartels. The Departmental Committee on Agriculture and Livestock has the responsibility bestowed on them by the people of Kenya to unearth the cartels who are running away with the subsidy money, which is supposed to take care of the poor people of this nation. I have not heard anything of that sort in this Report. Therefore, I beseech all the Members of this House to find a reason to oppose this Report.

The Departmental Committee on Agriculture and Livestock should go back and get us the real picture. The leadership of the Departmental Committee on Agriculture and Livestock is able and well-educated. The Committee can go to the core of this matter so that it brings us a proper Report. Probably, it should give us a Report of 100 pages, if need be, so that the truth about this subsidy programme is known. We cannot give Kenyans half-truths and shoddy work. We have to tell them the truth; and if there are people who are culpable, they should face full force of the authority of this House. This House is powerful, has authority and anybody who did wrong as far as the subsidy programme is concerned, that person or company, should face full force of the authority of this House.

I beg to oppose this Report in totality because of the way it has been presented to this House. Thank you.

The Temporary Speaker (Hon. David Ochieng’): Thank you. Hon. Member for Busia.

Hon. Catherine Omanyó (Busia County, ODM): Hon. Temporary Speaker, I am preparing to speak to the next one because we have a Report.

The Temporary Speaker (David Ochieng’): Hon. Julius Sunkuli.

Hon Julius Sunkuli (Kilgoris, JP): Thank you, Hon. Temporary Speaker.

I beg to support this Report. The maize subsidies began much earlier than the very last one that was done, which I think is the subject matter of this Report.

Originally, the Government had wanted to fix the price of *unga* at Ksh90 per 2 kg. At that time, the Government imported maize and the National Cereals and Produce Board (NCPB) sold the maize at Ksh2,300 per 90 kg. At that time, the millers were allowed to buy

maize at a cheaper price on condition that they sold the *unga* at Ksh90 per 2 kg. The one thing that the millers were required to do was to write the price of *unga* on the packet.

The *unga* sold well until the harvest came and then the free market forces started to operate. *Unga* was sold at Ksh100 and then Ksh120. It continued escalating. Towards the last election, the price of *unga* started going very high and in order to bring the prices down, the Government implemented a subsidy programme which was given to a few millers. Unfortunately, these millers were not required to write on the packets the price of the *unga*. The subsidy was given and the *unga* prices lowered. It went on like that and the millers had to sign contracts. The Government also signed an undertaking to pay them.

I admit that there were some cases in which this subsidy was not conducted well because it was not easy to identify the market. Which *unga* was subsidised and which one was not? However, subsidised *unga* was sold. The problem now is that we have a new Government. It is a successor Government. In fact, a huge component of this Government was the former Government. We have an issue at hand: should the new Government abrogate the contracts that were made by the other Government just because they were not well implemented? The Report has pointed out the errors of that day, but it also states that obligations must be met. As a House, we must factor in the Budget the payment of these subsidies.

We really have no choice. The Departmental Committee on Agriculture and Livestock, in its wisdom, has seen it that we have no choice. Let the Government pay the subsidies because it undertook to pay. In future, they should do what they did originally. They should state the price of *unga* prior and make the subsidised *unga* identifiable in the market. Otherwise, this Report is good.

I support.

The Temporary Speaker (Hon. David Ochieng’): Member for Suba South.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Temporary Speaker.

Any subsidy programme for *unga* in this country since Independence has always been a scandal, starting with the famous freedom fighter, Paul Ngei’s experience.

(Hon. (Dr) John K. Mutunga rose on a point of order)

The Temporary Speaker (Hon. David Ochieng’): Hon. (Dr) John K. Mutunga, what is out of order?

Hon. Caroli Omondi (Suba South, ODM): I hope they have paused my time?

(Laughter)

The Temporary Speaker (Hon. David Ochieng’): Hon. Caroli, go ahead.

Hon. Caroli Omondi (Suba South, ODM): Okay. We have always experienced a national scandal every time we speak of maize importation and subsidised *unga* in this country. Remember the saga that involved the late freedom fighter, Paul Ngei. When I was the Chief of Staff in the Office of the Prime Minister, I was accused of some malfeasance with regard to imported maize. I took a lot of time to try and understand how this thing works. Imagining that the Government can control the price of *unga* by simply importing maize and giving it to millers to mill and sell is a short-term measure that is open to abuse. What normally happens is that procurement processes are never transparent. The timing is always curious. Maize is always imported either after elections or towards elections. You can see that trend if you investigate all the instances when we have imported maize.

When we import maize through the NCPB we give it to maize millers to mill it. That arrangement is normally very clear. It is imported at a certain fixed price and then given to the

NCPB. However, millers never access it at that price at the NCPB because there are intermediaries in between who buy it from the NCPB and eventually sell it to millers. That is where corruption starts.

Why do we want to regulate the price of *unga*? It is either because market forces of supply and demand have collapsed, and there is not enough maize in the market. I do not think that that is an issue that should be addressed by subsidising the prices of *unga*. It should be addressed through other means, so that prices can be maintained. In my view, the long-term solution to this problem is having what we call a Strategic Grain Reserve that should be kept by the Government at all times and released into the market whenever there is a shortage instead of rushing to import maize. We should also continue developing and deepening the operations of our commodities' market to try and create stability in the prices of this essential commodity.

I would like to oppose this Report because I do not think it goes deep enough. I do not think it deals with the key issues. What worries me most when I read this Report is that I can clearly see that there was no financial tracing, or what we call "follow the money". There was no attempt to follow the money. If you want to unearth this scandal of the Ksh4 billion that was paid, let us be told that when it left the Integrated Financial Management Information Systems (IFMIS), it went to a, b, c, d. Let us get their names. We should also get the full list of the so-called small-scale suppliers of *unga* whom we are recommending should be paid Ksh500 million. There is no list! Without knowing who the beneficiaries are, we surely cannot interrogate the underlying contracts. We should either follow the money or do what we call financial tracing and get to the bottom of this matter. We never saw this cheap *unga*. We do not know where it was but somebody was paid.

The Committee should go back and conduct a forensic audit. If they do not have the capacity, they should do what we did during the Grand Coalition Government. Call PricewaterhouseCoopers (PwC) or Deloitte & Touche as we did and let them do the financial tracing for you on the Ksh4 billion payment, tell us who received the money, audit their books and their industrial production records, and see whether they produced this maize and sold it in the market. We will get to the bottom of the issue.

Hon. Temporary Speaker, I oppose the Report. Thank you very much.

The Temporary Speaker (Hon. David Ochieng'): Thank you. Member for Mosop Constituency. Hon. Mutunga, you will have a chance to speak when you reply. That is my determination on that matter. You will have a chance to reply to all the issues that have been raised so, the best thing to do is to take notes.

Hon. Abraham Kirwa (Mosop, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to comment on this Motion. I rise to support the Report of the Committee on this issue of subsidising maize millers. The Committee took a very long time to investigate this matter. They reached out to the parties that were involved in this matter of subsidies. After a lengthy investigation, it is very evident that there were deficiencies on the issue of subsidies. The contracts that were issued by the Ministry were totally different from the contracts that were signed by small-scale millers. However, that should not be an excuse not to pay them for providing subsidised maize.

After taking quite a bit of time to read this Report carefully, I saw that they took time to talk to the National Treasury and all stakeholders. Based on that, a multi-agency team comprising various Government agencies was put into place to oversee the programme in all stages. The Report states that the team did not provide a report on areas of coverage of the subsidised maize flour. If the Government multi-agency team was involved in overseeing the programme, it may have failed. However, maize was distributed to individuals, some people bought it and, in some areas, it was sold to small neighbourhoods. They may not have used the regular distribution chains. That is not a reason not to pay the people who supplied the maize.

The amount of money owed to the Cereal Millers Association (CMA) as submitted to the Committee was different from the amount of money that they were demanding from the Ministry as seen from the attached letter in the presentation. The Committee took its time and was very careful in everything it did. I believe that this Report that has been brought to us is very genuine. I support their being paid. Nobody should give out their maize and at the end of the day, the Government says that they were not responsible or they are not going to pay.

The Ksh500 million owed to the members of the CMA should be factored into the budget estimates for the Financial Year 2023/2024. I support the Report. I believe it is genuine and credible.

