

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 29th, August, 2012

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

The Financial Statements of the County Council of Wareng for the seven years period ended 30th June, 1996 and the certificate thereon by the Auditor-General.

The Financial Statements of the Municipal Council of Naivasha for the year ended 30th June, 2011 and the certificate thereon by the Auditor-General.

The Financial Statements of the Municipal Council of Machakos for the year ended 30th June, 2010 and the certificate thereon by the Auditor-General.

The Financial Statements of the County Council of Busia for the year ended 30th June, 2010 and 2011 and the certificate thereon by the Auditor-General.

The Financial Statements of the Municipal Council of Bungoma for the year ended 30th June 2010 and the certificate thereon by the Auditor-General.

The Financial Statements of the County Council of Masaku for the year ended 30th June, 2010 and the certificate thereon by the Auditor-General.

The Financial Statements of the Town Council of Molo for the year ended 30th June 2011 and the certificate thereon by the Auditor-General.

The Financial Statements of the Town Council of Iten for the years ended 30th June, 2009 and 2010 and the certificate thereon by the Auditor-General.

Abstract of accounts of the County Council of Rachuonyo for the three years period ended 30th June, 2007 and the certificate thereon by the Auditor-General.

The Financial Statements of the Town Council of Kikuyu for the year ended 30th June, 2009 and the certificate thereon by the Auditor-General.

The Financial Statement of the Town Council of Chepareria for the year ended 30th June, 2010 and the certificate thereon by the Auditor-General.

The Financial Statements of the County Council of Nandi for the year ended 30th June, 2010 and the certificate thereon by the Auditor-General.

The Financial Statements of the Town Council of Burnt Forest for the two years period ended 30th June, 2009 and the certificate thereon by the Auditor-General.

*[By the Assistant Minister for Labour (Mr. Ojaamong)
on behalf of the Minister for Local Government]*

QUESTION BY PRIVATE NOTICE

Mr. Speaker: Member for Migori, please, proceed.
Order, Member for Migori! I have called you. Will you kindly proceed to the Dispatch Box if you have difficulties with that?

BAN ON HOLIDAY TUITION IN SCHOOLS

Mr. Pesa: Mr. Speaker, Sir, I beg to ask the Minister for Education the following Question by Private Notice.

Mr. Speaker, Sir, indulge me to read the Question.

(a) What urgent measures has the Minister put in place to ensure that schools experiencing acute staff shortages complete the syllabus before end of the year National Examinations in view of the fact that the Ministry has banned holiday tuition in schools?

(b) Could the Minister clarify whether he sought the concurrence of the key education stakeholders and Parliament before implementing the decision to ban holiday tuition in all schools in the country?

The Minister for Education (Mr. M. Kilonzo): Mr. Speaker, Sir, I have consulted the hon. Member and I wanted to communicate to the House the proposal I have made to him that I be allowed to answer this Question tomorrow. This is because it is a very important Question affecting a very important sector. I wanted to prepare and present a comprehensive position. I will be ready tomorrow. I am not ready today because it is being polished. I had received a preliminary answer which was not satisfactory from the technocrats and hence my request.

Mr. Speaker: Member for Migori, are you prepared to accommodate the Minister?

Mr. Pesa: Mr. Speaker, Sir, the Minister started very well and since he is expressing his desire to give Kenyans a good answer to tomorrow, I accept.

Mr. Speaker: Very well. I defer the Question then to tomorrow afternoon at 2.30 p.m.

(Question deferred)

ORAL ANSWERS TO QUESTIONS

Question No.1668

ASSAULT ON MR. TOM OTIENO BY THUGS IN OYUGIS

Mr. Magwanga asked the Minister of State for Provincial Administration and Internal Security:-

(a) whether he is aware that a journalist, Mr. Tom Otieno (ID No.9926825), was attacked by thugs at Oyugis in Rachuonyo District on 28th May, 2012;

(b) what the motive of the attack was and whether any suspect(s) in connection with the incident have been arrested and arraigned in court; and,

(c) what measures he will take to ensure that similar incidents do not recur in the area.

The Minister of State for Defence and Acting Minister of State for Provincial Administration and Internal Security (Mr. Haji): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that Mr. Tom Otieno was attacked by thugs in Rachuonyo on 28th May, 2012. However, Mr. Tom Otieno is a freelance journalist based in Rachuonyo and has not made any report to any police station of an attack.

(b) Therefore, the issue of the motive of the attack and the arrest of suspects does not arise.

(c) Adequate security measures have always been in place not only in Rachuonyo but also in the rest of the country to ensure peace is upheld as Kenyans carry out their daily activities.

Mr. Magwanga: Mr. Speaker, Sir, I wanted to raise an issue that I have not received a written answer from the Minister. However, I want to thank the Minister for the answer he has given. The answer is not well researched.

The journalists were actually attacked in Oyugis on 28th May. They were about five people. These journalists were attacked while they were on their mission investigating a defilement case which took place on 1st and 2nd of March, 2012. The girl by the name Elizabeth Akinyi who was 17 years was defiled but escaped on 22nd of March, after receiving some fare from a well-wisher.

As they were doing this---

Mr. Speaker: Order, Member for Kasipul Kabondo! You have laid enough ground. Can you now come to your first supplementary question?

Mr. Magwanga: Mr. Speaker, Sir, has anybody been arrested? The statements were recorded in Oyugis Police Station on the very day; 28th May.

Mr. Haji: Mr. Speaker, Sir, I am sorry that my colleague has not received a written reply. Understandably, I have just arrived from Mombasa and I signed those documents at 2.00 p.m. If they are delayed, I am really sorry.

However, to answer, the said Tom Otieno is a freelance journalist as reported. He has not made any report to the police regarding threat to his life. It is alleged that Tom Otieno had been contacted by the area Member of Parliament to write the story of a girl; Elizabeth Akinyi, who was alleged to have been kidnapped. The following is the sequence of events.

On 28th May, 2012, Samuel Owinda a freelance journalist and proprietor of Rack Resort reported that while at his premises the same day at about 10.00 p.m., he was threatened by a group of people known to him as follows:-

1. Henry Nyakandu.
2. Evans Ndege.
3. Jaboya Omwaga.
4. Robert Mpura.
5. Mary Nganya.
6. Obel.
7. Davies.

The group accused him of kidnapping a certain girl and even attempted to set his motor vehicle Reg. No.KBQ 993Q on fire.

The same day at about 5.00 p.m.:-

(i) Tom Onyaga, a manager at Rack Resort reported at Oyugis Police Station vide OB.No.35/28/05/2012 that he was threatened by a group of five men among them one known to him as Ndege.

The group wanted to know why he had allowed the media to use the hotel premises and even threatened to burn down the premises. On 29th May, at about 6.33 p.m., vide OB33 of 29th May, one Risper Okeyo, accompanied by five ODM politicians from Rachuonyo South reported that her daughter, Elizabeth Akinyi, aged 17 years, left home that morning for Nyandhiwa Mixed Secondary School where she was a student.

Mr. Speaker, Sir, she further reported that when she went to the school at 9.00 a.m., to pick the student to accompany her to Kisumu, she was informed that her daughter had not reported to school that morning, and that she was seen in the company of one Morris Oduor Anguka in Oyugis Town. In her report, she claimed that the same Morris Oduor Anguka and one Samuel Owinda were behind the disappearance of her daughter.

A signal to all police stations in Kenya was circulated to help trace the missing girl, who was later traced to Mbita. She is helping the police with investigations. According to evidence collected so far, the group that threatened Samuel Owinda had accused him of kidnapping a school girl, whom the police have established is the same Elizabeth Akinyi that Mrs. Risper Okeyo had reported to have disappeared on her way to school. Following the reports made to the police by the three persons, it was found out that the three reports were inter-related and revolved around the same girl.

Oyugis Police Station Inquiry File No.1/2012 was opened by the District Criminal Investigation Officer (DCIO), Rachuonyo. The police have been able to follow crucial leads, which led to the recovery of the girl. Investigations are on to establish the circumstances surrounding the disappearance of the girl, and any person found culpable will be charged in court.

Adequate security measures were in place in the whole of Rachuonyo. This incident is being treated as an isolated one. However, thorough investigations will be conducted to ensure that there will be no more occurrences of such incidents. It is alleged that the same girl, Elizabeth Akinyi, is being sponsored by one Charles Ongonda Were, a businessman in Meru and an aspiring parliamentary candidate for Kasipul Kabondo.

The girl was previously attending school in Meru but moved to Rachuonyo sometime in March, 2012 for unknown reasons. The persons involved in the case belong to different opposing political camps with some for the incumbent and others for the aspirant.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Yes, Member for Lamu West.

Mr. Twaha: Mr. Speaker, Sir, recently, there has been a rise in incidents of people taking the law into their own hands leading to mob justice, riots and incidents of that sort. What is the Government doing to make the due process of the law more attractive to people, taking the law into one's own hands less attractive and to educate the next generation on the fatalities of taking the law into one's own hands?

Mr. Haji: Mr. Speaker, Sir, the Government is doing everything possible. It is a culture that has developed for a long time amongst Kenyans; that people undertake mob justice, which is uncivilised manner of dealing with criminals. So, it is the duty of all Kenyans, leaders included, to try and educate the public not to take the law into their own hands and impress upon them to report criminal activities to the police, so that appropriate action can be taken.

Mr. Njuguna: Mr. Speaker, Sir, it is in the public domain that while performing their duties, media people are sometimes mishandled and at times, their tools of trade are damaged. What is the Government doing to make the profession safer for media practitioners?

Mr. Haji: Mr. Speaker, Sir, media people and other people in Kenya have the right to protection. People will be protected whenever necessary. Again, it is a question of culture amongst Kenyans, who sometimes do things beyond the imagination of anybody. We expect that as we continue to implement the new Constitution, people will learn to respect each other.

Mr. Speaker: Yes, Member for Nyakach.

Mr. Ochieng: Mr. Speaker, Sir, I heard the Minister indicate in his answer that the matter was not reported to the police but he later on went ahead to read a lengthy statement, which indicate that the matter was actually with the police. So, could he confirm that he is ready to arrest the culprits?

Mr. Haji: Mr. Speaker, Sir, I said that the journalist did not report to the police. However, on the question of the girl, an inquiry file has been opened. There is a lead investigator, and we hope to catch up with the people who are responsible for the incident.

Mr. Speaker: Yes, Member for Ol Kalou.

Mr. Mureithi: Mr. Speaker, Sir, I have heard the Minister say very clearly that security is provided in the whole country. I sympathize with the journalist and the schoolgirl, whose case was being covered. However, whenever an issue regarding security arises, we are told that there will be investigations and that the culprits will be brought to book. I have stood here in the past and reported of a case where premises in my constituency were attacked and the guard killed, in respect of which I was told that the police would catch up with the culprits. What is he doing to address the issue of saying that investigations will be carried out, so that we can get the results in this Chamber? As soon as we leave this Chamber, such cases seem to be forgotten. So, could he give an assurance to this House that the investigations will be carried out and the reports brought back to the House?

Mr. Haji: Mr. Speaker, Sir, this will be a very isolated case because investigations do not always yield results. However, there have been many achievements made. The big number of prisoners that we have in this country is an indication that investigations carried out by the police have yielded successful results. There may be isolated cases where investigations have not yielded results but I want to assure the House that we will do everything possible to impress upon the police to fast-track investigations and report whether they have been able to catch up with criminals.

Mr. Speaker: Final question, hon. Magwanga.

Mr. Magwanga: Mr. Speaker, Sir, I want to thank the Minister for the answer he has given. However, he has indicated that the person who had this girl is the same person who might have defiled her, and that he may be trying to deny the fact. The same person has even rendered a family homeless, just next to his home, and he is about to harvest maize from that same farm after he had even hired goons to kill the IDPs' cows and the rest. What action is the Minister taking to arrest the culprit and establish the whereabouts of the girl? Can he also tell the House---

Mr. Speaker: Order! Order, Member for Kasipul Kabondo! I have already given you a lot of latitude.

Yes, Minister.

Mr. Haji: Mr. Speaker, Sir, the question of harvesting maize is new to me. I am, however, sure that when these people report to the police, the police will do everything possible to ensure that nobody takes somebody's property illegally.

On the question of the whereabouts of the girl, she is already with her family. As I said, an inquest file has been opened. If this fellow is found to have raped the girl, the law will catch up with him.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Next Question, Member for Mandera East.

Question No.1605

LACK OF POLICE STATION IN LAFEY DISTRICT

Mr. Speaker: Is hon. Hussein Ali not here? What is it, Minister?

The Minister of State for Defence and Acting Minister of State for Provincial Administration and Internal Security (Mr. Haji): Mr. Speaker, Sir, I was with hon. Hussein Ali in Mombasa. He actually went there for the same function that I went for, and I left him there. I have agreed with him that I will deal with his Question, and I promised that a police station will be opened as soon as funds are made available.

Mr. Speaker: Minister, normally, we would not defer a Question on those grounds but, because of the special circumstances, bearing in mind what is happening in Mombasa, I will make an exemption and defer this Question until such time that both you and the hon. Member are ready, and you draw my attention to that fact.

(Question deferred)

Next Question, Member for Gichugu.

Question No.1721

IRREGULAR ALLOCATION OF LAND TO A CHURCH
BY NAIROBI CITY COUNCIL

Ms. Karua asked the Minister for Local Government:-

(a) whether he is aware that the Nairobi City Council (NCC) irregularly allocated Block 107, Plot No. 384 in Umoja II earmarked for a social Hall to a church; and,

(b) what he is doing to ensure that both the law and city planning regulations are followed.

The Assistant Minister for Local Government (Mr. Nguyai): Mr. Speaker, Sir, I beg to reply.

(a) According to the layout plan, Block 107, Plot 384 Umoja II is earmarked for a community center. No allocation has been done. The site is fenced off but undeveloped. On the ground is a toilet block and tent used for religious purposes by Living Waters Church.

(b) On 27th August, 2012, the council issued summons for production of ownership documents followed by an enforcement notice for demolition/removal of the unauthorized structures as stipulated in the council by-laws. Action will be taken accordingly upon expiry of the notice.

Ms. Karua: Mr. Speaker, Sir, I wish to thank the Assistant Minister for that answer but I do not know whether he is aware that there was a court case – High Court Civil Suit No.190 of 2006 where Living Waters Church International had sued the NCC over the same plot and which case was dismissed by the court on 6th April, 2008 and that following that dismissal, in the year

2011, which is last year, Living Waters Church obtained a certificate of title. I do not know through whatever means having lost the court case. That certificate is dated the 7th of July, 2011 and was issued in the name of Registered Trustees of Redeemed Gospel Ministries. I wish to table the ruling of the court and that certificate for the Assistant Minister to see whether he is aware and what he is doing to have this irregular title cancelled.

(Ms. Karua laid the documents on the Table)

Mr. Nguyai: Mr. Speaker, Sir, I am not aware of the court case but I am happy and grateful that I have been told of the ruling and the proceedings thereof by the hon. Member on this Floor and as such, I will peruse the ruling and then find out the circumstances under which a title was issued after there was a ruling in court. If we find, I am sure probably that is a possibility, that that the title has not been issued in accordance with the ruling of the court, then we will institute proceedings with the Ministry of Lands to revoke the said title. We will do the investigations.

Ms. Karua: On a point of order, Mr. Speaker, Sir. Following the Assistant Minister's revelation that he is not aware of the title being issued and he would like to peruse the documents, would it be in order to request therefore that he asks for the appropriate time to be able to comprehensively answer that bit of the Question about the title and its cancellation?

Mr. Speaker: Mr. Assistant Minister, that is legitimate unless you are clear on what action you will take as soon as you know the import of the documents.

Mr. Nguyai: Mr. Speaker, Sir, obviously it is legitimate and in the light of the new information that we have, give me two weeks to ensure that I will not only peruse the ruling but come up with adequate information and action of what should be taken. Thank you.

Mr. Speaker: Hon. Members, in those circumstances, and I note that hon. Ottichillo and hon. Ngugi are queuing, I want us to save time on this. This Question will obviously have to be deferred. So, we will want perhaps to take other interventions when it comes back on the Order Paper. I want to defer this Question to two weeks away from today and it is so directed.

(Question deferred)

Mr. Speaker: Next Question by Mr. Mbau!

