

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 24<sup>th</sup> September 2013

The House met at 2.30 p.m.

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

### PRAYERS

### COMMUNICATION FROM THE CHAIR

**Hon. Speaker:** Hon. Members, I have a number of Communications to make. First is Communication regarding the terror attack at the Westgate Mall in Westlands, Nairobi.

#### TERRORIST ATTACK AT WESTGATE MALL

Hon. Members, it is with deep sorrow that I stand on my own behalf and on behalf of this House to condole with the families, relatives and friends who lost loved ones in the dastardly act by the terror gang at the Westgate Mall that has left everyone in the world shocked. The cowardly act did not spare women, children, men, indeed, people of all races, colour and faith. We are a nation in mourning, but we are a nation more united in spirit and deeds; more than ever before we are one and united. This is exemplified by the messages of condolences and goodwill from leaders of all walks of life and political divides.

Hon. Members, allow me to pay special tribute to the many gallant sons and daughters of Kenya who have sacrificed their lives, time and comfort for the sake of their fellow citizens and visitors who have been trapped in the cage of terror. The men and women in uniform; the firemen and firewomen; the Kenya Red Cross; individual volunteers who came in droves to donate blood and raise funds for the affected families, to prepare food for those in rescue work, and to volunteer information to enable successful search and rescue mission; our doctors and nurses in all our hospitals – the list is long.

I also take this opportunity to thank all Members of the National Assembly who in solidarity with other Kenyans and people of goodwill turned up at various venues to donate blood and for your financial contribution of Kshs2 million to assist the victims.

I thank you and may God bless you all.

May I now ask the House to rise and observe a minute of silence in remembrance of the departed souls.

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

You may now resume your seats, hon. Members.

Again, the Members coming in, please, take your seats quickly because there is a further Communication.

#### GUIDELINES ON MEMBERS' ELECTRONIC LOGGING CARDS

Hon. Members, I have observed that some hon. Members attend the House's proceedings without their logging cards because they have either misplaced them or lost them altogether. This makes the work of the presiding officer extremely difficult, especially when hon. Members make requests to speak on debate. It also makes the electronic voting process overly tedious and lengthy. In this regard, for the proper management of the House, I wish to give the following guidelines: -

All hon. Members are encouraged to take care of their electronic logging cards and have them at all times when intending to participate in any business in this Chamber. In the likely event that an hon. Member loses or misplaces his or her card, he or she should note as follows: -

- (i) the Member shall report the loss of the card to the Chief Serjeant-At-Arms;
- (ii) a Member requiring a temporary card should apply to the Clerk at least three hours before commencement of the sitting of the House;
- (iii) a fee of Kshs2,000 will be levied against any Member who loses the electronic logging card; and,
- (iv) a temporary card issued by the Clerk will be returned if a new one has to be issued.

Hon. Members are reminded that a temporary card will not have the Member's details. Consequently, the Speaker cannot identify such a Member on the screen. Such Member may also not be able to vote in a division.

In other words, the provisions of Standing Order No.70 (1) will henceforth be enforced without exception. I have published a separate document which guides Members on the procedure of electronic voting. The document will be available at the main reception from 5.00 p.m. today and will form part of the Chamber manuals. Please, pay attention to that document as it will ease the process of voting.

The electronic card will also be used to register Members' attendance of Chamber proceedings. The usual manual signing with the Serjeant-At-Arms is forthwith discontinued. Members are free to register and deposit their cards with the Serjeant-At-Arms for safe custody when leaving the Chamber and may collect them when coming back into the Chamber.

Should any Member wish to alter the details of their card, such a Member is advised to communicate with the Clerk's office at least a day ahead of the expected day for the changes to be effected.

Arrangements have been made to ensure Members who wish to refresh their knowledge on the use of the electronic system do so in the course of this week. In this regard, the officers of the ICT Department will be available to assist hon. Members on the steps of electronic voting and use of the gadgets, in the morning of Thursday, this week and Tuesday, next week.

Hon. Members, you are also informed that all cards collected from the Chamber at the end of a sitting will be availed at the main reception desk for collection. Members who have lost or misplaced their cards are encouraged to check with the reception desk

before applying for new ones. It is, therefore, in your interest, hon. Members, to strictly observe these guidelines, which will take effect from Tuesday, 1<sup>st</sup> October 2013. All hon. Members will be expected to have their electronic cards at the commencement of the sitting on that day and on all other sitting days thereafter.

Thank you.

#### LAUNCH OF BUNGE SPORTS CLUB

Hon. Members, I have received a request from Bunge Sports Club, under the chairmanship of the Member for Kanduyi Constituency, hon. Wafula Wamunyinyi, to invite Members to a launch of Bunge Sports Club. The event which will include a patron's cocktail, will be held in the main dining room, Parliament Buildings, tomorrow, Wednesday, 25<sup>th</sup> September 2013 at the rise of the House. The occasion will also provide an opportunity for the Clerk to recruit Members to the various sporting teams. All Members are, therefore, accordingly invited.

Thank you.

#### PAPERS LAID

The following Papers were laid on the Table: -

Report of the Commission of Inquiry into the Accident involving Aircraft Registration Number 5Y-CDT, Type AS350 B3E.

The Regulation of Wages (General and Agricultural Industry) Amendment Order 2013.

*(By hon. A.B. Duale)*

**Hon. A.B. Duale:** Hon. Speaker, the aircraft referred to in the first Paper is the one that was involved in the death of the former Minister for Internal Security, the late hon. (Prof.) Saitoti and his deputy, the late hon. Orwa Ojode.

Thank you.

#### STATEMENTS

##### INSECURITY IN KITUI EAST CONSTITUENCY

**Hon. Abongotum:** Hon. Speaker, I have a Statement which was requested by the Member for Kitui East. First of all, I want to apologise that this Statement took quite some time to be brought.

The Member for Kitui East, hon. Maj. Marcos M. Muluvi requested for a Statement on the security situation in the eastern region of Kitui County, covering the Kitui East Constituency part that is bordering Tana River County. The Member indicated that due to insecurity: -

(i) more than 10 deaths had occurred since January, 2012;

(ii) schools in Malalani and Endau were closed between July and November, 2012; and,

(iii) many families have been displaced from their homes and are currently living in fear.

In particular the Member requested information on: -

(a) why the Government ignored pleas from local residents to post an Officer Commanding Police Division (OCPD) to Zombe to cover areas of Nzambani and Mutito districts and Voo Location of Mutomo District;

(b) what measures the Government had put in place to eradicate the insecurity menace; and,

(c) The interventions taken to alleviate the sufferings of the people being displaced by bandits.

In the recent past, the border area between eastern region of Kitui and Tana River County has experienced several incidences of insecurity due to inter-communal conflict between the Kamba and Somali herdsmen in search of pasture and water for their livestock. These incidences were especially witnessed in Malalani area and Igamba water wells which are in Kitui County.

Contrary to the information given by the Member that 10 people had been killed in the violence, the true position is that only three people were killed and I will indicate the dates. That on 4<sup>th</sup> August 2012, one Kimende Mutungi was shot dead at Igamba water point by unknown assailant. On 5<sup>th</sup> July 2012, at around 11 O'clock Mzee Jeremiah Mutinda Nzalu, a retired army officer was killed after a dispute over destruction of crops in his farm by herders. The incident infuriated members of the local community who regrouped and pursued the herders and in the ensuing confrontation, Mr. Benjamin Kithiki Mwelu a retired banker was also shot dead.

On the posting of security officers, I want to confirm that Mr. Joseph Gichangi, OCPD, Mutito was posted on 27<sup>th</sup> June 2013; Mr Thomas Ngeiwa, OCPD, Mutomo was posted on 5<sup>th</sup> August, 2011 and Mr. James Mwangi, OCPD, Nzambani was posted on 27<sup>th</sup> June, 2013. The OCPD, Mutomo covers the whole area of Nzombe which has the following stations: - Mutomo, Mutito, Mutha, Endau, Athi Police Post and Ikanga Police Post.

Lastly, as to what the Government has done to eradicate the menace, the following measures have been put in place: -

(1) deployment of anti-stock theft police unit officers in Malalani;

(2) establishment of Administration Police post at Iluuni, Makula, Nziu, Katumbi and Voo areas;

(3) deployment of a police vehicle to Endau Police Station

(4) enhanced patrols in the area; and,

(5) reactivation of district peace committees.

Additionally, in the current police strategic plan, the Government plans to put up more stations and post OCPDs to respective police divisions. On the issue of displacement, I wish to state that there are no displaced persons in the areas in question.

Thank you, hon. Speaker Sir.

**Hon. Speaker:** Major Muluvi.

**Hon. Muluvi:** Thank you, hon. Speaker, Sir, for that rejoinder from the Chairman. I want to say it from the outset that after you directed last week, first of all, I

am pleased to say I had the opportunity to meet the Inspector General and his team. Consequently, we agreed that we meet on Monday, but unfortunately because of the incident which took place, we did not. But we did communicate and agree that immediately what is happening in the county goes down, I will be able to meet them and they are more than willing to discuss the matter with me.

However, on the request, I want to make it very clear that I had said that schools had closed. Igamba Primary School has been closed for the last two years. It is unfortunate for the Chairman to say that no school is closed. The second school which had been closed temporarily was Iluuni Primary School and like I had indicated when I went there on Saturday, we agreed with the County Commander and the rest of the security team from the county that the school re-opens. I can report that from Monday they had resumed classes, but Igamba Primary School remains closed to date.

The other thing I wanted to appreciate is that after I made the request, two weeks later two OCPDs were posted in my constituency. Like he has said, one was posted in Nzombe, which I am very grateful about and the other one was posted in Nzambani District of Kitui East Constituency. The other details, I want to take them up with the Inspector General and it is my belief from what we discussed that we will be able to look into the matter in depth.

Thank you, hon. Speaker, Sir.

**Hon. Speaker:** Very well. It looks like the intervention is working.

**Hon. Muluvi:** Thank you, hon. Speaker, Sir. It looks like the intervention is working.

**Hon. Speaker:** Is there anything that the Chairman would want to add?

**Hon. Abongotum:** Hon. Speaker, Sir, you remember that I took the trouble of actually facilitating the meeting. Of course, I promised the House that I would facilitate a meeting between the Member and the Inspector General and his two deputies, which I am happy that he is admitting. I am also happy that he is confirming that the officers have been posted. But, on the issue of those schools, I think we will liaise with the Cabinet Secretary to ensure that the County Commissioner for that area ensures that those schools, of course in cooperation with the other security people, are opened.

I have another Statement that was requested for by the Member for Yatta, hon. Francis Mwangagi. I wish to read it.

#### DELAY IN APPOINTMENT OF DEPUTY COUNTY COMMISSIONERS/ ASSISTANT COUNTY COMMISSIONERS

The hon. Member for Yatta, hon. Francis Mwangagi Kilonzo, requested a Statement on the delay in the appointment of the Deputy County Commissioners and Assistant County Commissioners, of course formally District Commissioners (DCs) and District Officers (DOs) respectively in the country, despite the Office of the President having set aside funds for the same office in the last financial year.

Further, the hon. Member sought information on the facilitation given to the officers as pertains their housing, mobility and an increase in the number of security officers to aide them in undertaking their responsibility of enforcing security in the country.

I wish to state as follows: Currently, there are 60 vacancies for the post of Deputy County Commissioners, formally DCs in the country. However, consultations between the Ministry and the Public Service Commission have been undertaken and appointments to fill the vacancies will be done in due course.

The authorized establishment for the Assistant County Commissioners is 1,450 those are DOs; out of which 780 officers are already in post, leaving a deficit of 670 officers. The Ministry has received approval for recruitment of 215 new Assistant County Commissioners.

The Ministry forwarded the indent, Reference No. Establishment/12/14/4 of 92, of 26<sup>th</sup> January 2012 to the Public Service Commission to facilitate the advertisement of the vacant posts and we are waiting for a response.

In the last Financial Year; 2012/2013, the Government funded the construction and completion of 53 sub-county headquarters. In addition, the Ministry undertook the refurbishment of 18 sub-county officers and in this Financial Year, 2013/2014, the Government has allocated Kshs.148 million shillings for completion of the ongoing office for sub-county headquarters.

On residential housing, the Government has been giving all civil servants applicable house allowance for paying market rates for Government houses where they exist and for renting houses where there are none, through existing Civil Service Code of Regulation.

Hon. Speaker, Sir, the authorized vehicle establishment for field administrative services is 3,024 vehicles against 1,276 at the moment. Out of that figure, only 837 are currently operational. This leaves a deficit of 2,108 vehicles.

In the last financial year, only 22 vehicles were distributed to field officers and it is further noted that there is no budgetary allocation for purchase of vehicles in this financial year. In fact, we have given a lot of attention to the police because of the need at this particular point in time.

Hon. Speaker, Sir, on increasing number of security officers to aid administrators in undertaking their responsibility of enforcing security, the Government is currently training 7,000 police officers who are expected to complete their training by April, 2014. On completion of their training, the officers will then be deployed to various stations to perform their duties.

**Hon. Kilonzo:** Thank you, hon. Speaker, Sir. I am relatively satisfied with the answer given by the Chairman, Administration and National Security Committee. However, bearing in mind that these sub-county and county commissioners are the chairmen of security committees in their respective areas, I would kindly request the Government to move with speed and ensure that they are posted. Some areas do not have them.

Hon. Speaker, Sir, although the Chairman of the Committee has talked about infrastructure in terms of houses and vehicles, in many areas of this country, this is lacking. That is an area I would kindly ask this House, through the Chair to look into because many of them are unable to do their work.

On security officers, I think this House will have to discuss with a view to increasing their number in this country. Financial and other forms of resources need to be provided so as to ensure that these officers do their work effectively.

Thank you.

**Hon. Speaker:** I can imagine that those can be useful suggestions, but I think they would be best addressed to the Committee, through a report that they can table to the House, before they are explored. Yes, Chair of the Committee.

**Hon. Abongotum:** Hon. Speaker, Sir, I have confirmed that the issue of recruitment of new police officers may be done immediately the current group graduates.

On the issue of housing, I want to confirm that the officers are also being given house allowance, and where houses are not available, they can rent.

Otherwise, thank you.

**Hon. Speaker:** Next Order. I know there are some hon. Members who may want to seek Statements. A number of you will not be lucky to do so today because of some pending business which has received a lot of requests from very many of you. We also have the Finance Bill to discuss and you must conclude the debate in Second Reading today, so that you can go to that other business. Most of you will bear with me that you may seek those Statements tomorrow morning. I know hon. Wandayi and hon. Bowen. The only person who is lucky is hon. Ottichilo. Please bear with me. There is a lot of pressure because the other business is also very urgent. I do not want to say what it is because the rules do not allow me, until I have moved it. But I have received several requests from many of you. I am sure, once it is said you will understand why we are doing that. We are pressured for time. Hon. Wandayi, do not open your eyes any bigger. I know I approved your Statement, but do not worry tomorrow is not too far away. It is the same with hon. Bowen.

Hon. Ottichilo, the Floor is yours.

## REQUESTS FOR STATEMENTS

### STATUS OF SAN MARCO SPACE APPLICATION CENTRE

**Hon. (Dr.) Ottichilo:** Thank you, hon. Speaker, Sir. Pursuant to Standing Order No. 44(2)(c), I wish to seek a Statement from the Chairperson of the Committee on Education, Research and Technology and the Chairperson of the Committee on Administration and National Security regarding the San Marco Space Application Centre in Malindi.