The Temporary Speaker (Hon. David Ochieng’): Thank you. Member for Kabondo Kasipul.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker, for giving me the opportunity to contribute to this Motion. There is nothing wrong with giving subsidies the world over. We have seen countries like the United States of America (USA), the United Kingdom (UK), and others in the developed world giving subsidies to their citizens. The subsidy was given as a measure to cushion citizens from the high cost of maize flour. As we know, maize is the staple food of Kenyans.

From the Report, it appears that some people may have taken advantage of the subsidy to make money. I support the Report with a rider that an audit be carried out with full disclosure on who did what. As it is, the Report is inconclusive. I urge the Committee to add a bit more “meat” to the Report, and we finalise this matter. Those who genuinely supplied maize flour should not be victimised. They should be paid for the services that they rendered.

Once again, I support the Report but with a rider of an audit on full disclosure.

The Temporary Speaker (Hon. David Ochieng’): Thank you. Member for Turkana East.

Hon. Nicholas Ng’ikor (Turkana East, JP): Hon. Temporary Speaker, I rise to read the Motion of Adjournment.

The Temporary Speaker (Hon. David Ochieng’): Order, Member. I thought you were asking for a chance to contribute to the Motion. What do you want to do?

(Hon. Nicholas Ng’ikor spoke off-record)

The Motion for Adjournment will be considered from 5.30 p.m. This chance goes to Hon. Ng’elechei.

Hon. Caroline Ng’elechei (Elgeyo Marakwet County, Independent): Thank you, Hon. Temporary Speaker. I rise pursuant to Standing Order 95 to request that the Mover be now called upon to reply. Thank you.

The Temporary Speaker (Hon. David Ochieng’): There is a Motion on the Floor that the Mover be now called upon to reply. That decision has to be made by the Members.

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

Mover.

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you, Hon. Temporary Speaker. I beg to have six minutes. In the six minutes, I would wish to give the Members on the Minority side one-and-half minutes each. I will then reply. I wish to donate one minute to each of the Members I have pointed out because they have been striving to get a chance to contribute.

The Temporary Speaker (Hon. David Ochieng’): Hon. Mutunga, you are in order, but this is a House of rules and procedures. On this particular matter, I had already given a chance to the Member for Busia County but she forwent. I also called out Hon. Mayaka but she was not in the House. The only Member who may be in order to contribute would be Hon. Fatuma. Members, before she contributes, out of courtesy, allow me to explain some facts here. When you insert your card and request to speak then you forgo your chance, like what the Member for Busia County did, the system automatically indicates that you have contributed to the Motion. Our Standing Orders do not allow a Member to contribute to a Motion twice. That is why I cannot allow the Member for Busia County to contribute again on this matter. Hon. Fatuma, go ahead.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker for the opportunity. Hon. Mutunga, I also appreciate the one minute you have donated to me. I would like to support the Motion. The Kenyans who consumed the subsidised maize benefited. We saved Kenyans from death because hunger can result in such cases. It would be unfair to punish the farmers for selling us maize at a reduced price but refuse to pay them now. It is not fair to play politics with the farmers. We do understand that the subsidy was a product of the last regime. But when something is good, do not deny an opportunity for it to show its goodness just because a new government is in place. I request that this Government honours what the previous Government did. If the Government believes that that was wrong, then even the roads that were constructed by the previous regime should be undone and the tarmac removed because, according to the them, that regime did a bad job. Punishing our farmers is punishing poor Kenyans. The farmers are the ones who feed us. If we do not pay them, it means that they will go broke and be edged out of the farming business. I support this Motion in totality and urge Kenyans to support it.

There was an investigation done on the predicaments of small-scale farmers. It was done in broad daylight as it was televised. We all watched it. It is unfortunate that we stand on the Floor of the House and say that we do not support what they said. We had an opportunity to raise this in the Departmental Committee on Agriculture and Livestock. Even if you are not a member of that Committee but you saw that what was being shown on television was not right according to you, you had that opportunity to go to the Committee and give out your views. I request the Government to respect the work the last regime did as it was a good idea. I request the Kenya Kwanza Government to also introduce a subsidy on maize so that Kenyans can have food. The high cost of living was one of the reasons why Azimio was on the streets. The main slogan was: ‘we want *unga*.’ Please, do what is good for Kenyans. Let us stop politics when it comes to the health and life of Kenyans.

Thank you, Hon. Temporary Speaker. I support.

(Applause)

The Temporary Speaker (Hon. David Ochieng’): Thank you so much. Hon. Members, I wish to communicate that the reply to this Motion will be done in the next sitting.

(Motion deferred)

Let us move to the next Order, which as you know, was supposed to start at 5.30 p.m. That is the Motion of Adjournment by Hon. Ng’ikor. Hon. Nicholas Ng’ikor, it is your chance now.

MOTION OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

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INSECURITY IN TURKANA EAST CONSTITUENCY
AND THE NORTH RIFT REGION

Hon. Nicholas Ng'ikor (Turkana East, JP): Thank you, Hon. Temporary Speaker. Pursuant to Standing Order 33(1), I seek leave for the adjournment of this House for the purpose of discussing a definite matter of urgent national importance regarding insecurity in Turkana East Constituency and the North Rift Region.

There have been recent cases of insecurity in Turkana East Constituency with raids witnessed from the neighbouring community leading to loss of lives and livestock. On Thursday, 27th July 2023, bandits attacked villagers at Lomelo Centre, killing one person, injuring another and stealing unknown number of livestock. In addition, on Monday, 31st July 2023, four people namely Mr. Esinyen Aletia Lorutmoe of ID No.32870974, Mr. Ingokan Eiton of ID No.24389833, Mr. Lotiir Chapatia of ID No.20091399 and Mr. Lopem Akiyokor were killed by bandits believed to be from Tiaty Constituency.

It is against this background that, I seek leave for the adjournment of the House to discuss this matter of great national concern with a view to exploring possible and lasting solutions for sustained peace in Turkana East and the northern region.

Hon. Temporary Speaker, this is a matter of great concern. I request that this House discusses this issue of banditry in the North Rift. Turkana East is also affected because it is located in the North Rift. Life cannot be replaced. I stand here today on behalf of the people of Turkana East who have suffered a lot. Thirty eight people have lost their lives within a period of eight months between January and August. Twenty one people have been injured and a good number of livestock stolen by bandits.

When we mention and identify the community by name, that it is the Pokots, sometimes we are told not to criminalise the community. But my question to the security agencies is: if we are not supposed to criminalise the communities, then who are the criminals? These are things that have been happening since 1954. That was even before I was born. Where are these criminals from if not from these communities? We should identify these communities by saying that it is either the Pokots, Turkana or Samburu that have raided or killed people.

Hon. Temporary Speaker, if we consider the period of five years that I will represent these people, how many of them will we lose in Turkana East Constituency? Banditry in the North Rift must come to an end. We, as the leaders in this country, need to wake up and tell Kenyans what is happening in the North Rift. We cannot continue to talk about this issue in all these regimes. It started sometime back before I was born. I am the Member of Parliament now and I am still speaking on this issue. Where are we, as a country, heading? How long will these people continue losing their lives?

The Turkana people whom I represent have a right to go to school. As I speak here, some students in my constituency have not gone to school since the start of this year. Examples are in Napeitom, Nadome, Kamuge and Lomelo. Those children do not go to school because of insecurity. Other Kenyans are learning smoothly all over the country and yet we take this issue to be a normal one. Those children have a right to go to school.

As Kenyans, we have a right to travel. As I speak here, some roads in my constituency are impassable, not because of rainfall or anything that is wrong, but because of banditry. The attackers kill people and burn vehicles along those roads. The road from Lokori via Kamuge to Kapedo is impassable because of the attackers. The road from Lokwamosing to Wechakla is also impassable because of the rate of attacks.

We are also Kenyans who have a right to health. Some health institutions in my constituency have been burnt and destroyed. People are not treated because health facilities were burnt by bandits from the Pokot Community. People are dying because they are not

treated. Health centres were burnt. I can give an example. The health centre at Napeitom Centre was burnt on 1st August last year before we went for elections. We lost about 19 people who were burnt alive.

