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NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Thursday, 8th August 2024

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

Hon. Speaker: Serjeants-at-Arms, you may ring the Quorum Bell.

(The Quorum Bell was rung)

Hon. Members, we now have quorum to transact business. Clerks-at-the-Table, call the Orders!

PAPERS

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to lay the following Papers on the Table of the House:

1. Annual Report and Financial Statements of the Kenya Tourism Board for the period ended 30th June 2022 from the Ministry of Tourism and Wildlife.
2. Reports of the Auditor-General and Financial Statements of the National Government Constituencies Development Fund for the year ended 30th June 2023 and the certificates therein in respect of the following constituencies:

(a) Baringo North;	(n) Kuria East;
(b) Budalangi;	(o) Machakos;
(c) Eldama Ravine;	(p) Magarini;
(d) Emurua Dikirr;	(q) Masinga;
(e) Galole;	(r) Mathioya;
(f) Kajiado East;	(s) Mbooni;
(g) Kajiado South;	(t) Molo;
(h) Kigumo;	(u) Mwala;
(i) Kilgoris;	(v) Mwatate;
(j) Kilifi North;	(w) Narok South;
(k) Kipipiri;	(x) Ndia;
(l) Kitui South;	(y) Njoro; and
(m) Kuresoi North;	(z) Rongai

Thank you, Hon. Speaker.

Hon. Speaker: The Chairperson of the Departmental Committee on Social Protection.

Hon. Alice Ng'ang'a (Thika Town, UDA): I beg to lay the following Papers on the Table of the House:

Reports of the Departmental Committee on Social Protection on:

1. Its consideration of the Institute of Social Work Professionals Bill (National Assembly Bill No. 17 of 2023).

2. Its review of the Budget implementation for the Financial Year 2022/2023 for the following State Departments and Constitutional Commission:
 - (a) Vote 1185: State Department for Youth Affairs and Creative Economy.
 - (b) Vote 1214: State Department for Social Protection and Senior Citizen Affairs.
 - (c) Vote 1213: State Department for Public Service (National Youth Service).
 - (d) Vote 2141: National Gender and Equality Commission.

Thank you, Hon. Speaker.

Hon. Speaker: Next Order by the Chairperson of the Departmental Committee on Social Protection.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON REVIEW OF THE BUDGET IMPLEMENTATION FOR FINANCIAL YEAR 2022/2023

Hon. Alice Ng'ang'a (Thika Town, UDA): I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Social Protection on the Review of the Budget Implementation for the Financial Year 2022/2023 for the following Votes, laid on the Table of the House on Thursday, 8th August 2024:

- (a) Vote 1185: State Department for Youth Affairs and Creative Economy.
- (b) Vote 1214: State Department for Social Protection and Senior Citizens Affairs.
- (c) Vote 1213: State Department for Public Service (National Youth Service).
- (d) Vote 2141: National Gender and Equality Commission.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Fredrick Lusuli, I thought you were Fredrick Ikana.

Hon. Fred Ikana (Shinyalu, ANC): Thank you, Hon. Speaker. 'Lusuli' is also my name.

I beg to give notice of the following Motion:

ADOPTION OF THE JOINT REPORT ON INSPECTION VISIT TO KENYAN EMBASSIES IN OTTAWA, CANADA

THAT, this House adopts the Joint Report of the Diaspora Affairs and Migrant Workers Committee and the Departmental Committee on Defence, Intelligence and Foreign Relations on its inspection visit to Kenyan Embassies in Ottawa, Canada, from 18th to 23rd September 2023, laid on the Table of the House on Thursday, 5th December 2023.

Hon. Speaker: Thank you, Hon. Ikana. Next Order, Hon. Mark Mwenje.

QUESTIONS AND STATEMENTS

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REQUEST FOR STATEMENT

FIRE INCIDENTS IN NAIROBI COUNTY

Hon. Mark Mwenje (Embakasi West, JP): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs regarding fire incidents in four markets within Nairobi City County.

Devastating fires have affected several markets in Nairobi in the recent past. These incidents highlight the recurring issue of market fires in Nairobi. They occasion substantial financial losses and raise concerns about safety measures and emergency responses by the Government. These incidents have had a profound impact on local traders, many of whom have lost their livelihoods and are now seeking assistance to rebuild their businesses. There have been seven cases of fires reported in Nairobi City County over the past two days.

On Friday, 2nd August 2024, fire destroyed the market adjacent to the Thika Road Mall. The following day, on Saturday, 3rd August 2024, fires, simultaneously, destroyed Toi Market in Kibra Constituency, Umoja 2 Open Air Market in Embakasi West Constituency, Mathare 4A Market in Mathare Constituency, and Kayole Market next to Naivas in Embakasi Central Constituency. The fires raged between the hours of 4.00 a.m. and 6.00 a.m. Fire affected Kibondeni Market in Kawangware and Bondeni Market in Kibra Constituency on the same day and at varying times.

Hon. Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following—

1. A detailed report on the investigations conducted to determine the cause of the fires in the above-mentioned areas.
2. The relief measures that the Government is putting in place to support the traders who lost their livelihoods and any compensation plan in place.
3. The long-term plans being implemented to protect markets in the Nairobi region.

I thank you, Hon. Speaker. I believe there is a Member here, Hon. Beatrice Elachi, who perhaps...

Hon. Speaker: Order! Once you ask for a Statement and you finish, you sit down. You have no business soliciting for anybody to speak to it. You just let whoever wants to ride on your Statement as a joyrider request, but you do not solicit for anybody.

Yes, Hon. Elachi, are you the joyrider?

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Speaker. That is on a light note. It is true that, indeed, we would wish the Chairperson to look into this issue because if markets burn, then what happens afterwards? Counties must ensure that the markets have perimeter walls. Traders in the market know themselves. For example, in Toi Market they have been there for about 20 to 30 years and they know each other. If we can build for them an open market that is more favourable and ensure that every person gets a space, that will be better.

Hon. Speaker, we are requesting the Governor of Nairobi County to seriously look into the problems facing markets. He should ensure that every victim of the fires is supported so that they can restart their businesses.

Hon. Speaker: Thank you, Mama Dagoretti. Hon. Tongoyo, this is to you. How soon can you bring a response?

Hon. Gabriel Tongoyo (Narok West, UDA): I appreciate. First, I apologise to the affected families and everyone who fell victim to the market fires.

Hon. Speaker, you note that I have quite a number of un-responded to Statements and the reason being given by the Ministry is that majority of the Statements are prepared by the

officers who have been trying to calm the situation. I kindly ask to have it responded to in two weeks, so that I address the more urgent ones and the previous ones, next week.

Hon. Speaker: Next week? Do you need two weeks?

Hon. Gabriel Tongoyo (Narok West, UDA): Two weeks for this particular one.

Hon. Speaker: Okay. Hon. Mwenje, two weeks.

Hon. Lillian Siyoi. She is not present. Hon. Tandaza.

COMPENSATION OF RESIDENTS OF DONGO-KUNDU BYPASS

Hon. Kassim Tandaza (Matuga, ANC): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the compensation of residents of Southern Bypass commonly known as Dongo-Kundu.

Hon. Speaker, the Dongo-Kundu Road serves as a crucial bypass which connects Miritini and Kwale County with three bridges. To pave way for constructing the road, several residents surrendered their land with the legitimate expectation for compensation. In spite of the strategic nature of the bypass, which has lessened the time spent driving between Miritini Standard Gauge Railway Station and Diani from two-and-a-half hours to approximately 45 minutes, it is saddening that approximately Ksh1.4 billion that was meant for compensation was halted and is yet to be paid to the remaining beneficiaries. The situation is worsened by the fact that the road is now open and operational, making the residents uncertain about the status of their compensation.

Hon. Speaker, it is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following –

1. A comprehensive report on the number of persons whose land was acquired for construction of the bypass, the number already compensated, and the status of compensation of the remaining beneficiaries.
2. Reasons for the delay and the timelines for remittances of the remaining beneficiaries, noting that the road is already in use.

Thank you, Hon. Speaker.

Hon. Speaker: The Chairperson, Departmental Committee on Transport and Infrastructure. Is he in? Hon. Bedzimba, are you the Vice-Chairperson or a member of the Committee?

Hon. Bady Twalib (Jomvu, ODM): I am Hon. Bady Twalib, not Hon. Bedzimba.

Hon. Speaker: Hon. Bedzimba was standing in front of you.

Hon. Bady Twalib (Jomvu, ODM): He had just come to me to consult on a certain matter. As a ranking Member, you know very many people need to consult me before doing anything.

(Laughter)

Hon. Speaker: Okay. Hon. Bady Twalib, the ranking Member.

Hon. Bady Twalib (Jomvu, ODM): Hon. Speaker, as a member of the Departmental Committee on Transport and Infrastructure, I am very much aware about that road because it starts from my constituency. On behalf of my chairperson, let me state that in two weeks' time we will give him a reply on the same.

Hon. Speaker: Two weeks.

Hon. Bady Twalib (Jomvu, ODM): In two weeks' time.

Hon. Speaker: Yes, Hon. Tandaza.

Hon. Kassim Tandaza (Matuga, ANC): Thank you, Hon. Speaker. I think two weeks will be too long given that we expect this road to be officially opened any time. Once it is officially opened, I am really worried about how we will follow up the matter of compensation again. I think two weeks is too long.

Hon. Speaker: Yes Hon. (Dr) Nyamai.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Speaker. I agree that the Statement is urgent. There are also other roads that are already being used like Kibwezi-Kitui Road yet compensation has not been done. It needs to be addressed urgently. I was wondering whether this matter will also touch on the National Land Commission (NLC). The Vice-Chairperson of the Departmental Committee on Lands is in the House. I was just wondering whether it may touch on NLC.

Hon. Speaker, I am seeking your guidance on that.

Hon. Speaker: Okay. Who is the Vice-Chairperson of the Departmental Committee on Lands? Hon. Jayne Kihara, I saw you seek to speak.

Hon. Jayne Kihara (Naivasha, UDA): Yes, I was raising my hand because this matter is before us in the Committee. It should have been directed to the Departmental Committee on Lands so that we can follow up with the NLC.

Hon. Speaker: Hon. Tandaza, have you misdirected your request?

Hon. Kassim Tandaza (Matuga, ANC): Thank you, Hon. Speaker. As a matter of fact, I am aware that all the funds for the roads are with the NLC, but the way it was done in the Table Office... I am aware that NLC has all the funds even as we speak here.

Hon. Speaker: I direct that despite the enthusiasm of Hon. Bady Twalib, the Question be directed to the Departmental Committee on Lands to deal with it. So Hon. Jayne, can you have the answer here by Thursday next week?

Hon. Jayne Kihara (Naivasha, UDA): Hon. Speaker, I will. Thank you.

Hon. Speaker: Thank you.

ARREST AND DEPORTATION OF UGANDANS FROM KISUMU

Hon. Beatrice Elachi (Dagoretti North, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations regarding the arrest and deportation of thirty-six (36) Ugandans from Kisumu, Kenya.

Hon. Speaker, 36 Ugandans believed to be members of the Forum for Democratic Change (FDC) Party, had been lawfully admitted into Kenya to participate in a leadership training programme in Kisumu County. However, on 23rd July 2024, armed individuals believed to be a combination of Ugandan and Kenyan security personnel, allegedly assaulted and arrested the individuals and immediately deported them to Uganda, where they were charged with terrorism-related offences at the Nakawa Chief Magistrate's Court. It is of great concern that despite having been lawfully admitted into the country, the Ugandans were deported without a legal basis justifying their deportation.

Hon. Speaker, the Government of Kenya, as a party to various international treaties dedicated to the protection of human rights, is bound by international law to uphold, safeguard, and advance these rights. This commitment extends to ensuring the liberty and well-being of all individuals within its jurisdiction irrespective of their nationality, political beliefs, or affiliations. Moreover, the lack of extradition orders or relevant documentation for deportation of the said Ugandan nationals exacerbates the risk likely to be faced by them at home due to their divergent political opinions.

Hon. Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations on the following:

1. Details on the circumstances that led to the arrest and deportation of the 36 Ugandans, who are believed to be members of the Forum for Democratic Change (FDC) Party and whether there were any extradition orders providing clearance for their deportation.
2. A report on treaties, if any, signed between the Government of Kenya and international communities, including the East African Community, that enforce the protection of individuals likely to face political persecution upon their deportation and the impact of contravening such treaties.
3. The measures put in place to safeguard the liberty and well-being of all people in the territory of Kenya regardless of their nationality or political affiliations, including refugees seeking asylum in the country.