In their Statement the Chairpersons should inquire and report on the following: -

(1) the current status of the centre in terms of its operations, management and legal framework;

(2) the scientific and economic potential of the centre and how the Government of Kenya has benefited from its inception in 1964 in terms of data acquisition, staff development and direct financial benefits;

(3) the number of technical and support staff of Kenyan nationality employed at the centre and the terms and conditions of their service. A clear comparison of their terms and conditions of service with those of Italian nationals who are employed at the centre;

(4) the reasons why the Government of Italy has not honoured some of the articles of 1995 agreement between the Government of Kenya and the Government of Italy. Furthermore, why the Government has not taken any action on the same; and,

(5) given that the activities of San Marco Space Application Centre are mainly scientific in nature and focus on space research, remote sensing, launching and

monitoring of resources and telecommunication satellites, why are the centre's activities coordinated by the Ministry of Defence and not the Ministry of Education, Science and Technology?

(6) When will the Government of Kenya undertake the following:-

(i) take full control and management of San Marco Space Application Centre;

(ii) finalize bilateral agreement with the Government of Italy and have it approved by Parliament, in line with the Constitution; and,

(iii) establish its own national space agency by Presidential Order or legislation to coordinate space science research and application activities in the country, including the launching of its own earth resources satellite.

Lastly, could the Committee consider reviewing the Parliamentary Report on the same which was tabled in the Tenth Parliament?

**Hon. Speaker:** Your request for Statement is to two departmental committees. One is the Committee on Administration and National Security and the other one is Education, Research and Technology. It is to two departmental committees.

**Hon. (Dr.) Ottichilo:** Yes.

**Hon. Speaker:** That will require a joint sitting of the two Committees. Hon. S.W. Chege, can you make a response as to when you think you can respond? You just walked in when hon. Ottichilo was reading. The Chair of the Committee on Administration and National Security is here. This is a matter that requires quite some time. I also want to encourage Committees to know that you are at liberty to form sub-committees of your Committees, so that you do not have to transport 29 of yourselves to go and see whether animals were slaughtered or such like activities. Even if you send five Members of your Committee, they will be reporting to the main Committee, and therefore, the issue of quorum of nine Members, which I have been told is what is worrying some of the Chairs, will not be there. There will be no issue of quorum. If you decide that you want to send a sub-committee of five or seven Members of your Committee, you should be free to do so, so that that sub-committee will bring its report to you as the main Committee. That way, several of you will be actively engaged in many issues most of which are being raised through requests for Statement. It is an easier way.

Let me hear from hon. Kamama, when you think you can have a joint sitting with the Committee on Education, Research and Technology.

**Hon. Abongotum:** Hon. Speaker, Sir, this is a fairly complex assignment. In the Tenth Parliament, I was an Assistant Minister in the Ministry of Education, Science and Technology and I remember coming across this issue. As you know, hon. Ottichilo is an expert in space science and remote sensing. So, we really need close to two weeks for us to meet and then we liaise with the people in Malindi. We want to be given something like a month, so that we can convene with our counterpart and prosecute this matter. So, we need one month.

**Hon. Speaker:** I note that in the request hon. Ottichilo mentioned that, that particular facility is under the docket of Defence. I suspect that, that is why hon. Nkaissery is getting agitated when you mention "defence". Perhaps, hon. Nkaissery, you can give us the sense of your excitement.

**Hon. (Maj-Gen.) Nkaissery:** Thank you, hon. Speaker, Sir. I think the request should be directed to the Committee on Defence and Foreign Relations because this is a defence issue with science and technology. I remember that during the last Parliament, I



responded to this request. So, the Member should take the report to the two committees and if there are areas that we need the Government to look into, then we can look into that. Otherwise, I had satisfactorily dealt with this matter in the last Parliament.

**Hon. A.B. Duale:** Hon. Speaker, Sir, I had the benefit of serving in the Committees that investigated this matter in the last Parliament. I do not think we should involve the Committee on Defence and Foreign Relations because the key stakeholders that we are investigating, and I am sure hon. Ottichilo will agree with me, is the Department of Defence. So, the right Committees are Education, Research and Technology, Administration and National Security and moreso, the Committee on Energy, Communication and Information because there is an aspect of communication.

The people who signed the contract on behalf of the Kenyan people, whom these Committees must investigate, are the Ministry of Defence. I will be very happy if the Committee on Defence and Foreign Relations deals more with the current issues and leaves the satellite station because I went to Malindi and in my opinion, it has more than meets the eye. It is not just a mere scientific station, but an intelligent centre for some powers using our own space and land. We should leave this to the Committees that you have already mentioned.

**Hon. Speaker:** What is the position of the report that was presented in the last Parliament? Was it ever adopted? Maybe, hon. Ottichilo, you could throw some light.

**Hon. (Dr.) Ottichilo:** Hon. Speaker, Sir, indeed, there was an investigation on this matter in the Tenth Parliament. The report was tabled in this House, but it was not adopted.

**Hon. Ng'ongo:** On a point of order, hon. Speaker, Sir. My point of order is with regard to what the Leader of the Majority Party has just said. If there is someone to be investigated, it is the Ministry of Defence and not the Committee. I do not understand why hon. Duale feels that the Committee on Defence and Foreign Relations cannot investigate this matter. This House is not investigated. As hon. Nkaissery puts it, the relevant Committee should be the Committee on Defence. It must be part of it. The Deputy Leader of the Minority Party is back.

**Hon. Speaker:** There is no reason to be excited. The point you are making, hon. Mbadi is relevant, but is it possible that we can get that report first and then perhaps, the Committee on Education, Research and Technology, sitting together with hon. Ottichilo and perhaps the Committee on Defence and Foreign Relations, can look at it. I can see that hon. Duale is introducing the Committee on Energy, Communication and Information. It looks like it may be very complicated. We cannot have three, four or five Committees sitting about the same thing. It might as well be that we introduce that report, if it was exhaustive. Hon. Musyimi, are you also in that Committee?

**Hon. Musyimi:** Hon. Speaker, Sir, I wish I was, but I am not. I recall the issue of the Artur Brothers Report that was tabled in the Ninth Parliament, but not debated. It was subsequently debated in the Tenth Parliament. I am just wondering whether we do not have a precedent there. If the report was tabled in the Tenth Parliament, why can it not be debated in the Eleventh Parliament?

**Hon. Speaker:** Exactly, that is the point I am making. It cannot find its feet like the Members who are walking here, it must have a mechanism by which it finds itself on the Floor of the House. Which Committee was investigating it in the last Parliament? Was it, again, a joint Committee? Yes, hon. (Dr.) Ottichilo.

**Hon. (Dr.) Ottichilo:** Thank you, hon. Speaker, Sir. It was a joint Committee on Education, Science and Technology, and Energy, Communication and Information.

**Hon. Speaker:** If that is how it went how then did you decide that you now needed a Statement from the Departmental Committee on Administration and National Security? Or, you just wanted to involve many Committees?

**Hon. (Dr.) Ottichilo:** Hon. Speaker, Sir, it is because the centre has a lot of implications on security issues. That is why the agreement has been signed by the Department of Defence. Currently, it is the Department of Defence that is responsible. But because this Department does not have the know-how on the science that is undertaken there, they only do administrative roles and oversee the facility. That is why the station has no value to the people of Kenya, but the Italians are really making a lot of money from that centre.

**Hon. (Ms.) S.W. Chege:** Thank you, hon. Speaker, Sir. I request hon. (Dr.) Ottichilo, who is also a Member of our Committee to bring the matter to the Committee so that some of us who were not in the previous Parliament can look at it. We need to have the way forward on how to deal with the issue. This is a departmental issue that we need to discuss at the Committee level.

Thank you, hon. Speaker, Sir.

**Hon. Speaker:** I think I will advise hon. (Ms.) S.W. Chege to be given a copy of the Communication that I gave about the card. This is because I can see the name appearing as “Susan Kipketer Chebet.” That speaks volumes.

*(Laughter)*

**Hon. (Ms.) Abdalla:** Thank you, hon. Speaker, Sir. I was just talking about the Questioner’s report. I thought that I should raise it here. I have tabled two reports in this House and I do not know what period of time they will take to be debated. I am just concerned that they can become like the reports of the Tenth Parliament requiring debate in the Eleventh Parliament.

**Hon. Speaker:** The Clerk’s Department should prioritize Committee reports. These reports must be given priority because they are very important.

Let me direct as follows: The Departmental Committee on Education, Research and Technology, the Departmental Committee on Administration and National Security and the Departmental Committee on Energy, Communication and Information Chairs meet with hon. (Dr.) Ottichilo to come up with the way forward on the matter.

First of all, on that Report that was tabled in the last Parliament and any other matter especially the one that hon. Ottichilo has raised in the current request, the three Chairs should meet. I think it is important that hon. Gumbo’s Departmental Committee is involved.

**Hon. (Eng.) Gumbo:** Most obliged, hon. Speaker, Sir.

**Hon. Speaker:** Very well. Hon. Ottichilo, let us have your second request because we are running out of time.

BAN ON GENETICALLY MODIFIED ORGANISMS IN THE COUNTRY

**Hon. (Dr.) Ottichilo:** Thank you, hon. Speaker, Sir. Pursuant to Standing Order No.44(2)(C), I wish to seek a Statement from the Chairperson of the Departmental Committee on Agriculture, Livestock and Cooperatives regarding the ban on the use of Genetically Modified Organisms (GMOs) in the country.

In his Statement, the Chairperson should inquire and report on the following: -

First, the scientific data and information that informed the ban and whether the National Biosafety Authority and other relevant agencies were consulted prior to the ban pronouncement by the Government earlier this year.

Secondly, the impact of the ban on the activities of the National Biosafety Authority, GMOs research activities and businesses in GMO products in the county.

Thirdly, the findings of the Committee constituted by the Government to investigate and report on the alleged dangers of the GMOs products; when the report will be made public including the Government policy on GMOs with regard to the report.

Finally, the specific policies---

*(Loud consultations)*

**Hon. Speaker:** Hon. Members, consult in low tones. I want to encourage hon. Angwenyi to take a seat instead of standing on the gangways and shaking the hands of everybody.

Yes, hon. (Dr.) Ottichilo.

**Hon.(Dr.) Ottichilo:** Hon. Speaker, Sir, lastly, I would like to know the specific policies and programmes that the country has put in place to promote agricultural biotechnology in its food production and environmental conservation systems given that the adoption of biotechnology is necessary for global and national food security, medication and adaptation to climate change.

**Hon. Speaker:** Who is the Chairperson of the Departmental Committee on Agriculture, Livestock and Cooperatives? Do they have a Vice-Chair? It must be a very interesting Committee where the Vice-Chair and Chair do not attend the plenary of the House.

Yes, hon. Washiali.

**Hon. Washiali:** Thank you, hon. Speaker, Sir. We have a new Chairman. Unfortunately, he has gone to meet the Cabinet Secretary, Ministry of Agriculture. I pledge to pass this information to the Committee. We are due to meet the Committee on National Biosafety Authority because this is part of our programme. We will discuss alongside what hon. (Dr.) Ottichilo has raised. He should give us about three weeks.

**Hon. Speaker:** It is good practice that hon. Ottichilo knows when you are meeting so that he is able to attend. From there, you can come up with a programme to respond on the various issues that he has raised because those issues are very important.

**Hon. Washiali:** Hon. Speaker, Sir, I have made a request of three weeks. The new Chair is Mohamed Noor.

**Hon. (Dr.) Ottichilo:** Thank you, hon. Speaker, Sir. Three weeks are okay with me.

**Hon. Speaker:** Very well. Like I communicated with the House, hon. Members, you will make the remaining requests tomorrow morning. You will be given the first priority.

Yes, the hon. Leader of the Majority Party.

## NOTICE OF MOTION FOR ADJOURNMENT

### TERRORIST ATTACK AT WESTGATE MALL

**Hon. A.B. Duale:** Hon. Speaker, Sir, the Leader of the Minority Party and I seek your consent to move a Motion for adjournment of the house today, Tuesday, 24<sup>th</sup> September 2013 under Standing Order No.33 to discuss the terrorism attack incident at Westgate Mall, Nairobi, as an urgent matter of national importance requiring ventilation by the National Assembly.

It is our view that the Motion will accord the Members of the House an opportunity to debate the terrorism incident at Westgate Mall in Nairobi allegedly perpetrated by terrorists, and also send a message of condolence to the entire nation.

Thank you, hon. Speaker.

*(Several Members stood up in their places)*

**Hon. Speaker:** Very well. You have the numbers. Hon. Members, I had given an indication that, that matter had been raised by both the Leader of the Majority Party and the Leader of the Minority Party alongside the whips and other Members. Several Members had also written requesting that the House does adjourn to discuss that particular issue. Looking at the interest shown, it is fair that the House expresses itself on this matter. Therefore, I direct that debate on that issue does take place today for a period of not less than two hours starting at 4.30 p.m.

The long and short of that, hon. Jimmy Angwenyi, is that if we can conclude the business which we are directing that it should be discussed or undertaken by the House and finish before 4.30 p.m., you can commence debate on this particular matter of grave national importance.

## BILLS

### *First Readings*

#### THE LAW SOCIETY OF KENYA BILL

#### THE NATIONAL SOCIAL SECURITY BILL

*Orders for First Readings Read – Read the First Time and ordered to be referred to the relevant Departmental Committees)*

**Hon. Speaker:** Hon. Members, I wish to make the following re-arrangement of business. Owing to the Motion that has just been moved by Leader of the Majority Party, and granted that under your own Standing Orders and also the Public Finance Management Act you are required to conclude debate on the Finance Bill not later than 27<sup>th</sup> of this month, it is, therefore, directed that the business appearing as Order No.10 be

removed and is undertaken tomorrow and that we move straight to business appearing as Order No.11 and, thereafter, debate the Motion that has been moved.

*Second Reading*

THE FINANCE BILL

*(Hon. Langat on 19.9.2013)*

*(Resumption of Debate interrupted on 19.9.2013)*

**Hon. Speaker:** The record shows that hon. Manson Nyamweya was on the Floor and he has a balance of five minutes. He will, therefore, have the first shot.

**Hon. Nyamweya:** Thank you, hon. Speaker, Sir, for giving me a chance to contribute to this Motion. However, before I say anything about this Bill, I wish to join other Kenyans to mourn and condemn – as much as we are going to debate this matter – the terrorist attack in Westlands.

Last week, I was confronted by members of the public and one person asked me: “Why are you Members of Parliament allowing Kenyans to get fake medicines?” I told him that I am a Member of Parliament and not the Government. He told me, “No!” I told him that I am not a Jubilee Member, but he replied: “No! You are a Member of Parliament and you are not protecting the poor Kenyans who are taking fake medicines.”

What I am trying to say is that the public out there sees us as people who are supposed to protect their interests, irrespective of party affiliations. Today, we have the Finance Bill before us. I am happy that hon. Mbadi is going to bring a Bill to Parliament and I hope the Speaker will look at it favourably so that hon. Members can debate it again. The issue that this country is facing---

**Hon. Speaker:** Hon. Nyamweya, the Speaker has no business looking at any Bill favourably or not favourably. The Speaker is merely a conduit through which Bills find themselves here. It is you Members who have to deal with them either favourably or whatsoever.

*(Applause)*

**Hon. Nyamweya:** Thank you, hon. Speaker, Sir. We are faced with a serious issue regarding taxation. Electricity has gone up by 17 per cent. We are talking about the *Uwezo* Fund. We expect to promote farming in the rural areas. Young boys and women cannot afford to pay the increased amount on their electricity bills. What is shocking is that the Government did not allow Kenya Power (KP) to increase the rates. KP had approached the Government seeking to increase the rates. Instead of allowing KP to increase the rates so that they can get enough funds, they told them: “No, we shall give you money.” What has happened is that the Government has increased the rates. One does not understand whether it makes sense for the Government to increase the rates up to 17 per cent, instead of allowing KP to increase the rates and reduce tax by 10 per cent.