We also have a right to life. We have lost 38 people. These are Kenyans who are supposed to be alive but the bandits have denied them their right to life. We have a right to be represented. I miss House sessions not because I do not want to be here. I go there and condole with my people and bury them. It is a serious issue which needs to get the attention from Government.

The Temporary Speaker (Hon. David Ochieng’): Give him one minute to wind up.

Hon. Nicholas Ng’ikor (Turkana East, JP): Hon. Temporary Speaker, we have a right to own property. People from my constituency do not own property because it has been destroyed and stolen. They do not own anything now.

We also have the right to go anywhere in this country as per the Constitution. People have been chased away in some areas in my constituency. They have been displaced. It is their right to live anywhere they decide to.

The other issue which I want the security team to know is the operation in the North Rift. We are talking about an ongoing operation but it is not there. If it is there, where are the helicopters, security officers and tankers we keep on talking about? There is no operation going on there. The Government needs to address this issue so that we avoid loss of lives. Women are being killed. It is a shame for men to kill women and children. In our culture, if a man is killed when he is looking after his livestock, we say that he has been killed in the line of duty because that is our duty. We look after our animals and protect them. Why should you kill women, pregnant women and children? It is a shame to the people who are killing innocent women.

I have a lot to say. Because of time constraints, I will give my colleagues a chance to contribute to this emotional issue. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng’): Thank you. Member for Turkana County, Hon. Cecilia Ngigit.

Hon. Cecilia A. Ngigit (Turkana County, UDA): Thank you, Hon. Temporary Speaker. I rise to add my voice to the Motion of Adjournment on a Matter of Urgent National Importance which was tabled by my colleague, Hon. Nicholas Ng’ikor, Member for Turkana East. This is the second time in less than six months that we are tabling an Adjournment Motion on insecurity in the Northern Kenya. We are talking about Turkana East at this moment.

So much is happening in Turkana County. I do not know why the Government is giving a deaf ear and blind eye to our cry. Many people have been killed by bandits in Turkana County. If you look at the issue raised by Hon. Nicholas Ng’ikor today, four of the members of his constituency are lying lifeless on their soil in Turkana. They had not gone to attack anyone aggressively. They were killed in their homes.

Even as we speak today, one of our roads is impassable—the A1 Road from Kitale to Lodwar. A shuttle that was enroute to Lodwar via Kainuk was attacked today. Bullets were sprayed indiscriminately. One person was killed and many are critically injured. There is a new form of attack that has started again. Our boda boda riders are not safe in Turkana. When they are riding in the bushy roads in our rural places, they are sprayed with bullets and their motorcycles are taken away. All these atrocities are committed by our neighbours, the Pokots. There is an ongoing operation in Turkana and Pokot but attacks are more rampant than before. The security agencies are in bed with bandits. We were told that bandits charge their phones in security officers’ homes as they carry their guns along with them.

Our game reserve has become a grazing land for our neighbours. Our wild animals are not safe because they are being killed. The situation in Turkana is very sad. As Hon. Ngikolong put it, our children do not go to school.

Hon. Samwel Chepkonga (Ainabkoi, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): What is your point of order, Member for Ainabkoi?

Hon. Samwel Chepkonga (Ainabkoi, UDA): Hon. Temporary Speaker, I rise pursuant to Standing Order 83. The matters that the Members of Parliament from Turkana are raising are extremely important and serious. They warrant the Cabinet Secretary for Interior and National Administration to appear before this House to respond to them. Would I be in order to ask my good friend, Hon. Ng'ikor— if you can direct him— to seek answers from the Cabinet Secretary?

I have listened to them. We will all ventilate on this Motion in a very animated manner with a lot of compassion. Unfortunately, we will not resolve anything. Will I be in order to request that you direct Hon. Ng'ikor to bring a Question to order the Cabinet Secretary to stand here and respond to the issues that the Members have raised which are of serious concern to them? Article 95 of the Constitution provides that Members of Parliament resolve matters that are of concern to the people. This is one of the matters which require the Cabinet Secretary for Interior and National Administration to appear before the House.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): Hon. Chepkonga, the point is well taken. However, the Member also availed himself under the Standing Orders of the House. He does not extinguish his rights to bring a question. He also has the right, using our Standing Orders, to bring the Motion of Adjournment which he has done. Hon. Ng'ikor is listening to you. That option is available to him in future. We will go on with the debate on the Motion as moved now.

Proceed, Hon. Cecilia.

Hon. Cecilia A. Ng'itit (Turkana County, UDA): Hon. Temporary Speaker, on the same note, the Constitution states that every Kenyan has a right to security and protection of their property. But neither the Turkana people nor their livestock are secure.

I normally sit and cry wondering if the Turkana people belong to this country. How many people do we have to lose, especially to our neighbours, our fellow Kenyans – Pokot, for the Government to come to our rescue? How many women and children must die for this Government to hear our cry? I am crying to you, Hon. Kindiki. It is high time you went there and found out the problem with our neighbours. I have said many things in this House. I have found out that the problem is about land. These people want to kill our people to scare them off so that they can occupy our land. I want to tell them that until we are left with the last Turkana breathing, we will not lose even an inch of our land to you. Even if you kill all of us, we will not lose an inch of our land. We have protected our land even from external aggression.

The Turkana people are being killed by Ethiopians, Sudanese, Ugandans and Kenyans. Who are we? Are we children of a lesser God? I do not know whether we are getting solutions in this House. We can have another Motion of Adjournment on the same matter in less than six months, but nothing will happen. I brought a Motion of Adjournment on this matter three months ago, but nothing happened. Bandits charge their phones in the camps where the military operate from. The military commanders go to bed with the leaders of other communities whom most of us do not even know. It is very sad. I am appealing to the leaders of our neighbours to talk to their people. Pursue the Turkana people to your satisfaction, but please spare the innocent travellers.

Last weekend, we buried a warden administrator who was shot dead on her way home. The other month, we buried a university student who was taking her sick mother to the Moi Teaching and Referral Hospital. She was killed. Her mother was suffering from cancer. I want to thank my Governor for paying the medical bill for her mother who was flown to India

recently for treatment. Things that are happening in Turkana cannot make one a proud leader. I am not a proud leader of the Turkana people today. The people I represent are dying every minute and it is not because of sickness, but insecurity. I do not have enough words to describe this. I rest my case.

The Temporary Speaker (Hon. David Ochieng’): Thank you. I wish to recognise the presence of the following schools in the Speaker’s Gallery: Lorna Laboso Secondary School, Sotik Constituency, Bomet County and Genesis Secondary School, Kapenguria Constituency, West Pokot County.

We welcome the students to follow the proceeding of the House this evening.

The next speaker will be Hon. Paul.

Hon. Raphael Wanjala (Budalang’i, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochien’g): Order, Hon. Wanjala. You have just walked in.

Hon. Raphael Wanjala (Budalang’i, ODM): Yes.

The Temporary Speaker (Hon. David Ochien’g): Hon. Paul Biego, Member for Chesumei.

Hon. Paul Biego (Chesumei, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to put in a bit of weight to the Motion on Adjournment concerning our great people from Turkana County. As I sit here and hear Members of Parliament articulate their points emotionally, I feel a bit embarrassed that these issues are discussed every time but with no solution. A senior Member stood on a point of order to request that the Cabinet Secretary be summoned. I strongly support that because if the Member for Turkana raised the same issue three months ago and nothing happened, then there is a big problem. I feel the plight of the Turkana people. I congratulate the Member of Parliament for Turkana East, Hon. Nicholas, for bringing this Motion. This should be declared a national disaster. It is quite unfortunate for people who are innocently travelling to meet their deaths not on natural calamities, but because of fellow human beings. We call upon the Government security agencies to act with speed so that this issue is resolved.

For how long will we be talking without taking action? For how long will we see Members of Parliament shedding tears on the Floor of the House and no action is taken? It is a big shame on the security agencies. Something ought to be done as a matter of urgency. The Cabinet Secretary for Interior and National Administration should act immediately. If we are told that there are four bodies as we speak, what about tomorrow and the next day? There is more to it than meets the eye.

It is very unfortunate that it is not even an external threat. Although there are external threats of being killed by foreigners, in this particular case, it is Kenyans living in that region who are killing them. It may be because of issues to do with cattle rustling. It is very unfortunate that we are losing lives because of earthly things like wealth. The Turkana people should be taken care of, and that is why I support an immediate action. If there is something that can be done by the House, please order for a real action to be taken immediately. I am really sorry for what is happening in Turkana. I rest my case.