Thank you, Hon. Speaker.

Hon. Speaker: Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations, Hon. Nelson Koech. Is any Member of that Committee present? What about the Vice-Chairperson? Hon. Joshua Kandie, are you a Member of that Committee.

Hon. Joshua Kandie (Baringo Central, UDA): Yes, Hon. Speaker. I am a Member of the Committee.

Hon. Speaker: Inform your Chairperson to bring the Statement in two weeks.

Hon. Joshua Kandie (Baringo Central, UDA): Hon. Speaker, I will do that.

Hon. Speaker: Okay. Hon. Joseph Makilap.

LANDSLIDE IN BARINGO NORTH CONSTITUENCY

Hon. Joseph Makilap (Baringo North, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the recent landslide in Baringo North Constituency.

Hon. Speaker, unprecedented heavy rains with thunderstorms hit Kapchebokel Village in Kasisit Sub-location on the night of 6th August 2024 leading to a massive landslide that swept two homes downhill for approximately five kilometres down to Sortchechin in Saimo/Soi Ward. Another family in Kapkombe area was also swept downhill towards Bartolimo, killing one person. The calamity has claimed four lives. One person is still missing and approximately 35 households have been displaced. Several farms and crops were washed away and the affected families are camping at a local church in Kasisit. Additionally, most roads in Baringo County have been rendered impassable, including Tirimionin–Kasisit Road, Kabartonjo–Barwessa Road, Biretwonin–Koroto Road, and Kipsaraman–Rondinin Road. Transport along Sacho-Tenges Road connecting Eldama Ravine, Baringo Central, Mogotio, and Baringo South sub-counties was also paralysed following the landslides in the area.

Hon. Speaker, while commendable efforts are being made to rescue victims by the State Department for Internal Security and Administration in-charge of Disaster and Emergency Response Coordination, little action has been taken in facilitating the displaced people who are currently camping at Kasisit church. The access roads to the villages are also still impassable, thus frustrating the ongoing rescue activities by the multi-agency teams.

Hon. Speaker, it is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following matters:

1. The status of deployment of multi-agency teams to address the deplorable state in the affected areas.
2. Steps the Government has taken to ensure that all the affected families are facilitated with items such as food, clothing, medication and shelter as soon as possible.
3. Plans to reconstruct or repair the damaged roads and other critical infrastructure.
4. Long-term solutions put in place by the Government to resettle people living in landslide-prone areas of Saimo Hills in Baringo North Constituency.

Thank you, Hon. Speaker.

Hon. Speaker: Are you directing it to Hon. Gabriel Tongoyo?

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Speaker. Given the magnitude of the situation, I want to be given until Thursday, next week. Meanwhile, I want it to go on record that ever since this happened, the Hon. Member has been on my neck. As you know, he is very passionate about his community. I also want to confirm that the National Disaster Management Unit (NDMU) and other stakeholders are on the ground trying to mitigate the situation. They are also advising the communities to leave the landslide-prone areas. Having keenly listened to his Statement there is an issue on roads which I do not think falls under our mandate.

Hon. Speaker: Okay. Thursday, next week. Hon Joseph Makilap is that alright? Hon. Obo Ruweida! Sorry, Hon. Joseph Makilap. Are you saying something? Hon. Vincent Kawayia is ready to respond to your Statement.

RESPONSE TO REQUEST FOR STATEMENT

POWER OUTAGES IN KIUNGA VILLAGE, LAMU EAST

Hon. Vincent Musau (Mwala, JP) Thank you, Hon. Speaker. Last week you directed the Departmental Committee on Energy to provide a comprehensive report on the transportation and installation of a generator in Kiunga Village that had delayed for months. I want to report that the Committee further transmitted the same directives to the Ministry and action has been taken. Yesterday, the generator was off-loaded from the ship and as we speak, assembling, testing, and connecting to the grid is going on. We expect it to be energising today.

Hon. Speaker: You are assembling the generator to connect to the grid. Is that correct?

Hon. Vincent Musau (Mwala, UDA): Usually, the process of connecting a generator...

Hon. Speaker: I thought it is off-grid that is why you have a generator. Which grid are you connecting to?

Hon. Vincent Musau (Mwala, UDA): It is off-grid within a system of off-grid generators so it is not the only one. So, there is a set of generators. But the most important thing is that the generator is already on site and the Hon. Member can confirm.

Hon. Speaker: I am not bothered about that. I was just correcting you that you cannot possibly install a generator and connect it to the grid. All generators are on off-grid services and that is why Lamu uses those generators. If you are connecting to the off-grid system within Lamu, that would be factually correct.

Hon. Vincent Musau (Mwala, UDA): Hon. Speaker, considering I am an electrical engineer and a First Class Engineer, I just wanted you to understand that there is a system of generators connected together. Therefore, off-grid does not mean it is one generator. It is being connected to a system of off-grid generators and the statement I made is correct. That the testing on the grid is going to...*(inaudible)*

Hon. Speaker: You mean the main grid in Lamu?

Hon. Vincent Musau (Mwala, UDA): Yes.

Hon. Speaker: You should be specific because if it was on-grid, you would have no purpose taking generators there.

Hon. Vincent Musau (Mwala, UDA): Correct. We expect it to be energised today. I also thank the Hon. Member for the energy, the ministry which has hastened things as well as the Principal Secretary, Mr. Alex Wachira, who has been really active in this particular matter to ensure that a solution is achieved.

Hon. Speaker: Hon. Ruweida, are you satisfied?

Hon. Ruweida Mohamed (Lamu East, JP): Mheshimiwa Spika, ukweli ni kwamba jenereta ndogo imepelekwa sasa hivi, ipo Kiunga na mafundi wanafunga. Hii iliyopelekwa ni ile imerekebishwa. Pia kwa hiyo, tunashukuru lakini ile jenereta kubwa mpya bado iko Mkowe. Twataka wafanye bidii waipoleke ile kubwa kwa sababu wamejua kuwa kuna matatizo. Ile ndogo imelemewa haiwezi peke yake ndio mkaitisha ile kubwa.

Kitu kingine ni kwamba hii stima imepotea. Niliuliza swali nafikiri tarehe ishirini na tano mwezi wa nne na nikajibiwa tarehe thelathini na moja mwezi wa sita. Wewe ulipotoa amri ya kusema jenereta ipelekwe, hilo jambo limetendeka kwa siku kumi. Kwa nini hizo siku zote tangu nilipouliza swali hawakufanya bidii watu wangu wakapata stima? Watu wamekuwa wakiteseka. Kwa hivyo, Mheshimiwa Spika nataka uwapatie watu wangu fidia kwa zile shida walizopata ndio siku ingine wasifanye makosa kama hayo. Kitu kikiharibika kirekebishwe haraka. Asante, Mheshimiwa Spika.

Hon. Speaker: Hon. Kawayu.

Hon. Vincent Musau (Mwala, UDA): Hon. Speaker, the process of transportation of this generator did not start last week. It was an ongoing process and the Hon. Member will tell you that this particular generator was transported by sea by a private contractor whose procurement could not have been possible within one week. What we have done is to accelerate a process that was already ongoing. For the comfort of the Hon. Member, I want you to know that the ministry has been taking the issue of Kiunga Village as an important matter. This process has been ongoing. So, it did not start last week.

Hon. Speaker: Kuna Hoja ya nidhamu. Yes, Hon. Ruweida.

Hon. Ruweida Mohamed (Lamu East, JP): Mheshimiwa Spika, Bwana Mwenyekiti hafai kudanganya hili Bunge. Jenereta imekuwa Mkowe kwa zaidi ya miezi miwili. Shida tu ilikuwa ni kuitoa Mokowe kuipoleka Kiunga. Sasa shida yangu ni kwamba kwa nini haikutolewa siku zote mpaka wakati Mheshimiwa Spika alisema hapa ndio mumeweza kuitoa? Sasa hizo kazi za wizara zitakuwa zinaachiwa Mheshimiwa Spika? Mpaka Mheshimiwa Spika aseme ndio ifanywe? Ilikuwa Mkowe kwa zaidi ya miezi miwili.

Hon. Speaker: Hon. (Dr) Pukose, on a point of order.

Hon. (Dr) Robert Pukose (Endebess, UDA): Mheshimiwa Spika, mimi namuonea huruma Mwenyekiti wa Kamati ya Umeme kwa sababu ya yale Mheshimiwa Ruweida anauliza. Huyu ni Mbunge mwenzako. Huwezi kuwa unamwaamuru afanye mambo fulani ilhali yeye ni Mjumbe mwenzako. Yeye ametumwa hapa kuwasilisha habari uliotisha. Kwa hivyo, tusaidie Mheshimiwa aweze kufuatililia vile unataka ili mambo yaweze kufanyika. Hawezi kuwa anaelewa kwamba jenereta imekaa kule kwa zaidi ya miezi miwili. Hawezi kujua kwa sababu yeye ni Mjumbe mwenzako. Kwa hivyo...

Hon. Speaker: Order, Mheshimiwa (Dr) Pukose. Wewe unapotosha Bunge.

(Laughter)

Mheshimiwa Kawayu ni Mbunge tena amepewa jukumu kuwa Mwenyekiti. Majukumu yake ni kuhakikisha ya kwamba yale Wabunge wanauliza anayapeleka kwa wizara, anatafuta majibu na kuyaleta hapa. Mheshimiwa Kawayu.

Hon. Vincent Musau (Mwala, UDA): Hon. Speaker, I am equal to this task and my statement has remained clear. The statement I brought before this House was that the challenge of transporting this generator firstly, can be attributed to impassable roads which up to date still remain impassable and therefore difficult to deliver by road.

Secondly, was the issue of security and I can provide a letter to this House that the ministry had engaged the services of the navy. When these challenges were noted by the ministry, it went ahead to start procurement of a contractor to transport this particular generator by sea. This process started long time ago, it did not start yesterday. It is only that it was completed yesterday. Therefore, I do not think it is fair for the Hon. Member to say that I, the Hon. Member for Mwala, is lying. I am not lying. You can look at the procurement details for the services to transport this particular generator. It started long time ago but the process has been accelerated. It is true that you, Hon. Speaker, gave the orders that the process must be accelerated.

Hon. Speaker: Hon. Donya, is it on the same issue?

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Speaker. What Hon. Ruweida is saying about the Chairman not giving the correct information is true. This has not only happened to her. I have also requested for a statement in this House and I have not been told the correct information which later the Hon. Speaker told me to wait for the Cabinet Secretary to come and clarify. From my perspective, the Cabinet Secretaries should be answering those questions. That way, we can engage and ask them questions. This is not the first time that he is not telling the truth.

Hon. Speaker: Yes, Hon. Raso.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Speaker. Marsabit Town is served by generators. At one time we did not have those generators for three months. What this House must do, and this is what chairpersons must do once a question is raised, is that we must work as a team. When a place goes without electricity for three months, many facilities are likely to go down. There are children, old men and women, as well as hospitals. Whereas we cannot apportion any blame on the Chairman, the chairpersons in this House have a responsibility because they are the first point of call. Their calls are likely to be picked much faster than those of other ordinary Members. For that reason, it is wrong for Kiunga - one of the oldest villages in the Coast - to still be served by generators up to now. This is really wrong. Whereas I do not want to support any position standing here, it is important that many of these generators are on grid and not off-grid. Why are independent power producers milking this country dry? Thank you.

Hon. Speaker: Give Hon Makilap the microphone.

Hon. Joseph Makilap (Baringo North, UDA): Hon. Speaker, I am one of those Members of Parliament who took part in public participation in Lamu East. It is only you who can intervene for Captain Ruweida. That part of Kenya requires something we call "affirmative quick decisions". That part of Kenya is not connected to tarmac roads and electricity. I call upon you to intervene. We can convert this response from being a statement answered by the Chair of the Departmental Committee on Energy to a Question and have the Cabinet Secretary answer this matter here so that the issues of Lamu East can be part of Kenya. That part of the country requires attention and prioritisation in all matters.