Question No.1650

NON-CONSTRUCTION OF KIRIMIRI DAM

Mr. Mbau asked the Minister for Agriculture:-

(a) whether she is aware that she was scheduled to conduct a ground breaking ceremony of the construction of Kirimiri dam in Maragua Constituency on 1st March, 2012;

(b) when the Ministry is planning to start the construction of the dam; and,

(c) what other development projects the Ministry has undertaken in Murang'a South during the 2011/2012 Financial Year.

The Assistant Minister for Agriculture (Mr. Ndambuki): Mr. Speaker, Sir, I beg to reply.

(a) I was scheduled to carry out monitoring and evaluation of water harvesting activities in Central Province during the month of March, 2012. However, I am not aware of the ground breaking ceremony for the construction of Kirimiri Dam in Murang'a District which was to be conducted on 1st March, 2012.

(b) The construction of Kirimiri Dam in Murang'a South District has been initiated with site selection, community mobilization and detailed designs having been completed. The Ministry, in consultation with National Environment Management Authority (NEMA), is finalising the Environmental Impact Assessment Report on the dam. The Ministry is working out new modalities to ensure the dam construction is complete.

(c) In the last financial year, my Ministry carried out the following projects/programmes in Murang'a South District.

(i) Promotion and bulking of high value traditional crops to the tune of Kshs1,240,000 for distribution to the farmers for planting.

(ii) The National Agriculture and Livestock Programme (NALEP) that enhances the capacity of farmers to the tune of Kshs4.8 million.

(iii) The *Njaa Marufuku* Kenya that has supported three groups who submitted finance proposals to the tune of Kshs393,000.

Mr. Mbau: Mr. Speaker, Sir, the Assitant Minister has said that he is not aware of this planned mission that was booked by his officers on the ground to visit this particular site where every arrangement had been made and like he has confirmed, mobilization had also been made to ensure the Assistant Minister came and I know they were booked. Even though they may not have been able to come, I would like to know between 1st March and this time why they have not conducted the so-called Central Province monitoring and evaluation of this project for the whole of that year. Why have they not conducted that particular valuation?

Mr. Ndambuki: Mr. Speaker, Sir, we gave the project 20 per cent and in the process, the money in the last financial year was withdrawn but now I can assure the hon. Member that the project is going to be done.

Mr. Njuguna: Mr. Speaker, Sir, could the Assistant Minister inform this House what arrangements they have made to inform hon. Members from Central Province about the monitoring and evaluation programme, so that when he goes there they will be waiting for him to raise concerns in his Ministry?

Mr. Ndambuki: Mr. Speaker, Sir, whenever we have an activity on the ground, our officers involve everybody. They invite hon. Members and that is going to continue.

Mr. Speaker: Hon. Member for Migori! Mr. Pesa, you keep on taking yourself out of the Floor. Proceed.

Mr. Pesa: Mr. Speaker, Sir, the Assistant Minister has confirmed that they withdrew some money from several constituencies and not only that constituency towards the end of last year. Migori was not an exception. Could he confirm that the same money will be returned to those constituencies, especially where surveys had been done as in Migori where two dams were supposed to be constructed?

Mr. Ndambuki: Mr. Speaker, Sir, I can confirm that where we had done our survey, we are going to give back the money.

Mr. Kioni: Mr. Speaker, Sir, while answering the Question, the Assistant Minister said that this project was supposed to be commenced last year, but money was withdrawn. Could he

tell us what was actually withdrawn and in which way, and was it used for this project or on another project? Finally---

Mr. Speaker: Order, hon. Member for Ndaragwa! Your Standing Orders tell you exactly how you should proceed. You have already asked three questions instead of one.

Mr. Ndambuki: Mr. Speaker, Sir, as I said, the Ministry releases 20 per cent of the cost of all projects for mobilization by the community. During the process Authority to Incur Expenditure (AIEs) were sent but the Ministry of Finance recalled the money back to the Treasury. I am assuring the House that the money has now been provided for and the dams are going to be done.

Mr. Mbau: Mr. Speaker, Sir, my last point is that agriculture is the mainstay of our economy. Maragwa Constituency activities are agriculture based. There is not much else we do. When I asked the Assistant Minister to state the various development projects that were undertaken in that financial year, he gave a total of Kshs6.39 million as the money that flowed to Murang'a South District, which is Maragwa Constituency; is it worth saying that we have a Ministry of Agriculture when in a whole financial year all that a constituency can count on is only Kshs6.93 million?

Mr. Ndambuki: Mr. Speaker, Sir, we were dealing with only one aspect of the projects, and that is water harvesting. If we go into the books, there is more that we have given to the district.

Question No.1606

NON-PAYMENT OF DEATH GRATUITY TO
FAMILY OF LATE NOAH ABDULKADIR

Mr. Yakub asked the Minister for Foreign Affairs:-

(a) whether he is aware that Mr. Noah Abdulkadir (Passport No.A582925) died in the course of his employment with White Sea Shipping and Supply Company in the United Arab Emirates (UAE) on 10.06.2008;

(b) what measures he will take to ensure that the family of the deceased is paid the death gratuity which is due from the said company; and,

(c) when they will be paid.

The Assistant Minister for Foreign Affairs (Mr. Onyonka): Mr. Speaker, Sir, I did not quite hear what the hon. Member said.

Mr. Speaker: The hon. Member has asked Question No.1606 on the Order Paper.

The Assistant Minister for Foreign Affairs (Mr. Onyonka): Mr. Speaker, Sir, I beg to reply.

I am aware that Mr. Noah Abdilkadir Rajab, who was employed by White Sea Shipping and Supply Company, died in the course of his duties during a routine diving exercise on 12th June, 2008 while cleaning propeller engines. The Ship's second engineer, Mr. Alexander Macuka, a Ukrainian national, not realizing that Mr. Abdilkadir Rajab was under the vessel, turned on the engines which led to the death of Mr. Rajab.

Mr. Rajab was then buried in Sharjah, United Arab Emirates, according to Islamic rites and as per the request of his uncle, a Mr. Ibrahim Ramadhan. The family of the deceased then granted power of attorney to Mr. Abdallah Ahmed Mazrui of AA Mazrui and Company

Advocates of Mombasa in January, 2009 to act on their behalf and collect their monies owed to the family for disbursement.

Mr. Speaker, Sir, Mr. Alexander Macuka was in due course arraigned in court and prosecuted at the Sharjah Criminal Court and was found guilty of negligence for the death of Mr. Rajab. He was released after paying a fine of 6,000 Dirhams, which was US\$1,644 and blood money, which was a total of 200,000 Dirhams, which was US\$54,794 as compensation to the family of the deceased through the Sharjah Court. The blood money was then deposited on 3rd August, 2009 and is in the custody of the Sharjah Courts awaiting collection by the family.

Mr. Speaker, Sir, the White Sea Shipping and Supply Company after that informed the Kenyan Embassy in the United Arab Emirates that they had released information about the blood money to the deceased family. On 11th August, 2010 when the Kenyan Mission in the UAE made a follow up inquiry on the matter to the White Sea Shipping and Supply Company, they were informed that a Mr. Rashid Mazrui, who claimed to be the deceased's uncle, had been given the contact of AA Mazrui and Company Advocates in Mombasa and the wife and family of the deceased were in touch with the advocate.

Finally, on 12th June, 2012 the Ministry of Foreign Affairs wrote a letter to AA Mazrui and Company Advocates inquiring whether they had received compensation on behalf of the family. Mr. Mazrui, who is an advocate to the company, responded in a letter dated 19th July, 2012 which we received in the Ministry on 26th July, 2012 stating that he would be grateful for the Ministry to assist in enabling him to collect the money from Sharjah Courts, so that he could transmit it to the family. The Ministry subsequently communicated with AA Mazrui and Company Advocates on telephone to inquire on the difficulties they were facing. We found that the process had reached a stage where the Ministry was awaiting communication and release to be done, so that this money could be transferred. In other words, the money is going to be transferred as soon as possible from the Sharjah Courts.

Mr. Yakub: Mr. Speaker, Sir, I would like to thank the Assistant Minister for the answer. This money was supposed to be received by the family. In fact, he acknowledged receipt of a letter from Advocate A.A. Mazrui who wanted to know the case number, so that he could assist them to access the judgment of this case. So, when will he pass this information to him so that he follows up this issue for them?

Mr. Onyonka: Mr. Speaker, Sir, our Ambassador in the United Arab Emirates (UAE), Amb. Ngelo, talked with me this morning and he says the information is actually in the Kenyan Embassy in Dubai. Immediately Mr. Mazrui lands there, he will have the information waiting for him. He will receive the cheque because it is ready.

Ms. Shakila Abdalla: Thank you, Mr. Speaker, Sir. It is four years down the line since this gentleman died and yet the family has not received their dues. The Assistant Minister has said that the cheque is ready and it can be collected as soon as possible. Could he tell us when this family will receive their money?

Mr. Onyonka: Mr. Speaker, Sir, the delay was because we had to follow the due process. We had to know who the beneficiaries were. The Kenyan Embassy had to verify their identities and confirm to ensure that the money went to the right beneficiaries. I can assure this House that by the time we come back here next week and if the lawyer travels to Dubai, he would have received the money. If the lawyer gives us the authority to receive the money through the Ministry of Foreign Affairs and hand it over in Nairobi, we shall do so. Basically, the money is ready to be received and we are just waiting for the modalities on how to do it.

Mr. Koech: Thank you, Mr. Speaker, Sir. Could the Assistant Minister give an indication of the exact amount of money that this family is expecting to receive?

Mr. Onyonka: Mr. Speaker, Sir, if I would use the answer that I have already given to Sheikh Dor, the total amount of money is US\$54,794.

Mr. Yakub: Mr. Speaker, Sir, could the Assistant Minister make this very clear to me? While answering a question by Mr. Koech, he said if the advocate gives express authority to the Ministry, they can collect the cheque on behalf of the family from our Embassy in the UAE. Is that what he said?

Mr. Speaker: Order! That is right. I think I heard the same. Mr. Assistant Minister, perhaps, you could confirm?

Mr. Onyonka: Mr. Speaker, Sir, I have said the same. The cheque has already been prepared. Our Ambassador in the UAE is able and capable of transmitting this cheque to Nairobi, but he needs express authority or the power of attorney from the lawyer, a Mr. Mazrui, in Kenya, so that this cheque could be transmitted to the family.

This money must be given to the right beneficiaries. I believe that if the lawyer was to talk to our Ambassador in the UAE and agree, then this cheque can be made available immediately because there is no outstanding issue on the matter.

Mr. Speaker: What is it, hon. Member for Migori?

Mr. Pesa: On a point of order, Mr. Speaker, Sir. The Assistant Minister has said that once he collects that cheque, he would like to pass it to the lawyer. I am sure the lawyer would like to get the charges deducted from there. If he wants to be straight forward, could he demand that the cheque be given through his Ministry, so that the lawyer does not deduct his dues from it?

Mr. Speaker: Order! Mr. Assistant Minister, you need not respond to that. Hon. Member for Migori, go and look at the HANSARD after the House rises and you will find that was not a valid point of order in the circumstances.

Next Question, hon. Otichilo.

Question No.1637

REALIZATION OF GENDER PARITY/EQUITY IN NATIONAL ASSEMBLY AND SENATE

Dr. Otichilo asked the Minister for Justice, National Cohesion and Constitutional Affairs:-

(a) how the Government will ensure that there will be gender parity and equity in all elective positions and more specifically in the National Assembly and the Senate as contemplated in Articles 27(8) and 81(b) of the Constitution which provides that not more than two-thirds of the Members of the elective public bodies shall be of the same gender, is realized in the 11th Parliament; and,

(b) whether he is aware that there is a high potential of a constitutional crisis if the above matter will not have been addressed before the next General Elections.

The Assistant Minister for Justice, National Cohesion and Constitutional Affairs (Mr. Cheptumo): Mr. Speaker, Sir, I beg to reply.

(a) My Ministry has developed and presented to this House the Constitution of Kenya (Amendment) Bill 2011 which provides a formula for the realization of the rule that not more than two-thirds of the Members of the National Assembly and the Senate shall be from the same gender.

(b) Yes, the Minister has, in fact, organized a forum for hon. Members of Parliament on 7th and 8th of September, 2012, to sensitize them on the importance of the constitutional amendment. This forum will provide an opportunity for hon. Members to build consensus on the issue of gender parity and equality and, thereby, facilitate the passage of this Bill.

Thank you, Mr. Speaker, Sir.

Dr. Otichilo: Thank you, Mr. Speaker, Sir. I want to thank the Assistant Minister for the good answer. However, I would like him to inform this House what the formula entails and whether this formula is likely to increase the number of hon. Members of the National Assembly more than it is anticipated in the Constitution?

Mr. Cheptumo: Mr. Speaker, Sir, we propose to apply the formula that is provided for, for the county assemblies.

Mr. Speaker, Sir, the formula is that there shall be special seats where political parties, after elections, will nominate members. This is the way we shall achieve the ratio of two-thirds rule. That is what we are actually proposing in the Constitutional Amendment Bill already before the House.

Mr. Speaker, Sir, we would like to engage hon. Members of this House in a workshop so that they understand the essence of this amendment.

There is a possibility that the number of the Members of the Senate and National Assembly will exceed the number provided for under the Constitution if we apply that rule. I would like to appeal to my colleagues that when the day for the forum is fixed, we all engage so that we fulfill this serious provisional and constitutional position which we must comply with.

Mr. Twaha: Mr. Speaker, Sir, due to recent skirmishes in various parts of this country, we know a significant number of people have been displaced from their homes and are in danger of being disenfranchised in the next general election. Is the Assistant Minister confident that the next general election will be free and fair when so many people will not vote because of insecurity?

Mr. Cheptumo: Mr. Speaker, Sir, first, I wish to say sorry for what is happening in his constituency and in other parts of this country. We had a national conference on peace on Monday and Tuesday. Members of the public from every constituency were invited to the conference held in Nairobi for two consecutive days. The main objective of this conference was to discuss peaceful election in this country. We, as people of this country, agreed that we will have a peaceful election. This is not just an assurance from my Ministry, but from Government, that we will do all what we can to have a peaceful election in this country. It is the responsibility of every Kenyan, including leaders, to ensure that we all cultivate an atmosphere of peace so that we have a peaceful election. So, it is our undertaking as a Ministry and as a Government that everything will be done to ensure that we have peaceful elections on 4th March, 2013.

Mrs. Noor: Mr. Speaker, Sir, the issue of two-thirds is not any more women issue---

Mr. Speaker: Order, hon. Sophia! What is it Member for Lamu West?

Mr. Twaha: Mr. Speaker, Sir, it is all very good for the Assistant Minister to talk about the conference held in Bomas of Kenya. However, from our last experience in the elections, it took a good four years before the people who were displaced to be settled. Elections will be held

six months from now. What is the Government doing to make sure that every area in the country is safe for the people to vote because it is their right to do so?

Mr. Speaker: Order! Order, hon. Twaha! Again, just like I did tell the Member for Migori this afternoon, go and look at the HANSARD when you have a bit of time and you will find that, that does not pass for a point of order.

Proceed, hon. Sophia!

Mrs. Noor: Mr. Speaker, Sir, the issue of not more than two-thirds is not a women issue any more. It is a national issue. I would like the Minister to confirm to this House, come the general election, 2013, if we do not reach the threshold of not more than two-thirds, will we have a crisis and a Government in this country?

Mr. Cheptumo: Mr. Speaker, Sir, in fact, in my answer, I never referred to this issue as to only relate to women. I talked of either gender, either male or female. We really have to take this issue very seriously because if we do not achieve the two-thirds threshold of either gender rule, we can easily have serious crisis. I just want to say the truth because that is why we need to engage and have a provision in our Constitution, especially with regard to the National Assembly and the Senate, so that we have this formula that will enable us to come out of the problem.

Mrs. Shebesh: Mr. Speaker, Sir, could the Assistant Minister be very clear because we know a Bill was brought before the Floor of this House, however, it was withdrawn when the courts fixed the date of the election and this whole process was going to start a fresh? Now he is saying that the Bill is before the House. I would like him to be clear because I do not know whether the Bill is before the House or this process will start a fresh.

Mr. Speaker: Mr. Assistant Minister, that should be a quick one. Proceed.

Mr. Cheptumo: Mr. Speaker, Sir, the true position is that the Bill has not been withdrawn. It is still before the House.

Dr. Otichilo: Mr. Speaker, Sir, I wish to know from the Assistant Minister whether hon. Members will be appraised in this planned workshop?