Apart from affecting the common person, high electricity cost is going to affect all the flower farms. The biggest input cost flower farms face in this country is electricity.

I can talk about Magadi Soda which pays millions of shillings to cover electricity costs. Those firms earn this country foreign exchange. The next question a person would ask is this: Is it prudent financial management to increase the cost of electricity and also increase tax on inputs for firms which earn this country foreign exchange? We need the dollars that are brought in by any enterprise that is enabling us to earn foreign exchange. It is, therefore, so critical for this country to re-look at the Bill regarding this matter.

The other matter is on zero-rated and exempt items. For the exempt items, it means that for all inputs, they cannot claim. In effect, it means that the cost of items for anybody who is doing manufacturing or processing will go up.

**Hon. Langat:** On a point of order, hon. Speaker. Is it in order for the hon. Member to be irrelevant to the Finance Bill? We are discussing the Finance Bill and nothing on Value Added Tax (VAT) has been touched. We passed the issue of VAT when we were discussing that Bill at that time. Is it in order for him to be discussing VAT when we are discussing the Finance Bill?

**Hon. Nyamweya:** Hon. Speaker, I do not know whether or not he understands what he is talking about. We are talking about the budget of this country. The budget of this country factors anything that we have passed. As Parliament, we are supposed to oversee what happens in this country. For me to raise this issue, it is because that is where the problem is. The problem is there! The issue we have in this country is that the Kenya Revenue Authority (KRA) has refused to refund exporters. Then it comes around to say: "We are now removing refunds. We are going to increase---" The ordinary person is paying the cost of refund which KRA is supposed to pay. Is that a responsible Government which is supposed to protect its own citizens? When the Government refuses to pay money owed to traders---

**Hon. Speaker:** Hon. Kenneth Odhiambo Okoth!

**Hon. Okoth:** Hon. Speaker, I actually rose because I wanted to pass my condolences to fellow Kenyans.

**Hon. Speaker:** Hon. Okoth, the debate before us is on the Finance Bill. There is going to be an opportunity for you to pass condolences. That is why the Chairman of the Departmental Committee on Finance, Planning and Trade is wondering about the issue of relevance. We will allow you on the other issue. We have allocated two hours for hon. Members to do so.

**Hon. Okoth:** Hon. Speaker, may I, therefore, request that the Mover be called upon to reply, so that we can move to that more urgent matter?

**Hon. Speaker:** There are still requests from hon. Members who want to speak on the Finance Bill. Since your request is about condolences, and not the Finance Bill, give way to another person who wants to speak on the Finance Bill.

**Hon. Okoth:** Hon. Speaker, is that a promise that I will get a chance during the time for passing condolences?

*(Loud consultations)*

**Hon. Speaker:** Hon. Members, the issue that has been raised by hon. Okoth is important. There are Members who have put in requests. Those requests must be on the debate on the Finance Bill. If you want to speak to the other matter, the occasion for that

is coming. You can, therefore, clear the Second Reading for the Finance Bill, so that you can go to the other matter, for which everybody has put forward a request.

Hon. Okoth, I am not saying that you will speak when the time comes, but make sure that you catch the Chair's eye. You will, obviously, speak.

**Hon. Okoth:** God bless Kenya! Thank you.

**Hon. Speaker:** The next speaker is hon. Jared Odhiambo Opiyo. Is he not in? Is he sleeping? Hon. Alice Nyanchoka, is yours about the Finance Bill?

**Hon. (Ms.) Chae:** Hon. Speaker, stand this Bill down. We really want to send our condolences.

**Hon. Speaker:** I am going by the list as it is. Next is Paul Arati Simba. Is your request about the Finance Bill?

**Hon. Simba:** No, hon. Speaker.

**Hon. Speaker:** Agostino Neto, is yours on the Finance Bill?

**Hon. Neto:** Thank you, hon. Speaker. Of course, I would be glad to speak to the Motion on terrorism but my request at the moment is with regard to the Finance Bill.

In supporting this Bill, I would like to highlight the major parts of the Bill. In my opinion, the proposed amendments to Sections 3 and 4 are useful because they will enable the Act to be in line with Article 35 of the Constitution, which gives the right to information. If this amendment is not made, the Act will be rendered unconstitutional. So, the proposed amendments to Sections 3 and 4 of the Act are properly in place.

I also support Clause 5 of the Bill as it is. I am in agreement that we need a proper railway network in this country. Various goods are being moved across the country. That is the sort of thing that would be done with a proper railway line. As we move to establish a properly functional railway line across the country, the proposals that have been made in the Bill, in terms of establishing a levy fund, are useful. But we also need an authority that will manage the particular Fund. We could borrow rightfully from the various roads agencies such as Kenya Urban Roads Authority (KURA) and Kenya National Highways Authority (KENHA), which have properly managed our roads. So, I really believe that establishing a fund that is going to help in establishing Kenya's railway services is a good move. The only thing that I need to say is that we should put in place an authority that will manage that particular Fund.

Hon. Speaker, Clause 6 of the Bill is very useful because it seeks to expand the purview of financial institutions. It is good to control things like Savings and Credit Co-operative Societies (SACCOS) and Post Bank, where most Kenyans put in their money. For a very long time, some of those institutions have not been properly regulated. Of course, we have ended up with misappropriation of funds. People are stealing money from SACCOS and Post Bank through corrupt deals. Therefore, it is very useful to expand this particular purview. It is a good thing.

Clause 6 of the Bill also seeks to exempt sports goods and equipment. Whereas it is good to help young Kenyans establish themselves and grow in sports, a blanket exemption of sports goods and equipment from taxation is the bit that is very tricky, given the history of corruption in this country. Whereas I think it is good to exempt some goods, this sort of exemption needs a different oversight. It should not be left to the Ministry or the Cabinet Secretary responsible. Perhaps, we must think of someone else to oversee the exemption. That way, we will succeed. Past history of exemption has not yielded fruit. We would exempt some items from taxation but people would trade on

them. So, it is good to exempt sports goods and equipment for purposes of developing sports in the country, but a proper regulatory framework ought to be established.

With those remarks, I beg to support the Bill.

**Hon. Speaker:** Yes, hon. Katoo ole Metito.

**Hon. Katoo:** Thank you, hon. Speaker. I will be brief. I stand in support of this Bill. First of all, I want to say that this is a small Bill. The Finance Bill is normally like a miscellaneous amendment Bill, which takes very many Acts into consideration.

I just want to talk about two proposals on this Bill. The first one is the proposal to introduce 20 per cent Withholding Tax to bring gaming and betting into the tax bracket. As we all know, there has been a lot of betting and lotteries going on in this country, and which have been escaping taxation and yet, the Constitution provides that everybody should pay tax. Each of the media houses every day declare a winner of Kshs1,000,000, Kshs10,000,000 or other winnings. Those winnings have always been going untaxed. So, with the passage of this Bill, the Government will collect some revenue through this proposal.

Another very important aspect that has been introduced in this Bill is the Railway Development Levy Fund of 1.5 per cent. We have said it very clearly even in our Vision 2030 document that in order for this country to grow economically, infrastructure development is very crucial. In the developed countries, railway transport is a very integral part of economic development. The introduction of the railway development fee proposed in this Bill will enable us to put our railways in very good shape – in the most digital form.

We have seen electric trains in other countries. In those countries, you can commute from as far as Mombasa or Kisumu and work in Nairobi. Faster railway services actually speed up economic growth. Such services will turn our economy into a 24-hour economy, which has been the view and the vision of every leader in this country. Therefore, I urge my colleagues that we pass this Bill, so that we can develop our railway system.

With those remarks, I beg to support.

**Hon. Speaker:** Yes, hon. Christopher Omulele.

**Hon. Omulele:** Thank you hon. Speaker, Sir, for giving me this opportunity to speak on the Bill. I rise to support this Bill and I wish to state from the outset that this is a good Bill.

We have the railway system in this country and for a long time, the intention of having that railway system was really to move our commodities from the Port of Mombasa to the whole country and to the greater East African region.

The railway system as it is today has failed. It is only able to move up to about 900,000 tonnes every year, while we move from the Port of Mombasa in excess of 20 million tonnes every year. Most of those goods end up on our roads and that is why we have a tattered road network in this country.

So, this is a good time to actually come up with a standard gauge railway system so that we can now move those goods from roads back to the railways; as it was initially intended. For this reason, I support this Bill.

Secondly, having looked at Section 28 of this Bill, it proposes that the Central Bank shall regulate the credit reference bureaus. We have a situation in this country where the credit reference bureaus are sharing information, which is of confidential



nature, of the banking of our citizens and it needs to be regulated. That is because, sometimes, that information ends up in the hands of people who misuse it. For that reason, I support this Bill.

Thirdly, Section 28 of this Bill proposes that anybody who participates in terrorist activities – and this is very good and current – or supports terrorists and finances terrorism, should be jailed for 20 years. As we debate this and go forward to taking into account matters that have happened in this country in the past two days, I think this is a Bill that we must pass today.

For this reason, I beg to support. Thank you.

**Hon. Gaichuhie:** Thank you hon. Speaker, Sir, for giving me this opportunity. I also stand to support this Bill, noting that it is introducing the Railway Development Levy. Our country has never built even an inch of a railway line. I think it is high time we started building our own railway line. The Bill is also going to give a reprieve whenever somebody has a tax dispute. Currently, the Government requires one to pay a total of 100 per cent. But the Bill is trying to reduce that to 30 per cent until the dispute is settled.

The Bill also intends to punish directors of companies who are non-executive when the company does not pay tax. We have seen that it is punitive and we have decided to bring an amendment to make sure that the directors who are non-executive are not judged because of their employees not paying taxes in time. That was also the view of the Committee. The Bill is also trying to introduce tax on gaming, betting and winnings. I think it is good because this country needs to levy taxes on things that are luxurious. I think that when people bet, that is a luxury and they should pay taxes. Also, with the current situation in the country, the Bill is also trying to deal with terrorists who are really affecting Kenya.

So, I want to support the Bill and I wish that we can go through the Third Reading tomorrow so that we pass it as per the PFM law.

**Hon. G.W. Omondi:** Thank you, hon. Speaker, Sir. Let me add my voice to the sentiments of my colleagues who have talked in support of this Bill.

I want to talk more specifically with regard to the Railway Development Levy, Retirements Benefits (Amendment) Bill and particularly the section that deals with administration, trustee and general management of the benefits fund.

I also want to talk about the Income Tax (Amendment) Bill and, more so, the amendment to Section 84. To begin with, as other hon. Members before me have said, the railway line that exists in this country has not done much to promote our economic development. What is proposed is the timely building of a standard gauge railway line which is estimated to lower the cost of transporting goods from Mombasa to Kisumu by close to 80 per cent.

Hon. Speaker, Sir, some may argue that levying 1.5 per cent tax on all imported goods will raise inflation. But when you look at it against the long-term gains of lowering the cost of transportation, it is a timely action that the Government is taking.

Secondly, introduction of the qualification requirement for the retirement benefits fund is also timely, more so, when one takes into account that retirement benefits currently account for close to 20 - 25 per cent of our total savings. Those savings find themselves in our investments via stock market and real estate. It is important that they should be regulated just as much, better or as prudently as the banks are regulated because they control the depositors' money.

With regard to the amendment to the Income Tax Bill, Section 84, whereas I support, I find it a little bit difficult to support the requirement that the distributed tax should be paid to the tune of 30 per cent. Whereas I support, I would recommend that a person who is disputing the tax should pay only the undisputed tax, but then go to the tribunal. Should the findings be in favour of the tax authorities, they should be called upon to pay the penalties. I am saying this because any taxes paid to the tax authorities become very difficult to refund and that is part of the problem that the tax authorities are currently having.

**Hon. Langat:** On a point of information, hon. Speaker, Sir.

**Hon. Speaker:** What is your point of information?

**Hon. Langat:** I just want to inform him on the issue of the 30 per cent that he is talking about.

**Hon. Speaker:** Does he want to be informed?

**Hon. Langat:** Let him confirm.

**Hon. Speaker:** Do you want to be informed?

**Hon. Members:** Say yes.

**Hon. G.W. Omondi:** With those few remarks, I support. Yes, hon. Speaker, I want to be informed.

**Hon. Speaker:** You wanted to conclude with “few remarks.”

**Hon. Langat:** Hon. Speaker, Sir, I just want to inform him that on the issue of 30 per cent, the amendment seeks to amend the situation which is there now. If you are in dispute, you pay 100 per cent first and then you can claim when you go through the appeal process.

So, in my view, the taxpayer is better off with the 30 per cent. If we refuse, we go back to 100 per cent payment in advance.

**Hon. G.W. Omondi:** Hon. Speaker, Sir, I thank the Member for that information, but I still disagree because tax refunds from the tax authority is a nightmare. There are many people who have paid their taxes and it takes donkey years for them to get a refund. So, whether it is payment of 100 or 30 per cent, this is something that should be looked at again.

**Hon. Kaluma:** On a point of order, hon. Speaker, Sir. I rise under Standing Order No.95 to move that the Mover be called upon to reply. Going by the mood of the House, we have a very burdensome afternoon. I note that we still have four Bills ahead of us.

**Hon. (Ms.) Odhiambo-Mabona:** On a point of order, hon. Speaker, Sir.

**Hon. Speaker:** Hon. Millie Odhiambo, why do you not allow hon. Kaluma to finish what he is saying? You cannot just sit there idly and be shouting. That is wrong, surely. Allow hon. Kaluma to prosecute his position.

**Hon. Kaluma:** Hon. Speaker, Sir, we still have four Bills to debate at the Second Reading Stage and we also have the matter for which directions are already given that at about 4.30 p.m., we should be debating. This is a matter affecting so many of us, of course, as Kenyans. I have lost a relative, a professional colleague and an entire family of a dear client from 2011. Going by the mood of the House, I am not seeing any new thing or revolutionary we are bringing as an amendment or otherwise to the Bill. To shorten time, I wanted to beg that under Standing Order No.95, we close the debate and the Mover be called upon to reply.

**Hon. (Ms.) Odhiambo-Mabona:** On a point of order, hon. Speaker, Sir.

**Hon. Speaker:** I have said time and again, you read your Standing Orders and understand them. When a Member has been on a point of order, you cannot purport to be also rising on a point of order. It does not matter how much you shout. Hon. Kaluma has raised the issue that the Mover be called upon to reply. So, all I need to do is to put the matter to vote and the point is the Mover be called upon to reply.

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

**Hon. Langat:** Hon. Speaker, Sir, I wish to give two minutes to hon. Millie. She seems to have something on this Bill.

**Hon. (Ms.) Odhiambo-Mabona:** Thank you, hon. Speaker, Sir. I want to thank the Chair of the Finance Committee for giving me the two minutes to contribute. In contributing, I want to say what I said last week when we waited here until 6.30 p.m., that there is a growing culture of shortening debates. This is a House of debate and we have many days of debate. So, I want to encourage the Members, let us not be in a hurry like Parliament is closing in two months. We are here for four years to debate and I do not see what the rush is all about. It is unfair for those of us who sit until 6.30 p.m. Hon. Kaluma was not here until 6.30 p.m.

Having said that, I had many issues to raise, but I support the Bill. I have just noticed one or two things. I am concerned about issues of retroactive legislation especially in Clause 1. The issue of railways is a good thing. However, I would like to encourage the country to be more proactive in planning instead of this piecemeal and popcorn approach to planning. I want to support the issue of tax on sports, but we should have also considered dealing with other issues which are burdensome to Kenyans. I would also like to encourage the Finance Committee to look at the issue of double tax.

Finally, on the issue of terrorism, it is a good thing that we provided here, but for purposes of legislative coherence, I wonder whether it fits here well because it talks about jail terms and not taxes.