Thank you.

The Temporary Speaker (Hon. David Ochieng’): Thank you. I wish the Chairperson of the Departmental Committee on Administration and Internal Affairs was in the House today because this is a very valid Motion. They should be informed accordingly.

Hon. Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker.

I want to thank the Member for bringing this Motion on the Floor of the House because it is a very emotive matter. It is very sad to see one of our Members shedding tears as she speaks about this because she knows firsthand, the issues that her people are grappling with.

The fact that we have had this Adjournment Motion coming here twice, it is time for the Cabinet Secretary for Interior and National Administration had a sit-down meeting with all the leaders from Turkana County and the people as well so that they understand the exact issues that they are grappling with.

Asking the Cabinet Secretary Questions when he comes here is not enough. We need to ventilate on this matter so that together with his officers, they can understand how much of a great issue this is.

We have situations in this country. For example, when we had *maandamano* in Kisii, there was no property destroyed. However, the police agencies there got extra police officers from all over, including Migori, just to beef-up the numbers that they had. All they did was to watch over demonstrators who were doing peaceful demonstrations instead of beefing up security where it is needed most.

I do not think the Cabinet Secretary for Interior and National Administration has his priorities right. We cannot have people dying and fighting every other day because you are not sending enough police to go and beef up security in that area. You, however, want to come and beef-up security where we are doing our demonstrations on matters of the high cost of living. That is having your priorities upside down.

This matter, even as much as we are dealing with it here as an Adjournment Motion, is one that needs to be concentrated on. We need to speak about it as a country. Today, it could be Turkana or Baringo, but we do not know who will be affected next.

Unfortunately, when such things happen, the people who get affected the most are our mothers and children. They are the ones who suffer the most. It is not surprising to see the Member for Turkana crying when she is talking about these issues. It is because as a mother she feels it more than anyone else.

As I conclude, so that I give other Members enough time to speak to this, I urge the Government of the day to know that security is vital, and cannot be dealt with second-hand. We cannot afford nor allow this country to deal with security matters in such a manner. We cannot allow to be in a country where we have State agencies concentrating on demonstrators, something that is covered under Article 37, instead of dealing with the issues that are affecting our fellow Kenyans who are living in Turkana.

As I speak, I urge and encourage our Members from Turkana that together, we will continue to speak to this matter. We will also continue to support them as they ventilate on this matter until something happens or until there is action from our Cabinet Secretary for Interior and National Administration.

Thank you.

[The Temporary Speaker (Hon. David Ochieng') left the Chair]

[The Temporary Speaker (Hon. Peter Kaluma) took the Chair]

The Temporary Speaker (Hon. Peter Kaluma): Member of Parliament for Elgeyo Marakwet County.

Hon. Caroline Ng'elechei (Elgeyo Marakwet County, Independent): Thank you, Hon. Temporary Speaker.

First of all, let me appreciate the effort by the Member of Parliament from Turkana County. It is, indeed, painful if we have to be talking about the same thing every now and then.

The Constitution of Kenya says that every person has a right to life. Article 27 says that every person is equal before the law and has a right to protection and equal benefits of the law. It is very frustrating whenever a Member of Parliament becomes helpless. Hon. Cecilia is almost crying on the Floor of the House because of the insecurity in her region. You can imagine what the other people in Turkana County are feeling.

We appreciate what the Government is doing so far, but maybe enough is not being done to the culprits or the perpetrators of banditry. Maybe, the security people are deterring them from attacking, but we have never seen many people as we should, being charged in our courts of law over issues of banditry. My county is a victim of the same, and every time there is an attack, security personnel will react but no one gets arrested or charged. We should be seeing more people being charged and taken to court. If the people concerned are seeing the Government just talking about it and nothing is being done to the one held responsible, the criminals will not take them seriously.

Three days ago and yesterday evening, there was an attack in Elgeyo Marakwet County. Two people were killed barely two kilometres from where the security camp is. That tells you that these human beings are very daring. As long as they get an opportunity to attack and run away, they cannot hesitate.

I would also like to call out on Members of Parliament, especially from Pokot County. When people speak in this country, they point fingers at the Pokot leaders. When somebody from Samburu speaks, they point fingers at the Pokot leaders. When a Turkana speaks, it is the same. When a Marakwet speaks, the same. It is unfortunate that when we are discussing such an emotive issue, Members from that county are missing – completely missing. It means they are not even remorseful for what other people are going through; it means that it does not bother them. The security issue affecting other people is none of their concern.

If an issue is being discussed here about Elgeyo Marakwet County and especially being discussed as an aggressor, I must be here to be in solidarity with other Members of Parliament. It is to show that, at least, I feel what other people are going through. If we all disappear and we are not here when this issue is being discussed, it leaves us with more questions than answers.

The issue of insecurity has made people poor. People have been robbed of their property, moved from their homes and have become helpless. Nowadays, people do not even travel to Lodwar by road. They would rather travel by air or stay put. This is not because they have money to, but because they are not sure if they will get there or not.

Each time students from Elgeyo Marakwet are admitted to Lodwar High School, the parents cannot let their children go because they are not sure if they will get to where they are going. It leaves you wondering if we are in the same Kenya as the other parts of the country. Maybe, that is the reason why people from Turkana, when coming to Nairobi, always say they are going to Kenya because they probably feel isolated.

The Temporary Speaker (Hon. Peter Kaluma): Member of Parliament for West Pokot County.

Hon. Rael Kasiwai (West Pokot County, KUP): Thank you, Hon. Temporary Speaker for giving me this opportunity to also say something on insecurity issues in the North Rift.

I want to complain loudly that this issue is affecting counties in North Rift, especially Marakwet, Turkana and Pokot. I want to also register my complaint that as these leaders from Turkana talk about banditry or Pokots being bandits, that that is incitement. It is not in order because bandits are people who are unlawful, have no properties to lose and are thieves just like the robbers who are here in Nairobi.

It is not good. It is not in order for Members from Turkana and my friend from Marakwet to say that all Pokots are bandits. People who kill others are law breakers.

(Loud consultations)

The Temporary Speaker (Hon. Peter Kaluma): Member for West Pokot, your time is running out.

Hon. Rael Kasiwai (West Pokot County, KUP): Even as those Members complain, they are not mentioning the people who have been killed by the Marakwets or Turkanas. Three weeks ago, five ladies were killed at a place called Lami Nyeusi. They were killed by Turkana bandits. I am not saying that those who killed the Pokot are all Turkanas. They were only a few unlawful people.

As we talk about insecurity, let us address the issue with a lot of sobriety so that we do not condemn whole communities and create animosity among our people. Even as my colleagues from Turkana County speak about this matter, they should remember that in West Pokot County we have members of the Turkana community who live in Kacheliba Constituency. We have Turkana people who live in Makutano and Chepareria, and we are not killing them. We are living with them harmoniously. It is only a problem of a few individuals who have sought to kill others because of their own personal benefit.

As these leaders are complaining, I am also complaining and requesting the Cabinet Secretary for Interior and National Administration to take action against those who are killing others because we all have a right to be protected by the Government. I want to request all leaders to preach peace because as they condemn people from one community, they inadvertently incite members of the other community thus causing more havoc than good.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Catherine Omany.

Hon. Catherine Omany (Busia County, ODM): Thank you, Hon. Temporary Speaker. This is a staggering moment during which we are hearing from the horses' mouth unlike when we read about these issues in newspapers. It is unfortunate that these things are happening.

I would like every Kenyan living in Turkanaland or Pokotland or in any other part of Kenya to do so in peace. Unfortunately, these areas have habitual banditry issues but it is like nothing is happening to address the issue. The Cabinet Secretary for Interior and National Administration should prioritise this matter. That area is being undermined. Dubai and Qatar are deserts. Turkana County has a lot of potential. If we had got our priorities right, Turkana would be feeding Kenya. Insecurity has denied that area development. Investors would be flocking there. I recently visited London. There is a monument of a Turkana boy there. People flock there just to see the monument. If we took that monument back to Turkana, because it is among our agenda as a country, we would have dealt with insecurity issues. Turkana will turn into a tourist attraction area. Having young people being raised there witnessing all this causes tragic mental issues for them. Once people are psychologically affected, they cannot think about development. Since they know that their lives can be taken any time, they cannot think seriously about development. They will be in survival mode. We want every Kenyan to move from survival mode to thriving move.