Mr. Speaker: What is it, Member for Gichugu? I see you are looking for intervention. Do you have a point of order?

Ms. Karua: Mr. Speaker, Sir, I just want the Assistant Minister to clarify if, indeed, the Bill is still before the House and we know constitutional Bills are never amended, what will he do about the date? Does he wish the date of election to be pushed further than it has already been pushed by the court?

Mr. Speaker: Order! Member for Gichugu, again, you will have to go and look at the HANSARD and you will find that, that did not amount to a point of order at that point in time. You have merely asked a question and raised concerns.

The Member for Emuhaya, proceed.

Ms. Karua stood up in her place)

Order! The Member for Gichugu, go and read the HANSARD. If need be, come to my office and I will give you directions further.

Dr. Otichilo: Mr. Speaker, Sir, I wish to know from the Assistant Minister whether other key stakeholders will attend this planned workshop for Members of Parliament because this is a matter of national importance. It is important that other key stakeholders, apart from Members of Parliament, attend and give their views on this very important matter.

Mr. Cheptumo: Mr. Speaker, Sir, indeed, apart from my Ministry, we will engage with the National Gender and Equality Commission and also the Ministry of Gender, Children and Social Development. So, all the stakeholders will be able to engage in that forum.

Ms. Amina Abdalla: Mr. Speaker, Sir, mine is a question on procedure. Considering what the hon. Karua has stated that in the past, the previous Constitution was very clear that constitutional amendment Bills cannot be amended. Given the fact that the Bill that is before the House has two issues, one of which has already been dealt with, how does the Ministry intend to pass through that procedural quagmire of having every clause that needs to be deleted requiring the 148 Members required by the Constitution? We are concerned that maybe the Ministry is playing public relation exercise with this amendment.

Mr. Speaker: Obviously, that is a very genuine concern, so was that by the Member for Gichugu, but I am afraid the manner in which you have prosecuted it is such that it cannot pass for a point of order. Simple!

So, if you want that matter discussed look at our rules. There is a way that you can raise it.

Order, hon. Amina Abdalla! If you continue that way, I am afraid I will impose sanctions on you.

Dr. Khalwale: Mr. Speaker, Sir, listening to the supplementary questions plus the points of order, it looks like there is a constitutional issue here, which I was wondering if the Chair could not guide the House a little.

Mr. Speaker: Order! Order! I have just said that there is a way of raising those concerns. For example, if you need directions from Mr. Speaker, I will give those directions, but that process must be invoked properly, in accordance with the Standing Orders. We are doing year number 4.7 and I am afraid, I will not let it pass. I will not allow it; not in that manner.

We were taking the last question by the Member for Emuhaya. Did you finish? Minister, did you conclude? Very well! We will take the Member for Nyakach.

Question No.1643

NON-PAYMENT OF KNEC EXAMINERS

Mr. Ochieng asked the Minister for Education:-

(a) why the Kenya National Examination Council (KNEC) has not paid some of the teachers who marked the 2011 National Examination Papers; and,

(b) whether he could provide a per district list of the teachers who have not been paid, indicating the amount of money due to each teacher; and,

(c) when they will be paid.

The Minister for Education (Mr. M. Kilonzo): Mr. Speaker, Sir, I beg to reply.

(a) According to the records available at the KNEC, all the examiners who were involved in marking the 2011 examinations have been paid, except two. The reasons for the non-payment of the two examiners are as follows: One of them is Mr. Ismail Manyasi. The money was paid through Family Bank, Kakamega Branch, but he claims not to have received it. The other one is Mr. Waweru Geoffrey. This man left the marking centre halfway through marking and never filled the claim forms for payment.

(b) The list of the examiners who have not been paid is shown in the following table.

(i) Ismail Manyasi of Kakamega County, Lugari District. The paper was Mathematics and the amount due to him is Kshs39,952. As I said, the reason for non-payment is that it was sent to him through Family Bank, Kakamega Branch, but he claims not to have received it.

(ii) Waweru Geoffrey of Nyeri County, Nyeri South District. His paper was Kiswahili. He left the marking centre halfway through marking and never filled claim forms for payment.

(c) For the first examiner, Mr. Manyasi, the money will be recalled once the bank verifies that it was not withdrawn. Then it will be paid to the examiner through M-pesa or some method acceptable to him. As to the second examiner, Mr. Waweru, he will be paid once he fills the claim forms which he has confirmed that he did not fill.

Mr. Ochieng: Mr. Speaker, Sir, I filed this Question sometime in the month of May. During that time, quite a number of teachers in my constituency had not received their dues. That is almost five months after the marking was over. Could the Minister explain why there is a long delay once the teachers have finished marking their exams? Why can they not be paid instantly?

Mr. M. Kilonzo: Mr. Speaker, Sir, if the hon. Member could give me the list of those claimants who say that they have not been paid, I would be in a better position to examine, inspect and confirm. My Ministry will not accept delayed payments in functions of this nature. I would like to assure the House and the country that if there is a teacher or examiner who has not been paid, so long as I can be given the particulars, I will inspect and be able to report to the House as soon as the payments are made.

Mr. Yakub: Mr. Speaker, Sir, the Minister, in his reply to part “a” of the Question, confirmed that regarding Mr. Ismail Manyasi, the amount was sent to Family Bank, but he claims not to have received it. What steps will the Minister take to assist Mr. Manyasi to get this payment?

Mr. M. Kilonzo: Mr. Speaker, Sir, we have already asked the bank to go through its records, to confirm whether the money was withdrawn, because it does not make sense and the money was sent to an account that Mr. Manyasi had given to us. Once we confirm that the money was not withdrawn by Mr. Manyasi or anyone else, it is my undertaking to ensure that the money is returned to the Ministry and then paid to Mr. Manyasi in an acceptable manner.

Mr. Speaker: Last question, Member for Nyakach!

Mr. Ochieng: Mr. Speaker, Sir, could the Minister confirm whether this time round, come December when the marking exercise will be over, all the teachers will be paid before they leave the marking centres?

Mr. M. Kilonzo: Mr. Speaker, Sir, as a matter of fact, we will soon be presenting to this House, a revised KNEC law, so that we can update our examination systems. One of them is to ensure that when services are rendered to the KNEC, those services are paid for promptly as the Constitution requires for persons rights.

Mr. Speaker: We will now move on to the Prime Minister’s Time. We want to take the Question by the Member for Samburu East.

PRIME MINISTER’S TIME

QUESTION

QPM/009

NON-IMPLEMENTATION OF REPORT ON

COMPENSATION OF SAMBURU COMMUNITY

Mr. Letimalo asked the Prime Minister:-

(a) why the Government has not compensated the Samburu community for the loss of 4,115 cattle forcefully and unlawfully confiscated by security personnel as recommended by the Departmental Committee on Administration and National Security in its report and which the House adopted on the 29th September 2010; and,

(b) when they will be compensated.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I beg to reply.

(a) According to records held by the police, about 1,500 heads of cattle were stolen between October, 2008 and February, 2009 within Samburu County. This prompted the Provincial Security Intelligence committees from Rift Valley and Eastern provinces to conduct a joint operation to recover the stolen animals. A total of 1,434 animals were recovered and returned to their owners between 2nd March and 6th March, 2009. It appears that a section of the affected communities remain dissatisfied with the manner in which the Provincial Administration dealt with the problem. Consequently, I have directed the Ministry of State for Provincial Administration and Internal Security to revisit the matter in light of the report by the Committee on Administration and National Security, which the House adopted on 29th September, 2010.

(b) The review of the matter will also deal with the question of compensation if any, to the affected communities. The Minister responsible will report to the House on the matter in due course.

Mr. Letimalo: Mr. Speaker, Sir, the response by the Rt. Hon. Prime Minister confirms one thing; that in Kenya, if you come from a small community, your rights and freedoms are never guaranteed. A Parliamentary Committee investigated this matter. They went to the ground and confirmed that 4,115 heads of cattle were taken from the Samburus. This ruthless Government used military choppers to round up animals from water points, cross them to Isiolo and distributed them to the communities there because they belong to the PNU Party. Are you confirming that this Government of yours discriminates against the small communities?

Mr. Ochieng: On a point of order, Mr. Speaker, Sir. Is it in order for hon. Letimalo to term the Government that he had served very diligently as ruthless?

Mr. Speaker: Order! Order! Member for Nyakach, that will not be a valid point of order. Rt. Hon. Prime Minister, do you have a response?

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I have said that it appears that the information that is available in the Ministry is not consistent with the realities on the ground. That is the reason I have directed that the matter be revisited by the Minister, so that he can come and give a more substantive response to the House; on the issue of restoration and also compensation for the members of the community. We do not run a segmented Government. This is a Coalition Government and that rules apply across the board.

We have only one President of the Republic of Kenya; there is only one Prime Minister who is also the Prime Minister of the Republic of Kenya. I chair Cabinet committees, which are attended by Ministers from across the board and I give instructions to all Ministers. So, I have given the instructions now to the Minister of State for Provincial Administration and Internal Security to look into this matter and ensure that restitution and compensation is done to the affected communities.

Mr. Samoei: Mr. Speaker, Sir, I had occasion to visit this region when this very unfortunate incident happened. Looking at the people in that region, they are very poor Kenyans; they are people whose only source of livelihood is livestock. I looked at women whose livestock had been driven away by security forces, and that has been confirmed by none other than a departmental Committee of this House. What further confirmation is the Government looking for when there is already a confirmation of what really happened on the ground? We are talking of 4,000 head of cattle.

Mr. Speaker: Order, Mr. Samoei! Do you realize that you have caught my eye to ask a supplementary question?

Mr. Samoei: Mr. Speaker, Sir, so the question I am asking the Prime Minister is: Now that there is sufficient information on this incident and these Kenyans, like all other Kenyans, are deserving and they are asking for compensation, so that they can move on with their lives; instead of looking for information that is already in the public domain, when is the Government going to compensate these people, so that they can get on with their lives and live like the rest of Kenyans? When?

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, the hon. Member is asking the same question twice. I have already told Mr. Letimalo that I am not satisfied with the information which I have received from the officers concerned with this matter. That is why I have also said that there is already a Parliamentary Committee report which was adopted by the House. I have directed that recommendations made in that report be implemented immediately; I have, therefore, said that the Minister in charge of internal security and provincial administration is going to report to the House in due course that action has already been taken in terms of restitution and compensation.

Mr. Samoei: On a point of order, Mr. Speaker, Sir. The Prime Minister is giving two conflicting Statements on the same question. He had said earlier that he had ordered the Minister to go back to the ground. Could he come out clearly? Has he ordered the Ministry to compensate the people who lost their livestock in accordance with a report of this House, or is he telling us that he cannot trust a report of this House? The report is very clear and, therefore, there should be no further issue. It should be compensation.

(Applause)

Mr. Speaker: Order! You have made your point. You want the Prime Minister to deal with the contradiction in his answer. Is that not so?

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I said that it is not me who is contradicting myself. It is the hon. Member who has asked the same question twice; this is the one which he has asked. I said, and I can repeat it, that consequently, I have directed the Ministry of State for Provincial Administration and Internal Security to revisit the matter in the light of the report by the House Committee on Administration and National Security which the House adopted on 29th September, 2010. The review of the matter will also deal with the question of compensation to the affected communities. The Minister responsible will report to the House on the matter in due course. I see no contradiction.

Mr. M'Mithiaru: Mr. Speaker, Sir, I would wish that as the Prime Minister directs the Minister of State for Provincial Administration and Internal Security to give a report to this House, he also considers under what circumstances that exercise was carried out. I would also

wish the Prime Minister to say what they are going to do with the cattle the Samburu stole from other communities.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, according to the information available, we are already past that stage. So, we have a report by a Committee of the House, which report was tabled in this House and approved by the House. So, there is really no need for the Government to go back again and revisit the exercise. We are now at the stage of implementing the recommendations of a report of the House.

Mr. Mwathi: Mr. Speaker, Sir, I listened to the Prime Minister very carefully; he said that he has instructed the Minister of State for Provincial Administration and Internal Security to revisit the issue, and that restitution should be done in due course. We have known that in the Government “in due course” or “as soon as possible” could take one to three years. What is the timeline that he is giving the Minister to act on this issue?

(Applause)

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I think the Minister needs about three weeks to deal with this matter and come and report to the House.

Ms. Karua: Mr. Speaker, Sir, I am just concerned that the answer is saying that the Provincial Administration went to recover cattle and recovered 1,500, although we have credible reports that the head of cattle recovered were over 4,000. How were they identifying which head of cattle belonged to who, and where is the list showing even the marks they found on each animal, so that they know who to return them to? Or, is there a part of Kenya where we are allowing the law of the jungle to apply? I ask this knowing that in many communities which experience cattle raids, the Provincial Administration routinely recovers livestock. We need to know what is happening.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I have said that there is a contradiction, because according to the report of the House, the Government ought to compensate the Samburu community for the 4,115 netted at Lalisoro Manyatta during the Government sponsored swoop carried out in 2009. But the information that I have says that according to the records held by the police between October 2008 and February 2009, about 1,500 head of cattle had been stolen. This prompted the PSICs of the Rift Valley and Eastern Provinces to conduct a joint operation with the aim of recovering the stolen animals. This was done and a total of 1,434 animals recovered and handed over to the respective owners between 2nd and 6th March, 2009. That is the contradiction I was talking about, and that is what I have ordered the Minister to go and revisit, so that he can implement the recommendations contained in the report of the House Committee.

Mr. Letimalo: Mr. Speaker, Sir, leaders from Samburu County sent two goodwill delegations to His Excellency the President and one of their grievances was compensation for the livestock. The President had actually directed the current Head of Public Service to act, because that is the most ruthless public officer who is denying us cattle. Why has the Government not acted on the goodwill of His Excellency the President?

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I cannot talk about the ruthlessness of a public servant. However, I know, for a fact, that the people suffered seriously during these skirmishes. I know that there was destruction and loss of property in the course of it. This is something that we do not want to see recur in our country. As we take all the measures to ensure that there is no recurrence, we also need to ensure that the people who were affected at that time

are adequately compensated for whatever they lost. I have said that the Government will do so. I know that His Excellency made the undertaking, but it was going to be implemented by the officers. According to the officers, they thought that the action they took was adequate. The number of livestock that the House Committee found to have been lost is very different from the figures which are being held by the officers in the Office of the President. That is why we want a little time, so that this matter can be revisited and satisfactorily resolved in three weeks time.

Mr. Speaker: Hon. Members, I have noted from the Chair that we have just witnessed an event that is almost completely unprecedented from our annals of history; that the Head of the Public Service is alleged by a Member of Parliament to be the most ruthless person and the Government does not pose any challenge. I will let that pass.

Question No.1577

HARASSMENT OF KENYANS IN MIGINGO ISLAND BY
UGANDA SECURITY FORCES

For the moment, I will defer Question No.1577 by the Member for Molo because they have discussed this matter with me and they think it is not in the interest of either the Member for Molo or the Member for Nyatike for this matter to proceed at this point in time. So, I will defer it generally until such a time that the both Members think that this matter should come back on the Order Paper.

(Question deferred)

We will then take the next Order. That completes Order No.6.

MINISTERIAL STATEMENTS

Mr. Speaker: Right Hon. Prime Minister, you are first.

MEASURES TO AVERT DOCTORS' STRIKE

Dr. Khalwale: On a point of order, Mr. Speaker, Sir. I know that all Government businesses are important, but surely, some are more important and urgent. Could the Prime Minister justify why he has overlooked the important and urgent issue of the doctors' strike, which is presently on his desk through a Question which I filed to him?

Mr. Speaker: Order, Member for Ikolomani! We just want to save time. I am going to be helpful. I already have intimation that the Minister for Medical Services is going to be speaking to this matter under this Order; just this afternoon. So, stand guided.

Dr. Khalwale: On a point of order, Mr. Speaker, Sir. I am sorry to insist. I deliberately took the Question to the Prime Minister because it was intending to pre-empt the strike. It went to his office because the Treasury had released Kshs200 million for pay out to these doctors. Some of that money had gone to the Ministry of Public Health and Sanitation and the other had gone to the Ministry of Medical Services. I, therefore, wanted the Prime Minister to be the one tackling it because it was cutting across three Ministries.

Mr. Speaker: Fair enough. Right Hon. Prime Minister, do you want to respond to that?

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, that is an issue which can competently be dealt with by the Ministry of Public Health and Sanitation and the Ministry of Medical Services. Those are two Ministries and between them, they can deal with it. They can agree that one Minister responds. In this case, they have agreed that the Minister for Medical Services is going to deal with that issue. I hope the Member is only interested in an answer and he is going to get the answer from the Government.