I support.

**Hon. Langat:** Hon. Speaker, Sir, so that we can welcome hon. Midiwo and re-orient him back to the House, I will give him one minute, so that he can feel welcome back to the House again.

**Hon. Speaker:** He has not forgotten how to use the gadget? You cannot forget so soon. You are an experienced Member.

**Hon. Midiwo:** Thank you, hon. Speaker, Sir. You know I was in the village and so, I was back where I belong. Let me thank the Chairman of the Finance, Planning and Trade Committee. I rise to support the Bill and now that it seems that we are going to revisit the VAT Act, we will need to do good for Kenyans. The only thing that I want to say, as we discuss the Finance Bill is that, in my view, our country will not go very far unless it tames banks. The bank rates are too high for our people. I thought that following the retired President Kibaki's wishes to the banks, this Bill should have addressed the issue of interest rates.

I have tried to do this for the last six years and finally, the President, in his retirement, has seen my point. We want to encourage the Government to take a stand against the banks, particularly the foreign banks which are milking Kenyans. Thank you.

**Hon. Speaker:** Hon. Midiwo, you can still move some amendments given the nature of our Finance Bill. I know you have expressed this issue on the interest rates for a long time. Perhaps, this may be the opportunity.

**Hon. Langat:** Hon. Speaker, Sir, there are many requests for me to donate some time, but I do not have any more time to donate. I have 10 minutes. I want to thank Members who have contributed to the Finance Bill. Many Members have supported the issue of the proposed Railway Levy Fund, which is a very good thing. For the first time in many years, we will have a functioning railway system when the Fund is created. As I told the House last time, this is a Fund that is ring-fenced for that purpose. Therefore, the House should be confident that railway lines will be done.

I want to respond to the issue that was raised by hon. Nyokabi last week concerning preparation of Members to discuss Bills. For the Members, the Budget Office always analyses all the Bills and explains clause by clause what the Bill is about. Therefore, I wish to advise Members that whenever there is any Bill, they should get in touch with the Budget Office for that analysis, so that they are informed. I also took the trouble of bringing those photocopies to the House when this matter came for discussion last Thursday. Therefore, I want to inform Members that whenever there is any Bill, they should always liaise with the Budget Office and they will get the necessary assistance to discuss any Bill that is before the House. Hon. Members may also get in touch with my Committee on any Bill that is related to the Finance, Planning and Trade Committee. I will be more than willing to assist any Member to prosecute any Bill that relates to my Committee.

I do not want to say much since the Bill has been supported, but when it comes for the Third Reading, my Committee has agreed on some amendments which I intend to move, so that we can finetune the Bill. For example, I heard Members say that they disagree with the 30 per cent requirement to be paid in advance in the event that you dispute what the KRA has assessed as tax. But my Committee, having looked at it, feels that the impact of that is to go back to the current situation, which is to pay 100 per cent of what is due and then you go and argue your case. The day you win the case, you can be given back your money. So, this comes as a relief to the taxpayer. Otherwise, I thank Members. I look forward to the Third Reading Stage of the Bill.

**Hon. Speaker:** Hon. Members, before I put the Question, I just want to make this announcement. I am sure that each of you is having a copy of the Order Paper. Just to refresh our memories and minds because hon. Jakoyo Midiwo says that he has just come from the village---

*(Laughter)*

I am sure that he is well alive to this.

If you look at the second page on your Order Paper, you will find that on Item No.2, the House resolved on Wednesday, 17<sup>th</sup> April 2013 as follows: -

THAT, notwithstanding the provisions of Standing Order No.97(4), each speech in a debate on any Bill - and this is the point I want the House to be seized of - shall be limited as follows:- A maximum of 45 minutes for the Mover, in moving and replying, a maximum of 20 minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee) and a maximum of 10 minutes for any other

Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of 15 minutes each; and that priority in speaking be accorded to the Leader of Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order. So, please, be informed because we have very many Bills pending.

So, prepare so that you do not speak for two minutes when you have 10 minutes and you do not speak for three minutes when you have 15 minutes. You are accordingly informed or reminded.

*(Question put and agreed to)*

*(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)*

**Hon. Speaker:** Hon. Members, as earlier directed, the Motion for Adjournment was to be debated for a period of not less than two hours. It may now be moved.

Yes, the Leader of Majority Party, the Leader of Minority Party or the Majority Whip.

### **MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.33**

#### **TERRORIST ATTACK AT WESTGATE MALL**

**Hon. Katoo:** Thank you, hon. Speaker, Sir. Just give me one minute.

Hon. Speaker, Sir, on behalf of the House leadership, as you had earlier communicated, I beg to move under Standing Order No.33 that this House now adjourns to discuss a matter of national importance in relation to the terrorist attack at Westgate Mall that happened on Saturday 21<sup>st</sup> September 2013.

First of all, in moving this Motion, I want to send my condolences and sympathies to His Excellency the President, Hon. Uhuru Kenyatta for losing close family members and to other Kenyans who have lost their loved ones in that heinous attack.

Secondly, my congratulations go to our Kenya Defence Forces, all our security agencies, our doctors and nurses, the ordinary Kenyans, other nationals, volunteers and the media of this country for the very strong support they have come out to offer to our sisters and brothers during that heinous incident.

My thanks also go to our friendly foreign nations which have sent messages of goodwill, sympathy and condolences to this country. I also thank those who stood with us during this heinous act. They include Members of this august House who have really gone out of their way, as the Chair has said in his Communication earlier on, to donate blood and money in support of those who have suffered in that incident.

Hon. Speaker, Sir, I want to say that as a nation, we cannot afford not to make choices by doing nothing. We have to fight terror by all means. As it has been said by all those who have spoken, we must win the war on terror because there is no option or choice.

This is a global war, as it has been communicated, and as shown by the suspects who have been involved in that attack. Those people come from several nations and all over the world. So, fighting terrorism needs a multi-agency approach as it has been shown by our security agencies. This fight also needs global support as the perpetrators are from all over the world.

Locally, I would like to say that war on terror requires a multi-level approach. This starts from the lowest level in the community in terms of administration to the highest level or the national level.

Hon. Speaker, Sir, this is the time that we must embrace the culture of knowing your neighbour. This is practised in our neighbouring country, Tanzania, where there is the “*Nyumba Kumi*” approach where one must know all his or her neighbours both in their residential, commercial and work places.

The Government should develop an approach in which the administration knows everybody who lives in their area of jurisdiction. As things stand now, even in Nairobi City, most of us do not know our neighbours. As Kenyans, we have developed an attitude that: “It is not my business”. This is the case even in knowing who your immediate neighbour is. I think we should know them even if it is through a legislative framework. It means a lot by knowing who your neighbour is, especially where you live, work and do business.

We must use all approaches, both horizontal and vertical in the war on terror. This calls upon the strengthening of our institutions from the Immigration Department which deals with the entry and exit points to many others. The issue of refugees must now be addressed to finality. We need to strengthen our intelligence gathering as Kenya remains key in the stability of this region. We must share cross-border intelligence and strengthen all our entry points.

With regard to our friendly nations, we really thank them for expressing their support and sending messages of goodwill and also condolences to those who lost their loved ones. They have stood with us during this difficult time. There is the issue of travel advisories. I do not think this is the right time to issue travel advisories especially after an event that is not of our own making. Since this is a global war, the least the friendly nations can do is to support this country globally and at all the times as opposed to issuing travel advisories. If you say that you support Kenyans and again you are issuing travel advisories, I think that will be watering down the support that you have shown earlier. Some of those foreign nations make decisions in a HALT. This is an approach whereby you should not make a decision when you are in a certain situation, that is, when you are hungry, angry, lonely and tired. When decisions are made in a HALT, it may negate the spirit of complementariness and togetherness. Instead of burdening the Kenyan economy again by issuing travel advisories--- We know that tourism contributes a lot to our foreign exchange and as a result the building of our economy. I, therefore, wish to appeal to all our sisters and brothers in the diaspora not to issue travel advisories.

When the attack happened in this country, to prove that it is a global war, similar incidences took place in Israel, Somalia and other countries, but there were no travel advisories issued to those particular countries.

As I conclude, I take this opportunity to applaud our security agencies for the strength they have shown. They showed the same strength when they were fighting

terrorism outside our borders. Now they have shown it within our borders. We must support them as a country. Let us all support this war against terror.

I wish to invite the Leader of the Minority Party, hon. Nyenze to second.

**Hon. Nyenze:** Thank you, hon. Speaker. I want to second the Motion. I want to appeal to Kenyans to continue showing the support they are showing. I want to stand with the rest of Kenyans in congratulating our forces, that is, the Kenya Defence Forces, the Kenya Police, the Administration Police (AP) and all other security apparatus for the good job they did to rescue Kenyans who were trapped by terrorists. That was a commendable job because they avoided loss of lives.

I also want to commend the President, His Excellency Uhuru Kenyatta for the quick action he took and rallied the whole country together and even invited the Prime Minister and the former Deputy Prime Minister and many other leaders to stand with him as Kenyans to show solidarity and fight this menace that visited us.

I want to appeal to hon. Members that at this time when Kenyans are grieving and when we are healing, not to start the blame game. It is very easy to blame this or that. It is very easy to blame the security intelligence and security apparatus, but the best thing would be--- This problem visited all of us irrespective of tribe, race, party affiliation and so forth. The best thing is to compliment and commend each other so that we heal as a nation.

Hon. Speaker, terrorism affects all countries. Even the only super power in the world, the United States of America, has been hit several times. They have a lot of money invested in security information gathering. However, because some of the terrorists are also very advanced in technology, they still penetrate. I, therefore, urge this House that when it comes to preparation of the budget, the Budget and Appropriations Committee needs to make sure that it allocates enough resources to security departments. I am talking about the police, the army, the National Intelligence Service, the Criminal Investigation Department and other security firms so that they can buy proper equipment and get proper training. They need to be properly remunerated so that their morale is high.

The people who carried out that heinous attack had prior knowledge; they knew Westgate in and out looking at the way they conducted their operation. There is a country called Ethiopia which borders Somalia. They have something like community policing. I want to urge Members of this National Assembly to educate our people to do community policing. Any stranger living amongst them should be reported to the authorities as soon as possible. I am sure those terrorists did not come to Kenya the same morning they attacked the mall; they must have lived somewhere. Where they lived people must have seen them, but they never acted. For such an attack not to recur, let us adopt that system of knowing the people in your compound wherever you live. Make sure you know who your neighbour is and what they do for a living. It does not cost much, but it is a very effective way of knowing and reporting any suspicious characters.

Hon. Speaker, when this attack took place, I asked myself: "Could we be the next target as the National Assembly?" Whenever I pass through that gate, my car's boot is not opened. The car is tinted and once they see the sticker, they allow the car to get in. Those terrorists used two cars. They got in and they did a lot of damage. What of the National Assembly where all the national leaders are? Is it not a risk? This should be a

wakeup call. Let us make sure that this Parliament has a perimeter wall and an electric fence and proper guarding at the entrance because we could be the next target.

I have also observed something. There is a *Mhindi* friend of mine I normally meet at Westgate. On the fateful day, I did not go there. You know I pray to my God. I have seen that there is security lapse in National Assembly. I want it to be taken very seriously because this is a more attractive target than any other.

Hon. Speaker, as I second this Motion, let me say that there is something I love about Kenyans, namely the commitment to stand with each in times of turmoil. We forget about our political divide and social classes and unite. What I have learnt is that Kenyans love it when they see us come together, more so when they see me and hon. Duale not fighting among ourselves, but rather fighting for Kenyans. I want the leaders of this country to take this very seriously. If all of us, as Members of the National Assembly, can emulate what the President and the former Prime Minister did over the weekend, we can get very far as a country. The Kenyan spirit has taught the whole world that in the event that anybody tries to attack us, our differences are just skin-deep. We unite and fight the enemy before coming back to our problems.

People are grieving because they have lost their loved ones. Some have been hospitalised while others have not yet found their loved ones. Therefore, I want to appeal to Members of the National Assembly to try and show unity, just as our top leaders have done. Let us avoid playing the blame game. Let us try to sort out this problem, so that it does not recur.

With those few remarks, I beg to second the Motion.

*(Question proposed)*

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

**Hon. A.B. Duale:** Hon. Speaker I want to, first and foremost, send my heartfelt condolences, on my own behalf and on behalf of the people of Garissa, to our Kenyan brothers and sisters who lost their loved ones. I ask the Almighty God to give them comfort and ensure quick recovery for those who were injured.

It is about 16 years since terrorists first attacked our country. Terrorist attacks are not confined to Kenya. Terror attacks have taken place in the USA, the United Kingdom (UK), Spain and in many other countries. The terror phenomenon is global. At the outset, I would like to thank Kenyans who have shown the Kenyan spirit. They came out in large numbers to contribute close to Kshs70 million and donate blood.

Hon. Speaker, I would also like to thank you and my colleagues, who crossed the highway to Uhuru Park and donated blood, and also gave the little resources that we could donate. This is a moment when Kenyans must unite. The people who died and those who were injured are from different ethnic groups, religions and nationalities. The work of the devil and the terrorists is aimed at dividing the Kenyan society. In 2011, they tried to do so in my constituency when they killed 16 innocent Kenyans in a church.

For the last one year, the *Al Shabaab* have been killing people every night. We want to stand behind our leaders and show the solidarity that we have exhibited. This moment is as important as the moment that preceded the post-election violence of 2007/2008, when we ended up having a new Constitution, and putting in place new working institutions. This must be the time to evaluate our security system. This attack



should be a wake-up call for us, as a country, to see whether our systems are working. We should be able to establish whether the men and women we have put in charge of our security are up to the task.

As my colleague, Leader of the Minority Party said, the attack was not spontaneous. It must have been a covert operation that was well planned from within and outside our borders. Our security is of paramount importance. I am sure that His Excellency the President and the Government will do something about it. As a country, together with the international community, the East African Community, the Intergovernmental Authority on Development (IGAD) and the African Union (AU), we must find a lasting solution to the Somalia problem. If the powers that be can send military forces to Syria and to other nations where there is turmoil, we should be able to hit hard at *Al Shabaab* sooner than later.

Hon. Speaker, we must secure our borders. We must have people of integrity securing this country. Our immigration officials must be patriotic. They must know who is a good visitor and who is a dangerous visitor. This is a wake-up call. I want to join my colleagues in saying that never before in my life have I felt so strongly that being Kenyan is a great thing. When we went to Uhuru Park yesterday, we saw tens of thousands of Kenyans who had turned up to donate blood. I even saw a pregnant lady telling a medic: "I want to donate blood." When I went to the Aga Khan Hospital on the evening of Saturday, I saw Kenyan doctors from all the clinics in the city attending to the injured people.

I want to commend the Kenya Red Cross Society under the leadership of Abbas Gullet. We do not need a Ministry of Special Programmes or Department of Disaster Management, we only need to empower Abbas Gullet of the Kenya Red Cross Society by giving him money. We will see any money that we will give to Abbas Gullet and the Kenya Red Cross Society when there is a serious accident in Elgeyo Marakwet, or when a building collapses in Kisumu, Garissa or Nyeri. We have departments responsible for disaster management. We finance their budgets in this House every year but we do not see what they do with that money. If there is somebody to be honoured in this country, with the highest medal, it should be Abbas Gullet and workers of the Kenya Red Cross Society.

As a country, we will not be intimidated by the forces of terror. We must fight and dismantle the terror networks in Kenya, East Africa and in the whole world.

With those remarks, I beg to support.

**Hon. Speaker:** Hon. Members, very soon I will ask you to make a decision because, obviously, there is a lot of interest in this Motion. It is only fair that as many of you as possible express yourselves on this matter. As it is now, the requests stand at exactly 100.