Recently, I witnessed something terrible. In Busia, too many policemen were deployed to go into people's homes and beat up peaceful people. Why does Kindiki not deploy those many policemen in Turkana County and deal with the insecurity menace there once and for all? Alternatively, he can train those bandits, transform them and then employ them. He can equally deploy police officers in those areas to deal with the situation. I want our Kindiki to listen. If he is a father and a leader in this nation, the children in Turkana County are equally children of Kenya. Our children cannot be raised in an environment where their mothers have to live in the bush, hiding away from bandits. If they are sick or pregnant, how do they even

go to hospital? Do we even have social amenities there? Who can invest in an area knowing that he can be thrown out any time or he can get killed?

Turkana should be the Nairobi of the Northern part of Kenya. The Turkana people and everybody else living there, be it a member of the Pokot community or any other community, should enjoy themselves just like members of other communities in Kenya. We are tired of the bad stories we hear about Turkana County. We know that we can see a photograph of a malnourished child in a newspaper. That is what I know. The next is a story of bandits striking again. It is time our country started prioritising security issues in its planning.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Julius Melly, Chairman of the Departmental Committee on Education and Research.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Temporary Speaker. I want to laud the Member for Turkana East for raising this matter. This is not a matter for Turkana County or North Rift region alone. It is a matter of concern to the Republic of Kenya. It is a matter of great concern because when one part of the Republic has a problem, the whole country suffers. We do not want to look at it as a matter of the North Rift region alone.

We also do not need to make one community look like it is a banditry community. The bandits are criminals within the communities and they should be treated as criminals. Yesterday, the Cabinet Secretary for Interior and National Administration appeared before the Departmental Committee on Education and Research, and one of the issues we talked about was insecurity in North Eastern Kenya. The issue of *Al Shaabab* killing teachers and how it has affected education in Wajir, Marsabit, Tana River and in the entire former Northern Frontier District featured prominently.

The insecurity problem in Turkana County has affected education, health, tourism and even investment. Hon. Chepkonga has suggested that the Cabinet Secretary appears before the House and explains how he intends to address this problem, and he is quite in order. It is not a matter that we are going to debate and stop there. It is a matter which is of great concern because when foreign investors see photographs of malnourished children from Turkana, Garissa or Mandera, they get a bad impression of Kenya. They do not apportion such photographs to a particular region of the country.

I want to laud the Cabinet Secretary for Interior and National Administration for the work that he did in trying to restore normalcy in Baringo, West Pokot and Elgeyo Marakwet. There is now some semblance of peace in those areas because of the kind of commitment he exhibited in dealing with insecurity there. His Excellency the President told him to set camps there. If it is necessary to set up military or General Service Unit (GSU) camps in Turkana or in any part of the county, let it be so, so that the people can live in peace. Kenyans should be able to invest in Turkana County, where it is said there is a lot of underground water and natural resources like oil.

It is not about shooting cows or anything but rather about the lives of Kenyans. As Hon. Kindiki tried to do a lot of good work in Elgeyo Marakwet and other areas, let him have the same resolve to make sure that the people of Turkana, West Pokot and Kenyans of all walks of life live in peace. Even the Kenyans who are in Lamu, Tana River and in all other parts of the country should be able to live in peace.

On that note, I want to ask the leaders that it is not only the Government and the Police or the guns that are going to bring security. As leaders, we need to sit down with our communities and talk to them about the need to coexist in peace.

In some instances, it takes what the current Government of Somalia is doing in trying to fight *Al Shaabab*. It is all about engaging the local community because criminals live amongst the people. The criminals who carry out attacks in Turkana County or West Pokot are members of the communities living there. The leaders and the people know them.

Therefore, they need to pinpoint them and say to them, “You are a criminal. You are not killing people on behalf of others.” Actually, we need to be very serious on this matter. Action needs to be taken. The Cabinet Secretary needs to come and give us his position.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Next is the Chairman of the Departmental Committee on Education, Hon. (Dr) Christine Ombaka.

Please, proceed.

Hon. (Dr) Christine Ombaka (Siaya County, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity.

The insecurity situation in this country has been debated in this House many times. We always say what should be done but we do not seem to apply those strategies. Right now, over 400 bodies have been exhumed in Shakahola. This happened in broad daylight. People died. When it was discovered, the entire security force was deployed there. Senior government officials, including the President, visited that place. However, we do not seem to care about other areas where insecurity is rampant. Turkana County and the North Eastern region have had this problem for a long time. In Nyanza, we have Migingo Island, where fishermen are killed all the time and nobody cares. We are talking about insecurity but we are being very selective. For some areas, the Government responds very quickly. For some, they do not give a damn. What is happening?

I felt I gave a good suggestion in my last contribution on this same Motion. That, at least, when insecurity is menacing and constantly taking place, the police can be deployed in the area. It does not look like that is happening. We have too many policemen who can be deployed in that area. We have a strong police force that can deal with the problem but we do not seem to use them. We know what is happening. Why are we not sending enough police officers to Northern Kenya to take care of banditry? They can tackle it. I also suggested that we could declare curfews. The Government can use many methods to stop what is happening. We are very good in peacekeeping missions. We always travel and our security forces are always deployed in other countries to bring peace. However, we are not peaceful ourselves. The same security forces that bring peace in other countries are not being deployed to bring peace among ourselves in our own country.

I suggest that we become serious with issues of banditry and insecurity. We should take care of insecurity in the North Eastern region and deal with issues like the one witnessed in Shakahola to make sure that it does not happen again. Bodies are still being exhumed from mass graves in Shakahola. How many people have died in Shakahola? How many people have died in Turkana? Even if only two people are killed per instance, for all these years, how many people have died in Turkana? If you count the number of people killed there, how many are they? How about Migingo? We are losing too many people in piecemeal. Two women are killed today. The next day, three. Another day, two. Another time, five. If you add those figures, in a year, how many people would have died? I think we need to address insecurity very seriously. It is not a laughing matter.

I support the idea that the Cabinet Secretary for Interior and National Administration comes to this House and answers some questions from Members.

Thank you for giving me the opportunity.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. (Dr) Ombaka. Hon. Beatrice Adagala, proceed.

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Temporary Speaker for giving me this chance to speak on matters banditry and cattle rustling in Turkana and the North Rift region.

The way the leaders of Turkana are talking is raising emotions. I have heard the leaders of Turkana and the leader of West Pokot talk. The leaders from those areas should not blame

each other. It is time we called the Minister for Interior and National Administration to appear before this House and answers questions concerning the security of areas that are hit by banditry, especially Turkana and some counties in the North Rift region. This matter should be followed up to make sure that people are not killed day and night. It is not only the Turkana people who are suffering. This is a free country and many Kenyans are living here. People from Vihiga stay in that area. Therefore, it is the responsibility of the Ministry of Interior and National Administration to ensure that Kenyans are safe wherever they are. It is the duty of the State to ensure that Kenyans live peacefully in all parts of the country.

It is not only in the North Rift where there is this challenge. The same thing is happening in Lamu. We have the Shakahola saga. We are burying people day and night. The philosophy of *Maliza Uhalifu* should be followed to the letter. The area has been gazetted as a dangerous zone because of the war on banditry and cattle rustling that is taking place.

If you were to look at the land of Turkana and compare it with Israel's land, it is land that can feed Kenyans. Turkana is a rich county. There are several minerals there. If the Government can take charge of Turkana and establish irrigation schemes, the issue of men carrying *sufurias* in demonstrations will not occur. Kenyans will be fed. It is high time the Cabinet Secretary came to this House to answer questions from Members. A few months ago, we debated a similar Motion. We are now here discussing the same Motion. We will keep on discussing and there is nothing that we will achieve. The only thing that should happen is the Cabinet Secretary in charge to appear before this House to tell us whether Turkana, Pokot and Marakwet are part of Kenya or not. I am very sure that if that is done, there will be peace. We want to get food from Turkana and see people there living well. I would like to go and stay there. In my village, I have women from Turkana who are married to my sons in my county. So, we want more Turkana to live happily like other Kenyans in Nairobi. I can see the Hon. Member for Budalang'i admiring the girl from Turkana. I know he is...