The reason why we did not respond to the remarks over the Head of Public Service is because it was just a view of a Member.

Mr. Speaker: Order! Order, Prime Minister! You know we have already passed that Order. You cannot revisit it. That was under Order No.6 and we are now at Order No.7. Proceed and transact business at Order No.7.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I am not revisiting it. I was just making an observation that it is a personal view.

Mr. Speaker: Prime Minister, the observation will be out of order because we have moved away from Order No.6. Proceed, Prime Minister.

PRIME MINISTER'S TIME

THE HISTORY OF KENYA'S OLYMPIC PERFORMANCE

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, today, I want to talk about the Olympic Games.

Mrs. Shebesh: On a point of order, Mr. Speaker, Sir. I just want some clarification. We have very serious issues to ask about the performance of Kenya in the Olympic Games. Will the Statement by the Prime Minister, in any way, hinder us, as a House, from asking the substantive Minister about the performance and the issue of the delegation? There are many questions that we wanted to ask directly to the Minister for Youth Affairs and Sports. Will this, in any way, be a hindrance to the Members to ask those questions later? I just wanted a clarification and direction from the Chair.

Mr. Speaker: The clarification will be as follows: that, that point of order asks me to speculate on whether or not the Prime Minister's Statement is going to be pre-emptive. I will not do so at this point in time. Raise it after we hear the Statement.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, the Statement that I am going to issue could as well have been issued by the Minister for Youth Affairs and Sports, but he is also available if and when additional information is required. On a point of information, he will add.

The Olympic Games are humanity's ultimate sporting event with a motto of *citius*, meaning faster---

Mr. K. Kilonzo: On a point of order, Mr. Speaker, Sir. Much as I do not want to interrupt the Prime Minister, could he use a microphone which is more audible? We cannot hear him.

Mr. Speaker: Fair enough. That is a genuine concern. Prime Minister, are you able to log in from this position?

The Prime Minister (Mr. Raila): Yes, Mr. Speaker, Sir.

Mr. Speaker: The Rt. Hon. Prime Minister, I think you have a card. You can log in from there just for the convenience of hon. Members. I have given you the Floor at that point. This is just for the convenience of Members.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, last time, I complained that there was something wrong with that microphone. It is more than two weeks now. I hope that they will deal with it.

Mr. Speaker: The Rt. Hon. Prime Minister, you now have my undertaking that when you come next time, that microphone will be louder than it is currently.

The Prime Minister (Mr. Raila): Thank you, Mr. Speaker, Sir. The Olympic games are humanity's ultimate sporting event with the motto; "*Citius* (faster), *Altius* (higher) and *Fortius* (stronger)". The sporting men and the women of the world converge every four years to compete for no pay but to celebrate humans' sporting spirit. The first modern Olympics were held in Greece in 1896 and were organized by the International Olympics Committee (IOC) formed two years earlier. The 1896 games were a revival of the ancient Greek Olympics which had been banned by the Roman Emperor Theodosius I over 1503 years earlier. The modern Olympics are divided into four categories, namely Summer Olympics and Winter Olympics which are held two years apart, every four years. There have been Summer Youth Olympics since 2010 and Winter Youth Olympics since 2012.

The modern Olympic Games have been held every four years since 1896 with the exception of 1916, 1940 and 1944 as a result of the two World Wars. The National Olympic Committee of Kenya (NOCK) was formed in 1955. In 1956, Kenya entered the Olympic family and participated in the 1956 Olympic Games in Melbourne Australia. Since then, Kenya has participated in all Olympic Games except in Montreal in 1976 and Moscow in 1980 due to prevailing international political issues. Kenya has also participated in the Winter Olympics sending cross-country skiers to Nagano in 1998 and Salt Lake City in 2002 and Turin in 2006.

Kenya's 1956 Olympic Team included the legendary Nyandika Mayoro who posted fairly good times in the middle and long distance events but won no medals. In the 1960 games in Rome, the great sprinter Sarafina Antao posted very good time but again without winning a medal. Kenya's first Olympic medal was a bronze won by Wilson Kiprugut in Tokyo in 1964 in the men's 800 meters. Naphtali Temu won Kenya's first ever Olympic gold in Men's 10,000 meters at the Mexico Games in 1968 but the performance of Kipchoge Keino at the Mexico games remains the stuff of legend. Kipchoge Keino who was suffering from gall stones defied his doctor's advice and ran in the 5,000 meters winning a silver medal. He collapsed in the 10,000 meters with only a few laps to go and opted out of the 1,500 meters final the following day. On the day of the 1,500 meters final, Kipchoge Keino jogged from his hotel to the Olympics venue and announced that he was ready to compete. He won gold in the 1,500 metres final, leaving the nearest competitor 20 meters behind him. Kenya's first female Olympic medal, a silver, was won by Pauline Konga in 1996 in the 5,000 meters race. Our first female gold medals were won by Pamela Jelimo and Nancy Lagat in 800 meters and 1,500 meters at the Beijing Olympics. Kenya's best performance in the Olympics Games was in Beijing in 2008 where we won six gold medals, four silver and four bronze medals. The other excellent performances were in Mexico in 1968 and in Seoul in 1998.

[Mr. Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Shakeel) took the Chair]*

In the recent London Olympics, we won two gold medals, four silver and five bronze medals. Our performance in London was better than our performance in Munich in 1972, Los Angeles in 1984, Barcelona in 1992, and Atlanta in 1996, Sidney in 2000 and Athens in 2004. Kenya seems to excel in the Olympic Games in the years ending with the number “8”.

Hon. Members: On a point of order, Mr. Speaker, Sir!

(Mr. Shakeel failed to operate the IT system)

(Laughter)

*[The Temporary Deputy Speaker
(Mr. Shakeel) left the Chair]*

[Mr. Speaker resumed the Chair]

Mr. Speaker: Order, the Rt. Hon. Prime Minister! There is a point of order by hon. Amina Abdalla.

Ms. Amina Abdalla: On a point of order, Mr. Speaker, Sir. While I appreciate that the Prime Minister spent a whole week at the London Olympics, is it in order for him to give us a very lengthy historical speech on a matter that the President has already ordered a probe on?

Mr. Speaker: The Rt. Hon Prime Minister that is a legitimate challenge. Kindly, respond to it and see how best you will navigate this area.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, the probe that we are doing is in-house and it is not a legal probe. Therefore, the matter is not *sub judice* and does not stop me from making a statement. I will be making a statement after extensive consultations with all the arms of the Government concerned with this matter.

Mr. Speaker: Hon. Amina Abdalla and the rest of the membership, you must then be satisfied that there have been consultations in the Government before this Statement was prepared and it is now being issued.

So, proceed, the Prime Minister!

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, however, there are issues of concern with respect to the selection and training of our Olympic Team, their preparation and management. It is very unfortunate that there were attempts to politicize the composition and performance of our Olympic Team at the London Games. Problems of accreditation, decisions by some athletes to boycott residential training prior to the games, some disagreements amongst the officials on the training camps for the athletes while in the UK and differences over travel dates, un-coordinated distribution of team kits and pre-competition injuries sustained by some athletes undermined our performance in London.

The Government, together with the National Olympic Committee is working actively to develop a programme of action for the improvement of the selection process, training and team management. Other areas of focus include the review of how officials are appointed, how to improve the level of cooperation between the Sporting Federation and the National Olympic Committee and how to limit the influence of managers and spouses over athletes during the Olympic Games.

Our athletes are our best ambassadors. As a country we should invest in them and help to nurture their talents. It is apparent that more effort should be invested on how to reward them but also in helping them invest their income and handle stardom.

Mr. Speaker, Sir, finally, when I was in London, I did make an announcement that Kenya was going to bid to host the 2024 Olympics. This is an intention which is well-intended and requires the support of the whole of this country.

Mr. Speaker, Sir, I beg to move.

Mr. Speaker: The Rt. hon. Prime Minister, will you kindly take notes? We will take five interventions.

Mr. Langat: Thank you very much, Mr. Speaker, Sir. Could the Prime Minister tell us what support the Government has given to our athletes when they are preparing for the Olympic games?

Mr. Samoei: Mr. Speaker, Sir, sports is an area where we have, as a country, a very competitive edge especially with respect to other countries. I want to ask the Prime Minister whether there is a Sports Marshal Plan to make sure that we take advantage of the competitive edge that we already have as a country and invest in this area in a way that will encourage more young people and compensate them sufficiently so that we can actually tap their talent which we have seen is enormous in our country. Does the Government have a plan or is it what we always see which is *ad hoc* and management by crisis; that whenever we are preparing for the Olympics we have Kipchoge Keino who is the Chairman begging for money from all over? Does the Government really have a plan?

For example, Kshs200 million was promised for the renovation of Eldoret Sports Ground Stadium. That was four years ago. To date, that money has not come. Kapsabet is in dire straits. Bear in mind that most of these champions and athletes live around Eldoret. In fact, that is the reason why Eldoret is called “the City of champions”. So, does the Government really have a plan or is it the usual statements like the one the Prime Minister has just read, which is read once in a while?

Mr. Mbadi: Mr. Speaker, Sir, when there was the All Africa Games, we heard of the story of joy-riders accompanying our athletes. This House complained but no action was taken. What guarantee is the Prime Minister giving us that once they finish with the probe and they find these joy-riders and whoever gave them the authority to use taxpayers money instead of athletes--- What action will they take so that these people are discouraged from enjoying and causing confusion?

Mr. Lagat: Mr. Speaker, Sir, I want to ask you for more time because I think the issues that are necessary were never mentioned by the Prime Minister---

Mr. Speaker: Order, the Member for Emgwen. You caught my eye because I know you are a former national athlete yourself in your own right. So, can you do your bit in two minutes?

Mr. Lagat: Thank you, Mr. Speaker, Sir. Could the Prime Minister tell us why the athletes went to Oregon and London early when Farah who won gold in 10,000 metres and 5,000 metres was training in Iten? The athlete Kiprotich from Uganda was also training in Iten while the Kenyans went to Oregon and London very early wasting a lot of time and money.

Secondly, the athletes never got the right facilities. For example, Ezekiel Kemboi was running wearing female sporting attire. It is very shameful. The short for men has a lining while the short for the women has no lining.

(Laughter)

It was very embarrassing that when some of us were watching Ezekiel Kemboi running, we could see very many other things.

Another issue is that they changed the training techniques. How can you employ new techniques at the expense of the Kenyan team? The new techniques should have been tested on other people and not on the Kenyan team. The athletes also competed in too many races in the Grand Prix. The Ethiopians took their athletes to the camp and they paid them while our athletes were running abroad, chasing for money and those were the athletes that we were waiting to compete for us in the Olympics. I think the Government should be serious on what is happening.

Mr. Speaker, Sir, these people have neglected the retired athletes; people like Paul Tergat and John Ngugi. These people have been locked out. I participated in the Sydney Olympics and right now these people are trying to lock us out.

Hon. Members: Which people?

Mr. Lagat: The management and the Government! Mr. Speaker, Sir, the other issue is that the Kenyan team took 84 officials and only 40 athletes. These people went with their families while some athletes were left behind. I think it was a tour for these people who never take this issue seriously. I think the Government should plan and employ some of us to give advice on techniques and other matters.

Thank you, Mr. Speaker, Sir.

Mr. Mwau: Mr. Speaker, Sir, while I thank the Prime Minister, I would like to ask him to explain how we will develop sports in schools right from the grassroots, and whether the Government has any plans of building sports complex in each county because there are no sports complexes. If you take the example of Nairobi, where would athletes practice? People just take their own time and practice whenever they think they have time to do that. So, it is important that the sports complexes are built in appropriate places.

It is also important that when the athletes have completed the games and returned home, picking them up at the airport is not the end of the day. What plans is the Government putting in place to ensure that when our athletes come back home, they are given comfort to recover what they have lost?

Finally, I want to know whether I would be in order to ask that the Prime Minister recognizes those people who attended the Olympic Games, right from the 1960s to date. It is important to recognize every person who participated in the Olympic Games. He should actually have recognized the fact that I was the first black African to shoot my way through to the Olympic Games of 1968. These are things which are worth recognition.

Mr. Speaker: Yes, Member for Gichugu. That is really the last one.

Ms. Karua: Mr. Speaker, Sir, I would wish the Prime Minister to clarify: The President and a large contingent of his Cabinet, and other officials, went to London during the Olympic Games. The Prime Minister went there on the President's return. We would like to know whether all those officials, including the Prime Minister and the President, did visit the athletes to cheer them or whether they ever went to witness the races. If they did, which ones did they witness, and on what days?

Mr. Speaker: Hon. Members, we will make an exception here. There is the Member for Kiambaa. We do not get to hear him so often.

Mr. Githunguri: Mr. Speaker, Sir, it was reported that the Prime Minister visited the Kenya Olympic Village in London and interacted with officials and athletes to boost their

morale. Could he inform the House about the progress of his effort to enhance the management of athletics in Kenya?

Mr. Speaker: The Rt. Hon. Prime Minister, it is now your time to respond.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, the Member for Ainamoi was wondering about the kind of support that the Government has given to athletes. There has been a repetition over this question. So, I will say something that will apply to a number of the other concerns that have been raised with regard to the welfare of athletes, generally.

As hon. Members know, unlike in the old days, when it was purely amateur, and when one would never be allowed to engage in commercial competition, the International Athletics Association Confederation (IAAC) has now allowed athletes to compete for money. Athletes are paid as they run. This has now opened a very lucrative avenue for our athletes, and we congratulate a number of them who have done very well in that regard.

However, I fully agree that there are some of the old athletes who brought honour for this country, but who have been neglected. An example is *mzee* Nyandika Mayoro, who was the first Kenyan to compete in the Olympic Games in 1956. In his honour, he was given a council house at Kisii Stadium, following a directive from the Central Government but, later on, the council, illegally, re-possessed the house from him. That was the only Kenyan reward that he received after all the services he had done to the nation. I went there and gave instructions that Mr. Nyandika be given back the house, and it has since been given back to him.

Mr. Speaker, Sir, that is not the only case. We have got quite a number of athletes who have done honour to this country. The Minister will actually say what the Government is going to do, in terms of a master plan for sports, which the Member for Eldoret North has also asked about.

On the question of joy riders, I have already given a response. As to why the athletes went to Oregon, instead of---

Mr. Speaker: Order! Order! What is it, Member for Kisumu Town West?

Mr. Ologo: Mr. Speaker, Sir, it is nice to hear the history of athletics in Kenya from the Prime Minister about how they have performed because that is when he will give us the way forward on how to enable them to perform even better, but is it in order for him to finish without advising the House on alternative competitions like rowing, which we can do very well in Lake Victoria, Lake Naivasha and in Mombasa?

Mr. Speaker: Order! Obviously, that one does not pass for a point of order. The Rt. Hon. Prime Minister, you may want to leave that one out and just proceed the way you were going.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I am going to talk about the master-plan, generally. At the moment, we are just competing in track events in the Olympic Games. We have two competitors in swimming and one person who was competing in javelin throwing. That is all.

Mr. Speaker: What is it, Member for Eldoret North? You are asking for intervention. Carry on, if it is a point of order.

Mr. Samoei: Mr. Speaker, Sir, the Prime Minister seems to be suggesting that the question I asked is going to be answered by the Minister for Youth Affairs and Sports. The Prime Minister is, really, the person in charge of the Government, and he needs to respond whether the Government has a plan at all on how Kenya is going to harness the potential that exists in sports in this country.

Mr. Speaker: Order! Order, Member for Eldoret North! I am not gagging you, but the point is that the Prime Minister has not completed his responses. So, I do not know from where

you got the notion that he is implying that the Minister for Youth Affairs and Sports is the one to answer your concerns. We have to allow him to complete.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, the hon. Member for Eldoret North has been a Member of the Front Bench, and he knows very well that the Government policies are domiciled in the respective Ministries. So, if we are talking about the Government's plans on agriculture, he knows that it is the Minister for Agriculture who is responsible. If we are talking about industrialization, the Minister for Industrialization is the responsible. If we are talking about the policy on sports, it is the Minister for Youth Affairs and Sports who is responsible. So, I can talk about sports, but the Minister can also talk about sports.