Hon. Speaker: Hon. Members, you know now that we have the Cabinet. The Leader of the Majority Party who is here will start arranging for Cabinet Secretaries to come here to respond to Questions. However, as we do so, Lamu is a special area, Hon. Kawayia. It is a serious security challenged area. We have had serious difficulties of abduction and attacks by *Al Shabaab* terrorists. For security operations alone, you need electricity. Can you report back to this House on Wednesday afternoon that, in fact, the generator has been transported, installed, and it is working? I do not believe that you can take two months to procure transport

to ferry a generator from Mokowe to Kiunga. So, this is not your mistake but those who are giving you information are economical with the truth. Just make sure that on Wednesday you tell us that the procurement that has taken two months has finally been done and the generator has been transported, installed and it is now working.

Hon. Speaker: Give the microphone to Hon. Chairman.

Hon. Vincent Musau (Mwala, UDA): Thank you, Hon. Speaker, for your direction. I just want to point out that your orders have been implemented. The Statement by the Member did not refer to a new generator. It referred to restoration of power which was occasioned by a faulty generator which has since been repaired. As we speak, it is in Kiunga being assembled. Kiunga will be lit today.

The other matter of a new generator is an initiative of the ministry after considering that Kiunga cannot be served by the small generator alone. A new generator has been procured to assist the existing one. Therefore, I will appear before this House next week as you have directed to report on progress of the new generator. However, today Kiunga will be lit as it has been lit before.

Hon. Speaker: What you will bring to the House, Hon. Kawayia is not progress. It is information that the generator has been moved from Mokowe to Kiunga and installed. You are not bringing any progress report.

Hon. Vincent Musau (Mwala, UDA): Most obliged, Hon. Speaker

Hon. Speaker: Thank you. Hon. Lilian Siyoi.

REQUEST FOR STATEMENT

DELAY IN PROCESSING OF MEDICAL INSURANCE APPROVALS FOR KENYA POLICE OFFICERS

Hon. Lilian Siyoi (Trans Nzoia County, UDA): Thank you, Hon. Speaker. I stand to request for a Statement regarding the delay in processing of medical insurance approvals for Kenya Police Officers.

Pursuant to the provisions of Standing Order 44(2)(c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Health on the delay in the pre-authorisation process for medical insurance approvals for Kenya Police Officers.

The Medical Administrator Kenya Limited (MAKL), established in 2018 to address gaps in Health Insurance Administration, oversees the medical insurance scheme for various public servants, including the Kenya Police Service. In April 2024, MAKL announced changes in the administration of the Police Medical Insurance Scheme, including replacement of CIC Insurance with APA Insurance as the lead insurer of the scheme. Since this transition, there has been an alarming surge in complaints from police officers concerning significant delays in obtaining insurance approvals to access treatment. Additionally, the health service providers listed in the medical scheme have also reported that the delays in obtaining insurance approvals have led to disruptions in provision of healthcare services to police officers. These delays pose health risks to our officers especially those who require urgent medical attention. The situation raises concern about the effectiveness of the current medical scheme in meeting the healthcare needs of our police forces, who play a crucial role in maintaining law and order, often at great personal risk. It is, therefore imperative that they have access to prompt and efficient healthcare services.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on the Health on the following –

1. A detailed report indicating the number of police officers who have received health care services under the revised insurance scheme since April 2024, including a breakdown of approval waiting times;
2. Reasons for the excessive delays in insurance approval processes for police officers;
3. Immediate measures the relevant government agency is implementing to address and expedite approvals for critical medical cases affecting police officers; and
4. Long-term plans being implemented to address this challenge, including the possibility of changing the medical service provider.

I thank you. I really wanted to have a Motion on this because it is something that is very crucial for our police officers. However, I was told it will take long and that is why I chose to request for a Statement.

Hon. Speaker: Thank you. Hon Tongoyo. Give him the microphone.

Hon. Gabriel Tongoyo (Narok West, UDA): Two weeks, Hon. Speaker.

Hon. Speaker: So be it.

STATEMENTS

Hon. Speaker: Hon. Alice Ng'ang'a response to a Statement that was sought by Hon. Mayaka. Is Hon. Mayaka in the Chamber? Hon. Alice Ng'ang'a, the questioner is not here. You will do it next week.

(Statement deferred)

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

CONSIDERATION OF BUSINESS FOR THE WEEK OF 13TH TO 16TH AUGUST 2024

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. Pursuant to the provisions of Standing Order 44(2)(a), I rise to give a Statement on behalf of the House Business Committee which met on Tuesday, 6th August 2024 to prioritise business for consideration during the week.

Members should take note that the House further varied its calendar yesterday and is set to commence its long recess on Friday, 16th August 2024 and resume its regular sittings for the Third Part of the Third Session on Tuesday, 17th September 2024. This extension will allow the House to finalise with consideration of the remaining Cabinet nominees within the set timelines and also conclude on any other urgent business pending before it. I, therefore urge all Members and committees to conclude any urgent matters before them and ensure that there is smooth transaction of all priority business before the recess begins at the end of next week.

With regard to the business for Tuesday next week, the House is expected to consider Second Reading of the following Bills, if not concluded today:

1. The County Governments Additional Allocations Bill (Senate Bill No. 19 of 2024);
2. The Coffee Bill (Senate Bill No. 10 of 2023); and
3. The Equalisation Fund (Administration) Bill (Senate Bill No. 14 of 2023).

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

1. Report on Inspection Visit to the Semi-autonomous Institutions of the East African Community in Uganda.
2. Report on Enhancing Reporting of Parliamentary Business on Online Platforms.
3. Report on Consideration of the Consolidated Fund Services Expenditures for the Supplementary Estimates I for the Financial Year 2024/2025.
4. Report on Public Petition on Funds Spent Contrary to the Provisions of Article 223 of the Constitution.
5. Report on Implementation Status of Reports on Petitions and Resolutions Passed by the House.
6. Report on Alleged Unfair Trade Practices by Foreign Investors in Kenya.
7. Second Report on Employment Diversity Audit in Public Institutions.
8. Report of the Extraordinary Session of the Sixth Pan-African Parliament.

We also scheduled to have the First Reading of the Livestock Bill (National Assembly Bill No. 34 of 2024). As indicated in the House Business Committee, I have since written to the Principal Secretary of the State Department of Livestock Development. Rather, this Tuesday we got the approval of the House Business Committee to stay the First Reading of the Bill and any further consideration of the Bill to allow the ministry conduct public and stakeholder sensitisation on the contents of the Bill and the policy underpinning it.

As you are aware, this Bill was to appear for First Reading and further consideration by the Committee. We since agreed that the ministry needs to do further sensitisation to the public because there has been much propaganda online. We may see this Bill demonised with many untruths to suffer the same fate as the Finance Bill of 2024. I have since written to the Principal Secretary to conduct further public sensitisation. Upon completion of the sensitisation process, we shall await their further guidance on the Bill. Whether they want to proceed with it in its current form or, out of public sensitisation process, there are things that they will need to reconsider. They will inform us in due course.

In conclusion, the House Business Committee will reconvene on Tuesday, 13th August 2024 to schedule business for the rest of that week. I now lay this Statement on the Table of the House. I also lay the letter addressed to the Principal Secretary of the State Department of Livestock Development staying the First Reading and further consideration of the Livestock Bill, pending that sensitisation programme by the ministry.

Allow me to say that the experiences we had with the Finance Bill inform the sensitisation process we have asked the ministry to do. As conceded by His Excellency the President, we have seen ministries author Bills, send those Bills to the House, and abandon them. They do not take time to sensitise the public on the policies underpinning those Bills. When people read and interpret things in their own way, some people may not be very accurate and correct. They misinform the public and use whatever is published to incite the public. We have seen much misinformation and disinformation peddled online about this Livestock Bill.

I have engaged the Principal Secretary and the Department of Livestock Development. They have clarified a number of things. We have asked them to engage all stakeholders, even those who have been spreading falsehoods and misinformation online. That is so that they understand the policies underpinning the publication of the Bill before it comes to us for consideration. Our ministries will have to engage stakeholders before they get the House to consider Bills. They will have made it known to the public what policies underpin the published Bills brought to this House.

Parliament does not have to bear the brunt of all the things that are being brought yet the owners of the Bills are not explaining to the public what they want to achieve. Many provisions in the Bills are for the betterment of our country and the good of the same public. When misinformed and disinformed, the public demonises Parliament and imagines that

Parliament comes up with all these Bills. Therefore, in line with what the President has said, we want ministries to take ownership even of communication within their state departments.

That is why we have asked the State Department of Livestock Development to make sure they own up to everything provided in the Bill. That is by going back to the public. The ministry should sensitise the public on each and every clause in the Bill and the policies underpinning each of the provisions in the Bill. Then, in whatever form, they will send it back to us for further consideration by the House. That should include the public participation we normally do as a House.

You have seen what the courts said when nullifying the Social Health Insurance Fund Bill or the health Bills. That, there ought to have been more sensitisation. It is unfortunate. I do not know why the courts took that direction. The courts told Parliament to sensitise the public. Parliament cannot sensitise members of the public on everything. It is owners of Bills like ministries. We have also asked the Ministry of Health to go back and sensitise the public on the policies and provisions of the four or three Bills nullified by the High Court. Then, they will send them back to us for public participation. The public participation programme is the only opportunity Parliament has to engage the public and get feedback from the people on whatever owners of Bills sensitise.

With that, I beg to lay the Statements.

(Hon. Kimani Ichung'wah laid the documents on the Table)

Hon. Speaker: Thank you, Leader of the Majority Party. The next Order is by the Chairperson of the Budget and Appropriations Committee. Hon. Members, I am told he has sent word that the Report is not ready, until Tuesday.

BILL

Second Reading

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL
(Senate Bill No. 19 of 2024)

(Bill deferred)

MOTIONS

ADOPTION OF REPORT ON THE INSPECTION VISIT TO SEMI-AUTONOMOUS
INSTITUTIONS OF THE EAC IN UGANDA

THAT, this House adopts the Report of the Committee on Regional Integration on its consideration of the Inspection Visit to the Semi-autonomous Institutions of the East African Community in Uganda, laid on the Table of the House on Wednesday, 29th November 2023.

(Moved by Hon. Wanjiku Muhia on 6.8.2024)

(Resumption of debate interrupted on 7.8.2024 – Afternoon Sitting)

Hon. Speaker: Who was on the Floor? Wanjiku, had you finished?

Hon. Wanjiku Muhia (Kipipiri, UDA): I was not on the Floor. I am sure a few minutes remained.

Hon. Speaker: Quorum truncated you.

Hon. Wanjiku Muhia (Kipipiri, UDA): Yes, on the second day. Maybe the Clerks-at-the-Table can confirm how many minutes remain for me.

(The Hon. Speaker consulted the Clerks-at-the-Table)

Hon. Speaker: You have 16 minutes to go. You are not obliged to exhaust them.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Speaker. In a nutshell, I spoke of the institutions visited and enumerated several observations by the Committee. The one I would want to repeat, because I see the House is quite full today, is communication challenges. We have the Northern Corridor and the Central Corridor. We experience communication challenges anytime we are in the Central Corridor. It is too expensive. We hope that partner states in the Central Corridor will fasten or fast track the policy so that communication can be very easy in the entire region. The other issue that I may want to highlight is the air transport. We know travelling to Dar es Salaam is more expensive than travelling to Dubai because air taxes are not yet harmonised.

As I conclude, the Committee also observed that political conflicts witnessed between some partner states have negative effects to business in the Community. We, therefore, call for mitigation at the summit level on, for example, the Migingo issue – which has been a thorn in the flesh for many years between the republics of Uganda and Kenya. If this issue can be harmonised at the summit level, business can thrive.

We also seek a legal framework for the elimination of Non-Tariff Barriers (NTBs) as per the Act of 2017 to be fast-tracked. We also ask, in the spirit of integration and for efficiency of the lake resources that have served the three partner states, that they be shared in a harmonious way so that every country can benefit without a lot of struggles, particularly the Migingo issue.

With those observations, I will now go to the recommendations by the Committee. The Committee recommends that for these challenges to be addressed, we ask the Council of Ministers in Kenya to lobby the other Council of Ministers in matters of finances by finding a suitable financing mechanism because the remittance mode is not tenable anymore.

The Committee recommends that one of the avenues that can be established could be what happens in African Union and European Union – by, possibly, imposing a levy on all imports and exports within the region or even think bigger whereby the countries contribute in accordance to their GDP but, like in the European Union, the countries that contribute more to have veto powers.