Proceed, hon. Gideon Mungaro.

**Hon. Mung'aro:** Mhe. Spika, nachukua nafasi hii kwa niaba ya watu wa Kilifi Kaskazini, Kaunti ya Kilifi na viongozi wa Pwani, kutoa rambirambi zetu kwa wale waliopatwa na msiba katika Jengo la Westgate. Vile vile, nawapa pole na kuwaombea uponyaji wa haraka wale waliopata majeraha katika jengo lile.

Kwa kweli, janga lile lilikuwa kubwa katika nchi yetu. Kile ambacho ningependa kuwauliza ndugu zangu Wabunge ni kwamba tunapoichangia Hoja hii tujue kwamba kuna kazi inaendelea katika sehemu ile. Kwa hivyo, kuna umuhimu sana kujuliza ni

jambo lipi tunaweza kusema katika runinga ambayo inatazamwa na wakenya wote na pia wale maharamia.

Vile vile, ningependa kuiambia idara ya ujasusi kwamba kuna umuhimu wa kuangalia na kujua ni vipi watu waliweza kuingia na silaha kama walivyofanya katika Westgate. Walitoka walikokuwa, wakapita katikati ya Jiji la Nairobi mpaka wakafika katika jengo lile na kusababisha maafa na kujeruhi watu ambao walikuwa pale; walioumia walikuwa Wakenya na watu wengine kutoka nchi mbali mbali.

Mhe. Spika, nachukua fursa hii kuungana na jamii zote ambazo zilipatwa na msiba huu, na nawatakia walioumia uponyaji wa haraka.

Janga hili linatupatia funzo sisi Wakenya, kwamba kuna umuhimu tuweze kuchukua jukumu tukiwa viongozi na wananchi wa taifa hili la Kenya. Hii ni kwa sababu waliofanya vitendo hivi wengine wanaishi katika nyumba zetu; wanakaa na sisi na labda wengine wameoa watoto wetu. Ikiwa hatujui walikotoka na hatujui wanachofanya--- Kwa nini hatuwaulizi wanaohusika katika vitengo vya usalama kama nchini kuna wageni? Tunawapikia halafu wanageuka na kutuua. Kwa hivyo, tunastahili sisi wananchi tuhakikishe kwamba tunachukua jukumu na kupeana habari ya watu wote ambao tunawaona kati yetu, na ambao hatuwaelewi na vitendo ambavyo wanafanya.

Ningependa kuwapatia wenzangu nafasi kwa kusema pole kwa wale ambao walipatwa na msiba, na wale ambao bado wako hospitalini. Mungu awapatie afya njema; wale waliopoteza wapendwa wao, Mungu awape faraji.

Ahsante sana, Mhe. Spika.

**Hon. (Dr.) Laboso:** Thank you hon. Speaker, for giving me this opportunity to join hands with the rest of Kenyans to send condolences on behalf of the people of Sotik and on behalf all Kenyans. This is a very sad moment for our country, but we must appreciate the resilience of Kenyans. Despite this very horrible incident that has happened, we have seen how Kenyans have really come together.

I have just come from an ACP-EU meeting and we received news of this tragedy while we were there. You could see not only the rest of Africa, the Caribbean and even the Pacific and all delegations were really holding hands with us, they were wishing that we get over this sad event. They are willing to support this country in every way.

Hon. Speaker, Sir, even as we look at this very sad event that has happened in our country, I think hard questions will have to be asked. Some really serious questions will have to be asked to our security and intelligence operators and all the very many bodies and institutions that use a lot of taxpayers' money. How could our intelligence be unable to give us even an inkling of an event of this magnitude? If they were, what was done?

Hon. Speaker, this is the time to go back to the basic and see what needs to be done. I want to say that we Kenyans must not allow what has happened to divide us. We have enough problems with ethnicity; we do not want this kind of thing to divide us ethnically. We do not want to be divided by religion. We do not want to be told that there were some people who were being let in and others who were being let out. We are not going to go into that situation. Let us handle those terrorists as they are and punish them as terrorists and not to think of them as belonging to one race, religion or anything else.

Hon. Speaker, Sir, this is a time to come together as Kenyans. This is a time for us to be united in grief; this is time to remember all those who have lost their loved ones, and to remember those who are already in hospitals; we should even remember those who are possibly in Westgate up to this minute. We should also remember even our security

personnel, who are trying to protect Kenyans, and those who have also lost their lives or are injured. This is the moment when we need to come together, pray together and be united as Kenyans.

With those few remarks, I beg to support most sincerely.

Thank you.

**Hon. Speaker:** It is time for hon. Timothy Wanyonyi Wetangula, Westlands Constituency Member of Parliament, where the incident occurred.

**Hon. Wetangula:** Thank you hon. Speaker, Sir. I want to join my colleagues and, indeed, the community of Westlands Constituency.

I lost many of my supporters in the terror act that we must all condemn. We lost innocent people who were going about their activities and shopping peacefully; there were also school-going children who were having a function in the mall. That place is busy on Saturdays and this terror group chose to attack on that day.

Hon. Speaker, Sir, as country we must stand together, condemn and also, as much as we do not want to apportion blame--- Just as Madam Deputy Speaker has said, we must continue to reform our institutions. When we put individuals in positions and they cannot perform, we must look at their institutions again. I believe this incident did not just happen like that. It was designed, planned and meticulously executed. We would like to express our gratitude to all Kenyans who came out in large numbers to donate blood, contribute money and offer material support to the affected families.

I would like to condole with the families that have lost their loved ones, and those who are injured and are still in hospital; we give them words of encouragement and we pray for them, so that they recover quickly and go back to their normal routines. We would also like to encourage each one of us to play the role of knowing who our neighbour is. This is a campaign that we must all sustain. You should know your neighbour. People who come to attack us in our own homes live with us, or live in our neighbourhood. They do not come from the blues. We must co-operate and embrace community policing, so that we make sure that our neighbourhoods are safe.

Westlands Constituency is a place that houses the international community. We have the UN and many embassies. Most of the investments in Nairobi County are in Westlands Constituency. Many of the people living in Westlands are also poor people who work in these places. Most of those who are bereaved are people who were working in restaurants, shops and other places within the shopping mall. I would like to ask the Government to support the families that have lost their loved ones. It should support those who are still in hospital and everyone who has been affected. We must also look into the possibility of rehabilitating those who have been injured or traumatized by what happened in the mall, especially the people who were held hostage in the mall for two or three days. We must see how we can rehabilitate them, so that they can come to terms with what has traumatized them.

I would like to unite with the people of Westlands, our leaders, His Excellency the President, the former Right Hon. Prime Minister and all the leaders, including we, as Members of Parliament, who represent these people. I wish to condole and stand with them.

With those remarks, I beg to support.

**Hon. Speaker:** I had to allow hon. Tim Wanyonyi to take more than the five minutes because he is the Member of Parliament for the area. So, every Member is

reminded that they have a maximum of five minutes. This is plain English, a maximum of five minutes. It cannot excite anybody. It is very plain and so simple. You should take a maximum of five minutes, but I believe that if you also consider your colleagues, because there are 118 requests pending, you can take a maximum of two minutes. You want five? Let us see how it goes. The Chairman, Committee on Defence and Foreign Relations.

**Hon. Gethenji:** Thank you, hon. Speaker, Sir. I wish to send my heartfelt condolences to His Excellency the President and dear Catherine who lost loved ones in the tragic terrorist attack, and all other Kenyans who lost loved ones and those who had friends and relatives injured in this heinous incident. I also wish to congratulate the multi-agency response team, namely our security forces led by the KDF, the Kenya Police Service, the Director-General of the NIS and the Cabinet Secretaries for Defence and Interior and Co-ordination of National Government dockets.

I can confirm that I spent the last two-and-a-half days at the command policing centre next to Westgate, where I witnessed firsthand the complexity in advancing this sanitization exercise of the Westgate complex. Today, I stand before you a proud Kenyan, having seen the work that our forces are undertaking to save the lives and property of the people of this country. That operation is complex. I witnessed it firsthand; I saw clearing of the building from floor to floor under terrible circumstances and conditions. We had rain and there was fire in the building, which was lit by the terrorists in a bid to escape.

It was very important to see that our Defence Forces manned the entire building and prevented any possibility of escape by the terrorists, people who would have caused bodily harm and chaos in our country. I can confirm that as I speak, the sanitization exercise is ongoing. We hope to be nearing completion of the exercise.

I also wish to thank the Judges of the International Criminal Court (ICC) for allowing our Deputy President to return to Kenya to undertake his constitutional responsibilities. As we exit the theatre of operations, the time for accounting is nearing. As we ask ourselves the questions which, undoubtedly, we must ask as we point fingers at security agencies, we also must point fingers at ourselves. This nation has allowed itself to become so corrupt that we, as citizens, turn a blind eye or even facilitate, as recipients or beneficiaries of corruption, elements who come into this country to destroy our citizens, properties and our way of life. We must take responsibility for the situation that we are in individually. Let us take account, a stand and make a choice that from now henceforth, every agency, every person and civil servant must take responsibility for their actions. The end result of corruption is what we see at Westgate Mall today.

Once again, I wish to give a little insight into the fire that was lit at the Westgate. It caused real damage to the building. I can confirm that there is some damage to the building, as you will be informed by the security forces at the end of the operation. All Kenyans should know that some of the information that is being circulated is not accurate. I do not want to give information of security nature.

**Hon. Speaker:** Hon. Members, as I give the Floor to hon. Wamalwa, please, familiarise yourselves with the three lights. The green means that you are within safe limits. The yellow is a warning and when it turns red, you must begin to pack your bags. I am told by hon. Kajwang' that you do not respect traffic lights and, therefore, you could be having problems with this one. I am sure you will respect this one.

**Hon. Wakhungu:** Thank you, hon. Speaker, Sir. I rise to send my condolences to the bereaved families and to tell them that their mothers and fathers are gone, but the Bible says that there is a bigger father in Heaven. I also wish to send messages of quick recovery to those in hospitals.

I almost lost my family. My wife and my only two boys were there. I went there and got a shock because of what I saw. I want to thank one Sergeant Major by the name Frank Musungu, who was very courageous. He held me and tried to go in. I had said that if it was time for my family to go, I would rather go with them. This was my beloved wife Flora, my two children, Billy and Arnold. I could not believe what I saw there. When I heard gun fire, I did not know how I left that place.

*(Laughter)*

**Hon. Speaker:** Hon. Members, allow hon. Wamalwa to explain.

**Hon. Wakhungu:** Hon. Speaker, Sir, I took off with my wife and two beloved boys. It was not that easy.

I want to condemn the people who have done this evil act. I want to congratulate His Excellency the President because he has, indeed, shown that he is a uniting President. I want this House to learn from that. This is the time for healing and we should move forward together. I am sure if we move together as a team, Kenya will go very far.

It has nothing to do with Jubilee or CORD. So, Members, those who are fond of accusing each other, should stop it. *Ninasema shetani ashindwe!* As I travel to Sweden tonight with the Public Investments Committee, continue praying for me. Thank you and I rest my case.

**Hon. Speaker:** Hon. Kamama, the Chairman of the Committee on Administration and National Security. Members, remember hon. Wamalwa came from the Vatican the other day and he was holding a rosary.

**Hon. Abongotum:** Thank you, hon. Speaker, Sir. First of all, on behalf of the people of Tiaty, Baringo County, I send my condolences to the bereaved. We want to wish those who were injured quick recovery.

Hon. Speaker, Sir, I would like to say that our President and our former Prime Minister did a commendable thing by coming together at this point in time. Our Deputy President also did his best. While close to the North Sea, he managed to move a motion for adjournment so that he could join Kenyans; he is a very patriotic leader.

*(Applause)*

So, all leaders should now unite or come together and comfort Kenyans because they have actually handled this issue in a bipartisan manner.

I want to thank the men and women in uniform for the gallant way in which they have handled this terrorist act. What the officers did was commendable. We want to commend and encourage them because this is the time to do it. This is not the time to pass the buck or blame. After all is done, we want to sit down, audit and get to the substratum of this matter, or get to know who did not do what so that action can be taken.

*(Applause)*

Hon. Speaker, Sir, I want to say that this act was terrible, horrendous, diabolical and Kenyans should never be subjected to this kind of situation again by people who are not competent.

We have witnessed many incidents this year. We had an incident at the Jomo Kenyatta International Airport (JKIA). We need to pray about the terrorist attack at Westgate Mall, so that we can be assisted by God to get out of this bad situation.

The *Al Shabaab* terror gang must be defeated and dismantled because they wanted to divide Kenyans along tribal and religious lines. We want to tell them that the spirit of this country is unbreakable. You cannot break or divide Kenyans because they know the objective of the *Al Shabaab* group; we cannot stoop so low as to accept their cheap propaganda.

Hon. Speaker, Sir, there are two issues. We want to call upon Western countries, Europe and America, not to issue travel advisories. If they do so they will destroy our tourist sector and will be siding with the terrorists. We want to tell these countries not to side with the terrorists, because this is an isolated case. It is common in Europe and in America. It happened in Pakistan and Israel.

So, we do not want travel advisories to be issued against Kenya. They should be with us, so that we can continue developing our economy. We also want to say that the *Al Shabaab* is a mutation of the *Al Qaeda* terror network, which can only be defeated by an efficient intelligence system. We want our intelligence system to work and be on top of things, so that we can control these things and avoid a situation where our people are subjected to horrific conditions.

Hon. Speaker, Sir, with these few remarks, I beg to support. I would like to say that I will issue an interim report, most likely tomorrow, on the progress of sanitization of the Westgate Mall. I will also give any other relevant information.

Thank you, hon. Speaker, Sir.

**Hon. Speaker:** Yes, hon. Fatuma Ibrahim Ali.

**Hon. (Ms.) F.I. Ali:** Thank you, hon. Speaker, Sir. I am not the Chair but I have got a chance to speak. On behalf---

**Hon. Speaker:** No, you are not speaking because you are the Chair or anything, you are contributing because you are an hon. Member of Parliament.

*(Laughter)*

**Hon. (Ms.) F.I. Ali:** Thank you, hon. Speaker, Sir. I feared that I would never get a chance.

On behalf of Wajir people and on my own behalf, I want to send my condolences to the people of Kenya for the terrorist attack at Westgate Mall. It is very unfortunate for Kenya to experience this kind of attack. Kenya is a very powerful country in this continent. Kenya is not a very poor country, because it is well developed. It is well established and we do not deserve this kind of attack.

Hon. Speaker, Sir, I think there is failure in this country, especially on the part of the security system. Wajir County has had a series of attacks of similar nature, although it does not have a mall. This county has experienced a number of serious explosions and nobody has ever been arrested.

After the Wajir incidents, the terrorists planned the Nairobi attack. This is the case, yet nothing has been done. The people of Wajir who live along the border live in permanent fear, because they cannot defend themselves and the security agencies do not defend them.

Hon. Speaker, Sir, I think we need to abolish the NIS because it is doing zero work. We need to arrest some of its officers. We need to go to the extreme.

*(Laughter)*

If I were the President, the Director-General and NIS officers would be in Kamiti Maximum Security Prison now. Why do I say this? I think our frustrations have reached high levels. I come from a county which has never had peace. The insecurity situation is unfortunate. When I saw the mall burning, I thought that the world was fighting Kenya. I felt that since Kenya is a very progressive country our enemies wanted to take us backwards, so that we become beggars. I think we need to do something about our security. We need to address our security situation and put our house in order. If we continue like this, the next attack will be on Parliament; all the chairs will go out and Members of Parliament will remain.

*(Laughter)*

**Hon. Speaker:** Do not wish yourself that. I want to encourage many of us to be as brief as the hon. Member. This is because the list I have contains 117 Members now.