Mr. Speaker, Sir, there is a comprehensive policy on the development of sports in the country, which is going to come before this House for debate. I cannot dwell in details on that policy but we are addressing issues concerning athletics, soccer, rugby, swimming---

Mr. Speaker: Order! Order! Member for Mutitu, you want to rise on a point of order. What is it?

Mr. K. Kilonzo: Mr. Speaker, Sir, if the Prime Minister decides to come here and talk about any issue, as he has now decided to talk about the performance of Team Kenya in the Olympic Games, he must also be able to answer the questions that hon. Members are going to raise. Hon. Members have asked specific questions. We want to know who the joy riders were. We want to know the specific number of officials who were there. Is he in order to just say that he has spoken about joy riders? We want to know how much taxpayers' money those joy riders spent. He should not just say that he has spoken about joy riders. Let him give us facts, so that we can know what is going on. If he cannot do so, he should delegate the same to the Minister for Youth Affairs and Sports.

Mr. Speaker: Prime Minister, proceed and complete your responses.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, at this rate, I will not be able to complete because I have not completed and hon. Members are rising up and asking me to answer the questions and that is what I am doing.

Mr. Speaker: Proceed, Prime Minister. Complete your responses.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, as far as preparations were concerned, I have already stated very elaborately in the Statement. However, there were challenges. Hon. Lagat asked about why the athletes went to Oregon or to London earlier. It was a question of strategy. There are those who were saying that the athletes needed to acclimatize to the weather in London and go there earlier. There were others who felt that they should stay in high altitude areas longer. So, it was a question of strategy. Sometimes one works and sometimes it does not work, but we have said that these challenges are going to be addressed.

Mr. Speaker, Sir, I agree with the second point that he made about the welfare of the athletes who have retired and who should be using their talents and experience in preparing the team. I do not agree that the former athletes should not be allowed to be given opportunities to share their experience in preparations of our athletes for these major events.

Hon. Karua asked about the trip of the President to the Olympics. The President and the Prime Minister were invited to the Olympics and we agreed that the President would attend the opening of the athletics but to engage in official duties. It was not just going to the Olympics. The President opened an investment conference in London which was showcasing Kenya to the international and investment community. That is why the President was accompanied by Ministers whose dockets were affected. He was accompanied by the Minister for Finance, the

Minister for Energy, the Minister for Information and Communications and the Minister for Transport. So, all the Ministers who accompanied the President had some contribution to make at the Kenya Investment Conference.

Mr. Speaker, Sir, he also opened the Kenya House which was situated very strategically around the Olympics Village. I went on a follow up mission to respond to some of the other issues which were raised by some additional investors. We were marketing things like the Konza Information and Communications Technology (ICT) City, Lamu port project, the railway project and other infrastructural projects in the country. However, while we were there, His Excellency met the athletes. He did not go to the Olympic Village. I went to the Olympic village. I watched most of the events at the stadium. I was present when David Rudisha broke the world record. I was the first person to go and congratulate him.

(Laughter)

He set the world record there. It was only David Rudisha who broke a world record in an individual competition at the London Olympics. The two other world records which were broken were in relays but only Rudisha broke the world record at these Olympics.

Mr. Speaker, Sir, I was also at the marathon finals race and our athletes did their best. They were beaten by somebody who is also a Kenyan – a Mr. Kiprotich. So, we should say that Kenya won three gold medals in that race. It could have been anybody's race. We also need to know that the competition has now become much stiffer because most of these athletes who were winning come and train in the same environment where our own athletes also train. As I have said, the performance in London was not that poor. If you compare with all the other Olympics, it is only second to Beijing in terms of the number of medals won. In Beijing, we won 14 medals. In London, we won 11 medals. It is only that there were fewer gold medals but in terms of the total medals haul, London is always second to Beijing. So, therefore, it is not a disaster getting a silver medal instead of getting a gold medal. The people should not be lamenting and actually looking down upon you that you did not do well. You did well. We need to be proud because South Africa is rated higher than Kenya. They got only six medals – the three gold medals and five others but they were rated higher than Kenya but because we got 11 medals, we need to be proud of the performance of our boys and girls instead of just looking down upon them and saying it is a shame, shame. It is a shame and they got 11 medals? Some African countries went there and came back with nothing and so did many other countries.

(Laughter)

Mr. Speaker, Sir, so I am proud of the performance of our men and women who participated in the London Olympics. They did their best.

Mr. Lagat: On a point of order, Mr. Speaker, Sir. I think it is not right to say that we did well when we saw how we lost in the 10,000 metres race. It was because of poor co-ordination and planning. Although our athletes were leading, when they went to the finish, they were overtaken.

Mr. Speaker: Order! Order, Member for Emgwen! You may have very valid concerns but the way you are prosecuting your point of order is such that I will be unable to admit it. Do you want to consult with the Member for Eldoret North? He will assist you. He is very seasoned and then maybe you can try again.

(Laughter)

Mr. Lagat: Mr. Speaker, Sir, let me try again.

Mr. Speaker: Proceed.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, it is unfortunate that hon. Lagat who competed in the Olympics and came without a medal can come here and look down upon others that they did not win medals.

(Laughter)

He knows that winning and losing are part of the game. So, one does not commit a crime by not winning a medal.

Mr. Lagat: On a point of order, Mr. Speaker, Sir. I think it is not in order for the Prime Minister to say that I came without a medal when I won Boston 2000. I was the fastest athlete of the year in the world in 1997.

(Applause)

Mr. Speaker: Order, hon. Lagat! Hon. Lagat, you know you are making a very valid point and I want to support you. Ask the Prime Minister if he is in order to mislead the House that you are not an accomplished athlete when in fact you were at one point a world champion. You see, and then you will have done it very well.

(Laughter)

Make the request, hon. Member for Emgwen.

Mr. Lagat: On a point of order, Mr. Speaker, Sir. Is the Prime Minister in order to mislead the House that I came back without any medal when in 1997, I was the first athlete of the year in the world when I won in Berlin; in 2000 I won the Boston Marathon and I participated in the Sydney Olympics? So, I think it is not in order for the Prime Minister to mislead the House.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I had no intention to diminish the extra ordinary career of the hon. Member. Indeed, he did very well in the Boston marathon. Ms Pamela Jelimo won a gold medal in Beijing, but this time round she did not get a medal. She was just beaten to the toe. I am saying that the hon. Member participated in the Olympics, but did not win a medal. He won the Boston marathon and also these others have won. So, sometimes it is just your day. If you are there and look at the way those athletes compete, then you will have nothing but admiration for them. They were giving their best. The hon. Member said that Mr. Kemboi competed in a woman's attire or uniform, I was with Mr. Kemboi himself, and he never complained. He was very happy with his attire. He was happy that despite the injury that he was suffering, he was able to win a gold medal in the 3000 metres steeplechase.

In conclusion, I want to say that countries compete---

The Minister for Sports and Youth Affairs (Dr. Otuoma): On a point of information, Mr. Speaker, Sir. I am just standing on a point of information to add more information to what the Prime Minister is saying.

Mr. Speaker: We will have to find out if the Right Honourable Prime Minister wants information from you.

The Prime Minister (Mr. Raila): Yes, Mr. Speaker, Sir.

Mr. Speaker: Fair enough, but please be very brief. It has just to be information which, in effect, supplements what the Right Honourable Prime Minister said.

Before you do so, hon. Members, I think on behalf of the House, it is good to put it on record that we commend the hon. Member for Emgwen for the achievements that he made for this nation. The hon. Member for Emgwen is the first Member of Parliament who is an accomplished athlete in his own right.

Minister, you may now proceed.

The Minister for Youth Affairs and Sports (Dr. Otuoma): Mr. Speaker, Sir, I just want to add some information to what the Prime Minister has already said, if you allow me. The hon. Member for Ainamoi asked how much the Government put in supporting the Olympic sportsmen and sportswomen. Throughout the years, all international competitions where federations put athletes, especially when they are going outside the country for the nation, we give funds. This year alone we gave over Kshs160 million to them in addition to what was also raised by federations through the sponsors.

Mr. Speaker, Sir, regarding the issue asked by the hon. Member for Eldoret North, Mr. Samoei, on whether we have a Marshall Plan, I would like to say that, indeed, we have a Marshall Plan, which was developed almost ten years ago. The Ministry is only five years old; I think some of my predecessors like Balala was one of the people who put in quite some effort.

Mr. Speaker: Order! Some courtesy for your colleague; refer to the hon. Member for Mvita. You just do not throw in his name!

The Minister for Youth Affairs and Sports (Dr. Otuoma): Sorry, Mr. Speaker, Sir. I did not intend to do that. Hon. Balala, my friend, indeed, put in a lot of efforts during his time. We had at least a sports policy and a Marshall Plan. As we speak now, we are trying to legislate on this. A Bill is already before the Departmental Committee on Labour and Social Welfare; they told me they will be doing something before this House breaks, so that we can have a sports lottery. We can have a way to fund our sportsmen and sportswomen as it is the practice all over the world, because the Government alone cannot manage it. I also have to acknowledge the efforts by Committees of this House, especially the Budget Committee that already has picked up the issue of how to fund our national teams. I believe that when that Bill comes on the Floor of this House, the hon. Members will be able to address some of the concerns that have been raised.

Regarding the Kipchoge Keino Stadium in Eldoret, indeed, we promised Kshs200 million. We have already disbursed Kshs100 million and we will be disbursing the rest of the money this year. There is already a contractor on site and the details can be availed.

Regarding the issue of Maputo, which Mr. Mbadi raised, already, this House has addressed itself to that issue and a committee of this House is looking into the issues, and will be bringing a report to this House as to exactly whether there were any joyriders in Maputo. Also, once the report on the London Olympics comes, some of the issues that the hon. Member for Emgwen raised about officials being more than the sportsmen and sportswomen will be addressed. As the Prime Minister has said, there were a lot of functions in London, and not every Kenyan who travelled to London was necessarily an official of the delegation to the Olympics Committee. The Prime Minister has already addressed himself to that. Whether athletes went there early or not, is an issue of planning. As I have already said, we are going to get a

comprehensive report, which is already on my desk; I will be sharing with this House about how the planning was. Some of the issues have already been addressed by the Prime Minister.

Those are some of the points that I wanted to add. I have seen Mr. Mwau's name in the records of sporting in this country. That was in 1968. Mr. Mwau, I acknowledge that because you were among the first Africans to participate in a shooting event. These are some of the events where we are missing quite obvious gold medals. I have to acknowledge one Kenyan, Mr. Yego, who has done very well in javelin. That is something that we had not done before. His first participation was in Maputo, but this time he broke three national records for Kenya, although he did not manage to get any gold medal during the Olympics. He was among the 12 finalists in the Olympics. Given his age, I believe he is going far.

Those are some of the issues that I wanted to add to what the Prime Minister had addressed himself to earlier on.

Mr. Speaker: Very well, Prime Minister, I think we should conclude then. That ends the matter really.

The Prime Minister (Mr. Raila): Mr. Speaker, Sir, I think we have responded to most of the issues that we wanted to bring before this House.

Finally, I only want hon. Members to appreciate the need for this country to aim higher, and try to see if we can host some the major events in future. Tokyo City was modernized through Olympic Games of 1964. Mexico City was modernized and was able to host a population of 25 million in 1968, when Mexico was still a developing country. The same thing could be said of Seoul in Korea. As a country, if we want to achieve our Vision 2030, we should aim higher and motivate our people. That is why to apply to host 2024 Olympics is an idea whose time has come and that requires full support of hon. Members. Therefore, I want to conclude with that plea. We should all agree that in 2024, Kenya is going to bid to be the first African Country to host the Olympic games.

Mr. Speaker: Very well, this is recorded. I want to believe that succeeding Ministers, beginning from Dr. Otuoma will perform better than their predecessors in certain respects. I know that Kenya had an opportunity to host the Africa Cup of Nations. Mr. Prime Minister, what happened is history.

So, we now want to carry on and take one statement which is very urgent.

(Ms. Karua stood up in her place)

Hon. Member for Gichugu, there is a statement which has to be issued in three minutes by the Minister for Health.

You have three minutes, Mr. Assistant Minister to do so!

MINISTERIAL STATEMENT

MEASURES TO END DOCTORS' STRIKE

The Assistant Minister for Medical Services (Mr. Kambi): Thank you, Mr. Speaker, Sir. Following the industrial action by the College of Health Sciences' doctors and lecturers at the University of Nairobi and Moi University and the post graduate student doctors popularly known as "registrars" which has disrupted the normal service provision at Kenyatta National

Hospital (KNH) and Moi Teaching and Referral Hospital (MTRH), I would like to say the following.

The Government has committed funds to pay the lecturers recall and extraneous allowances at the same rate as the other doctors employed by the public service who are already receiving the two allowances.

Secondly, Mr. Speaker, Sir, the Government employed doctors in training both at the KNH and the MTRH. The medical officer interns in these institutions already are being paid in full the allowances agreed upon.

Thirdly, Mr. Speaker, Sir, the privately sponsored registrar doctors' allowances should be met by their sponsors as this was a requirement before admission to the post graduate training at the university and is the practice the world over.

Consequently, Mr. Speaker, Sir, I am instructing all lecturers, doctors, Government employed doctors in training popularly known as registrars and medical officers interns to report back to their work stations with immediate effect to alleviate the suffering of innocent Kenyans.

Mr. Speaker, Sir, I am also instructing the management of the two hospitals, that is KNH and MTRH, to confirm compliance.

Thank you, Mr. Speaker, Sir.

Mr. Speaker: Very well! Hon. Members, because of the Business before the House this afternoon, I will defer clarifications on the doctor's strike to tomorrow afternoon. So, the hon. Member for Ikolomani and others who may have special interest in this, we will take your request for clarification tomorrow afternoon beginning from 2.30 p.m.

As for the other statements which were due for delivery, we will want to take those statements also tomorrow afternoon beginning from 2.30 p.m. If all Ministers are here on time, then we will try and cover as many statements as we can tomorrow afternoon.

The Minister for Defence, on your matter, I think you better wait for emerging developments. So, just hold your horse and let us see where we are going.

Member for Gichugu?

POINT OF ORDER

NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO. 23

Ms. Karua: Thank you, Mr. Speaker, Sir. I rise under Standing Order No. 23 on a matter of urgent national importance. I am seeking your leave to call for a Motion of Adjournment to discuss the situation; the increasing tension in Mombasa following the shooting and various acts of violence.

(Applause)

(Several hon. Members stood up in their places)

Mr. Speaker: Fair enough! Order! Hon. Members, those of you who are standing to support the bid by the hon. Member for Gichugu may resume your seats. I am satisfied that you have the numbers.

(Applause)

Hon. Members, I am further satisfied that this matter is definite; that it is urgent and that it is of national importance. So, we will move on to transact that Business. I want to allot it time beginning from two minutes hereafter.

(Applause)

Next Order!

Order! Order! Mr. Were, I think you have a matter which is also very pressing but very brief.

EXTENSION OF SITTING TIME BY JOINT COMMITTEES
ON THE KAA GREENFIELD PROJECT SAGA

Mr. Were: Mr. Speaker, Sir, on 16th of this month, you directed that three Committees; transport, budget and finance, investigate the controversy surrounding the Greenfield Project at Kenya Airports Authority (KAA).

Mr. Speaker, Sir, the three Committees have met, we have already started investigations. We have found out that the parties involved are so many. You had given direction that we file our report within two weeks, which are expiring tomorrow.

So, Mr. Speaker, Sir, we were requesting if you could allow us to extend by another two weeks for us to give a comprehensive report.

(Applause)

Mr. Speaker: Fair enough! Except that hon. Members, you will recollect that the House generally was of the view, judging from the mood of what transpired when we referred this matter to the joint Committees, that the matter was very urgent and it is like they wanted it done by yesterday. That prompted me then to take into account the urgency of it and demand that a report be prepared within two weeks. So, hon. David Were, please, bear in mind that it was out of your own call for urgency that we gave you 14 days. So, you must live within the extension of another two weeks, otherwise you will dilute the urgency in the matter.

It is so directed.

Next Order!

BILL

First Reading

THE BREAKFAST MILK SUBSTITUTES
(REGULATION AND CONTROL) BILL

(Order for First Reading read – Read the First Time and ordered)

to be referred to the relevant Departmental Committee)

Mr. Speaker: Order, hon. Members! We will now move on to the next Order; Order No. 8 effectively is disposed of. Hon. Member for Gichugu?

The hon. Member for Ikolomani, I know you are at Order No. 9, but considering that this Business we are taking now is pursuant to Standing Order No. 23, it will take priority over Business at Order No.9. As soon as that is completed, you should be ready to proceed with Order No.9.