(Laughter)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Mary Emaase, Member for Teso South.

Hon. Mary Emaase (Teso South, UDA): Thank you, Hon. Temporary Speaker. I rise as one of the leaders from the Ateker communities in Kenya that the Turkana and Teso subscribe to, to join my cousins and colleagues in condemning the insecurity attacks in Turkana and the North Rift region generally. Indeed, it is a very sad day. We should ask the Cabinet Secretary to tell us whether it means that there is nothing that the Government can do to arrest this situation once and for all. Are we that helpless as a country? What will it take for the Government to end insecurity and restore peace in the northern region? If it is a question of resources, can the Budget and Appropriations Committee provide more resources, so that we have enough funds to address issues of insecurity in the North Rift region?

On 28th January, the Cabinet Secretary visited the region. Immediately he left, several attacks took place in Turkana and the surrounding areas. I join Hon. Mary who has alluded to the fact that insecurity is not affecting only Turkana or the northern region, but also the entire country. As we sit here as leaders, each one of us has lost constituents. I have buried many youths since the days of the Baragoi massacre. Those who survived the Baragoi massacre resigned. They never went back to serve the nation in their capacity as soldiers.

I have lost senior members of the Teso community in Kapedo through landmines. All of us in this House have buried people. We continue to speak about insecurity in my county yet it is affecting the economy of our country. There are women and business people from Busia who collect dry fish from Turkana to sell in Busia. Insecurity is affecting free movement, transportation, and many other sectors.

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We are told that insecurity is caused by banditry, which is part and parcel of the culture of the people of the northern region. Lawyers can help me with the specific article but the Constitution states that if any cultural practices are no longer beneficial and have a negative impact, they should be discouraged. If banditry is a matter of culture, something can still be done about it. It is very unfortunate and sad that in this era, this country continues to speak about insecurity. Something has to be done. Hon. Kindiki, I know you are listening to us. You are trying but I urge you to try harder and do something to arrest the issue of insecurity in the Northern Kenya region.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I want to, first, thank you so that men can now understand how we sometimes feel when we are in a House of 290 Members with only a few women.

Having said that, I rise to also...

The Temporary Speaker (Hon. Peter Kaluma): Hon. Beatrice, you are not favoured. You are on top of the list. Because this issue has kept everybody in the House, I am going by the list. This is not about gender insensitivity. The people who will speak after you will be men for quite some time.

Proceed because the time is limited.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I also rise to appreciate this Adjournment Motion.

Back in the days before we promulgated the current Constitution, we thought that it was lack of resources in those areas that created insecurity. We have been proven wrong because the Government has allocated about Ksh12 billion to Turkana County since devolution came into being. That means that the Government needs to think beyond resources. We need to think about whether it is possible to support those counties. As much as they have resources, the Government must create very serious infrastructure that can turn them around. There should not be just one road that goes up to the border. The Government should construct feeder roads that can open up the area and facilitate the growth of the local economy through transportation of products to places such as Kapenguria and Kitale.

We need to ask other security agencies, like the Kenya Defence Forces, for help. We should not just rely on the police. We should have military barracks in that area, which could also help grow the economy. Why can we not have barracks there that will grow the economy and create wealth for them? They will build schools, introduce agriculture and bring water and resources that are making people fight every day. They fight because of lack of water and pasture. All these things will grow. We need to re-think how we can sit down with Pokot, Turkana and any other community in the belt to see what the real issue is. The leaders here should also help us. If you are a leader, you definitely understand the problem. They should be properly placed in that programme without political bias. They must be a multi-agency that works together for the benefit of the people of the North. Turkana has the only inland lake, which is the best in the world that astonishes people, but we are still talking about all these things. We should ask ourselves, is it education that we are lacking?

Lastly, as we speak about this, we need to look at the red belts that we have in Africa and ask ourselves what young people are trying to communicate and see how governments should work with the youth to transform all the insecurity we currently have.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Julius Sunkuli.

Hon. Julius Sunkuli (Kilgoris, JP): Thank you, Hon. Temporary Speaker. Today seems to have been a ladies' day but I do not think it was in vain that they are speaking to this Motion because they speak from their hearts. They realise that the senseless fights have a lot

of attrition on their children and on their property. I really commend the strong spirit which they have displayed today.

Long ago I used to drive from Kitale to Lodwar and the road was very good. Despite the spoilt parts from Cheperaria to Ortum, those days it would take a few minutes to drive there. There was absolutely no threat to security but over time we have lost many people there. I lost a friend called 'Japheth Ekidor', who was a Member of Parliament of that area, due to the insecurity of the area. The casualties can be counted from both Turkana and Pokot. I would say the first problem is that we have been attributing the conflict in the north as a fight for resources. Sometimes we say it is due to stock theft but I can see a new trend and a new cause of clashes and banditry. Banditry is a very dangerous thing because there is no community that can organise banditry against another one. Usually, in the traditional sense, if the people of Turkana have a dispute with the people of Pokot, they would go to war. It would be known that they are fighting over water and resources. Mediators would then be called upon to come and discuss the issue. When there is banditry, it is not a community interest but a security interest. I would plead with the Cabinet Secretary for Interior and Coordination of National Government and his Ministry to begin investing more on understanding these evolving disputes in the North and begin to see what kind of interventions can be made. Dealing with a problem in Lamu may not be exactly the same as dealing with a problem in Lodwar. It might also call for a change in the way we train our *askaris* so that we train some who are specialised in dealing with the mutating fight.

Hon. Temporary Speaker, it is not the same fight that we used to know. We cannot deal with it using old tools. We require to have peace in the North Rift, and more so in Turkana County. Lodwar was a rising star and we want it to continue to be the same. We do not want insecurity to dim the light of the Turkana or Pokot people. Let us solve this issue seriously.

I support the Motion.

The Temporary Speaker (Hon. Peter Kaluma): Hon. John Mutunga.

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to support this Motion of Adjournment. It has come at a time when we have witnessed a lot of issues happening across the country despite the Government making some effort to address those challenges.

We need to be more strategic in our efforts and whatever it is that we are doing to contain deviance and insecurity. If it spreads in any part of the country, it means Kenya is unsafe. If people die in any part of Kenya, we have lost it. We need to do something about it. We are here today speaking about Turkana County. If we dig deep into what causes insecurity, we will realise that there are many issues that come by, like invasion of some kind, trying to scare people away from their localities, or trying to steal from others and to show some form of supremacy. We know that the Government has sovereign power. It is only the Government that can help us out.

I would like to laud the effort of the Office of the Cabinet Secretary for Interior and National Administration. However, I would like him to focus more on specialization of the forces. I know that there are specially trained police personnel who can intervene in such cases. We need to see more deployment in some of those areas. We cannot just say that it is only Turkana, Pokot and other parts of the North Rift that have this problem. Insecurity is also in other parts of this country. Even as close as Meru County, we have issues with our neighbours in Isiolo. People are killed once in a while for some motives. Sometimes they do it to scare people from their land, invade their land to graze their animals, among other very flimsy reasons.

The motive of killing needs to be investigated further. We have different departments within the security fraternity that can do this. It needs to be contained. The people of Turkana and other Kenyans in all parts of Kenya need to feel safe that something is being done to secure

the country. There has been intention by the Government to disarm civilians. It needs to be taken very seriously to the last man. There are operations sometimes where people are apprehended and firearms are collected. This exercise needs to be done thoroughly. It is possible. Our Government has capacity to do that. I call upon the Cabinet Secretary and the police, even with the support of the Kenya Defence Forces (KDF), to disarm those who have illegal guns, which are being used to kill people.

Hon. Temporary Speaker, even as we talk about it, we should not forget that the Government has an obligation to protect Kenyans and make sure that they are safe wherever they are. We need to feel safe to live and invest anywhere in this country. No tribe or community in this country should feel insecure to go about their businesses. We need to support our people to feel secure. The only way we can do that is not only by appearing to be working but also have an impact in what we do. I call upon the different arms of the Government involved to take this issue very seriously. When Members bring such issues and we discuss them often, it means they are important and we need to be taken very seriously. I call upon the various arms of the Government to act accordingly.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Next is Hon. Eve Obara.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker for giving me an opportunity to also speak to this Motion. I empathise with our colleagues from Turkana East, Marakwet and Pokot areas. We empathise with the situation. As my colleagues have said, there are criminals all over in our communities. One may be tempted to point a finger at another person and say that he is doing one thing or the other.