**Hon. Ichung'wah:** Hon. Speaker, I wish to take this opportunity to send my condolences to the many Kenyans who lost their loved ones in that very unfortunate incident at the Westgate last Saturday. I must also take this opportunity to commend the leadership of this country, which is headed by His Excellency the President and the former Prime Minister, for coming out to speak in one voice - I can see hon. Shariff is very happy that I am commending the former Prime Minister. I must, indeed, share in his sentiments that this is not time for the foreign countries to issue travel advisories. It is rather unfortunate that the Australian Government has already done that; I have seen it in the Press. I think this is the time for us, as a nation, to know who are our true friends. This is because our true friends are those who will stand with us at this difficult time, and not those who issue travel advisories that will adversely affect our economy.

Hon. Speaker, as much as we are saying that this issue is not one that should divide this country, and that we should all take bipartisan positions and speak with one voice--- I fully concur that this is not the time to blame each other, as Members of Parliament inside this House. We cannot abdicate our role as people who have been tasked by the people of this great country to exercise oversight over the Executive of this nation. We cannot run away from the role that we have been given by the people of this country to ensure that those who are paid by the taxpayers to provide internal security do their work without failure. I concur with the hon. Member who said that if she was the President today, the Director-General would be in prison somewhere. I do not want to say that he should be in prison, because I do not even wish to be the President of this country.

It is, however, time we spoke with one voice in this House in making sure that those charged with the responsibility of gathering intelligence for this country do their

work. Their work is not just to tap into and listen to politicians' phone calls rather, it is to provide intelligence to the security system of this country – intelligence that will ensure that such an incident never ever occurs again. I am sure they are very happy when we stand and say that this is not the time to blame each other. I dare say that this is the time to blame them. This is because they have failed this country.

Hon. Speaker, the police in this country--- We may excuse them because of their numbers. It is also a challenge for us Members of the National Assembly that when we budget, we should give adequate funds to enable recruitment of enough police officers. It is rather unfortunate that right in the middle of town, and in a very well-off suburb like Westlands, three motor vehicles full of armed men, and probably women, can be driven around unnoticed. Somebody has simply slept on his or her job! As much as this is not the time to talk about it, I know they are very happy because they know that in a few weeks we shall have forgotten this and moved on as a country. However, this House should not forget that it is our role and responsibility to the people we represent. We know that there are intelligence officers everywhere across the country, who are not doing their work. There are police officers who are more interested in *matatu* touts, our youth and other people in the streets than in pursuing criminals who are inflicting such pain in our country. I join the rest of the country and this House---

**Hon. Speaker:** Yes, General Nkaissery.

**Hon. (Maj-Gen.) Nkaissery:** Thank you very much hon. Speaker for giving me this opportunity to contribute---

*(Loud consultations)*

**Hon. Speaker:** Hon. Members, you know that you have placed requests. The best I can do is to follow the list now that I am through with the leadership. Of course, I know there are some of you who have forgotten your cards, and you have raised the matter with me. Let him finish.

**Hon. (Maj-Gen.) Nkaissery:** Hon. Speaker, it is very important for Members to listen to what I am going to say. The fact that you allowed this Motion to be debated this afternoon underscores the seriousness that this august House attaches to the security of this country. On behalf of the people of Kajiado Central I send condolences to those who lost their loved ones and at the same time congratulate our security forces for a job well done so far.

The leadership of this country showed resolve during this crisis. There was solidarity from leaders of both sides of the political divide. Leaders came together. Today we must come out of this sitting as a united House for the benefit of this country.

Security forces normally operate under very delicate circumstances. The life of a Kenyan is more important than the life of a terrorist. The long time taken by the security forces was because of the need to safeguard the lives of Kenyans. We do not want to blame people. We do not want a blame game. There will be a time for audit. We cannot condemn the NIS because we do not know whether they reported this matter. Unless we do a proper audit, we cannot say that the NIS failed. It is after a proper audit that we can tell who failed, where and when. Lawmakers should not accuse those who are supposed to provide us with security. We all play a crucial role to ensure that the security and protection of our citizens is paramount. Today, I expect hon. Members to encourage---



am sure the operation is still on. We are not sure of the outcome of the situation. So, we really need to confine ourselves to what the security forces have done so far. I come from that background and I would not want to condemn somebody who is doing his job until an audit has been carried out.

I wish to commend our security forces for a job well done. I also commend the President and other political leaders for showing solidarity and resilience during this crisis. This is something that we should all emulate.

With those few remarks, I support.

**Hon. (Ms.) Kanyua:** Thank you, hon. Speaker. On behalf of the people of Nyeri County I also wish to join this debate and condole with the families that have been bereaved. I also wish those who are in hospital quick recovery. I want to thank our hospitals, especially the emergency care centres, for what they have been able to do so far.

However, I would urge that this House considers a closed-door session on intelligence and security matters as was proposed in Mombasa. A time has come for us to really look at our intelligence service; an open session would not be the best idea in this case. At that time, we will look at issues and take stock of whether we really have sufficient equipment for dealing with these matters.

We need to deal with matters of security consistently. If you look at our own precincts here, on Sunday, cars are checked, but on Monday cars were not checked. Today it was a free for all. All you need to do is show your face to the security person at the entrance. We have to be consistent in these matters. The equipment that we have put in our institution is not for decoration. That equipment has to be put into use.

So, I will be urging this House to consider making it a crime to refuse to use security measures and security apparatus as is required for this country. A time has come when we must enforce security using the force of law as is required. The multi-agency approach that we have seen has worked very well but, again, in terms of going forward, we might also need a law that forces the KDF, NIS and the National Police Service (NPS) to continue working together until such a time that Kenya is not prone to terrorism, as we continue to neighbour Somalia.

Hon. Speaker, we also need to do drills. In many countries, where they have bench-marked security and disaster preparedness, it is very normal to have drills done to ensure that everybody is ready for a security operation. In other countries, it has always been a joke for those of us who go there because everybody comes out with their bags, thinking that there is a real fire when it is just a drill to ensure that everybody is prepared for disaster and security operations. In this country, we need to start using such drills just to make sure that everybody knows what to do when there is an emergency operation. I support the idea of giving the Kenya Red Cross Society more money for disaster preparedness and management.

With those remarks, I beg to support the Motion and condole with everyone.

**Hon. Speaker:** Yes, hon. Nicholas Gumbo.

**Hon. (Eng.) Gumbo:** Thank you, hon. Speaker, for giving me a chance to support the Motion.

On my own behalf, and on behalf of the people of Rarieda, I join all those who have lost their loved ones and send them my condolences. I wish quick recovery to all

those who have been physically and traumatically injured by the events of Saturday, Sunday and today.

Hon. Speaker, most of my colleagues have said what I wanted to say, but let me add that, as Kenyans, we have to be thanked for standing together, especially at a time when the terrorists were clearly intent on provoking and dividing us along religious lines. In my view, the intention of the terrorists, as happened in Garissa last year and at Westgate on Saturday, is to try to poison the inter-faith conviviality that Kenya has enjoyed since we attained Independence.

As we talk about this matter, sometimes the bestiality and the deviousness of the whole thing may make us lose some facts. I want to join my colleague from Wajir County in saying that there is a problem with our homeland security. If we do not admit it, we are going to have problems. When your homeland security appears to be failing, you are giving dangerous signals to enemies out there.

Hon. Speaker, we know that in the last three months alone, there have been serious security situations in this country, including in Mandera, where more than 20 people died. In the constituency of my colleague here in Kitui County, over 14 people died at the hands of an ex-convict. In Kisumu, a serial killer went about killing 10 people for over two weeks before he was nabbed.

We know that in Nairobi, for example, in early July this year, there were serious cases of women and young girls being raped in Dandora by boys as young as 14 years old in broad daylight. Hon. Rachael Shabesh was at the forefront in raising these issues. Only recently, our colleague, hon. Elias Bare Shill, almost died in an attack at Galmagala Police Station, in Garissa County.

Hon. Speaker, systems are failing. If we cannot admit it, as a country, we will not go far. We cannot say that we cannot condemn the NIS. We pay them to give a service. In order for an incident like the one that happened at Westgate Shopping Mall to happen, something must have failed, and we must accept it. This is an opportunity for the Executive, led by our President, to do a total review of our national security organs, including the NIS, NPS and KDF, so that an event like this one does not recur, because the trauma that it causes to people and its cost to the economy are unbelievable.

As I conclude, I want to say that when something like this one happens, we come together as a nation. It is time for us to reflect where Kenya would be today if we had made it a habit to always come together, as a nation, irrespective of emergencies. We were at par with countries we started together 50 years ago. Today their economies are 30 to 40 times bigger than our economy because we come together only in times of emergencies. Once the emergencies go, we fall back into our little cells, which have not helped us in any way. We start referring to each other in terms of party and tribal affiliations – a habit which can only take us backwards.

Hon. Speaker, I would like to thank all the people who came forward to donate blood without caring about who they were helping. Why can we not make it a Kenyan habit that we be our brothers' keepers, so that we move this great country forward?

With those remarks, I beg to support.

**Hon. Speaker:** Yes, hon. Rachael Shebesh.

**Hon. (Ms.) Shebesh:** Thank you, hon. Speaker. Let me start by sending my condolences to the people of Nairobi, who have been greatly affected by the terrorist attack at the Westgate Shopping Mall. There are two levels of people who have been

greatly affected, if I may put it that way. There are those who work at the shopping mall and those who were shoppers or clients at the mall. There are also those who invested their money in that mall. Therefore, today we are talking about a tragedy that is not only very disruptive to many families, but which also touches so much on the economy of Nairobi, as a county.

Let me start by congratulating those who have put their lives at risk to try as much as possible to save the lives of other people. It is good for people to know that up to this moment, there is still an operation going on at that shopping mall. Let us start with Kenyans, whom everybody has talked about it. We have seen it on television. Kenyans have demonstrated why we are proud to be Kenyans. Let me talk about the security units that responded quickly. These are the General Service Unit's (GSU) Reece Company, the Anti-Terrorism Police Unit (ATPU), the Administration Police's (AP) Rapid Response Unit (RRU) and, of course, the KDF, who continue to be actively involved in the operation. There were also Kenyans who were licensed firearm holders. We saw such ordinary Kenyans go out of their way to put their lives in danger and try to protect and save those who were under attack.

Hon. Speaker the Kenya Red Cross has been mentioned, but I must also emphasise that there is nothing more humbling than to watch a charity organisation taking up the work that should be done by national bodies. Therefore, I want to also commend Mr. Abbas Gullet and his team. It is time we considered giving them more responsibilities, because they seem to be the only ones who come out to help Kenyans at times of need.

On technology, I want to join those who have said that at the end of the day, somebody must be held responsible. It does not matter how much we want to show unity. In terms of leadership, unity of purpose must also be directed at providing solutions to problems. I have, on three occasions, sought Statements in this House on terrorism attacks in Nairobi. So, this is, probably, the fourth instance I am speaking on terrorism in this House.

The last incident before the Westgate Shopping Mall incident involved the Member of Parliament for Kamukunji, who is today in a wheelchair. Surely, as a House, what more do we need? Do we need to have more people dying before we stop skirting around issues and do the work that Kenyans have given us to do? Of course, we will implicate people; surely, we must because we pass big votes here that are not questioned because we try to give priority to the country's security. If the intelligence outfit that we have today does not work, it must go, so that another outfit can come in.

Hon. Speaker, people like skirting around intelligence issues. I have never understood why. Whoever heads the intelligence body is a human being. He could now be working on diminishing returns, either because he has been there for too long or because he just does not know how to deal with new ideas, new terrorist threats, *et cetera*. So, we must be practical enough to ask: "Is it about time for Kenya to have a new intelligence team?"

I say so because the international community had prior knowledge of the impending attack. This means that there were intelligence reports of the impending attack on the shopping mall. Even if the reports came from other countries, how come we could not have them? If we had been given intelligence, a warning would have been issued and,

maybe, on that day people would have been kept off the Westgate Shopping Mall, because it would have been known that the shopping mall was targeted for attack.

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

*[The Temporary Deputy Speaker  
(Dr. Laboso) took the Chair]*

Hon. Deputy Speaker, what I am saying is that we should do our work. Let those who are responsible for the security lapse step aside. They should have resigned by now. Kenyans need to know who was responsible for the security lapse. Who amongst us did not do their job?

With those remarks, I beg to support.

**Hon. Deputy Speaker:** Yes, hon. Isaac Mwaura.

**Hon. Deputy Speaker:** Isaac Mwaura.

**Hon. Mwaura:** Thank you, hon. Deputy Speaker. I rise to condole with all Kenyans and other people of various nationalities, who have actually suffered because of this heinous act of terrorism.

The motivation behind terrorism is because those who attack think that they are going to be glorified or celebrated in death because of doing heroic acts. Both Christianity and Islam tell me that the only place that such people can go is hell. There is no gratification in killing innocent human beings on the basis of differences in ideology, because of the North and South conflict, and because of various civilizations. We, as human beings, remain as one despite any social or imagined division.

I condole with families because much as we may want to understand the grief that they are going through, we may not really fathom it. But I would want to tell them that we remain together as human beings. We know that, indeed, what should be fought for is commonness and a singular purpose of working together to better our lives, and enjoy that which we have worked together for as did the people who actually died during this tragedy.

I also commend Kenyans of all walks of life. We saw photos of individuals who did not even have helmets going after little children, not because they were of the same race, tribe or came from the same area, but because they felt compelled to defend humanity.

This country has for many years been divided along tribal and political lines, but we saw our leaders coming together and forgetting all these differences. We are robbed of the unity of purpose every time we are divided along those lines. This seems to be perennial and cyclic in our country.

I also condemn the fact that our intelligence service, our defence forces and other national security organs seem to be reactionary. They were not able to avert this crisis. We never had any advisory alerts on this, and they only seem to be glorified just because they came to take action when damage had already been done. I think we need to do something in this country; we must make sure that we do not just glorify and mourn those who have already passed on. We should make sure that we protect those who are still alive, and ensure that we do not lose anybody to these heinous acts.

I also commend individual Kenyans, like that woman who actually took time to feed our security forces. I also commend those Kenyans who just could not do anything else but pray, or just went to their phones and sent money. We have raised a lot of money.

I also commend Kenyans who decided that there was nothing else that they could give, other than their blood, the most precious part of their body. I also commend the fact that we, as a country, do not seem to have panicked, or receded into regret. We have continued to work for the economy of this Republic. We have continued with our lives; we have continued going out there and enjoying football or rugby games that we may have planned. We should ensure that all of us remain committed to ensuring that Kenya is not seen as a country where people cower because of terrorism or any calamity. It is a country that rises to the occasion every time it is called upon to act.

I rise to condole with all of us. Thank you, hon. Deputy Speaker.

**Hon. Deputy Speaker:** John Waiganjo.

**Hon. Waiganjo:** Thank you, hon. Deputy Speaker, for giving me this opportunity. I also rise to express my deep condolences on my own behalf and on behalf of the people of Ol Jororok.

It appears that the *Al Shaabab* could be signaling a wider offensive within Kenya. That is why it is important that this country should update our security surveillance, communication, command and control systems. I do not think that the gadgets our police officers use are any longer in vogue. The *walkie talkies* and other communication gadgets are completely obsolete; it is time we had an overhaul of them.

I am aware that there was an attempt in 2002. There was formed a steering committee to look into these communication gadgets by President Mwai Kibaki, as he then was. I do not know how that ended but I think it is important that we also reform our intelligence gathering system to embrace human intelligence, and so that everybody knows the language and conduct of enemy.

In that way, we shall be able to know who is a terrorist and who is not; who is a good neighbour, a good friend and who is a dangerous friend.