You may carry on, hon. Member for Gichugu.

(Loud consultations)

Order, hon. Members! This Business is allocated one-and-a-half hours. So, that should take us to exactly three minutes past 6.30 p.m. Depending on the interest, that is the outer limit.

**MOTION FOR ADJOURNMENT
UNDER STANDING ORDER No.23**

**OUTBREAK OF VIOLENCE/RIOTS IN MOMBASA FOLLOWING
THE SHOOTING OF SHEIKH ABOUD ROGO**

Ms. Karua: Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, I beg to move that the House do now adjourn to discuss the situation---

(Mr. Wetangula stood up in his place)

Mr. Speaker: What is it, the hon. Member for Sirisia?

The Minister for Trade (Mr. Wetangula): Mr. Speaker, Sir, I am sorry for interrupting my hon. Colleague. However, I want to request the Chair that in view of the tremendous interest we have in this matter, you allow each hon. Member just about three or five minutes, so that we can ventilate because everybody wants to speak on this issue. Other than the Mover of this Motion, the rest of us should be given about three minutes, so that we can make our points.

An Hon. Member: Three!

An Hon. Member: Five!

Mr. Speaker: Order! Hon. Member for Sirisia and the Minister for Trade, you are actually not saying anything new. If you look at Standing Order No. 23, it says that Members speaking to a Motion such as this will not exceed five minutes.

The Minister for Trade (Mr. Wetangula) *(Spoke off record)*

Mr. Speaker: You have not said so! You said three to five minutes.

The Minister for Trade (Mr. Wetangula) *(Spoke off record)*

Mr. Speaker: Order, hon. Member for Sirisia! I heard you clearly; you said "three to five minutes!" That is why I am saying you are not saying anything new because the Standing Orders provide so!

The hon. Member for Gichugu, do you want to proceed?

Ms. Karua: Mr. Speaker, Sir, following the shooting of a Muslim cleric, one Aboud Rogo on Monday, 27th, which incidentally was the second anniversary of promulgation of the Constitution, the situation in Mombasa has continued to deteriorate. I want to first begin by

condemning the shooting of the said cleric. A democracy like Kenya and a country that believes in the rule of law should not entertain whatsoever any extra judicial killing.

Mr. Speaker, Sir, it appears that criminals have taken over what started as demonstrations to protest against this killing and have attacked places of worship. You know that under our laws and tradition as Kenyans, we revere places of worship. Christian places of worship have been attacked. Individuals have been attacked. There has been an orgy of looting and injuries. Our security forces on their way to duty have been attacked leading to loss of life. I want to extend my condolences to the families of the cleric, of the innocent Kenyans who have fallen to criminals and to urge restraint from our people.

Mr. Speaker, Sir, from this incident and recent attacks on Christian churches in Garissa, it appears that some criminal elements are hell bent on causing strife between the Christian and Muslim faith in this country. I would want to urge restraint so that we do not fall to the plans of those who do not value peace in our country.

Mr. Speaker, Sir, I would want to urge the Minister of State for Provincial Administration and Internal Security and entire security apparatus to move quickly to arrest those who murdered Mr. Aboud Rogo, those who have attacked Christian places of worship and arrest and prosecute those who threw explosives at our security personnel injuring and ultimately taking lives of our officers. I wish those who are in hospital a quick recovery.

Mr. Speaker, Sir, this is a time we, as a nation, really must stand together united against the criminals. Criminals are not a religion. Criminals are just criminals. We should stand together to condemn the act, support the law enforcement agencies and volunteer any information so that the perpetrators of the criminal activities that have gone on be revealed. We also ask that the police reforms be speeded up so that our security agencies can get the best technology available in detecting and fighting crimes; so that they can get appropriate equipment to tackle day to day issues and so that their welfare can also be looked after. At the end of the day, as leaders in this nation and as citizens, any threat to the security of our country is a threat to our own security.

Mr. Speaker, Sir, these matters are coming at a difficult time when our nation, together with other nations in Africa, are engaged in helping our neighbour to set out their security issues and, indeed, to build a nation; that is Somalia. We have an interest in the security of our neighbours because it is our security. Therefore, it is the time citizens and all patriotic people must be vigilant to ensure that we support and contribute towards national security and that we resist any acts of provocation. I am appealing to our Christian and Muslim brothers in Mombasa to stand together and borrow a leaf from the Garissa community for standing together in the face of similar provocation.

Mr. Speaker, Sir, we urge that all right thinking Kenyans support our security forces and stand united against these criminal activities. I would want the Minister to re-assure Kenyans and this House that they are taking adequate measures to redress the situation, to bring normalcy to Mombasa and to secure all parts of our country. This is coming so shortly after the security incident in Tana River where we lost the lives of 50 people and shortly after the security incident in Wajir and Mandera, where again there has been loss of life, injuries and displacement of people. It is happening at a time when we are moving towards a general election. All those who are patriotic to our country need to stand together. I know this is a majority of Kenyans. We must stand united against external infiltration and also against internal criminal elements.

Mr. Speaker, Sir, I wish to ask that this House does whatever is in its power, not only to support but to facilitate the law enforcement agencies. We want the Government to treat this as a wakeup call. In all parts of the country, not just in Mombasa, we must avert the loss of life,

destruction of business and desecration of places of worship. Muslim and Christians in this country have lived side by side. We have worshipped side by side. In all our towns throughout Kenya, there are churches and mosques. We tolerate all other faiths and our religious leaders have been working together even to bring about the Constitution that now protects freedom of worship. We have to jealously guard what we have built together as we move forward into the future and that we secure our country.

I beg to move and I seek with your permission to be seconded by Sheikh Dor.

Mr. Speaker: Order! As I see it under Standing Order No.23, you do not need to be seconded. So, I will take hon. Member for Mwingi South. Hon. Musila, I have given direction previously, which you must comply with. You either get to the first row, or go to the Dispatch Box. So, log in at the first row.

(Mr. Musila moved to the Dispatch Box)

You can log in anywhere, at the first row; you will be heard more clearly.

(Technical hitch)

Hon. Musila, try to press the intervention button, so that I can catch you on intervention.

The Assistant Minister, Ministry of State for Defence (Mr. Musila): Mr. Speaker, Sir, I stand here to echo the words of hon. Martha Karua, in condemning in the strongest terms possible, the killing of Sheikh Rogo.

Mr. Speaker, Sir, in the same token, I want also to condemn very strongly the violence that has followed the killing of the Sheikh. This violence has resulted in the killing of many innocent Kenyans, including law enforcement officers. It has also resulted in the destruction of a lot of property. More seriously, it has resulted in the destruction of Christian places of worship. As hon. Karua has stated, both Muslims and Christians in this country have lived peacefully over the years. There is no reason this should be happening today. I am, therefore, calling on the youth who have caused so much destruction in Mombasa, to realize first and foremost, that human life is sacred and secondly, appreciate that just as mosques are sacred places of worship, so are churches. Therefore, we must do everything, as leaders of this nation, to discourage lawlessness, whether it is perpetrated by Muslims or Christians.

Mr. Speaker, Sir, this House must stand firm in condemning these acts of lawlessness, especially coming at this time when we are nearing elections. Not too long ago, we had massacres in Tana River, Garissa, Mandera and all over the country. This is, indeed, very worrying. I want, at the same time, to appeal to the law enforcement officers – the Kenya Police – to live to their motto “*utumishi kwa wote.*” As you are aware, for every incident that occurs, the police say that they are investigating, but these investigations never come to an end. I am, therefore, asking the police to live to their motto. Once, the Kenya Police used to be the best in Africa. What is lacking with our Kenya Police so that they cannot investigate crimes committed, like the one of the murder of Sheikh Rogo, and conclude them by prosecuting people successfully? Is it equipment or leadership? Everyone here must come together. Let us uphold the rule of law and ensure that those who commit crimes are investigated and punished. That way, this nation will be united.

Mr. Speaker, Sir, I am calling upon those who are spreading a lot of rumours and, therefore, accelerating this problem, to stop and refrain from rumour mongering, so that this

country may be at peace with itself. It is not only what is happening in Mombasa, but we must condemn violence whether it is in cattle rustling, religious violence or whatever it is. We must stand firm and ensure that this nation continues to prosper by way of peace.

Mr. Speaker, Sir, I beg to support.

Mr. Affey: Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to contribute to this very important Motion.

Mr. Speaker, Sir, from the outset, I want to thank the Mover, hon. Karua, for bringing this matter to the attention of the House. I think that it is an important matter that deserves our attention. I want to begin by condemning the killings of the Sheikh in Mombasa. It is worth noting that this is not the first time that an incident like that has happened in Mombasa. A few months ago, another prominent Sheikh was mysteriously murdered. Therefore, as these things happen what we, in the country expect, is swift action of not only investigation but apprehending initial suspects, so that the tempers can cool down. On the same note, I condemn in the strongest possible terms, the incidents where youths attacked places of worship, particularly the churches in Mombasa.

Mr. Speaker, Sir, incidents like these, once they happen, we expect the police to arrest people who are behind these criminal activities. Why is it, for instance, that we have got this upsurge of crime and there are no arrests? Is it because we have not concluded the matters that have got to do with the recruitment of Inspector General of Police or is it that the police are on a go-slow? Last week, an old man was killed in Wajir. It is now ten days since that incident happened and no arrests have been made. Similar incidents have happened in Mandera. Incidents of a greater nature – massacre - happened in Tana River. Every time, as leaders, we condemn these activities of crime, but why are these people not charged before a court of law? I think that is where we need to focus on as a House. As the hon. Mover said, if our police officers require resources, it is incumbent upon the House to vote for more resources. But we need the Commissioner of Police, together with those officers who are in charge of prosecuting, to tell the country why these incidents are happening and no action is taken. It happened in Garissa where innocent Kenyans were killed in a church. We condemned it and asked for the relevant arms of Government to take action. The communities in Garissa came together irrespective of their faith, under their local leadership, and calmed the situation. But we cannot expect the communities to play the role of the Government. The Government's role must be robust and seen to be active.

Mr. Speaker, Sir, I beg to support.

The Minister for Transport (Mr. Kimunya): Thank you, Mr. Speaker, Sir. I rise to support the Motion by hon. Karua and thank her for bringing this matter to the House.

Mr. Speaker, Sir, from the outset, I would like to regret the loss of lives that have occurred in our coastal town of Mombasa and condemn the violence that has resulted and turned that beautiful city and coastal region, from the tourism haven that we know it, to a place where people are now fearing to get.

Mr. Speaker, Sir, as we do this, I would like to appeal to the people within the coastal region --- They are people we have known for being upholders of peace and it is a place where everyone would like to go. We cannot forget the old adage that entering Mombasa is like a wedding and leaving like a funeral, because nobody wants to leave. It is a place where we have always enjoyed ourselves and would want to keep it that way. So, I would like to ask for calm as these matters are being resolved.

Mr. Speaker, Sir, I would also want to laud the efforts of the leaders from the areas, particularly the Members of Parliament from the Coast. I know that they have been on the

ground doing a lot of work in terms of calming the situation and bringing people together, to find a lasting solution.

Mr. Speaker, Sir, as I said, Mombasa is a tourism hub. We all remember what happened at the coast in 1997 when we had similar violence and Mombasa and the entire tourist circuit was turned into a ghost region. We would not want to repeat that because we know how much it has taken the people of the Coast and the people of Kenya to reinvent Mombasa and make it the tourist hub that it has become. Jobs have been created and investments have been increasingly in Mombasa. The value of property has been going up; if we have this violence there, we might start seeing our tourists relocating to other places; once we lose a season, we could as well lose the entire season. We are also looking at a time when we are celebrating the success of our soldiers in Somalia, which has reduced the incidence of piracy within the East African coast and the Indian Ocean. This has resulted in increasing business within our ports. Our Port of Mombasa is increasing its business turnover at an amazing 19 per cent. It is, perhaps, the only port in the world that has that volume of business. This is going to be threatened by people feeling that they cannot transit through Mombasa; that could shift business to our neighbours, who are always competing for the same.

So let us appeal for calm; let everyone work hard and restore peace. Let us not escalate it from ethnic to religious divisions as people start looking at it as an opportunity for them to bring divisions between the Christians and the Islamic faith members; these are people who have always co-existed; they are people who co-exist, but there are some opportunists who might want to start bringing some divisions. That could escalate across the entire country. Mine is to just say *pole* to all those who have been affected by this, and say that this is the time when, as a nation, we need to come together and avoid any escalation of this violence, and more importantly avoid polarizing the country along religious or ethnic lines, because we must coexist. For the people of the Coast, I know they are disturbed but our prayers are with them at this point, and we would like to reassure them – I know the Minister of State for Defence and the Acting Minister of State for Provincial Administration and Internal Security will be responding on behalf of the Government – that we will do whatever is necessary to ensure that calm and peace return to the beautiful Mombasa; we also ask the world that let nobody take a decision to cancel their holiday destination of Mombasa. We assure them that their businesses in Mombasa are safe because the situation will be under control in the next couple of days.

Thank you and I support.

Mr. Samoei: Mr. Speaker, Sir, thank you for giving me an opportunity to speak to this very important national matter. The events at the Coast are really unfortunate, starting with the killing of Sheikh Rogo, which was a very unfortunate event and the subsequent attacks on civilians, houses of worship and churches in Mombasa. These were acts of criminals and as a nation, we must not allow these criminals who have destroyed lives, burnt and destroyed sanctuaries of worship, to put a religious signature to their heinous acts. We must, as a country, stand together and send a powerful warning to these criminals that, as a nation, we are going to stand together so that we can defend our right to religion and ourselves from their acts.

I want to commend the religious leaders, both Christians and Muslims, for the unity they have shown; the unity of purpose that they have demonstrated in handling these issues right from the attacks in churches in Garissa through what we have seen in Mombasa. What our religious leaders have done, standing side by side, is true to the Kenyan spirit that we all must live together as brothers and sisters in this nation without the boundaries of religion, race, ethnicity or regionalism.

We must too send a powerful message to the Government. We have had acts of insecurity in the last couple of months from Mandera to Garissa, to what we saw in Tana River, to what we are witnessing in Mombasa. Surely, the Government should begin to assess its security preparedness in the country. It is important because what is going on in Kenya today sends a very wrong signal to our friends and partners outside this country. Insecurity is costing this country enormously. We cannot develop our country. We cannot grow this economy with the level of insecurity that we are witnessing in the country. It is important for the Government to realize that every effort should be made and every coin should be spent to ensure that we secure our country. The Government should tell the country--- We have heard the story that “No stone will be left unturned” and there are so many stones which remain unturned. Kenyans continue to perish. Insecurity continues to explode and the most important and critical thing the Government should do is to go beyond talk. They should match what they are saying and the assurances they are giving with action.

Mr. Speaker, Sir, this Government should do the honourable thing, *kusema na kutenda*, so that we can---

(Applause)

We have heard this story for long and we continue to see the same events year in, year out. I think---

Mr. Speaker: Your time is up!

Mr. Samoei: Mr. Speaker, Sir, please give me a minute to finish up.

Mr. Speaker: Fair enough. Then you can do that one minute.

Mr. Samoei: Mr. Speaker, Sir, thank you. I, however, want to state that really the Kenyan people are waiting with bated breath to get an assurance from the Government. As a House, we are prepared to go the extra mile to supplement and support the Government’s effort in ensuring that we reign in these criminals and put them in their rightful place, so that we can enjoy our country, our religion and we can take our country forward.

Mr. Midiwo: Mr. Speaker, Sir, let me also express my disgust at the way Rogo was killed. A crime of that nature should not happen in broad daylight and so many days later, nobody has been arrested. Let me also say that a crime is a crime, whether it is committed by the police or by ordinary citizens. I want to appeal to our young people; I said here last week that the Constitution, which we all passed, now protects everybody’s human rights and all human rights; nobody should be allowed to violate the right of another. I think it is even wrong that there is an attempt, which seems organized, at retaliation on Christian churches.

Let me thank the leadership of our Christian faith for showing leadership. What we are faced with is something which can explode to uncontrollable levels and it happens all around the world. As leaders, I want to plead that let us do whatever is within our powers to stop it. I am happy that the Government went there to try to talk to the people, but it can do more. The answer lies in the police reforms. We are dilly dallying with the issue of reforming the police. These things cannot happen if the police were accessing intelligence. The Prime Minister was here and I wish he was listening because I want to plead with them to give us the names just tomorrow. Let us initiate the process of police reforms. What is happening is organized. The reaction to the death of Rogo is organized.