The Council of Ministers may consider the goodwill exhibited by the late former President of the Republic of Kenya, Hon. Mwai Kibaki – may his soul rest in peace – who at one time played the big brother role and bailed out the Republic of Burundi. We could consider bailing out the republics of South Sudan and Burundi. Partner states with bigger economic capacities may play the big brother role and possibly bail out the two countries.

We also ask the Council of Ministers to consider reinstating the budget of the Community. I have served in the East African Legislative Assembly (EALA) before. I have information that every partner state contributed close to \$8 million. During COVID-19, this money was reduced to US\$7 million but the original amount has not been reinstated ever since. The East African Community has been increasing its institutions. Therefore, there is need to reinstate the original contribution figure per member state. The Council of Ministers could consider halting the creation of more institutions or reinstating the original contribution.

Every institution of the Community we visited, in the Central or Northern Corridor, there was always the challenge of inadequate professional staff. You would find a whole institution with only two skilled staff. We, therefore, ask the Council of Ministers to consider increasing the budget of the Community. Most importantly, we observed that air transport within the region is very expensive. This House must know that as per the Treaty, we can only urge the Council of Ministers to consider harmonising the air taxes and lobbying the republics of Uganda and Tanzania and other republics which have not signed this protocol, like the republics of Kenya and Rwanda, so that we have fairly affordable air travel that will make intra-community states trade to thrive.

The Committee asks for fast-tracking of the Act of 2017. The Regulations were to assist the Community in removal of non-tariff barriers. Just by way of information to this House, the Budget of EAC has a vote that normally facilitates the Non-Tariff Barriers Department but without operationalization of the Act, not so much can happen.

I also ask through the Committee, that the Council of Ministers considers to finalise the process of national consultations to harmonise the Treaty. The National Assembly is also expected to take its recommendations because the Treaty was created when the Community had only three-member states. It is now time that the Treaty is amended.

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

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) took the Chair]

As a Committee, we are already putting together the recommendations. The most critical issue is consensus. As Members may be aware, in the EAC, you can never decide on any policy without consensus. This policy has, time and again, been a double-edged sword because some countries may not be happy about certain aspects of the policy, and they may decide to skip the consensus building sitting. Therefore, you find that you cannot conclude the matter. At the same time, if some countries chose not to go the consensus way, they may lobby amongst like-minded countries and consider one country absent and pass a policy.

These are very critical issues to the Community and its growth. As the amendment of the Treaty goes on, we hope that the National Assembly of Kenya, and possibly the Senate, will be forwarding their recommendations to our Committee so that we participate fully in the growth of the EAC.

Hon. Temporary Speaker, I encourage the Members of this House to debate it thoroughly as we seek to strengthen the EAC. By way of information, after the Democratic Republic of Congo joined the Community, the population of our regional bloc nearly matched that of the United States of America. Why are we, as a Community, still engaged in international trade? We can easily do 90 per cent intra-EAC trade and possibly 10 per cent international trade. A population of 340 million within is sufficient to thrive in intra-Community trade, particularly if we do away with the non-tariff barriers and sensitise our citizens. I am sure that quite a number of East African citizens are not aware of the massive trade potential available to them. That can only happen if Hon. Members of the respective parliaments within the EAC understand and internalise this prospect and speak to their constituents. That way, the *mama mboga* in the rural areas can know that they can also trade with our neighbours across the borders.

Hon. Temporary Speaker, Hon. Waqo will second.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Please, be on record that you have moved the Motion and request for a seconder.

Hon. Wanjiku Muhia (Kipipiri, UDA): Hon. Temporary Speaker, I move the Motion and request Hon. Naomi Waqo, who is a Member of the Select Committee on Regional Integration, to second.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Naomi Wako.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. I rise to second the Motion.

As I second the Motion, I congratulate our Committee Members who came up with these good recommendations. The purpose of the visit was to appreciate the operations of the EAC institutions in order to enhance mutual relationships amongst the neighbouring countries. All that has come out clearly in our recommendations.

Secondly, the visit was intended to make Members understand the role of Parliament in the development of the EAC – which they have done very well. Our Chairlady, who is very well experienced in EAC matters, always guided the Committee on the way things needed to be done, and the Members have also been very faithful. In our recommendation, we have said that financing mechanism needs to be established because through this, we will be able to make it effective and self-sustaining.

Hon. Temporary Speaker, political stability in the neighbouring countries is of paramount importance. When people fight each other, economic growth and development of the Community is affected. If we, as EAC member states, are all politically stable, we will grow. Again, the airspace needs to be opened. As the Chairperson has said, intra-EAC trade is slow due to non-tariff barriers. We should give this challenge a lot of attention and overcome it with time, so that trading within the EAC can be easier. In all organs, the staffing needs to be considered so that we have people representing the EAC.

With those few remarks, I second the Motion and encourage Members to contribute to this debate because it concerns all of us.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, very much, Hon. Naomi.

(Question proposed)

Hon. Members, you may now proceed to contribute. Hon. Dr Robert Pukose, Member for Endebess.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Temporary Speaker. I second the Motion on adoption of the Report of the Committee that conducted an inspection of EAC institutions in Uganda.

As stated in the Report, an air ticket from Nairobi to Dar es Salaam is expensive compared to Nairobi-Dubai. We should harmonise taxes within the region and make business easy, accessible and profitable.

A question was raised by the Member for Dagoretti North about arrest of 36 members of the Forum for Democratic Change in Kisumu. I think this is part of the cooperation within East Africa. When you have suspected terrorists assembling in another country within the regional community to undermine the security of a neighbouring country, security agents in the host country can cooperate and ensure that such terrorist threats are eliminated.

I come from Endebess Constituency, which borders Uganda. At times you find people committing crime in Kenya and running away to hide in Uganda. If there is cooperation between the security agencies of the neighbouring countries, nobody will commit a crime in one country and run away to hide in the neighbouring country. We need to do business and have free movement of people and goods within East Africa. That is the way to go. At one

time, President Museveni said that we should encourage Kenyans to own properties in Uganda and Ugandans to own properties and anything else in Kenya.

That is the kind of brotherhood we want to encourage within the region. We want to encourage free movement of people and goods. We should harmonise our state agencies in the region. When it comes to the medical profession, whether doctors are trained in Uganda or Kenya, they should be able to work freely within the region. The Kenya Medical Practitioners and Dentists Council (KMPDC) recognises anybody who has been trained within East Africa. As long as you have the necessary minimum qualifications for you to be enrolled as a doctor within the region, you are recognised by KMPDC. The Nursing Council of Kenya (NCK) and the Clinical Officers Council (COC) are in the process of harmonising the requirements for membership of peers from within EAC member states.

That is the way to go in the medical profession now that we have outbreaks of deadly diseases within the region. As we speak, there is an outbreak of monkey pox (Mpox). One case of Mpox was yesterday reported at Kenya's border with Tanzania, in Taita-Taveta County. Cooperation within our region will assist us to ensure that there is disease surveillance so that we track and arrest disease outbreaks like *Ebola*, Mpox, Marburg and many other viral haemorrhagic diseases that break out within our region. That is why we need to man our border points. As we speak, many of our border points are one-stop border points. This facilitates easier movement of people and goods within our region.

With those few remarks, I support the Motion.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. Next is Hon. Joshua Mwalyo, Member for Masinga.

Hon. Joshua Mwalyo (Masinga, Independent): Thank you, Hon. Temporary Speaker. I rise to support the Motion on the inspection visit to semi-autonomous institutions of EAC in Uganda by the Departmental Committee. I want to commend those who participated in the tour, including the able Member for *Kipiripiri* who tabled the Report.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Hon. Joshua Mwalyo, did you say, 'the Member for *Kipiripiri*'?

Hon. Joshua Mwalyo (Masinga, Independent): Yes, the constituency.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): It is Kipiripiri Constituency.

Hon. Joshua Mwalyo (Masinga, Independent): Okay.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Proceed.

Hon. Joshua Mwalyo (Masinga, Independent): Thank you very much, Hon. Temporary Speaker. I want to say something on the EAC. It has been on the newspapers for many days that we will remove the non-tariff barriers. This makes us not to do business as member countries of EAC. It has been a song for many days, which needs to be actualised. Time has come when we need to do business as a regional bloc.

All these countries can give us a lot of business. We will not need to trade with countries outside Africa. We have been unable to tap this opportunity because of small political issues, barriers and other things we need to remove. Kenyans who are experts in some areas work in Congo, Tanzania or do business in Uganda. However, these small barriers have made it impossible for them to create wealth in those countries.

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) left the Chair]

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

For example, there is a lot of timber in Tanzania and Congo but there are bureaucratic barriers. When you buy lorry-loads of timber, they are detained at the border point for nothing.

You must give kickbacks to immigration officials even after fulfilling all the statute requirements. If we can remove such barriers, there will be free trade.

Kenyans are very enterprising. The timber we use for construction in Kenya is from Tanzania and Democratic Republic of Congo. I talked to a transporter who told me that before you bring a lorry-load of timber into this country, you part with a lot of money because of non-tariff barriers, tariffs and taxes that are imposed. All your expected profit and capital is eaten up. You are left with nothing with which to buy the next consignment.

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

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) resumed the Chair]

That discourages traders, contractors and people from transacting business. In a country like Rwanda, if you comply with all the requirements, your company will be registered within six hours after presenting an application to the authorities. You are given incorporation certificates and all the certificates to be able to start trading. So, I believe that if we can remove all the unnecessary barriers, we can travel freely to member states and do some trading. I urge the responsible Cabinet Secretaries to ensure that unnecessary barriers to trade and movement of people are removed. They are the ones who are supposed to ensure that such matters are harmonized. They should hurry up so that we trade freely within EAC. People have been saying that there is no business in the country. There are businesses across our borders but how to get there is the problem. So, I urge the Ministers in charge to remove all these barriers so that we can trade and create wealth.

With those few remarks, I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Mwalyo. I cannot see Hon. Zulekha in the House. Hon. Beatrice Elachi. Hon. Charles Ngusia Nguna. Hon. Lillian Siyoi. Is Hon. Charles Ngusia here? It is just that I am used to seeing you in a different place?

You may proceed Hon. CNN.

Hon. Charles Nguna (Mwingi West, WDM): Thank you, Hon. Temporary Speaker for giving me an opportunity to add my voice to this debate. I have not seen the Report but let me appreciate the Committee that visited Uganda to inspect some semi-autonomous institutions of EAC, which we are supposed to be proud of. I was lucky last week to attend the Greek Parliament and learn things about regional integration and the benefits that come with it. When European countries formed the European Union, they started to reap so many benefits. There were so many disparities between the economies of European countries. Most of the countries used different currencies but when they merged, they moved to a common currency, the Euro; and things are very easy for Europe. We need to enhance our institutions in East Africa and actually finance them for our benefit in terms of trade.

On the issue of movement in the European Union, for example, if you are travelling from Italy to Germany or Greece, or to any other country, you do not need to go through immigration. Conversely, if you are travelling from Kenya to Tanzania, you have to go through a lot of immigration checks at the Namanga boarder. We need to have what we call 'free movement of people and goods' across East Africa for the benefit of our economies.

Hon. Wanjiku Muhia (Kipipiri, UDA): On a point of information.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): The Chair of the Committee has a point of information. Would you like to be informed, Hon. Nguna?

Hon. Charles Nguna (Mwingi West, WDM): Yes, I would like the Hon. Lady to inform me.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Nguna. I agree with you that as EAC, we have not reached integration level of the European Union level, where you cross borders without any paper. However, since the establishment of the One-Stop Border Posts within the EAC, we do not go through a lot of immigration checks. Today you only need your national identification card (ID) at Namanga border. In fact, it is one desk. There is the Kenyan desk and the Tanzanian desk. Within five minutes, you cross the border.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Yes, you may proceed. I hope you appreciate that information.

Hon. Charles Nguna (Mwingi West, WDM): Yes, I am well informed but I am just comparing the process. For example, in Europe, if you are travelling from Greece to Italy, you do not need anything to be stamped. You do not even need anybody to check you even at the desks we have established between the Kenya and Tanzanian border at Namanga. It is totally different.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Chair, please, appreciate the information about Greece as given by Hon. Charles Ngusya Nguna. He has a lot of information on matters of Europe, and specifically matters of travel in Greece and its environs.