We also need to relook at the Organized Crimes Act and the money laundering laws. I do not remember the last time anybody was charged with money laundering. In my imagination, terrorism is a big money thing. I am sure that if we enforce our money laundering legislation, we will be able to know who are bringing in money for purposes of terrorism.

We also need to curb corruption at the Immigration Department. As we know, foreigners come and go; they get into the country illegally. The other day we had a Nigerian who is a known drug peddler. He goes out to Nigeria and then comes back into this country, and then brags that he has our intelligence and police in his pocket. It is despicable.

We also know that a British woman terrorist, Samantha, or whatever her name is, is still at large. Two years ago, she was arrested at Shanzu with a lot of money and the manner in which she escaped is still suspect. It was investigated but up to now nobody knows why and how she escaped.

We need also to tell our judicial officers to tighten the conditions for bail and bond. We know that when people are charged with terrorism they are usually released on bond, but the terms of bail are such that they enable them to abscond. We know of Fuad

Abubakar, who is a co-accused of Jermaine Grant. For Jermaine Grant, apparently today there is a matter that was supposed to be going on at Mombasa law courts; his co-accused has already absconded, yet he is a suspect of terrorism.

What we are saying is that we know these terrorists; sometimes we arrest them, we arraign them in our courts and then we grant them bail. After granting them bail they abscond, then they plan and come back. I think it is important also to assist our police and prosecutors to get convictions on terrorism cases. Even though European Union countries issue travel advisories, we should tell them that many of the terrorists now are Europeans. This Samantha woman is a European, her husband was a European Jihadist. Of course, Mr. Grant is also a European. So, they issue travel advisories when their nationals themselves belong to terror cells.

We also need to keep a close eye on three French speaking Belgians who are now held at Shimo La Tewa Prison. We know, of course, there was an attempt of a prison break at Shimo La Tewa. They are there; we know them and we need to enhance our surveillance.

Finally, let the people who hold high positions in our intelligence system know that resignation is not necessarily a sign of weakness. It is not also an admission of failure in duty; it is an expression of anger and frustration. So, they should have faith and resign. I do not envisage a situation where our national intelligence service chief sits back as if nothing has happened, continues with his duty and makes the President's work very hard to overhaul the---

*(Loud consultations)*

**Hon. Deputy Speaker:** What is your point of order, hon. Cheptumo. There is even no space for a point of order because the box is full. Both the intervention box and the other one are full.

Order, Members! Order! Order! I notice that hon. Cheptumo. Order! Order Members! Hon. Cheptumo, you are on a point of order. I cannot see you even in the system; can you see Cheptumo?

*(Loud consultations)*

**Hon. Cheptumo:** Thank you, hon. Deputy Speaker. I wish to plead with you that you reduce the time, so that more Members will have time to say something on this.

**Hon. Deputy Speaker:** Thank you, hon. Cheptumo. That is a useful contribution. Hon. Members, shall we make it two minutes?

**Hon. (Ms.) Nyamunga:** Thank you, hon. Deputy Speaker. I would like to add my voice to that of many Kenyans who have expressed their condolences to the people who have problems and those who lost their lives at Westgate Mall attack. I bring my condolences also from Kisumu County and speak on behalf of the people of Kisumu. I would like to say that the security system in our country has been a big problem. You remember 2002, when we were going for the elections, somebody by the name, Mr. Okumu managed to get access into State House and he was found sleeping just next to the President's Office. If you can have a country like that, what security can we give to our people? If somebody can get access the President's residence, a place which is so

well guarded, I do not think that the security set up in this country is enough. We are not saying that we are not going to share the blame, the blame game will be there; people must be taken care of and the security system must be seen to work.

Secondly, the issue of having the Member of Parliament for Nyakach arrested and taken to court today is as a result of the same problem of insecurity. There is a lot of insecurity in the country. Since we went for our elections and thereafter, every part of Kenya has been plagued by insecurity. I think the issue of corruption is part of this whole game. We must do something about corruption in the security system, and in the whole of this country. We must make sure that the people of Kenya feel safe wherever they are.

Thank you, Madam Deputy Speaker.

**Hon. (Ms.) Kipchoim:** Thank you, hon. Deputy Speaker. I take this opportunity to raise my voice on behalf of the people of the Baringo South and Baringo County as a whole. I send our condolences to the people of Kenya for what happened on Saturday. We all have to come from upcountry to see what is happening and to support the people of Nairobi and say sorry.

We take this opportunity to say sorry to the President and all those who are in hospital. I want to say that the intelligence set-up in the country--- They may do some things and they have been forwarding their--- I think it is the system of security that is responsible for the blame on NIS. I know even when we were fighting over cattle rustling, the security intelligence always sent reports that there were people who were coming for cattle and there was nothing which happened. So, we must see the people who do this work.

Thank you, hon. Deputy Speaker.

**Hon. Mulu:** Thank you, hon. Deputy Speaker. Let me join my colleagues in sending my sincere condolences and those of Kitui Central. We say *pole* to all those Kenyans who lost their beloved ones. I want also to say thank you to all Kenyans who gave support during the rescue operation. The security agencies, those who donated blood, those who gave food and those who prayed for the affected families--- I want to say thank you to all those Kenyans who supported those who lost their loved ones.

Hon. Deputy Speaker, as Kenyans we need to know that security starts with me. We all need to be our neighbours' keepers. Unless we change our attitude, we will continue experiencing what we have gone through. This is because even in our rural setting--- I was taking to my people over the weekend, and I was saying that the Kamba community is known for being generous. What happens is that you get a visitor to your home and you do not even bother knowing where they come from. I think this is the risk that we all take. I want to encourage all Kenyans to make sure that when they see somebody they do not know, the first thing to do is to report to the village elder and the village elder can report to the Assistant Chief and the information will go up the authority ladder.

Hon. Deputy Speaker, we should make sure that we do not have people who come into our country and then they just get away after doing bad actions. For example, in Kitui County, the southern part of it has been mentioned in the print media---

**Hon. Murungi:** Thank you, hon. Deputy Speaker. I also join Kenyans of goodwill and my colleagues in this House in sending my condolences. On behalf of my family and the people of South Imenti Constituency, I send my condolences to Kenyans and foreigners who lost their lives on Saturday.

I take this earliest opportunity to also commend the Kenya Defence Forces and all other security agents for the good work they did in those three days.

I would like also to thank Kenyans of goodwill who supported the operation through M-pesa contributions and other means. Others supplied foodstuffs and donated blood.

I want also to echo the sentiments of my colleagues that, as much we are saying that we should not have blame games at this point, we should question the NIS because they have really not offered enough intelligence to protect our people. At this juncture, I would like to ask the Chairman of the National Security Committee to summon these people, so that they can shed more light on this incident and bring a report to this House. I also want to recommend that, as in Tanzania and Uganda, security guards be provided with guns. This House can make recommendations that some institutions like malls be guarded by armed guards; guards working there should be given enough guns so that they can protect our Kenyans. There are so many criminals.

*(Loud consultations)*

**Hon. Deputy Speaker:** The consultations are too high, hon. Members. Please, have some order.

**Hon. (Ms.) Chae:** Thank you, hon. Deputy Speaker for giving me this chance to add my voice to that of others over this issue of the terrorist attack at Westgate mall. On behalf of the Nyamira people I send our condolences to the families who have lost their loved ones, and also wish those in hospitals quick recovery, so that they can continue with their duties of building this country.

I do not want to repeat what has been said by hon. Members. I also concur with all the sentiments that have been expressed in this House. As representatives of the people who legislate, we have the duty to--- If systems are failing, the blame comes back to this House. We need to wake up and execute our mandate of making sure that what we legislate works.

Another thing that has not been said is that we have got chosen people. As a servant of God, it would be bad for me not to invoke the power of God in this House and say that God is watching what we are doing. It is us who---

**Hon. Member:** Hallelujah!

**Hon. (Ms.) Chae:** You can say hallelujah, and read the Bible. I do not know what the people who read the Quran would say. Our God is one and He is faithful to his promises. If we adhere to what He instructs us to do, then we will make Kenya a good country to stay in.

**Hon. Deputy Speaker:** Your time is up. We do not have time. Hon. Wandayi, I know your name was lost. You will come in after hon. Langat.

**Hon. Langat:** Thank you very much, hon. Deputy Speaker.

**Hon. Deputy Speaker:** Order! Members, it is not because of him coming here. He was actually number one on the list and then his name disappeared. So, it is not the issue of coming here.

**Hon. Langat:** Madam Deputy Speaker, I wish to start by condemning the terrorist attack at the Westgate Mall. That was an act of serious cowardice. It was an act done by people with small minds. They believe that they are big people, but I want to tell them



that they have very small minds. In the end, they have killed more than 60 innocent Kenyans. If they are real men or women, they should go to our barracks and do the same. But to kill and maim innocent children and harmless business people is an act of cowardice. I want to thank the Kenyans who have offered their support since this occurred. Our security systems need serious action. This House must stand firm. If it is about allocating money, we should give them enough money, but we must demand results from those who have been given the opportunity to take care of our security. We must learn from the Ugandan system.

**Hon. Deputy Speaker:** Order Members! We agreed on two minutes or are we reducing it to one minute?

**Hon. Members:** No!

**Hon. Deputy Speaker:** Order Members! We are following the list that is before me. The only time I change is to balance the speakers. Hon. Wandayi.

**Hon. Wandayi:** Hon. Deputy Speaker, I want to be very brief. I also wish to condole with the families who have lost their loved ones in this tragic act of terrorism. I also wish to sincerely thank the KDF for the exemplary work that they have done so far. It must be noted that the reason why the KDF continues to do good work for this country is because of the reforms that were initiated by one General Daudi Tonje. The reason why the NIS is unable to function is the historical content that gave forth to this institution called the NIS. The NIS is a successor to what I would call a political police wing which was known as the Special Branch. The reforms that were supposedly done in this institution did not go far. The institution was supposedly reformed, but the individuals who were manning it have not reformed their mindsets. Therefore, instead of doing their core responsibility of looking at security issues, they are busy stalking politicians.

There is also the issue of the historical conflicts that have been associated with the Middle East. I am made to understand that the owners of the building that was attacked, the West Gate Mall, are foreign nationals. We should have, as a country, policies for location and security of buildings which are owned by foreign interests.

**Hon. (Ms.) Nyasuna:** Hon. Deputy Speaker, on my own behalf and on behalf of the people of Homa Bay County, I wish to convey my very deep condolences to those who have lost loved ones and wish very quick recovery to those who have been injured and are recovering in hospitals. I am also deeply encouraged and I take great pride in the indomitable Kenyan spirit of that soldier carrying an K47 and a baby at the same time. That is a true Kenyan hero.

These perpetrators are of no religion because religion seeks to make good of the world. They are neither Christians nor Muslims. They are agents of darkness and death and they must, therefore, be condemned wholesale. Let us not look with suspicion at anybody from any religion thinking that the perpetrators are from those specific religions. These people are agents of doom and death. I will use my two minutes to also congratulate the members of the fourth estate - the media - who have been updating us constantly. This is not only the mainstream media, but also the social media like the bloggers. People have been on social media and one Robert Alai has been updating and has got global recognition for doing that.

Finally, the NIS must make a decision if they want to follow Omtata and amorphous bodies or they want to really protect the lives of Kenyans by giving credible

information. Really, we must do that. I will even leave some time in my two minutes and donate it to hon. Kajuju.

**Hon. Shill:** Thank you, hon. Deputy Speaker. I also wish to give my condolences to all the people who lost their loved ones. *Al Shabaab* is axis of evil. They are an enemy of not only Kenyans, but enemy of the whole world. These are people who have slaughtered their women, children and elderly in Somalia. They are people who refused their people to be given relief food during the famine. These are people who refused people to watch televisions and radios. They are people who amputated people's arms and legs in the name of religion.

These are people who marry women forcefully. They even deny children opportunity to go to school, especially girls. These are evil people. People who cannot treat their people with dignity will not treat others with dignity. We know that our troops are there and they went there because of our interests and the interest of Somalia. They will never be drawn back. They must continue with their war and they had better start tonight by bombing where *Al Shabaab* are strong. They have not gone down there for holiday. We must immediately revenge for those 62 Kenyans who have been killed. We must revenge for that. I am very serious on this because *Al Shabaab* needs to be hit hard.

**Hon. Onyura:** Thank you very much, hon. Deputy Speaker. I would also like to join my fellow Kenyans in expressing my condolences to the families, relatives and friends of those who were killed at the mall. When the breaking news started, I was right deep in my constituency. I can tell you that the whole countryside was very angry with what was happening.

I want to join and agree with those who are saying that these people are misguided. If they imagine that by coming and perpetrating these kinds of atrocities, we shall stop pursuing them, they are very much mistaken. After all, we have our boys and girls in their country and if they are good fighters, if they are that brave, they should go there and engage our boys and girls who are in their country. We shall hit them in Somalia and if they come here to provoke us, we shall hit them here, the way our KDF soldiers have done. We should wipe them out. We should pursue them wherever they will be or wherever they will go. Our forces should pursue them and hit them so hard so that they will think twice before they come here to attack our school children, innocent women and other shoppers.

Hon. Deputy Speaker, I also want to agree with those who feel that our NIS---

**Hon. Deputy Speaker:** Okay. Yes, hon. Moroto. Where is he? Yes, hon. Abdikadir Aden.

**Hon. Aden:** Thank you, hon. Deputy Speaker. I would like to take this opportunity on my behalf and on behalf of the good people of Balambala Constituency of Garissa County to condole all the victims of the terror attack at Westgate Mall. The attack at Westgate Mall was an attack on our economy, our liberty as a free nation and an attack on the peace that prevails in our good country.

I must say that those who plotted this terror have terribly failed in trying to challenge the spirit of Kenya. I am a proud Kenyan having seen the spirit of our nation pull out of this terrible situation and seeing the generosity as testified by one foreign journalist who had admitted that for 30 years that she has done her work, she has never seen somebody coming to serve her coffee while on duty, so that she could show the world what was going on.

Hon. Deputy Speaker, my message to Kenyans is that we need to recollect ourselves in these tough times and take account of what happened. We should not blame ourselves but we should ensure that we correct the mistakes that have resulted in what has happened today.

We must make sure that this terrible event never gets to happen again. We must, above all, go back to rebuild our economy. Those guys who attacked Westgate Mall wanted to scare us away. One of the ways we can fight and challenge them is to call on Kenyans to go back to Westgate Mall as soon as it is reopened. I will be among the first people or Kenyans to go back to Westgate Mall and enjoy my cup of cappuccino.

I call upon fellow Kenyans to defy those who attacked us to try and scare our---

**Hon. Deputy Speaker:** All right. Yes, hon. Grace Kiptui.

**Hon. (Ms.) Kiptui:** Madam Deputy Speaker, I thank you for giving me this opportunity. I want to join my colleagues in condoling those who lost their brothers and sisters at Westgate Mall. I would like to wish quick recovery to those who are in hospitals. I also urge those who are traumatised to step out of their homes so that they can be given counselling services. This is because even if they do not have physical injuries, it will take them a long time to recover psychologically. So, I urge them to take advantage of the Government counselling centres that have been set up so that they are counselled in order for them to recover faster.

Hon. Deputy Speaker, I would also like to thank our leaders for their solidarity. However, the most important point I would like to make is that for a long time Kenya has been known as a very hospitable country, people who are very trusting and ready to receive visitors with open hands. I would like to tell Kenyans that we are living in different times. It is high time we became suspicious of each and every person who is a foreigner and comes to live among us. I urge those of us who own residential and commercial buildings that wherever they receive tenants, let it be mandatory as per the law that they reveal to the administration immediately they rent out their buildings to people who are foreigners.