Yesterday, a Muslim friend from Kisumu sent me a document which is circulating in the mosques. It is a pity that it is circulating and nobody has been arrested. It says that what is

happening is as a result of the heathen Kenyan Army which has raided the Muslim state of Somalia. It says that all this was negotiated by the Prime Minister when he went to Israel. I am going to table this document and I want to read only one paragraph. It is written in Kiswahili and I am challenged. It talks about “*mauaji ya Samir Khan*”. It says :-

“*Ndugu yetu Samir pamoja na Mohamed Kassim walishikwa na polisi na siku iliyo---*”.

Mr. Duale: On a point of order, Mr. Speaker, Sir. Under our Standing Orders, a document must first be tabled and you approve it before a Member reads it to the House and the nation. Is hon. Midiwo in order to read a document that the Speaker has not looked at?

Mr. Speaker: I have not seen it. It has not been tabled so, I am not able to make any determination whatsoever. Member for Gem, do you want to table that document first before you go into its good contents?

Mr. Midiwo: Yes, Mr. Speaker, Sir.

(Mr. Midiwo laid the document on the Table)

Mr. Speaker: Member for Gem, perhaps you want to do a little more even as I look at the document. What are you holding it to be?

Mr. Midiwo: Mr. Speaker, Sir, what I have tabled is important. This is from a mosque. I have told you that it is being circulated.

Mr. Duale: It is incitement!

Mr. Midiwo: Mr. Speaker, Sir, it is not against *mheshimiwa*. Give me my time. It is circulating and it is something which is dividing our people when it calls others---

Mr. Duale: On a point of order, Mr. Speaker, Sir.

Mr. Midiwo: Mr. Speaker, Sir, can you protect me?

Mr. Speaker: Order, hon. Midiwo! Just hear me first. I see the document you are referring to, but if we apply the criteria for admission of documents, then, I am afraid, at this point, I cannot admit it. You will have to do a little more. You will have to get some kind of certificate from the mosque where this document came, so that it is authenticated. But otherwise, as it stands now, it could have been printed anywhere. It is largely just an anonymous document although the contents of it are important. If I were you, hon. Midiwo, being in a House of rules, I would have executed this differently. I would have taken this content without attempting to table the document and hon. Kajwang will tell you that you can get round it that way. But efforts to table it will not succeed because it is not authenticated.

Mr. Midiwo: Mr. Speaker, Sir, this ruling should not hold us back. This House is united in condemning what is happening around this country. There is fear in saying that the police must do their work. If there is any leader, Christian or Muslim, who is interested in having us have religious wars, that leader must be brought to book. In any civilized nation, the police do not hesitate to do their work. I have already alluded to human rights. Our Constitution has provided for everybody's right to everything, particularly freedom of religion. The Government must move quickly and conform to the timelines of the implementation of the Constitution. Only last week, I said here that when we see youths beating somebody in Ndhiwa, their pictures appear on the front page of the newspapers and on television and nobody is arrested, this sends signals to somebody in Mombasa that it is okay to destroy property and you get away with it. When we see people beating up Miguna in Mombasa and a guy is even wearing a jacket written “destroyer”, he is abusing somebody's human rights. This is fundamental. I want to plead with

all of us that, we as leaders, must lead this country to run away from things that will make us destroy our country. Muslims and Christians have lived together for centuries.

Mr. Speaker: Hon. Midiwo, you must conclude in just one minute. The quantum of interest in this matter is such that we really must live strictly within five minutes if not less. In fact, we want to reduce that time to three minutes, perhaps, sooner than later, depending on the demand by the Members.

Mr. Midiwo: Mr. Speaker, Sir, I want to respect others' rights to also contribute to this matter. I support.

Mr. Speaker: Hon. Midiwo, I wish to give you some directions, which you may perhaps want to comply with, that you ensure that this document is handed over to the police as well as the National Security Intelligence Service (NSIS), but for our rules, it is not admissible.

Mr. Abdikadir: Mr. Speaker, Sir, let me also join my colleagues in condemning the mayhem in Mombasa, the extra-judicial killing of Sheikh Aboud Rogo and in condemning the desecration and destruction of important places of worship. If there are those who wish that we have a religious strife in this country, we must be strong in telling them that, that will not be possible; this House will not allow it and that Kenyans will not allow it. We will not fall into the trap that many a nation have fallen into where different communities and different religious groupings spend their energies, time and resources killing each other, destroying properties and destroying lives. This country's democracy has reached a level where we can tolerate each other, divergent view, different religious persuasions and everybody gets their rights.

We must understand the difficulties that members of the police and other disciplined forces face in the work they do. As we speak and as we are comfortable in our homes, there are young men and women who for very little pay serve this country in very difficult places; who have to endure difficult circumstances and put their lives in the line so that they undertake the difficult duties of safeguarding the property and lives of Kenyans.

This House must appreciate, in very strong terms, the difficult work they do and appreciate the good work that they do. We must also appreciate the difficulty in terms of resources that these institutions have. Yesterday, I was in Banisa where some of these difficulties took place. The Officer Commanding Police Division in that area has only one other officer as a member of that division. They are only two people. You can imagine the difficulty of serving an area of about 4,000 square kilometers with two people and one vehicle between them. These are difficulties we must appreciate. We must also appreciate that these people put their lives on the line when they do these works.

Having said that, we must also understand that when you are a professional and you have decided to choose that profession, we will hold you to the high standards of that profession. When members of our police force are faced with crimes, we must be able to solve the crimes and at the end of every year, we must say that these number of crimes were committed and these number of convictions have been secured.

Mr. Speaker, Sir, I join my colleagues in wondering why we always have investigations taking place, but we rarely see convictions especially in high profile and seemingly politically instigated killings in this country. That is from Tom Mboya and J.M among others all the way to today. We have very many high profile files that remain open. We are wondering when in the life of this country we will have a particularly high profile criminal case investigated, prosecuted and convictions secured; that day, when we can balance liberty and security, when Kenyans know that their rights are secure and that criminals will be given their right punishment.

Recently, in Norway, one man ended the lives of 70 people. Within hours, that person had been arrested and within months, that person was convicted. He was not slapped or harassed. He killed 70 people or more. Nobody was beaten and the man is behind bars for 21 or so years now. He has been given a conviction of 21 years. When will we have a similar situation where we know that this person has been arrested, he was not touched, tortured or harassed but they will be brought to book and that the law will take its course? There are suspicions that are lingering that sometimes, some of our forces might take the easier route.

Mr. Speaker: Your time is up!

The Minister for Trade (Mr. Wetangula): Thank you, Mr. Speaker, Sir. May I also join all colleagues in regretting the death of Sheikh Rogo and more so that he was shot in broad daylight in the company of his children and wife who is in hospital and whom we wish a quick recovery.

What has been seen in Wajir, Garissa and Tana River, and now in Mombasa should act as a wakeup call to all of us particularly that we are headed to elections. I want to urge this House together with the Minister for Finance to allocate urgently enough resources to recruit more police officers to help the country as we go towards elections.

(Applause)

You will recall what Kriegler and Waki told this country that we were terribly under-policed, and that the police force we had was inadequate to cope with the emergencies such as this. This House should take that extraordinary step to support the Executive with resources to recruit more police officers. What we are seeing is not just about criminals. There is a worrying trend of emergence of intolerance and extremism in this country. I saw, on the social media yesterday, somebody posting a message “*tumemalizana na nguruwe moja, tutatafuta ingine*”, in reference to the shooting of Rogo. Another message said; “All mosques should now be burnt down since churches have been burnt down.” That was on social media. I would like to urge this House that if we want to show the country and the world that what happened in Mombasa concerns us, in fact, Mr. Speaker, you should lead this Parliament to Mombasa to preach peace and tell Kenyans that the repeated messages we are seeing on BBC and other international media are wiping out our economy. Tourists are cancelling their visits to Kenya. We are hurting our neighbouring countries namely Uganda, Rwanda, Burundi and Congo which depend on Mombasa and Kenyans are losing lives and properties. Why? Because certain extremist elements are taking the law into their own hands and we are demonstrating our inability to cope with containing them.

I want to urge, that in unison, we join the clerics from the Muslim fraternity and the Christian fraternity in condemning these acts in the strongest terms possible and urge our youth that the problems of this country of unemployment and poverty cannot be resolved by violence and extremist thinking and behaving. It can only be done by us working together to grow the economy of this country so that we generate wealth and eradicate poverty.

Finally, I want to urge that the trail of explosive devices being tossed in Christian houses of worship is now looking like a pattern. I think every leader has a duty not only to condemn it but to assist in finding out why this is happening and who is doing it. I do not believe that these youth are acting instantaneously but I believe that there is a hidden hand somewhere inciting them to do what they are doing. We want to see the police not going for the youth per se, but to look for whoever is causing them to behave in the manner they are behaving because these are

our youths. They cheer us when we go to rallies. They also sit with us. When they all of a sudden start burning cars, looting and killing our police officers who are there to keep peace, something is tragically wrong. We have lessons to learn from what is happening in Nigeria and what has happened in Indonesia.

Mr. Speaker: Mr. Minister, your time is up!

Mr. Yinda: Thank you, Mr. Speaker, Sir, for giving me this opportunity to also support this debate and condemn the heinous murder of Sheikh Aboud Rogo in Mombasa.

I want to join my colleagues to encourage the police. I understand the police have a very difficult job to do under the circumstances with very meagre equipment and resources set aside for them. But still what is more important is to maintain, control and support the Constitution that we are now operating under which gives every Kenyan the right to live, move, be seen and be heard.

Mr. Speaker, Sir, Mombasa is actually one of the few cosmopolitan towns in this country. I have lived in Mombasa for many years and I can say for sure that, that is one part of this country where all communities, races and religious groups live together harmoniously. Therefore, when you see acts like what we are experiencing at the moment, I cannot fail to more or less see some hidden hands in that.

I want to condemn the intolerance which we are now seeing more and more in this country and the intolerance which is coming in among the religious groups, in the sense that a few criminals are trying to see division between Muslims and Christians and they move to attack places of worship. I have never seen anything like this before in the Coast or anywhere else, but now it is becoming the order of the day. I must urge the police that now is the time to move so that we do not see the continuity of this lawlessness.

Mr. Speaker, Sir, this country is blessed in very many ways. We have good land, weather, a lot of resources and good people. However, what this country lacks is patriotism. This is something that all of us must work together to build. Just a while ago, we were talking about our sportsmen who, according to some of us, did not do well in London. But really, the sportsmen did what they could. As a country all we needed was to support them as much as possible. What we need is to love this country, to stand and push for good things in this country and to stand by one another in times of joy, peace and sorrow. At the moment, I must say that we lack this totally in this country and this is one of the weaknesses we have in this country that is not helpful at all.

As a country, as we blame the Government or as we push the Government to do much more we, as citizens of this country, need to do even much more by appreciating, loving, staying together and supporting one another.

Mr. Speaker, Sir, I wish to support.

Mr. Kabogo: Thank you, Mr. Speaker, Sir. I was just about to give up. I rise to support this Motion by hon. Karua. I want to join the rest of Kenyans in condemning this very heinous act of murder. I am not an advocate of cleric Rogo but he had a right to life as guaranteed by our Constitution.

Mr. Speaker, Sir, we all saw on TV how this man was killed. This was not a normal thuggery of stealing but it was intentional killing. Eighteen bullets were shot on one human being. For whatever reason we have the rule of law and we condemn this act very strongly.

We also condemn the hooliganism that is going on in Mombasa in terms of burning churches and looting property. I tend to wonder; is there a big brother somewhere who will benefit from these blame games of trying to make this thing a religious issue? Coming at a time when we are expecting elections soon, I would hate to imagine what will happen to our beloved

country during the time of elections. I even wonder why the Principal in charge of appointing Ministers has not appointed a substantive Minister for the Ministry of State for Provincial Administration and Internal Security. It is important that we have a substantive Minister because this is an important docket that should be working towards getting life and property safeguarded. At this point in time, probably His Excellency the President should note and make sure that we have a Minister to take charge of this docket.

Mr. Speaker, Sir, the other question that comes to my mind is whether our police force has the capacity to deal with these problems. The answer that comes to my mind is that they are completely incapable, in terms of equipment and the number of personnel. Really, if we are serious in dealing with this problem, something needs to be done within the reforms of the police force so that the police are adequately remunerated, equipped and trained to be able to deal with this problem. It is very sad that Kenyans are turning on each other, killing each other, burning churches and maybe burning mosques soon. It is important that we here, as leaders, should speak as a unified team to bring Kenyans together. We should condemn this act of hooliganism. These are criminals and they are not religious people. I tend to wonder why we are able to see them on TV yet they are not arrested. To tell us that only 12 people have been arrested so far is a big joke.

The amount of resources wasted by Ministers and Assistant Ministers, travelling by air or helicopters all over the country is colossal. This is the case and yet when it comes to a point where Kenyans are losing lives, very little seems to be done. I want to be on record saying I condemn it and as Kenyans, let us work together and see whether we can save our great nation.

Mr. Speaker, Sir, I support.

Mr. Speaker: Hon. Members, I still have 25 requests. So, if we try and do just two minutes each then maybe we can cover everybody. So, try and live within two minutes.

Mrs. Noor: Mr. Speaker, Sir, I also want to add my voice in thanking the Mover, Ms. Karua for bringing this very important matter to this House. I want to send my message of condolence to all the people who have lost their lives through insecurity in this country. I want to condemn in the strongest terms possible the destruction of property and more importantly, the destruction that was done in the place of worship of our brothers and sisters from the Christian community.

I feel very sad that people in their right senses can go to the extent of destroying places of worship. If you can do something like that, it means that you do not even respect God. So, people have lost their sense of humanity.

Mr. Speaker, Sir, I want to agree with hon. Martha Karua and the rest of the Members of this House who have said that this is not a matter of Christians and Muslims. It is criminals and evil people who are doing this. We cannot tolerate such people, going out there to do all sorts of things.

I would not want us, as leaders of this country, to play politics with this matter because it is a very serious matter. If we bring into this House the rumours that are in the social media, we will lose our sense of direction as a House and as a country, and we fail to provide leadership to ensure security in this country.

Mr. Speaker, Sir, another thing I would like to tell Kenyans is that---

Mr. Speaker: Your time is up, hon. Sofia.

Yes, hon. Kazungu Kambi.

The Assistant Minister for Medical Services (Mr. Kambi): Ahsante sana, mhe. Spika, kwa kunipatia nafasi hii.

Ningependa kuungana na mhe. Karua kulaani kitendo hiki cha kinyama cha mauaji. Pia, ningependa kuwambia wananchi kwamba sisi Wakristo na Waislamu tumekuwa tukiishi pamoja tangu zamani. Hata ukiangazia historia, utaona kwamba Waarabu walipowasili Pwani mwa Kenya, walioa wanawake kutoka jamii za Wagiriamu na Waduruma. Kwa hivyo, watu kutoka jamii za Kiislamu na Kikristo tumekuwa tukiishi pamoja. Sijui ni kwa nini wakati huu kumeanza kuwa na shida.

Mhe. Spika, wale wote wanaotekeleza vitendo hivyo wanafaa kushtakiwa, kulingana na sheria ya nchi hii, kwa sababu hakuna dini yoyote ulimwenguni inayosema uende ukamuue mwenzako. Vile vile, ningependa kuwashukuru Waislamu na Wakristo kwa juhudi zao za kuungana mkono, haswa wakati wa shida hii.

Jambo lingine ambalo ningependa kulizungumzia ni kwamba katika nchi hii tunasisitiza juu ya polisi kuzingatia haki za kibinadamu wanapotekeleza majukumu yao ya kudumisha usalama na amani, lakini tutakumbuka kwamba kwenye yale mauaji yaliyotokea kule mjini Garissa hivi majuzi, maafisi wa polisi pia waliuawa. Sheria yetu haimruhusu afisa wa polisi kujitetea kwa kuua. Kufuatia ghasia za juzi, maafisa wa usalama waliuawa. Hao maadui wametoa mabomu wapi? Tunataka tuambiwe wanakotoa mabomu na jinsi tunavyoweza kusuluhisha tatizo hili.

Mhe. Spika, maisha ya binadamu ni muhimu kuliko chochote kile. Kuruani inaheshimu maisha ya binadamu. Wakristo pia wanaheshimu dini---

Mr. Speaker: Yes, Member for Ndaragwa.