Hon. Wanjiku Muhia (Kipipiri, UDA): If you allow me, Hon. Temporary Speaker, I appreciate but we must agree that we are in Africa, and East Africa specifically. I have also travelled between Geneva and France. What he is saying is correct but those are developed countries which have installed powerful cameras that can even identify how much meat you are carrying in your car in terms of kilogrammes. As EAC, we are not yet there.

Hon. Temporary Speaker, at the Namanga boarder, we still have manual scanners. Trucks have to be scanned manually. This is all about budget. In this Report, we are discussing the issue of an alternative financing mechanism for our regional institutions because the member states remittances way of financing the EAC Budget has let us down. In the meantime, we can only work with the equipment that is available, which is manual.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Charles Nguna, I will give you extra three minutes to conclude your contribution to make up for the time you have lost to the interjections.

Hon. Charles Nguna (Mwingi West, WDM): I appreciate, Hon. Temporary Speaker. I am actually just trying to share information on the good practice in the European Union so that, as EAC, we can also move in that direction. We have massive resources in East Africa. The Democratic Republic of Congo is the richest country in the world, in terms of strategic mineral deposits, yet it is one of the poorest countries when it comes to living standards. The resources we have in East Africa can give us almost 90 per cent of our needs but due to political instability in this region, we are not benefiting from those resources. We need to be our brother's keepers when it comes to these issues. I am talking of issues of airspace. We need to harmonize taxation. Why do we have different navigational charges in the airspaces of Uganda, Kenya and Tanzania when we can have a common tariff that is chargeable across the board? I am talking about issues of security agencies. We need cooperation in this area. We can consult Uganda to protect our borders. For example, the Greek Navy helped us a lot to tackle the piracy issues off the coast of Somalia. They are the ones who were credited for dealing with pirates who used to terrorise shipping lines operating off the Somalia coast. Nineteen countries in Europe came together and protected the water transportation corridor.

Hon. Temporary Speaker. We need to ensure that we are safe in all the countries so that we can have free movement of goods and people across the whole of East Africa, including Somalia, which has many problems of insecurity. We need to start thinking broadly. Apart from raising money to finance these institutions, why can we not establish a common currency in East Africa so that we do not have to change Kenya Shillings to Ugandan Shillings every time we travel to that country, for example? We can come up with a very stable currency for

our region and we will be free to trade in Kenya, Tanzania, Uganda, South Sudan, Somalia, *et cetera*. Trading will become cheaper. We will even attract foreign companies to our region.

With those few remarks, I support and commend the Committee for a job well done. We need to look at all these issues and we will have a better East African Community.

Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. Let us have Hon. Fatuma.

Hon. Fatuma Mohammed (Migori County, Independent): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I stand here to support the Report and congratulate the Committee, led by the Member for Kipipiri, for a good job. Indeed, we are a family as East African Community. It is important to make it clear that countries do not divide us. It is just the borders. We are one country under the East African Community.

Provisions were put in place when the EAC Treaty was signed about 25 years ago and times have changed. Some countries will feel left out if we do not do this fast. They feel like they are lesser children in the EAC family because the Treaty was just for three countries. There are many countries under this Treaty. It is important to consider it. The faster we do it the better so that the other countries can feel that they belong to the Community.

There is an inter-university council in the East African Community. We should have a way of ensuring that students who sit for exams in schools or colleges in Kenya, for example, can have their academic credits transferred to similar institutions of learning in Tanzania, and vice versa. That way, students in East African institutions of learning will feel that they belong to one community, and it does not matter whether they study in Kenya or Uganda, or in any other country within EAC.

Hon. Temporary Speaker, I come from Migori County where we undertake fishing. I live next to Lake Victoria. There are incidents when our fishermen go into the water. The water has no boundary. You do not cross the water with any passport. You just fish there. Fishing is usually done at night. What happens very late at night is that our fishermen are harassed. They are arrested and told to throw the fish back into water. They are told that the water belongs to them but the fish belongs to those who arrest them. Without mentioning any country, I wish the neighbouring country that knows what I am talking about to remember that we are one community. When we are a community, one should not feel bad when whatever is served on my plate is not served on theirs.

We all are fishermen within the East African Community. Just as we can cross the border easily, we should also cross the water easily and catch fish on the other side when the person on the other side is not interested in fish. It is very frustrating, emotional and stressful work trying to rescue fishermen arrested and taken to the other country. Sometimes they are charged with things that do not exist. I request all countries to feel that we belong to one home. Let us treat each other as brothers and sisters.

With more countries in our Community, I am very happy that there is peace in our region. However, a few countries are experiencing problems within their boundaries. I request the Chairperson to consider peace more. Crisis in one country affects neighbouring countries. We should look more into how to harmonise peace amongst the East African communities so that we live as brothers and sisters more.

The Committee recommend that the Council of Ministers urgently completes the ongoing staff recruitment process, which is necessary. One, it will create job opportunities for people in our countries depending on where a person is employed. Again, this will help us to understand each other's traditions. When as a Kenya belonging to the Luo or Kikuyu community you go and work in Tanzania, you get a chance to learn the cultures and traditions of the people of that country. We know that we share cultures because we are Africans. Therefore, integration is important.

I also encourage Kenyans to go to the other side of our borders and come back with brown women from Tanzania. Our black men from Luo Nyanza will get brown women from the Chagga people. We will have a mix of beautiful people in our Community. Whenever you travel there, I encourage you to make good use of that opportunity. We are dark and they are brown. We can get a very good combination out of the integration.

I congratulate the Committee, as I sit down. I support the adoption of this Motion. Thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Next is Hon. James Nyikal, the Member for Seme.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity.

I appreciate how far back we have gone when I listen to people. All the things we are recommending here and wishing to do were in the East African Community Treaty. Some of us do not even know why this region is called 'Community'. It was the headquarters for the East African Common Services Organisation and we had the same currency. I saw the East African Shilling. It was one. We had the East African Railways and Harbours Corporation. The railway, all the way from Gulu to Dar es Salaam, was one. We had the East African Airways. It was one. We had the University of East Africa. It was one. It had medicine in Makerere, law in Dar es Salaam, and engineering in Nairobi. That was how it was. There were research organisations. There was the East African Medical Research Council, with Leprosy in Alupe, research on Malaria in Tanzania, and research on tsetse fly in Tororo.

We should be moving very fast. If you look at these recommendations, three and four are about taxes. They want us to harmonise our tax-free regimes. Number five is on non-tax tariffs. Then if you go to recommendations 4, 8 and 10, this is all civil aviation. This is for a place where you had one airway service, the East African Airways. I was supposed to train as a pilot after Form 4. I did the interview here, under the Community then I decided to go ahead. These things were actually there. We have the East African Framework for Support and Transfer of Credit among universities. It was one university. The vice-chancellors used to rotate. I think we should move fast.

The Chairperson has been at the Community as a Member of Parliament. I may be wrong. I see improper things happening in the current East African Community. We feel like we are several countries jostling for resources instead of actually looking at all those countries as one so that we make things as one. I feel like an East African. We may not know that people used to move freely. You did not need anything. You could use a train ticket from Dar es Salaam to travel in a Kenya Bus in Nairobi. We should move as one and feel as one.

Hon. Pukose was talking about registration of professionals. We did the Kenya Medical Association between 2000 and 2002. We had a meeting and decided to invite all Ministers of Health from the East African region. Prof. Sam Ongeru was our Minister. One of the things we agreed on was to have a reciprocal recognition of certificates. If you look at it, we exchanged lecturers during exams. You examined and passed students at Makerere. Why examine them again when they come to practise in Kenya? We should redo all these. I urge those of us who get to the Community and the East African Legislative Assembly to start thinking of one unit, not several countries jostling for resources and advantage. Just look at what the people need and do that for our people.

With those remarks, I support the Report, particularly the recommendations.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. (Dr) Nyikal.

Let us have Hon. (Dr) Makali Mulu, Member of Kitui Central.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Temporary Speaker.

I add my voice to this important debate. I start by appreciating Hon. Wanjiku Muhia for the passion on matters relating to the East Africa Community, having served there for five years. If you remember well, we joined Parliament together with Wanjiku Muhia. She had a break of five years while you and I remained here. She then came back. During the five years she was in EALA, I am sure she got very good exposure on what happens there.

There are regional blocs or what we call ‘regional integration’ in economic terms because there are many advantages associated with coming together as a bloc, and more so when you consider the population that comes with one unit. If you are to sell goods in such kind of a bloc, you can do business.

After looking at the Committee’s Report, I agree with Dr Nyikal’s observation that in the East Africa Community, we have been doing a lot of talking and minimal action in terms of pushing the real issues.

Hon. Temporary Speaker, if you listened to what Hon. Mwalyo of Masinga Constituency said on the issue of trade barriers and non-tariff barriers, I always wonder why it is so difficult for the East African countries, for example, Uganda, Tanzania and Kenya, to trade amongst themselves. For example, each of these countries has what I call competitive advantage on a specific issue. Someone has given an example of Tanzania. They are doing very well in terms of agricultural and food products. Similarly, Kenya, Uganda and the DRC also have their respective competitive advantages in various sectors.

The thing is, if we came up with an enabling environment for trade to be promoted, it would be very easy for each of these countries to take advantage of their competitive advantage to do serious business and grow their local economies. But you realise that we always have trade barriers being imposed by one country against the other, and as a result of that, we cannot trade effectively.

In the old days when politics was at the centre of it, countries were aligned in terms of their political alignment. But now, issues of politics have taken a back burner and issues of trade have taken the front burner. If we are serious about trading, all these countries should do what it takes to ensure that trade is facilitated and is done without any minimal challenges.

Look at the labour movement. For you to move to countries like Tanzania and Uganda, even though Hon. Muhia says we require an identification card, I thought that since we are all brothers and sisters, it should be a walk-in, walk-out thing. Anytime you want to go to Tanzania, one has to carry an identification card or a temporary pass from the Immigration Department. Why should it be like that? Anytime we meet in the national meetings, we talk about “my brother from Tanzania, my sister from Uganda, and my brother from Kenya”. If we are at that level of integration, we should not require these travel documents.

Look at the issues of money. You have the Kenya Shilling, the Uganda Shilling, and the Tanzania Shilling. What the hell? You spend time exchanging and the issue of exchange levies also comes into play. Why do we not just have the East African Community Shilling and do business without any problem?

We need more action than talking. We need to see the political leaders, and the Council of Ministers coming out strongly, outlining their next move of action and seeing them take action so that we can take advantage of integration like the European Union (EU). By so doing, we will be helping the people who live in these countries as well as growing the economies for the better.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Do you need another minute to conclude? You have two minutes to conclude.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Temporary Speaker. As I conclude, the point I was trying to drive home is the issue of currency. We have always thought about coming up with one currency for the East African Community.

The other critical matter is that we have always seen our political leadership meetings, Council of Ministers meetings, and technical meetings, and Hon. Muhia can confirm that. However, there is a lot of talking.

On the issue of financing, as she says, I support the idea of seeking an alternative way of financing. If you look at the contributions by countries, you will find that some countries are up to date while others are even three years behind. If you talk to our colleagues in EALA, they will tell you that they cannot work effectively because some countries have contributed while others have not. So, we need to come up with an alternative financing mechanism so that this important body called EALA and all the other regional bodies function well. I am looking at the East African Court of Justice (EACJ), and all the other important bodies. If they are well facilitated in terms of finances, they can do very well for this region.

As I conclude, I can tell you that no regional bloc can help their people unless they get some of the basics right. If you look at those who have got it right, like the European Union and other blocs, they have done very well. We can take advantage of coming together as countries so that we grow the welfare of our people and also improve their standards of living.

With those many remarks, Hon. Temporary Speaker, I support and thank the Committee for this good Report.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Agnes Pareyio, Member for Narok North.

Hon. Agnes Mantaine (Narok North, JP): Thank you, Hon. Temporary Speaker, for giving me this opportunity to support the Motion by Hon. Muhia.

The East African communities are one. We are one because we have a lot in common. For example, as the Maasai Community in Kenya, we share a lot with the Maasai people in Tanzania. We intermarry, engage in business and trade, practise pastoralism, and share similar types of work. When it comes to wildebeests, they move from the Maasai Mara National Reserve to the other side. We have a lot in common because we are brothers and sisters. The language is also one. Therefore, there is need for Governments to ensure that they integrate and bring us together so that we can benefit. We are one. There is no need to have a boundary because it is just a physical boundary. We do not even know that the boundaries exist because we feel like we are one.