As rightly mentioned by the Chairman of the Departmental Committee on Education, we had the Cabinet Secretary for Interior and National Administration yesterday. The same problem is also in the North-Eastern region, where children are not going to school. Normal life is not going on in those areas. The most important thing is that, as leaders, we need to talk to one another. We need to avoid a situation where we blame one another. We need to learn to co-exist. We have criminals everywhere in Kenya that we speak about.

Hon. Temporary Speaker, I am sure that even in the area you come from, in Homa Bay Town, there are criminals who harass people at night. I can confirm to you that even in Kabondo Kasipul, we have criminals but we are all trying to work together to contain them. Even within the police force, we have criminals. We have seen them battering Kenyans for no reason at all. We must reign them in and call them out. Therefore, I agree with my colleague that this matter is very serious to the security of this country.

As parliamentarians, we need to work together. We must talk to each other and call Prof. Kindiki, as it has been suggested, to come here on any Wednesday to address some of the issues and concerns of parliamentarians. Let us avoid trying to push our emotions. I got scared when I saw what was happening here. My colleagues got it wrong when they pointed at a particular person and explained that that is why the person was not here. They may not be here because of one reason or another. Please, let us avoid that temptation. Let us rise to the occasion. As representatives of the people, let us do what we came here to do – to speak on behalf of the people. Let the people's voices be heard. Let security be maintained in Kenya so that we do not lament here and cause confusion amongst our constituents.

My appreciation goes to my colleague for bringing this Motion.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much. Hon. Rindikiri Mugambi, you are next.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker.

Security for every Kenyan is paramount. It is well entrenched in our Constitution. I come from a neighbourhood where quite often we have cattle rustling. We border Isiolo and Laikipia. We have all communities in my constituency. We have the Turkanas, Samburu,

Maasai and Meru people living there. We have everybody. Time has come for us, just like other Members have said, to start talking to each other. One of the initiatives we are pursuing in our region is to continuously engage our neighbours.

We had a very funny incident. One of our Members of County Assembly (MCA) was killed. One bullet was shot aimed at the MCA. To us, that was not an ordinary cattle rustling incident. We have organised gangs. There are some elements with intentions of destabilising the peace. Other people have made cattle rustling their business enterprise. There are others who are being instigated by us leaders.

I concur that, as leaders, we must start talking to each other. We cannot leave the issue of security to be tackled by the security agencies alone. As leaders, we need to be engaged. We have had situations where some rogue police were part of the criminal elements. We were told some of them sold ammunition because they lacked food.

They have been selling bullets because they belong to this or that political party. This is a very serious issue. I truly feel what the people of Turkana are feeling. I have, in my constituency, a population of about 700 people from Turkana County. I know them. There are those who are willing to work hard. Two of the best students I have in medical school are twins from Turkana County. Therefore, I feel for the Members from Turkana County. That said, we have to commend the Government for what it has been doing.

I beg for an extra minute, Hon. Temporary Speaker.

We have for a long time waited for serious things to happen and accumulate in Turkana County. Let me say that the Government needs to increase equipment and personnel. It is high time that this House called upon the Government, and more so the Inspector-General of Police to act. He has the independence. Sometimes it is very frustrating to the Cabinet Secretary.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Timothy Toroitich.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you for giving me an opportunity to submit on this subject matter. I thank my friend from Turkana East, Hon. Nicholas Nixon, for moving this very important Motion.

I watched with horror as the Woman Representative of Turkana County was submitting on this subject matter while weeping. It is unfortunate that at this time and age, we are still in this state of insecurity as a country. My constituency borders West Pokot on one side and Turkana County on the other side. I want to speak about the side bordering Turkana County.

We have to understand Turkana County in proper context. The size of Turkana County is 77,000 square kilometres. The size of Rwanda is 26,000 square kilometres, Burundi is 27,000 square kilometres, and Djibouti is 23,000 square kilometres. The three countries combined, cannot match the size of Turkana County. Turkana is the largest county in this country. It is 77,000 square kilometres. What does that mean? The Government of Kenya was elected to protect the lives and properties of our people. If this Government cannot protect the lives of the people of Turkana and their properties, then let us give Turkana County independence. Let them be a country of their own.

(Applause)

Let them have their own self-internal rule so that they can arm themselves and protect their people. Let us be factual. It is not possible for this country to civilise and put infrastructure in Turkana. The county has been neglected by the successive regimes. You will be shocked if you go to Turkana. There is an area with no infrastructure—there are no roads going to the interior of Turkana. There is an area with no hospitals and schools. It is a vast county which the Government should be very deliberate about its development even if it means suspending developing other parts of Kenya for one year and directing all the resources of the country to develop Turkana County. It is shameful.

I do not think there is an easier way to develop Turkana County than to give them self-internal rule to take care of themselves. It is shameful to see leaders elected to this honourable House weeping on the Floor of the House because the Government that is in place cannot protect the people of Turkana. It is very unfortunate.

I have no other submission to make but to say that if the Government is listening, from today, it should take deliberate and intentional action to protect the...

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much. Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to add my voice to this very important and moving Motion of Adjournment brought by *Mheshimiwa* from Turkana.

As he was going through this Motion, we were all moved. When the Woman Representative spoke, many of us almost wept. Some of us come from areas that are seriously affected by insecurity. This is something that has always been there. The question I always ask myself is, if our Government is in control, how can bandits, who do not have machinery, overwhelm the security apparatus, kill our people, including innocent children and expectant mothers? As a result, many children have been orphaned, widows have been created and the poverty levels have increased even as we work hard to reduce it amongst our people. Sometimes when the bandits attack, they do not steal animals. They just kill people. Where does the spirit of shedding innocent blood come from? Why are we not able to control the situation year-in, year-out?

During the 12th Parliament, the debate that often took place in the Senate was on insecurity in Isiolo, Marsabit, Samburu, Turkana, Garissa, Wajir and Mandera. Many people get killed every day in the mornings and evenings. The Kenya Kwanza Government made a lot of promises to the people of Kenya, including the people in Turkana, Marsabit, Wajir and Mandera counties. Sometimes we are told that it is the *Al Shabaab* who have attacked and at other times we are told it is bandits. It is high time the Government protected Kenyans by finding a lasting solution. It is the responsibility of the Government to protect the life of every Kenyan and their property. In some parts of this country, you cannot be sure whether you will wake up the following day.

Prof. Kindiki, my good friend, must come to this House again and explain to us what is really happening. As many Members have said, enough is enough. We have lost many people. We cannot keep crying. We cannot be a lamenting nation. On the issue of insecurity, we have become a lamenting people and nation because it seems that we cannot take care of ourselves and our people.

Hon. Temporary Speaker, with those few remarks, I support this Motion and pray that we find a lasting solution for those who are affected.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Waqo. Hon. Fatuma Mohammed, you are next.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker for giving me this opportunity. I send my prayers and mercy to the people of Turkana.

The problem is political. The answer can only be political. If you look at the history of the Turkana people, you will realise that they never voted for Hon. Jomo Kenyatta, Hon. Daniel Arap Moi, Hon. Mwai Kibaki, Hon. Uhuru Kenyatta or Hon. William Ruto. They have always voted for Hon. Raila Odinga. Turkana people, you are being punished. There is no need for pretending. Let us not pretend. It is the reality. I can give you statistics.

Hon. Naomi Waqo (Marsabit County, UDA): On a point of order.

Hon. Fatuma Mohammed (Migori County, Independent): In 2013, Raila got 64 per cent of the votes in Turkana County. In 2017, Raila got 69 per cent of the votes in Turkana County. In 2022, Raila got 66 per cent of the votes cast in Turkana County. Let us not pretend. The population in Turkana is small.

Hon. Temporary Speaker, please, protect me from Hon. Naomi. The point I am putting across is very important. You can block your ears if you do not want to hear me. You contributed and I listened. It is the truth. When Azimio supporters were doing demonstrations, policemen went into small houses, removed boys and beat them to death. You cannot tell me the police cannot do the same in Turkana County. Let the policemen go to Turkana, break the doors of houses, remove those bandits and beat them to death as they beat the Azimio protesters. We are pretending here fellow Members of Parliament. Let us be realistic.