Mr. Kioni: Mr. Speaker, Sir, I thank you for giving me the opportunity to support the Motion. I would also like to thank hon. Martha Karua for moving the Motion.

Since there is no much time, let me say that I join other hon. Members in condemning the killing of Sheikh Rogo and the burning of properties within Mombasa. It is important that those who killed Rogo and those who burnt churches face the same music. They must be apprehended and charged in a court of law. We will be happy to hear that this happened.

Mr. Speaker, Sir, let us also encourage the church ministers and Imams in mosques to instruct the youth on matters of respecting each others' faiths, so that we do not have a group of young people being brought up with the wrong notion that one faith is inferior to the other.

Let me also say that, as politicians, we have a responsibility to ensure that we do not weigh in on this issue to capitalise on it for purposes of getting political millage or some form of support. We should stand united and condemn the incidents, as leaders, so that wedge does not find room in our country. Those who want to create a wedge between Muslims and Christians should know that they have no place in our country. Let it also be known that when this happens, those who are going to suffer most are those from the coastal area because the economic activities in this area will certainly be affected.

With those many remarks, I want to thank Martha and also Mr. Speaker for allowing us this opportunity.

Mr. Balala: Mr. Speaker, Sir, mine today is to condemn the killings of Sheikh Aboud Rogo and also those of the police who were on duty and also further condemn the destruction that has taken place in Mombasa. I want also to appeal to the youth that the solution to Aboud Rogo's murder is not violence. This is our town and country and revenge on other communities is not going to help us. Revenge in places of worship is not going to help us. I want to appeal to our brothers and sisters of the Christian faith that let us be united. This is our country and there is a bigger conspiracy to bring a wedge between Muslims and Christians because this is a new trend happening. It has not been the culture of Mombasa or of Kenya. Somebody somewhere out

there wants to bring Christians and Muslims at loggerheads and that is why they are using the sensitive element of burning churches. Let us say no to this conflict and let us unite and say no to criminality.

Mr. Speaker, Sir, I want to say that there should be an immediate response to the killing of Aboud Rogo so that we know who killed him so that we can be able to stop these mysterious killings. Samir Khan was killed and no response was found. Now, Aboud has been killed and nothing has happened. Nevertheless that does not warrant violence to be meted to other communities and churches. Let us save our country. As well, I want to say that let us support the police with equipment and boost their numbers so that we can be able to have security.

Mr. Speaker: Hon. Balala, I will allow you one minute because of your locality. Just press “intervene” and I will add you one minute.

Mr. Balala: Thank you very much, Mr. Speaker, Sir. As the Member of Parliament for Mombasa Island where the clashes occurred, I want to tell the youth that to our benefit we must reconcile rather than revenge. We are going to make sure that the Government investigates the death of Aboud Rogo. We want to know who killed Aboud Rogo, but to burn churches and destruction of property is not permissible. We are not going to tolerate such events but we also want the police to handle things with care so that we can be able to get the root cause of this incident.

Mr. Speaker, Sir, finally, if the issue of social media is not going to be taken seriously, then it is going to spread hate speech and actually bring chaos into this country. From what we have seen, as hon. Wetangula has said, it is dangerous for this country. We cannot cause religious wars among our people. We are a safe country but with the culture of impunity where an event is disrupted politically and where people are known they are not arrested, then this culture goes to another aspect of criminality.

I beg to support.

Mr. Chanzu: Mr. Speaker, Sir, I also want to join my colleagues in condemning these acts and to congratulate hon. Martha Karua for bringing this Motion for Adjournment. I think what seems to be happening in this country is that we talk like this and then when something happens the following day, it is all forgotten even by the Government. This is because of the history that we have gone through. We have gone through these kinds of crimes or incidents many times but there is nothing that happens. This time this thing happened the same day the President was launching the peace conference campaign in the country and I would have expected the Cabinet to have sat and made an urgent decision to take swift action, but nothing has happened.

I am also surprised that when something like this happens, those who are supposed to take action join those who cannot take action in crying. It is the inactivity by the Government in handling these matters that protracts them and then they happen again. This happened in a place where there was traffic and vehicles were moving. It should have been possible for the intelligence arm of the Government to be able to know what was happening. Even the way the reporting was done, it was haphazard. It is up to the Government to take responsibility. I am happy that the Minister, who is serving in this docket, is here and taking note. Yesterday, the Minister for Justice, National Cohesion and Constitutional Affairs issued a statement and said that we expected swift action.

Mr. Speaker: Your time is up!

Hon. Member for Mukurweini!

The Assistant Minister for Youth Affairs and Sports (Mr. Kabando): Mr. Speaker, Sir, I rise to support this Motion. First, I want to pass my condolences to all the affected families and wish them the strength and God's guidance.

Peace is very expensive. We need to invest very expensively in peace. Countries that have been cited as having been at the same level with us at Independence like South Korea have invested in Closed-Circuit Televisions (CCTVs) in all their cities, towns and even in villages. Here we are getting concerned about getting access to our cellular phones data or our profiles. Calls have been made about the social media. That is a point that I had planned to speak about very powerfully, because when you screen social media everywhere you will find a lot of bellicose statements.

The other issue is political leadership; I want to state here at this juncture that we need to desist as parliamentarians, politicians and senior aspirants to the highest office from activities that constitute negotiations with communities or religious groups, to avoid slicing up the country and creating some perceptions of entitlement as regions, religions and communities.

Finally, as a Member of the Executive, I say we should desist from mixing politics with important roles in the Government. We do not have a substantive Ministry.

Mr. Speaker: Your time is up!

Hon. Member for Mutito!

Mr. K. Kilonzo: Mr. Speaker, Sir, I also want to join the rest of my colleagues in sending my condolences to the family of Sheikh Rogo. I also want to condemn the killing. I also extend the condolences to those who have died in the unfolding violence. While it is bad to kill a clergy, it is also bad to kill a common man or woman. What we are seeing happens every day in other parts of the country, where common people are gunned down yet the Government does nothing about it. The Government has been sleeping on the job. What we are seeing are just symptoms. As they say, when the centre cannot hold, things fall apart. We want to call upon the Government, as we go towards elections, that security of this country should not be compromised. We condemn the burning of churches. We want to tell the youth and those who are involved in the burning that churches are holy places, and should be respected just the way mosques need to be respected. The culture of impunity in this country has gone beyond levels which can be controlled.

Mr. Speaker: Your time is up. We will give Mr. Dalmas Otieno a chance.

The Minister of State for Public Service (Mr. Otieno): Mr. Speaker, Sir, I just want to make a very brief comment on this. Our duty here as Parliament is legislation and what we pass here is called an Act of Parliament. It is not enough to call on the Government to act, particularly where the area of legislation is still inadequate. There is this new area of national integration and hate speech. Because these things do not come slowly; we can see it coming. This is how Osama developed his mission. Within Kenya here, this is how the *Mungiki* developed. We have to start examining the new areas of legislation that will deal effectively with hate speech; the new area of legislation that will be able to govern freedom of worship, freedom of expression and where freedom of worship and freedom of expression are directed at destroying other freedoms of worship and so on. We need to develop that legislation so that police can find it easy to implement such legislation and deal with these trends before they consume us in this kind of fire that we saw in Mombasa. Not even we, the ethnic communities fighting one another; it starts with some leader mobilizing the citizens or the youth by hate speech against the other communities. The area of hate speech requires further development by way of legislation. A task

force should be formed to examine this new area of social legislation that would help strengthen our national integration.

Mr. Yakub: Asante sana, Bw. Spika, kwa kunipa nafasi hii ili niunge mkono mawazo ya waheshimiwa Wabunge wenzangu wote.

Bw. Spika, kwanza, ningependa kutoa pole zangu kwa familia ya marehemu Sheikh Aboud Rogo na jamii yake yote. Ni lazima tueleze maovu yaliotokea hasa kuhusu kifo hiki cha kinyama. Marehemu Sheikh Aboud Rogo alipigwa risasi 22; aliuliwa mbele ya mke wake, mtoto wake wa kike na baba wa mke wake. Yote haya yamefanana na kile kifo cha Sheikh Samir Khan. Sheikh Samir Khan alikuwa na kesi kortini. Marehemu Sheikh Aboud Rogo pia alikuwa na kesi kortini. Haya mambo yametutia wasiwasi mwingi sisi kama viongozi wa Kiislamu.

Sisi kama viongozi wa Kiislamu tunalaani vikali vitendo vya kuchoma madhehebu ya Wakristo. Hii ni kwa sababu Uislamu hauruhusu jambo kama hilo kutendeka. Hakuna Mwislamu anayeruhusiwa kwenda kugusa au kuchoma nyumba ya ibada ya mtu ambaye si Mwislamu.

Bw. Spika, ningependa wale wote waliosababisha vifo vya askari wachukuliwe hatua kwa haraka. Kuna kitengo cha *General Service Unit* (GSU) ambacho kiliingia Majengo. Nimewahi kuzungumza awali na mhe. Waziri Yusuf Haji kwamba kitengo hiki cha GSU wachukue hatua zao kuambatana na sheria za nchi hii.

Bw. Spika, Waislamu tumeonyesha kwamba hakuna fikra ya vita baina ya dini ya Kiislamu na dini ya Wakristo kama yale yaliotokea Garissa. Ni Waislamu waliokwenda kwenye Kanisa siku ya Jumapili na wakayalinda makanisa yale. Ninapenda kuwafahamisha wenzangu hapa kwamba wale waliofanya vitendo hivyo, baadhi yao walikwenda kwenye vilabu vya pombe maarufu kama *bar* na wakaiba chupa za pombe. Hakuna Mwislamu ambaye atakwenda kuiba chupa za pombe kwa sababu ya huzuni ya kifo cha Marehemu Sheikh Aboud Rogo.

Haya yote hayajafanywa na wafuasi wa Aboud Rogo bali na watu ambao wanataka kuleta chuki baina ya Waislamu na Wakristo nchini. Ni lazima sisi sote viongozi wa dini tufanye kazi pamoja kuangamiza hila za watu wanaotaka kuleta uhasama na chuki baina ya wafuasi wetu. Lengo lao kuu ni kuharibu amani na umoja wa wananchi wote hapa nchini.

Bw. Spika, kanisa la kwanza katika Mkoa wa Pwani lilijengwa zaidi ya miaka 130 iliyopita. Wakati huo wote, hakuna siku hata moja Waislamu walijaribu kuchoma kanisa au dhehebu lolote lile. Ni lazima tushirikiane ili tuweze kuwashinda hawa watu ambao wanataka kuleta vurumai na migongano katika dini mbili ambazo zimeishi kwa amani kwa miaka mingi.

Tunataka Serikali ifanye uchunguzi wa kina na haraka ili tujue ni akina nani waliomuua Sheikh Aboud Rogo. Ni lazima wachukuliwe hatua kuambatana na sheria za nchi hii. Kufikia sasa tungependa kujua ni watu wangapi wameshikwa kuhusiana na kifo hiki cha kinyama kilichotokea mchana barabarani kuu ya Bamburi. Sheikh Aboud Rogo alipigwa risasi 22 mbele ya mke wake, mwanawe wa kike wa umri wa miaka saba na mbele ya baba ya mke wake. Haya yote yalitokea mchana na tunaweza kuyalinganisha na maafa yaliyotokea Wilaya ya Tana River mchana saa kumi na mbili wiki iliyopita ambapo watu 52 walipoteza maisha yao. Ni huzuni kuwa kufikia sasa hakuna aliyekamatwa kuhusiana na maafa haya.

Mr. Speaker: Hon. Members, much as we have tried, we still have 19 requests pending. I am afraid it is time to move to the Minister.

So, hon. Haji.

The Minister of State for Defence and Acting Minister for Provincial Administration and Internal Security (Mr. Haji): Mr. Speaker, Sir, I join my colleagues in condemning the heinous crime committed in the murder of Sheikh Rogo as well as the loss of

lives of our officers and innocent Kenyans and also unwarranted destruction of property and desecration of the churches.

Mr. Speaker, Sir, I now beg to give my statement as follows:-

On 27th, at around 11.50 a.m. a shooting incident was reported along Shanzu-Mombasa Road, about 500 metres from the Bamburi Police Station. Officers based at the station rushed to the scene after hearing the gunshots and found motor vehicle registration No.KAJ 537H, Toyota, along the Kilifi-Mombasa Highway sprayed with bullets by unknown assailants. It was later established that the vehicle was being driven by one, Muslim preacher by the name Aboud Rogo who had instantly died as a result of the shooting. Other passengers in the vehicle; his wife was injured on the foot during the incident and there were two other passengers who were not injured. The wife was taken to Mewa Hospital for treatment.

Mr. Speaker, Sir, following the shooting, rowdy youth converged at the hospital and while transporting his body for burial started rioting resulting in the death of one person working as a *Jua Kali* artisan at Tudor, near Ronald Ngala Primary School. There was also burning of the office of the Salvation Army Church in Majengo. There was also looting of Neno Evangelistic Church in Tudor. A GK Vehicle at Musa Mosque in Majengo was set on fire. Windows of Arizona Hotel in Tudor were smashed by irate youths. Also, the Pentecostal Church in Kaloleni, Tononoka was vandalized. Several vehicles had their windscreens smashed by the demonstrators and looting ensued.

After this, a contingent of anti riot police was deployed to the scene and contained the situation. However, the situation remained volatile and security personnel were thus deployed to patrol the streets to restore peace and tranquillity. The youth engaged the police by hurling stones and running in different alleys.

Further, the Provincial Commissioner called a meeting of religious leaders on Tuesday, 28th August, in Mombasa to address the issue and impressed upon them on the need for their faithful to maintain peace as police investigates the matter. The meeting was attended by 14 religious leaders from all sects represented in Mombasa County.

The meeting jointly condemned the ensuing destruction of property and churches and categorically agreed these were criminal acts and were not in any way a conflict between Christian and Muslim faithful. Hooligans had taken advantage of the killing to loot property. The meeting commended the Government effort to restore normalcy and asked it to bring to book those involved. Religious leaders resolved to go back to talk to their faithful to keep calm and maintain peace. They agreed to continue holding further consultative meetings together and come up with dual plan of action. The meeting resolved that the religious leaders will work with the Government agencies to provide information that will lead to arrest of the perpetrators of criminal activities. The Provincial Administration will partner with church leaders and hold joint public meetings to assure members of the public.

Mr. Speaker, Sir, I went to Mombasa yesterday afternoon and thereafter ordered that the Criminal Investigation Department officers go on the ground - they arrived yesterday evening - so that an independent investigation on the killing can be established. Later, the religious leaders and the Provincial Commissioner addressed a Press Conference to urge faithful to remain calm.

Despite the Government taking the above measures, on Tuesday, 28th August, at 12 noon, youth from Kisauni Division went on rampage as allegations were made that the wife of the late Muslim preacher had succumbed to the injuries sustained during the incident. At around 3.00 p.m. while the police were cooling the riots, a grenade was hurled at a lorry ferrying police

officers at Mwandoni area. As a result, one officer died on the spot while 12 others were injured and rushed to hospital for treatment.

On Wednesday 29th August, two more police officers succumbed to the injuries while undergoing treatment bringing the total number to three, who included, one Kipchumba Kipngetch, James Macharia and Abdul Aziz Hassan. All the officers are from the Prisons Department.

Mr. Speaker, Sir, the lobbing of the grenade on the police officers by the demonstrators is unusual. This indicates that the demonstrators were infiltrated by terrorist elements, some of whom are in possession of illicit firearm and explosive devices. We are appealing to members of the public to co-operate with the law enforcement agencies and volunteer information that will lead to the arrest of these criminal elements in their midst.

In the meantime, the Government deployed 234 additional security personnel as of Tuesday, 28th night to beef up security in the area. Further, the Director of CID has deployed some experts from his department to investigate the killing.

Mr. Speaker: Order! Mr. Minister, you just have 30 seconds. I do not now how best you will use them.

The Minister of State for Defence and Acting Minister for Provincial Administration and Internal Security (Mr. Haji): Mr. Speaker, Sir, we flew last night over 242 personnel to make sure that security is beefed. I want to thank the air force for ferrying these officers last night. As I speak now, the situation now is calm. We hope it will continue so.

ADJOURNMENT

Mr. Speaker: Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourn until tomorrow, Thursday 30th August, 2012 at 2.30 p.m.

The House rose at 6.35 p.m.