When I worked on the Anti-FGM Board, I could go to Tanzania and educate women on the effects of the female genital mutilation (FGM), because our cultures are the same. Therefore, I support the need for integrating the Governments, as we share a common culture, engage in similar businesses and trade, and our people are the same. We see ourselves as one community. Our governments need to come together and make sure that they sit together because it is only politics that is different, but all the other things are the same.

For that reason, I support the Report by the Committee.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Member for Narok North. The Hon. (Dr) Wilberforce Oundo, Member for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to support the Departmental Committee on Regional Integration on the Report of the Inspection Visit to the Semi-Autonomous Organs of the African Community in Uganda.

Hon. Temporary Speaker, let me start by declaring that I come from a border constituency of Funyula in Busia County. I come from a community called Samia, where at any given time, three-quarters of the Samia Community lives in Uganda. We are just a handful in Kenya.

In Uganda, we have about six constituencies represented by the people of Samia. In Kenya, we only have one. I also want to declare that at one time, when Mzee Moody Awori was the Vice-President of this country, his brother was running for presidency in Uganda.

Again, let me emphasise that the East African Community was a well-conceived idea in the 1960s and 1970s, realising that the partition of Africa divided the people of Kenya, Uganda, and Tanzania arbitrarily without considering the cultural and the heritage of the people around there. I had opportunity to travel to Rwanda, Tanzania and Uganda to see how the places look like. In any case, let me admit that I can take breakfast in Kenya and cross-over to my *shamba* in Uganda. I live on the border.

I have gone through the Report and they have raised pertinent issues which are not new. They have been with us for a long time. That is why I sometimes wonder what the East African Legislative Assembly does. We have been talking about these issues which were the foundation of EAC. We seem not to be moving at all. I hope the Committee will share this Report with EALA Members so that they can pursue these ideas as we move forward.

Over the past few years, there has been tremendous improvement in the relationship between the countries with the one-stop border points. You walk in and do not spend a lot of time. You walk into the Namanga One-Stop Border Point and find the immigration office of Kenya and Tanzania. You go to Busia One-Stop Border Point and the arrangement is the same.

It is either by coincidence or whichever way, that I do not need a passport to go to Uganda. When a Ugandan looks at me, he thinks I am Ugandan and they do not need a passport to come to Kenya in Busia area. Since we speak the same language, we can go through. I am really in favour of recommendation No.11 which states that, "East African qualification framework should support credit transfers among the universities within the EAC member states". We have so many Ugandans who school in Kenya.

At one time, we had so many Kenyans going to school in Uganda. The process of equating the Ugandan qualifications to Kenyan qualification sometimes is unnecessarily too cumbersome. Since we do not seem to pursue the same education standards because Ugandans go up to A-Level and we do not, we must find a regime whereby, we are able to equalise these qualifications so that we can have seamless transfer of skills and competencies from one country to another. For those of us who went to school much earlier, many mathematics teachers were from Uganda. The teacher who taught me mathematics in Form One at Starehe Boys Centre was Ugandan.

Hon. Temporary Speaker, I seek your indulgence to give me one minute to talk about the harassment of fishermen in Lake Victoria. As the Committee clearly observed, we do not have shortage of fish resources in Lake Victoria. The shortage is man-made and is as a result of bad fishing practices.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Please give him two minutes to conclude.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, the fish in Lake Victoria mostly breeds at the entry point of River Sio and River Nile and then spreads throughout EAC. The fish has no passport at all. It is neither Kenyan, Tanzanian or Ugandan. I urge the Committee, through EALA and the respective Legislative Assemblies, to have fishing protocols. This will allow our fishermen to move from one point to another while observing typical fishing practices. It will entrench and enhance cooperation and the good intentions of the founders of the EAC.

Hon. Temporary Speaker, we have talked about non-tariff barriers. Tanzania is notorious, but Uganda is more flexible. Can we have a mechanism to allow free-trade between Kenya and Uganda? As clearly indicated here, East African Trade only accounts for less than 10 per cent compared to 90 per cent. We have more room to improve the EAC and trade more, if we get serious.

Thank you, Hon. Temporary Speaker. I support the Report.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you. Hon. Members, there being no other interest in this, I call upon the Mover to reply. Chairperson.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Temporary Speaker. From the outset, I want to appreciate the Members who have spoken very well on the matter of the EAC. I also thank the Office of the Speaker, the Office of the Clerk and our Committee Clerk for having facilitated us very well. Having said that, I have noted with concern that Members would like East Africa to have better borders just like Europe. Currently, we are enjoying the one-stop border point.

I would like to inform the House that we have a whole protocol on peace and security signed by every partner state and even the up-coming partner states like Somalia and the Democratic Republic of Congo are also supposed to sign this treaty. Hon. Members can be assured that we will continue to live in harmony.

About opening the air-space, I already mentioned that the Republic of Rwanda and the Republic of Kenya have signed an agreement. Harmonisation of taxes is a big deal in this matter, but it calls for a United States of East Africa. When we do so, flights to Dar es Salaam, Kampala and other states will be termed as domestic flights. Automatically, the cost will become cheaper. On matters of telecommunication, I can confirm to the House that the Central Corridor is about to be completed and soon it will be like the Northern Corridor. So, you can call while in Tanzania and Bujumbura.

Hon. (Dr) Nyikal, has asked about research. I want to confirm to him that the East African Health and Research Commission (EAHRC) in Bujumbura is doing very well. It facilitated and supported the EAC so well during the COVID-19. As a result, we were at a better place than some countries in the West.

Hon. CNN spoke of the East African Monetary Union (EAMU). I can confirm to the Members that this was signed on 30th November 2013 immediately after I joined the Committee of Regional Integration. So, I was relatively new. Quite a number of legislations of EAMU have been signed. In fact, we are thinking of where the East African Central Bank will be placed. We hope it will be placed in Kenya, but this is only a matter of time. Economies and analysis of several factors are being considered just like in Europe. We are still looking at the nitty-gritty so that when we go this way of a common currency as the EAC, we shall be sure we are going in the right direction.

In conclusion, several Members have spoken highly on trade barriers. As you will remember, in my debate, I quoted that the population of East Africa is similar to that of the United States of America. There is no doubt that we can do intra-trade within ourselves more than international trade.

Hon. Members have picked the trade barriers and non-tariff barriers. I want to inform you that once we adopt this Report, we will urge the Council of Ministers to fast-track the EAC Elimination of Non-Tariff Barriers Act of 2017, hand-in-hand with this House calling them to increase the budget. As I already indicated in my deliberations, we have a vote in the East African budget which deals with non-tariff barriers. This department suffers from lack of staff and facilitation. You can imagine a department entitled or supposed to go the whole region with almost nine countries now, but with so little funds that cannot move them out of Arusha. They may not know what is happening in Moyale, Busia and other borders. I thank everyone once more and I say that I am happy as the Chairperson of the Committee on Regional Integration to have noticed that many Members nowadays are enjoying debating the Motions of East Africa. By way of information and not pre-empting, we shall soon be tabling a report on visit to the Kiswahili Commission. As a Committee, we have agreed we shall be tabling this report in Kiswahili. We shall be requesting the Members to discuss it in Kiswahili. So, Hon. Members, start preparing your Kiswahili language because language is a key factor in trade and we cannot thrive in trade if we do not even understand each other.

With that, I thank you and I beg to move.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai) Chair I give you another opportunity to just put on record that you reply

Hon. Wanjiku Muhia (Kipipiri, UDA): Sorry, I beg to reply.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai) Thank you very much Chairlady, Hon. Wanjiku Muhia and also thank you very much for being informed. An informed Chairperson is an asset to the Committee. So, thank you very much. Hon. Members, I defer putting of the Question to another sitting as it will be scheduled by the House Business Committee.

Next Order.

ADOPTION OF REPORT ON ENHANCING REPORTING OF PARLIAMENTARY
BUSINESS ON ONLINE PLATFORMS

The Temporary Speaker (Hon. (Dr) Racheal Nyamai): Hon. Daniel Nanok.

Hon. Daniel Nanok (Turkana West, UDA): Thank you Hon. Temporary Speaker, for the opportunity to move this Motion. I beg to move the following Motion:

THAT, this House adopts the Report of the Select Committee on Parliamentary Broadcasting and Library on Enhancing Reporting of Parliamentary Business on Online Platforms, laid down on the Table of the House on Wednesday, 4th October 2023.

This Committee is established pursuant to Standing Order 212(d) and that Standing Order mandates the Committee among other mandates to consider and report on all matters relating to broadcasting of proceedings of the House and to advise the House on matters related to public participation.

Hon. Temporary Speaker, Article 118 of the Constitution of Kenya, 2010 provides that Parliament shall conduct business in an open manner and its sittings and those of its committees shall be in public. It also provides for public participation and involvement of the public in legislative and other business of Parliament and its committees.

In addition, Articles 34 and 35 of the Constitution of Kenya, 2010 provide for the freedom of the media and access to information respectively. Involvement of the media in scrutinising Parliamentary proceedings and business in plenary and in-House committees is fundamental to meeting the threshold of good governance. This Committee is seized on the matter of public participation. We have developed a Bill that is already a possession of this House on matters public participation, which is a very important aspect in governance.

The Parliamentary Service Commission has a Strategic Plan, 2019 to 2030 and in that Strategic Plan there is Pillar No. III, which is a matter on public trust, that is the involvement of the public in the legislation and the oversight functions of Parliament. It is because of the importance of engaging the public in matters legislature that Parliament in its wisdom started the Parliamentary Broadcasting Unit (PBU), which was established in 2008 and there exists a contractual agreement between the Parliamentary Service Commission and the Kenya Broadcasting Corporation (KBC) to broadcast Parliamentary business on a 12 hour per week arrangement on radio and television.

This contractual arrangement is somehow restrictive because of the 12 hours. The other thing about that contractual agreement between the Kenya Broadcasting Corporation and the Parliamentary Service Commission is that, that broadcast is within Nairobi and its environs. This means that the members of the public outside the Nairobi area do not get the broadcasts. Maybe there can be broadcasting through other media houses that are fed by KBC, but the contract is between the KBC and the PSC. That is restrictive.

It is important for us to realise that the world is changing. We are now at the digital age which requires that we take all activities that are undertaken in Parliament to a wider audience. This is the reason the Committee on Parliamentary Broadcasting and Library decided to bring

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this Motion to the House, that we would rather expand the scope and the space of reach for all the public. This scope is enabled by the digital platforms, that is the social media platforms. As I speak, the Parliamentary social media presence is as follows: We are on *Twitter* as Parliament and we have a following of about 350,000 people. We also have a *Facebook* page with a substantial following of about 88,000 followers. We are also on *YouTube* channel and even on *Instagram*.

These social media platforms accord Parliament a good outreach where they can interact with the public on matters legislation and representation. This is the way Parliament can then broadcast itself and get to be known what business goes on in Parliament at any time. After us interacting with experts in the departments of Broadcasting, ICT and the Media Relations of Parliament, we observed the following:

That the Parliamentary Service Commission has a social media policy which was passed in 2016 and with the rapid pace of technological change, new trends in the social media sector have since emerged. The official social media channels are hosted on different sites of Parliament and, therefore, do not make access easy for the users. The *YouTube* channel for instance, is underutilised in terms of providing comprehensive media coverage of activities undertaken by the Members of Parliament. You will bear me witness that a lot of work done by the Members of Parliament, either in their committees or in their constituencies and counties go unnoticed. They are localised and yet there can be very good lessons that can be shared across the country if these activities were to be broadcast across the country via the social media platforms that the Parliament of Kenya hosts.

The usage of the parliamentary social media channels to disseminate activities undertaken by the Members of Parliament in their respective constituencies need to be enhanced. This will give the Members of Parliament visibility right to the grassroots. These are the kinds of interactions that need to be encouraged between the Members of Parliament and the public or the people they represent, and the departments they oversee. In this manner, Members of Parliament can be said to be at work in their various areas. It is not only in the Chamber that Parliament works. To paraphrase a quote by our former Speaker, "Parliament in committees is Parliament at work." As it is now, very few of our members, in fact our committees, get covered or are broadcast live. If broadcasting through social media platforms is introduced, it will increase the Kenyan people's interest in understanding what their Members of Parliament are doing in their committees, constituencies and counties. It will show the amount of work Members of Parliament are engaged in as they serve their constituents.