There is no cure for this problem as long as the Turkana people do not vote for the Government that is in place. I am telling the people of Turkana that the Government might not help them but Allah in Heaven is watching. He will grant you peace. Continue praying, we are with you. It is shameful to see an elected Member crying helplessly on the Floor of this House because her people are being killed. I have seen her cry twice in this Parliament, and we come here and pretend. Let us have peace. Let us talk, talk and talk about what? The people of Turkana never voted for you, but they are Kenyans and they pay tax.

The other day oil was discovered in Turkana County. What happened to the oil? Did bandits take the oil? No, they never voted for the previous regime and the current one. Turkana, Allah is in Heaven and He is going to do the merciful. Let this Government do what it wants to do but the God that I worship five times a day will have mercy on you. We are not going to come here to pretend. The truth must be said. The Turkana are Opposition people. Until they put the person they want in Government, they will never get their rights. Why should Hon. Kithure Kindiki come here with prepared answers to Questions? He comes here to waste our time. In fact, if he comes here again I will walk out. Let him fly, go sleep in a tent there and give the people of Turkana County their rights as Kenyans. Both Opposition and Government, you are pretending. The people of Turkana County will never vote for you as long as you do not do the right thing for them. Give them Members of Parliament and they will vote for you. Election is coming in 2027. If you want their votes, do the right things for them and maybe they will vote for you. Turkana people, as long as your votes remain in the Opposition, you will never get peace. However, God in Heaven does not need their votes; He only needs their prayers. May Allah hear your prayers. May their answers be found. Dear Members of Parliament, I am going down to pray for you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Jematiah Sergon has been waiting for long.

Please proceed.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you, Hon. Temporary Speaker. I want to take this opportunity to wade into the debate. I know time is not with us. Hon. Fatuma Mohammed has, probably, a crucial idea that we might need to think about. She should understand that I come from Baringo and we are being attacked by bandits. Most of them come from Baringo. By the way, this thing cuts across many areas to some extent. We have heard the Member for Marsabit, where they are also being attacked. Sometimes it is easy to blame someone. The buck stops with the Presidency. This is something that is not going to be discussed in shadows.

I agree to some extent with Hon. Fatuma when she said the problem we have is that when people are getting killed by bandits, policemen do not take adequate action. For instance, we have had thieves in Nairobi killing people or committing robberies all over the place, and police take time to pick them out. They either kill them or present them before court. We have never seen a single bandit being charged in courts or being taken in by the law. This is why

this problem keeps on recurring all the time. The impunity level is high to the extent that someone kills you, drives away all your cows, chases you out of your homestead, lives in your house from which he has chased you, and again walks freely without anything happening to him yet we are in Kenya where we vote.

I am a democratic person. I am speaking for the majority of a generation that did not see these customary activities that happened those days. At the end of the day, as a leader in this country, I ask the National Intelligence Service (NIS), what happens with those people? Where do they go at the end of the day? It is something that the security apparatus should deal with. They should deal with bandits and finish this problem once and for all. We are tired of speaking about it and crying all the time.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Wa mwisho atakuwa ndugu, Mhe. Harrison Kombe.

Hon. Harrison Kombe (Magarini, ODM): Asante, Mhe. Spika wa Muda, kwa kunipatia nafasi niweke sauti yangu kwenye suala hili la usalama nchini.

Ningependa kukurudisha nyuma kidogo. Kama utakumbuka, kuna wakati kulikuwa na hali kama hii kule Turkana na Pokot. Tulisafiri, kama Wabunge, na kushiriki katika michezo pamoja na jamii hizo mbili. Kama utakumbuka, siku hiyo wale waliokuwa wameiba mifugo ya wengine, walirejesha mifugo hao. Hatimaye, baada ya hapo, hatukusikia tena visa kama hivyo. Lakini miaka michache iliyopita, visa hivyo vilikithiri sana.

Mhe. Spika wa Muda, ukiwa mmoja wa wanamichezo, naona kuna haja ya kurudi tena Turkana, Pokot na kule Kapenguria ili kujaribu kusawazisha na kuwaonyesha kwamba Kenya ni moja, na hatustahili kupigana wenyewe kwa wenyewe.

Zaidi ya yote, usalama wa nchi uko na wananchi wenyewe. Usalama wa mtu uko na mtu mwenyewe. Jamii hizi mbili zinazozozana sana sana, usalama uko mikononi mwao. Iwapo watajitokeza kukaa na kuzungumza kwa amani, hakika amani itakuwa juu yao. Lakini, kama hali vile ilivyo, Hoja kama hii ikiletwa, wengi wao, hasa wale wanaohusika, huwa wanapotea. Hawakai kusikiza yale machungu ambayo wenzao wakonayo. Laiti wengine wangekuwa humu ndani wakaona yule Mheshimiwa akilia, hata wao pia pengine wangeingiwa na huzuni na kubadili nia zao.

Suala hili la usalama liko kote nchini. Kule Banisa, kwa mfano, wanajeshi wetu walio kule kila wakati wanapoteza maisha. Waziri wa Usalama amejaribu sana lakini haijatosha. Ingekuwa tu siku moja aamuru kikosi kizima kiende kivamie hiyo misitu ambayo iko na hawa majangili na kufagia kama vile ilivyokuwa mwaka wa 1969, ambapo hayati Mzee Jomo Kenyatta aliamuru jeshi na likafagia mashifta wote na vita vya mashifta vikaisha. Hatukuwahi kuvisikia tena. Ni vyema tufuate mfano huo. Amri itolewe kuwa misitu ya Kapedo na Banisa ivamiwe. Hili likifanyika, hatutasikia tena mashambulizi ya *Al Shaabab* ama majangili wanaohangaisha Wakenya wasio na hatia.

Mhe. Spika wa Muda, naomba kutia kikomo lakini nasisitiza kuwa kuna haja ya Bunge kutembelea...

(Hon. Harrison Kombe's microphone went off)

The Temporary Speaker (Hon. Peter Kaluma): Mhe. Dekow, nakupa dakika moja tu kwa sababu tumepitisha muda wetu wa kawaida.

Hon. Dekow Mohamed (Garissa Township, UDA): *Asante Bw. Spika wa Muda.* Nimesimama hapa kama mwenyiki wa Pastoralists Parliamentary Group (PPG) on Peace and Security. The problem our brothers are facing in Turkana cuts across all pastoralist communities. Unfortunately, I think, we, pastoralists are a cursed group. Banditry is a common problem among the pastoralists in this country. I sympathise with our brother who brought this

Motion. He should understand that we face the same problem in Northern Kenya. This is not only experienced in Turkana or the North Rift.

As I sympathise with him, we want the leaders from these regions not to be emotional. Let us talk about it. As the Chairperson of the Pastoralists Parliamentary Group on Peace and Security, I am organising a peace summit for the leaders from the North Rift towards the end of this month. I was disappointed when this matter came to the House because we are working on it. This issue was raised by the Member for Turkana West, Hon. Daniel Nanok. The only solution to this problem is for the leaders of these communities to sit down and talk. There is nothing Prof. Kindiki can do which has not been done since 1963. This problem cannot be solved by Prof. Kindiki using the military or police force. The only solution is for leaders from that region to talk to our communities.

The House should note that 17 World Bank projects meant for Northern and North Eastern Kenya have not taken off in the last 10 years because of this insecurity problem. The responsibility lies with us, as leaders, and as a people of that region. We should all sit down and come up with a solution to the insecurity problem.

Thank you very much, Hon. Temporary Speaker.

(Applause)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, even our systems recognise that we have gone beyond the stipulated time. This was an Adjournment Motion on a matter of national importance and the sobriety and seriousness with which we have discussed it allowed us to go beyond the stipulated time. I wish these kinds of deliberations and proffering of solutions could define future Adjournment Motions and other Motions where we discuss matters affecting Kenyans, more so in terms of protection of lives and property.

ADJOURNMENT

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, the time being 7.12 p.m., the House stands adjourned until Tuesday, 8th August 2023, at 2.30 p.m.

The House rose at 7.12 p.m.

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