Noting that terrorism is a crime that is rising all over the world---

*(Several Members went to consult with hon. Deputy Speaker)*

**Hon. Deputy Speaker:** Order, hon. Members! You can see that Members are getting desperate and they are all coming to see the list here. Hon. Members, we will get a minute each to contribute. We will start with hon. Oyugi.

**Hon. Oyugi:** Thank you, hon. Deputy Speaker. On my behalf and on behalf of the people of Ndhiwa, I want to send my message of condolence to Kenyans who lost their loved ones. I also wish those who are still in hospital quick recovery.

I will be very brief. I will point out three things. People want the Government to ensure that they are safe, are at liberty and can pursue happiness. As a House, I really think that there are a couple of things that the Westgate Mall attack should teach us.

First, I recommend that we give capacity to the security guards. We should amend the law to give the security guards who guard the various buildings guns and proper equipment so that they can manage acts of terrorism. This is because they are the first target.

Secondly, perhaps we should arrange how to co-ordinate the various operations between the KDF and other security agencies so that---

**Hon. Deputy Speaker:** Okay. That is a minute for you. When we have agreed that it is a minute each, let us give each other an opportunity to contribute. Yes, hon. Chidzuga.

**Hon. (Ms.) Chidzuga:** Ninakushukuru Naibu wa Spika. Kwa niaba ya wananchi wa Kwale, ningependa kutuma rambirambi kwa wale waliofiwa na pia kuwapa pole wale ambao waliumia.

Kwa sababu muda hauturuhusu, Waheshimiwa wenzangu kuna msemo unaosema “hadhari kabla ya hatari”. Hii ni kwa sababu sisi Wakenya tunangoja mambo yabaribike ndio tuanze kupanga. Jambo hili halitatusaidia. Ni wakati sasa usalama wetu uweze kuangaliwa na mikakati iwekwe ambayo itaweza kuzuia mambo kama haya.

Kwa mfano, angalia mambo ya feri kwetu. Hivi vyombo vitaleta maafa katika Kenya. Ningependa pesa ambazo zimetengwa kuandaa sherehe za miaka 50 tangu tupate Uhuru zitumiwe kuweka usalama katika sehemu ambazo zimeonyesha zinaweza kuleta maafa wakati ujao.

**Hon. Bunyasi:** Thank you, hon. Deputy Speaker. I will go straight to the points that I have. Issues of terrorism do not just occur. There are early symptoms. One of the symptoms is the way money flows in the economy. We have had cases in this House where large transactions are being handled in cash. Those are recipients for disaster.

We have had several years of real estate boom where purchases are done in cash and we know who buys them. That is a recipient for a disaster. That shows that there is money circulating in the informal system and it can do many other things.

I saw a mixture of different units responding to the terrorist attack. I hope that we will develop high capacity command unit that will deal with cases like these. This unit should get the best training that is available.

**Hon. Ng’ongo:** Hon. Deputy Speaker, let me on behalf of the people of Suba also condole with Kenyans because this was really a national tragedy and calamity. I have two points to make. The first one is that as a House we now need to legislate and make it criminal for those immigration officers who are allowing people to enter this country at will to be punished by imprisonment for not less than 10 years.

Finally, on the issue of Gichangi, I think if you overstay in a position you need to give way. Gichangi asked us to give him more money for equipment and we did so in the 2011/2012 Budget. He has no reason at all to allow Kenyans to die at this rate just because he is misapplying the money we give him to unnecessary assignments. He should give way and should not even wait for---

**Hon. Deputy Speaker:** Hon. Peter Mwangi.

**Hon. Mwangi:** Thank you, hon. Deputy Speaker. I wish to convey my condolences to all those who lost their loved ones. I also wish those who were injured quick recovery. However, I still urge this House to come up with the Anti-Terrorism Bill which should be passed so that we act with these people swiftly. Saturday was a day of a lot of tears. I want to urge the Government of Kenya to act on *Al Shabaab* immediately and swiftly.

**Hon. Nassir:** Thank you, hon. Deputy Speaker. First of all, I wish on behalf of the people of Mvita and the people of Mombasa at large to convey our condolences to those who were affected. I would like to congratulate our men and women in uniform who

proved their true worth under the leadership of our President Uhuru Kenyatta. Most of all I wish to salute the Kenyans who came and ultimately, we have proved the terrorists wrong. We have proved that we are one. This event is painful to me as it is for other Muslims in this country because our religion has been used wrongly. Our religion is one of peace, compassion and love.

**Hon. (Ms.) Kajuju:** Hon. Deputy Speaker, I pass my condolences to those people who have been bereaved and those who are in hospital, I wish them quick recovery. As the Chairperson of the Committee on Regional Integration, much as we are promoting regional integration and talking about free movement of goods and persons, it is time we thought about checks and balances. While we talk about internal security, we also need to think about external security. We need to ensure that we co-operate with other countries, especially partner states to ensure that we are taken care of as a people in Kenya.

I want to congratulate for once the ICC for allowing our Deputy President to come back and perform his constitutional duties.

**Hon. Deputy Speaker:** Hon. Osele, the young man.

**Hon. Onyango:** Thank you, hon. Deputy Speaker. I would like to register the condolences of the people of Kabondo Kasipul, as a community, and on my own behalf wish quick recovery to those who were injured. Blames have been put on certain persons. Therefore, I would like to make my contribution by way of recommendations.

*(Loud consultations)*

Hon. Deputy Speaker, please, protect me from the loud consultations by hon. Members.

**Hon. Deputy Speaker:** Please, even the size alone should help you not to be intimidated as such.

**Hon. Onyango:** Hon. Deputy Speaker, the Government came up with a policy where recruitment was frozen. After recruitment was frozen, the retirement age was increased from 55 years to 60 years. It is because of this policy that we have less police officers in this country. The training period for police recruits was also increased. We are looking at a situation where---

**Hon. Deputy Speaker:** Next is hon. Boniface Gatobu.

**Hon. Kinoti:** Thank you, hon. Deputy Speaker. I also wish to register my condolences to the people of Kenya. I share their pain.

Hon. Deputy Speaker, as we mourn in Westlands, Buuri is also burning because of guns from Somalia. Unless we make a very concrete decision today, what we are doing will be nothing but what, as an hon. Member said, a talk show. Every stable country in this world, including the Republic of South Africa, China and the USA, has built a wall against their unstable neighbours. I do not understand why Kenyans are being taxed very heavily when we can spend only Kshs10 billion to build a wall along our border with Somalia. I pass a very passionate appeal---

**Hon. Deputy Speaker:** Yes, Bishop Mutua.

**Hon. (Bishop) Mutua:** Thank you, hon. Deputy Speaker. I want to pass my prayers and condolences to all the Kenyans who have been affected. I have three points to make.

Firstly, what we are going to do after this crisis is very important. Can Kenyans take a retreat, as a nation, and think of the way forward, instead of always addressing what has happened? Prevention is better than cure.

Secondly, it is very important for Kenyans to realise that this war is bigger than what we think. This is a war which requires every Kenyan to think positively about the actions we are going to take. Most of the time, we think about how to bring down one another. This is not the time to bring down one another.

Finally, I want to assure Kenyans that, with God, we are going to overcome and win this war.

Thank you very much.

**Hon. Deputy Speaker:** Yes, hon. Iringo.

**Hon. Iringo:** Hon. Deputy Speaker, let me take this opportunity to, on behalf of myself and my constituents of Igembe Central, send a word of condolence to the bereaved people and thank the security forces of this country for a job well done. This is the time we should, as a country, come together and condemn the heinous act of the terrorists who came to disturb our peace over the weekend.

Let us not be very good at curing problems. We should also be preventive. What I am trying to say is that our security forces should rise to the occasion and be ready to investigate and gather proper intelligence, so that we can stop such heinous acts. We should not wait for incidents to happen and then we start crying wolf when we have lost lives. The intelligence people should wake up.

Thank you.

**Hon. Speaker:** Yes, hon. Bernard Bett.

**Hon. B.K. Bett:** Thank you, hon. Deputy Speaker for the opportunity. First and foremost, I wish to join the rest of Kenyans in conveying my deepest condolences and those of Bomet East Constituency to the President, the families, friends and relatives of our fellow Kenyans who lost their loved ones through the cruel, criminal, coward, barbaric and evil acts of terrorism.

I also join other Kenyans and people of goodwill and our friendly nations across the world in wishing the victims hospitalised in various hospitals speedy recovery. I want to say that it is time that we evaluated the activities in our security agencies, Immigration Department and other Government institutions so that security measures are put in place.

**Hon. (Ms.) Sunjeev:** Thank you, hon. Deputy Speaker. In as much as I concur with my fellow hon. Members on what they have contributed today, first of all, I would like to very specially and kindly thank the Asian community. They came out in thousands and worked tirelessly at the Oshwal Centre day in, day out and they are still there right now.

In as much as we want to thank those who supported during the ordeal, I must bring it out that insecurity and terrorism is a big and serious monster. As legislatures today, instead of talking about it and calling a talk show, we must introduce legislation so that we can take care of these perpetrators the proper way.

With that, I just would like to say thank you to everybody.

**Hon. (Eng.) Manga:** Thank you very much, Deputy Speaker. On behalf of the people of Kuria East Constituency and my family, I want to give condolences to the people who have lost their relatives and those who are sick in hospitals. I say *pole sana*.

We have seen how this has actually brought us together. Now we can see that the only way we can do it is to come together as a nation and fight to make sure that these people who give us problems should be killed and hanged.

**Hon. Kaluma:** Thank you hon. Deputy Speaker. In my constituency I lost one Harun Oyieke to the gunmen. He suffered about eight bullet wounds. He is a cousin to me. We say *pole* to the family. We also lost the entire family of an entrepreneur; the Executive Director of Paramount Universal Bank; a client since 2001. He lost his wife, daughter and the son is writhing in pain with so many bullet wounds. We say *pole*.

Hon. Deputy Speaker, in the Kenya Law Society, we lost the greatest lawyer we have had in the institution, Mr. Peter Simani. We say *pole*.

Lastly, if we were a sane country, the person in charge of the National Intelligence Service would have gone home; the person in charge of the Immigration Department would have gone also, considering the type of weaponry used at the Westgate. I am asking that we convene as a House to discuss the issue.

**Hon. Kanini Kega:** Thank you, hon. Deputy Speaker. On my own behalf and on behalf of the people of Kieni, I want to join the rest of Kenyans in sending a message of condolence those who were affected.

In the interest of time, I just want to quote one of the heroes of Independence; the late Dedan Kimathi. He said it is better to die on our feet, than live on our knees. The message is very clear. It should be very clear as the President said that we are winning the war on terrorism. We are not ready to relent no matter what they do; we are going to smoke them out wherever they are. That is the message from Kenyans; the spirit of Kenyans is still alive and we are going to live by that.

Thank you.

**Hon. (Prof.) Nyikal:** Thank you, hon. Deputy Speaker. It is with a very heavy heart that I rise on behalf of myself and the people of Seme to pass condolences for those who have died and those who have been injured.

I just want to say one thing: I know the security forces are working hard. I think the result shows that the security system has really failed. For the time we have been here, an hon. Member after an hon. Member has been talking about security problems. There have been rumours even in the air that something was going to happen and eventually it happened. Every place you go, there are people who put things under your armpits. Are those things real or it is just for a show? One thing that we must do is to come out and look at the security systems.

Secondly, whereas I congratulate ourselves for showing solidarity, I wonder why we are not --

**Hon. Deputy Speaker:** Okay. Thank you, let us have Maison Leshoomo.

**Hon. (Ms.) Leshoomo:** Asante sana Bi Naibu Spika. Ningetaka kutoa pole zangu kwa wale ambao wamefiwa na wale ambao wako hospitalini kwa niaba ya watu wa Samburu Kaunti. Jambo muhimu kwetu Wakenya ni kushirikiana na kutoa habari yoyote ambayo tunaweza kupata. Hawa watu hawatoki mbinguni au chini. Ni watu ambao tunajua mahali ambapo wanapitia. Tunafaa kuwa waangalifu zaidi kwa sababu kuna shida katika ulinzi wetu.

**Hon. Gikaria:** Asante sana Bi Naibu Spika. Kwanza, kwa niaba yangu na kwa niaba ya wakaazi wote wa Nakuru Town East, pole sana kwa jamaa na marafiki ambao walipoteza watu wao. Nitaangazia mambo ambayo yako mbele yetu. Kwanza, ndugu

yangu ambaye amekaa upande wangu wa kushoto kutoka Mathira alileta Hoja hapa kuhusiana na maneno ya CCTV. Wakati huu, inabidi tuweke CCTV iwe ni lazima na kila nyumba iwe na chombo cha CCTV ndio iweze kutusaidia na hata baada ya mambo kutokea, tunaweza kuyafuatilia kwa CCTV.

Pili, mwaka uliopita, Idara ya Trafiki iliongea kuhusu vioo vya magari ambavyo vimepakwa rangi. Ninafikiria huu ndio wakati ambao tunafaa kuangalia ni watu gani wanakaa nyuma ya hivi vioo ambavyo vimepakwa rangi.

**Hon. (Ms.) Emanikor:** Thank you, hon. Deputy Speaker. On behalf of the people of Turkana, I rise to convey my heartfelt condolences to the bereaved families. It is high time Kenyans learnt a lesson. Kenya needs to go into full blast preparedness management and deterrence of terrorism by up-scaling surveillance, giving our forces the relevant specialised training and adequate funding and equipment.

It is high time we rid the country of corruption, complacency and compromise at the points of entry into this country. We should look at our border points and airports. There are people who have acquired the Kenyan identity cards illegally. There is money laundering going around.

**Hon. F.K. Wanyonyi:** Hon. Deputy Speaker, on behalf of the people of Kwanza, I want to send my condolences to the people of Kenya, especially those who are hurt. Secondly, the KDF has done a very good job by smoking out the terrorists in Somali. It is now time for them to come to Kenya because these people are re-grouping in Kenya. They should do their best to smoke the terrorists out of the country. The terrorists are misusing Islam. It is high time Islamic people declared a *Jihad* against the terrorists. They are using the name of Islam to cause harm. It is better for us to ask the Islamic people to come out and declare a holy war against terrorists.

**Hon. Mohamed Diriye:** Thank you, hon. Deputy Speaker. I wish to send my condolences to those who lost their loved ones and relatives. Secondly, I wish to congratulate all Kenyans who showed unity and soberness in dealing with this disaster caused by these barbaric and beastly people. For sure, they have no origin in the Islamic faith. As a Muslim, I wish to condemn this in the strongest terms possible. Nowhere in the holy Quran, any culture or civilization or in Islam do such people have roots.

Secondly, I also wish to call for the complete overhaul of the NIS. It seems that there is systematic failure in the NIS and it must undergo a complete overhaul. They could not detect anything nor give even the slightest hint. Normally, we hear when something is about to happen.

**Hon. Muchai:** Thank you, hon. Deputy Speaker. The people of Kabete wish to commend the gallant sons and daughters of Kenya in the KDF for devoting their innermost spirit to crash the agents of Satan, namely, terrorists. I get disturbed when Members refer to terrorists as people. These are not people. They are beasts moving on two legs. It is important that we look at our security agents, in particular the immigration officers manning our border posts and ensure that they are reformed and completely transformed.

**Hon. Deputy Speaker:** Hon. Members, we realize how much interest this has caused and many Members would like to contribute. However, you should know that we have several Bills under which you can still make your contribution on this matter which are coming up tomorrow.



## **ADJOURNMENT**

**Hon. Deputy Speaker:** So, it is now time to adjourn the business of the House. This House stands adjourned until tomorrow, Wednesday, 25<sup>th</sup> September 2013, at 9.00 a.m.

The House rose at 6.30 p.m.