Publishing Hon. Members information or content on Parliamentary social media platforms will require proper mechanism for authentication and verification of information sources to ensure credibility and accuracy of information. That is very true. There are 47 counties where our Woman Representatives and our Senators work from, and 290 constituencies. That is a huge constituency and if we have to reach out to the grassroots, then we have to establish points of contact and focal points in the various constituencies and counties so that information generated from the constituencies and the counties can be shared in a manner that is organised and relevant for promoting the work of Parliament and the image of the Members of Parliament.

Hon. Temporary Speaker, we need to be innovative as the Parliament of Kenya. Kenyans want to interact with this Parliament. The unfortunate thing that happened to us in June when this Chamber was stormed had everything to do with public participation, where the public feels that they have not been listened to effectively by their representatives.

If this Motion is adopted in this House, I believe it will kick-start a process of reaching the lowest point of representation, which is the constituency for Members of Parliament, in terms of information about parliamentary business, information about the work of the

parliamentarians, and in so doing, we will dissipate some of the fears that our members of the public have about the work Members of Parliament do while they are here.

Based on those observations that we made as a Committee, having interacted with experts in Parliament about how we can improve the broadcasting of parliamentary business using these online platforms, the Committee recommends that the Parliamentary Service Commission, which is the executing arm of this House, reviews the Parliament of Kenya's social media policy to account for technological changes that have arisen or that have come in, the new trends, and ensure that policy remains relevant. We do not have to go by what we passed in 2016, and you bet the changes that come with these technologies come so fast. Some of these things that were passed in 2016 are not relevant anymore. So, the Commission needs to review that policy and invoke it, so that it is useful for the broadcasting and visibility of Parliament and the Members of Parliament.

The parliamentary website needs to ensure that the official social media channels are domiciled on the website for easier accessibility. If that can be put into one website where you can access your *Instagram* on Parliament, the *YouTube*, and those other social media platforms, it would help in terms of ease of access.

Developing guidelines on the packaging of content or information of activities undertaken by the Members of Parliament in their respective counties and constituencies, and dissemination of the same through the *YouTube* and other social media platforms would be a plus for this House and the Members of Parliament. We need to follow the works of the Members of Parliament right to their constituencies. We are rich in terms of what we do as a legislative arm of Government. We are rich in terms of these services that we offer the public that have given us the mandate to come and represent them here.

My Committee is asking the Parliamentary Service Commission to allocate adequate resources in their budget for purposes of identifying the focal people that can be used by the Parliament social media engagement to collect information, bring it and process it, and package it in a useful manner that is going to educate the people of Kenya and sell the Members of Parliament and Parliament as an institution in a manner that will give Parliament its dignity, and its worth in the society. Otherwise, at the moment, there is a lot of inauthentic information and stories about Members of Parliament and Parliament as an institution. You will find a write-up of a Member of Parliament by a media channel that is not factual nor truthful and that hurts the image of Parliament as well as the Member of Parliament giving us a raw deal in terms of who we are as Members of Parliament and what we stand for as leaders in this country.

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) left the Chair]

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

It is my humble submission that there needs to be an effective communication and media coverage of the Members of Parliament. If we do that, we will have less of the kind of interactions that we had with the public that was not very positive and that did not portray Members of Parliament in a good light. We must listen to what the people of Kenya want from us. We are their servants and the only way to serve is to be in tandem with their desires. They have given us the honour to represent them here. We do not come here to represent ourselves. We must have an effective communication channel or media, and this is what the Committee on Parliamentary Broadcasting and Library is presenting to this House in this Motion. We need to expand our space of broadcasting, go beyond the traditional television and radio broadcasting of parliamentary business and move on to online platforms. The number of people you are going to reach on the online platforms is huge based on the technology that the online platforms afford us. You can see what we can do with our phones. These phones are everything

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that we need now. We will listen in, intervene, interject, and give opinions through these platforms. That interaction will enhance our legislative roles and the participation of members of the public on legislative matters.

Finally, allow me to end by urging this House not to lose our traditions and practices while utilising social media channels. In the end, it is for the legislature to be agile and use the opportunities offered by the platforms to advance its constitutional mandate.

If this House adopts this Motion, we will have given the Parliamentary Service Commission (PSC) the task of taking us to our constituencies to connect us with our constituents in a manner that will enrich our oversight and representative roles. I want to end there by requesting Hon. Wanjiku Muhia to second this Motion.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Muhia.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Temporary Speaker. From the outset, I want to congratulate the Committee and the Chair. This Motion could not come at a better time. This Parliament is premised on Articles 95 and 96 of the Constitution for the welfare of the society and the just government of the people. However, the welfare of society and just government of the people is not known by the said people. In Parliament, we represent, legislate and oversee. Still, so little of that is known because, in the current era, information on online platforms moves so fast out there, as the Chair has indicated. Yet, this Parliament – without despising Kenya Broadcasting Corporation (KBC) – is still on KBC. That means, for example, today's news will be known tomorrow.

The principles of communication dictate that you must have a message, a channel and a receiver. The message must be channeled, and the receiver must receive it and give feedback. A practical example is that recently, we had the Finance Bill, and our usual modes of communication were not received. We only received feedback from Generation Zs because the Finance Bill's most contentious issues, like bread, sanitary towels and land issues message were well conveyed, and the receiver received it, whereas Parliament did not do the same. Instead, we, the Parliament, received the feedback of "Reject the Finance Bill" yet we had a good Bill but did not convey that message about it. With that, I will urge the Parliamentary Service Commission to consider a considerable budget for the communication department in Parliament to enhance the capacity of the communication handlers. We could have officers who were trained a long time ago, yet times have changed, and information is needed, like instant coffee.

Without further ado, I second the Motion. After this Motion, I urge the Chair and the Committee to consider moving higher by generating a Bill or reviewing the 2016 policy to align with current times.

Thank you.

(Question proposed)

The Temporary Speaker (Hon. Peter Kaluma): The Deputy Majority Whip, Dr Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker. Pursuant to Standing Order 96, I propose deferring this Motion and moving to the next Order.

The Temporary Speaker (Hon. Peter Kaluma): In my entire life as a Temporary Speaker, I have never seen a Motion before the Floor of this House moved with such detailed information and knowledge. Therefore, before I consider the request made by the Deputy Majority Whip, let me congratulate the Mover and the seconder for a very informative moving. I can see Hon. Dr Makali Mulu agreeing. The only Professor in the Public Accounts Committee, Dr Wilberforce Oundo, also agrees. For once, I note that Hon. John Kiarie, the

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Chair of the Departmental Committee on Communication, Information and Innovation also in the House, purposely made very substantive contributions to this. I thank those who want to proceed. However, looking at this matter, particularly the perspectives brought out by the Mover and the seconder, I request that we agree to move this important matter, considering what the Assembly went through a short while ago and the substratum, to a future date. So, it is so ordered. This will be debated the next time it will be scheduled.

I know that hurts Hon. John Kiarie who wanted us to contribute immediately and so does the seconder and, of course, all interested parties. Allow us to go by that decision so that we debate this when the House is a bit fuller. That is very critical.

(Debate deferred)

Next Order.

ADOPTION OF REPORT ON THE CONSOLIDATED FUND
SERVICES EXPENDITURES FOR THE FIRST SUPPLEMENTARY
ESTIMATES FOR FINANCIAL YEAR 2024/2025

The Temporary Speaker (Hon. Peter Kaluma): The Chairperson, Public Debt and Privatisation Committee to move.

Do we have the Mover? That is Hon. Dr Makali Mulu. Give him the microphone.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Public Debt and Privatization Committee on its consideration of the Consolidated Fund Services for the Supplementary Estimates I for FY 2024/2025, laid on the Table of the House on Wednesday, 24th July 2024.

The Consolidated Fund Services (CFS) expenditures constitute mandatory expenditures that are directly charged to the Consolidated Fund and include public debt servicing expenditures, pension payments, salary and allowances for independent offices and constitutional commissions, among other expenditures. Under the first Supplementary Budget for 2024/2025, the total CFS expenditures are estimated to increase by Ksh23.78 billion.

As such, they will remain the largest government expenditure component. The increase in CFS expenditures is attributed to the increase in pension expenditures, and there are no changes to the public debt servicing expenditures. This will remain at Ksh1.85 trillion, comprised of interest and principal payments—interest worth Ksh1.01 trillion and principal about Ksh843 billion. In short, the part of public debt is not changing. The only change in the supplementary estimates is associated with the pension.

The Ksh23.78 billion increase in pension liabilities is attributable to carryovers and unsettled pension claims due to liquidity challenges experienced in the Financial Year 2023/2024. This amount includes Ksh21.22 billion in lump sum payments owed to retirees and Ksh2.56 billion in employer contributions to the Public Service Superannuation Scheme.

The breakdown of those who have retired is as follows: The July 2024 monthly payroll includes 259,222 principal pensioners, drawing a total of Ksh5.51 billion, and 83,615 dependents expected to have received Ksh8,751.9 million. Additionally, 13,403 civil servants are projected to retire this year with entitlements to lump sum payments and monthly pensions. In short, because of the liquidity challenges in the country for the last financial year, we had carryovers in terms of pushing some payments to this financial year, just as we did with the National Government Constituencies Development Fund (NG-CDF) payments and the county governments equal share, which was not released.

Following this increase, pension liabilities will thus amount to Ksh223 billion for the Financial Year 2024/2025. It will now constitute 6 per cent of the total expenditure or 2.3 per cent of the Gross Domestic Product (GDP), consistently becoming one of the Government's largest expenditure items. Pension expenditures have grown at an annualised rate of 21.3 per cent, since the Financial Year 2014/2015, when they stood at Ksh2.4 billion. This expenditure item keeps on increasing year in year out. The National Treasury indicated that the overall borrowing target was supposed to remain at the ratio of 45:55, meaning domestically, we borrow 45 per cent and externally, we had planned to borrow 55 per cent.

To finance the fiscal deficit for Supplementary Estimates I, the indicated borrowing framework is currently estimated to cause a further increase of Ksh1.1 billion in net domestic borrowing. Further, Kenya should borrow an additional Ksh2.6 billion from the external markets. This means we are now shifting the ratios instead of the original plan of a 45:55 mix. It has now changed to a 53:47 mix. This means with the new supplementary budget, the Government targets to borrow 53 per cent domestically and 47 per cent externally. As you can see, the ratios have changed, and they have implications.

The Committee observed a growing dependency on domestic borrowing. While recognising the constraints of current financing options. It is important to highlight that domestic debt servicing constitutes the largest portion of public debt servicing, representing 68 per cent of the total public debt servicing expenditures. This means that out of the total interest rate, we will pay about Ksh1.01 trillion. Sixty-eight per cent of that amount will go to service domestic loans. This means only 32 per cent will be servicing external loans.

Consequently, an increased reliance on domestic borrowing indicates an elevated exposure to interest rate risks and refinancing risks. The Committee noted that the liquidity risk in the Financial Year 2024/2025 would have been mitigated if the Treasury Single Account (TSA) had been operational. This has been mandated by both the Cabinet and numerous House resolutions, but it is not operational up to now.

The Treasury Single Account is essential for consolidating Government finances into a single account, facilitating budget execution, increasing transparency, and controlling expenditures. The Committee noted that the National Treasury did not provide a timeline for establishing a Treasury Single Account, resulting in a slow pace of implementation of this critical resolution.

The Committee, in its Report, has made recommendations. We are very happy that Hon. Mbadi is now at the helm of the National Treasury. As you know very well, both of us have been pushing a lot of reforms in our financial sector. When I met him here yesterday after approval, I challenged him. I told him that God has now given him the opportunity we have all been looking forward to. I will keep reminding him of what we have always wanted to implement.

Now, we have a person who appreciates and can implement some of the things we have been discussing all the time with Hon. Mbadi and the House as a whole. The recommendations we are pushing forward as a committee, the implementer is none other than Hon. Mbadi. We are happy he knows what we are saying.

Recommendation No.1 is that within 30 days of the adoption of this Report, the National Treasury, headed by Hon. Mbadi, should draft an annual borrowing plan for the Financial Year 2024/25, pursuant to Section 63 of the Public Finance Management Act, 2012 and Regulation 186 of the Public Finance Regulations of 2015 of the same act. After that, the plan will be submitted to the National Assembly. The plan should also be published on the National Treasury website for transparency. This plan will guide us as a country regarding our borrowing plan and how we use our loans.

Recommendation No.2 is that the National Treasury should develop an expenditure prioritisation mechanism before issuing the 2025/2026 Budget Circular so as to increase

resources towards capital development by 100 per cent over the medium term. Also, target capital projects with a greater impact on capital formation and GDP growth to improve the country's long-term debt repayment capacity.

We need to improve where we are pushing our loans in terms of development. Our first commitment is ensuring a smooth transition from cash-based to accrual-based accounting. The National Treasury should be able to create a detailed and time-bound transition plan to ensure that the transition is completed by the end of the 2024/2025 Financial Year.

To ensure accountability and transparency, it should also provide quarterly updates to the National Assembly and other relevant stakeholders on the progress of the transition.

The National Treasury should expedite the establishment of the Treasury Single Account required to mitigate good risks and ensure timely implementation of both the Cabinet and House resolutions. It should also ensure that the Treasury Single Account is established and fully operational by the end of the Financial Year 2024/2025 and submit a progress report to the National Assembly by 31st December 2024.

The National Treasury should conduct awareness campaigns within Government entities to highlight the benefits of the Treasury Single Account and ensure its smooth adoption.

The fifth recommendation was that the National Treasury diversifies the fiscal deficit financing strategy by enhancing the use of grants from development partners and decreasing reliance on borrowing. We have discovered that our development partners have given this country some grants. You will be surprised that we are so keen to use the loans, yet the grants lie idle in some accounts. A grant is free money and not expected to be paid back. It is to enhance the friendship. Loans are to be paid back.

It is very surprising, for example, that if I give you Ksh1,000 to use and a Ksh2,000 loan, you start using the loan, which you are supposed to pay back and leave the grant idle. This does not make economic or financial sense. The National Treasury should, therefore, make sure that we use the grants before we start using the loans. This will help the country.

The other recommendation was that the National Treasury reduces the volume of carryovers by ensuring that pension payments are made promptly, providing consistent financial support to retired civil servants and their dependents. We have realised a time lag in paying pensions to our elders who have retired from the Civil Service. They have provided excellent service to Kenyan citizens and us as a country. When they retire, it takes six, eight, or even more than a year to get their pension. This is very unfair. With the leadership of Hon. Mbadi, we expect pensions to be paid on time so that they feel appreciated for having worked for this country.

In order to enhance transparency in pension management in Kenya, the National Treasury should publish quarterly reports on the management of the country's pension. This report should be published and submitted to the National Assembly at least 30 days after the end of each quarter so that we can examine it.

The Medium-Term Pension Management Strategy should be published and submitted to the National Assembly by 15th February each year so that we can understand what is going on with the pension. The Annual Pension Management Report should be published and submitted to the National Assembly within two months of the end of each financial year.

This Committee has been able to table quite a number of reports, focusing on the Consolidated Fund Services expenditures. Some of these reports have very good recommendations that can help this country move forward. That is why I always thank the National Assembly for the wisdom of creating the Select Committee on Public Debt and Privatisation. It is a creation of the 13th Parliament. I appreciate the leadership of the National Assembly for coming up with this original idea of creating this Committee. Public debt is a matter of national concern. Our ability to address this matter means we will have more resources to implement development programmes for the sake of Kenyans.

I thank the Members of this Committee for sitting down and looking at this. We hope that the recommendation we have given as a Committee will be adopted by the House so that we improve our financial management. This will enable our country to rely less on external financing and more on ordinary revenue, which is the money we collect locally.

We have realised that we are facing the challenge of corruption. Just as we have corruption matters relating to our local revenue, we have also seen some areas where it seems to be taking route in the area of public debt. As a country, we must get corruption out of financial management issues.

I believe that the National Treasury has the right capacity, personnel, and instruments to manage our public debt. What we require is goodwill at two levels. Goodwill at the political level, where the highest political level of this land must provide goodwill and goodwill at the level of the Cabinet Secretary, where the Debt Management Office and Treasury should be given independence to advise the Government on matters of public debt. This is so that we get the right technical advice. If Hon. Mbadi can take that advice and advise the President accordingly, then public debt issues will be sorted out within a very short time, and our country will get back on the right track in terms of financial management.

I beg to move and request Hon. Thuku, a Member of our Committee, to second this important Motion. Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Thuku Kwenya.

Hon. Kwenya Thuku (Kinangop, JP): Thank you, Hon. Temporary Speaker.

I thank our Vice-chairman for the powerful address as he moved this Motion by the Committee. I second and support this report that emanated from our sittings as Members of this Committee. In my support, I take a three-pronged approach because I want to talk about three things.

We can do nothing much about Consolidated Fund Services expenditures because they are the first charge of the Consolidated Fund Services. We have to pay our debts, the offices of the President and Vice President, independent commissions, and other independent offices, and of course, that comes as the first charge. This Report, therefore, gives Treasury the power to do just that within any fiscal year.

Looking at the numbers and figures, Kenyans should be worried about where we are as a country. For example, in 2024/2025, we expected to collect revenue of about Ksh3 trillion. Out of it, Ksh2 trillion will have to be spent on loans and interest.

In fact, Ksh1 trillion is going to pay interest on our loans, and Ksh900 billion will be the component used to pay the principal amount. It therefore means that more than two-thirds of our revenue will repay debts.

As the first speaker has just spoken, Hon. Mbadi, who is the former Member of Suba South and a leader in this House, has some work to do in coming up with a solution to fix the debt issue. The withdrawal of the Finance Bill 2024 poses more challenges to the Ministry of National Treasury and Economic Planning. This is because we denied ourselves or were denied an opportunity to collect Ksh346 billion. This would have gone a long way in bridging our fiscal deficit, which has increased now because of the failure of passage of that Bill to the tune of Ksh765 billion. We will have to look for somewhere to raise that money. It does not make things better.

I want to say that this country would have collapsed if it were not for God being on our side. We faced demonstrations and protests that are going to shrink our revenue collection. If these protests are sustained and we do not get a solution to stop them, our country will go down the way many other failed states have done. God forbid, that should not be the case. We are enjoying a good economic time, so to speak. Look at inflation. We are at 4.58 per cent yet we have had these challenges. Thank God for the rains and the good harvest that we have been enjoying. Things would have been worse if we were importing all this stuff. Thank God for the

stability of the Kenya Shilling. Our shilling continues to be strong as it is today despite the ongoing protests. I had an opportunity to engage in foreign exchange yesterday and found out that the dollar was changing at Ksh130. That means we have had sustained stability in our shilling for quite some time.

An issue has been mentioned on the Single Treasury Account. As much as we want to take care of local banks, it is self-defeating for every government agency and entity in a country like Kenya to have bank accounts in commercial banks. Looking at our borrowing mix, you will see that the money we borrow is a chunk. Now, proposed domestic borrowing is 55 per cent and foreign borrowing is 45 per cent. This 55 per cent means we will borrow in excess of Ksh400 billion locally. All these monies are going to come from commercial banks. Let us look at its flip side. How much money do we have?

Time will distract me. I beg that you add me more time so that I can prosecute my case. How much money do government entities have in commercial banks due to failure to have a Single Treasury Account? We are forced to borrow our own money. The Government keeps on borrowing our money or the Government's money. We must bring the Single Treasury Account to fruition. It must be actualised to save us from borrowing our own money, paying unwarranted interest, and causing interest rates to go high because of the Government's high demand for domestic borrowing.

The Temporary Speaker (Hon. Peter Kaluma): How long do you need to complete the contribution and elaborate on your last point on the Single Treasury Account? Give him five minutes.

Hon. Kwenya Thuku (Kinangop, JP): Thank you, Hon. Temporary Speaker, for your magnanimity and generosity.

On the Single Treasury Account, we are saying that no government entities and corporations should run unwarranted bank accounts. We should have one account and consolidate all monies in the Central Bank of Kenya. We do not need to go to commercial banks in the event the government wants to borrow any idle money. Government can spend its own money and keep pushing monies to entities that require them as they collect when they require them. We have witnessed massive corruption through government entities having bank accounts in commercial banks and negotiating unaccounted interest rates with banks. Developing or inception of a Single Treasury Account is the way to go.

I would also like to speak about pensions. We have not paid lump sum payments to pensioners who retired five or ten years ago. There is authority to spend from the Consolidated Fund. You hear they are not paid because of liquidity or other issues. That is not the issue. We must pronounce ourselves on this as Parliament. Much corruption is happening. You cannot convince me on why they have not paid someone who retired in 2020, yet the one who retired in 2024 has received the lump sum payment and their monthly pension. We need to look into that.

My recommendation is that we have a first-in first-out arrangement. Whoever retired last should wait for their pension after whoever retired first gets it. That way, there will be a seamless payment that will not be seen to be favourable along who knows whom in the technical ranks in the pensions department. If you look keenly, you will realise that pensions are exponentially increasing. As a country, we should ask ourselves whether this trend is sustainable. Therefore, I join those asking what the retirement age of our civil servants should be. The sooner they retire, the more we depress this pension space. We will be paying so much to people who have the ability to work in the Government.

Again, there is creating employment for young people. It is a balance to keep. We will be saying something else when we decide that every civil servant must retire at 60. We will be straining our CFS expenditure on the amount of pensions we should be paying.

I want to support this Report and bring Members up to speed on the need to focus on public debt. It is depressing in this country. I second the Report.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Wilberforce Oundo, Questions are first proposed. Listening to Hon. Thuku Kwenya and Hon. (Dr) Makali Mulu, I do not think we have a reason to mourn Hon. Mbadi joining the National Treasury because we have it all from you. We can now help Hon. Mbadi as he helps us to work together for the nation and the economy. In fact, I have always said Hon. (Dr) Makali Mulu is my Cabinet Secretary for the Ministry of the National Treasury and Economic Planning. I did not know the blessings were going to land on Hon. Mbadi instead. We wish them well. Let me propose the Question.

(Question proposed)

Hon. (Dr) Wilberforce Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Whichever pleases you, can I stand on Standing Order 35 and request that we either have the numbers or defer debate under Standing Order 96? A quorum at 35 or debate on 96, given the importance of the Motion whose Question has been proposed, noting the central role of public debt in locomoting this economy and looking at the numbers in the House, it is grossly unfair to the people of Kenya...

The Temporary Speaker (Hon. Peter Kaluma): Your point is made, Hon. (Dr) Wilberforce. That is the beauty of listening to a man and a leader like you: You make one statement, and we hear the point you are making.

Could we allow Hon. Jessica Mbalu to contribute as I consult the Standing Orders on the point? If you permit, Mover, we will decide on the matter being raised by Dr. Oundo.

Hon. Jessica Mbalu (Kibwezi East, WDM): Thank you, Hon. Temporary Speaker, for the opportunity. In fact, I really wanted to support Hon. Oundo, given the strength and the weight of the matter. Since you are consulting him, allow me to say that I support the Report by the Committee on Public Debt and Privatisation. This report was moved very well by my very able Member of the Wiper Democratic Movement, Hon. Makali Mulu, and seconded very well by Hon. Thuku.

Recommendation No. 6 talks about reduction by the National Treasury on the volume of the carryovers, so that the pension payments are made promptly. We have a lot of unpaid pensions. Look at the teachers and all the different areas. To address the fiscal pressures arising from increasing liabilities, it is important to implement efficient pension reforms and allocate more resources to manage these financial challenges effectively. If you look at the report, the change is attributed to increase in expenditure related to ordinary pensions by Ksh5.7 billion, community pensions by Ksh15.5 billion, and the public service superannuation scheme by Ksh2.7billion. This is welcome, and I must commend the committee on the same.

The Supplementary Estimates I for the Financial Year 2024/2025 was submitted to this House on Friday, 12th July 2024 for consideration by the Members pursuant to Article 223 of the Constitution and Section 44 of the PFM Act, 2012. So, I thank and congratulate Hon. Members on their recommendations.

On Recommendation No. 5, the National Treasury diversifies the fiscal deficit financing strategy by enhancing the use of grants from development partners and decreasing reliance on borrowing. In the morning, our own Hon. Mbadi, who has been in Parliament with us since 2013, officially became the Cabinet Secretary for National Treasury and Economic Planning. Now that we have been sitting on the same side of opposition, he knows very well what we have been talking about: issues of finance and economy. That is what Kenyans have been complaining about. I am sure he is going to fix those gaps.

On Recommendation No. 2, we are asking the Treasury, through the Committee of the National Assembly — a very respected committee and I am happy that the committee has been able to come up with recommendations that this august House and its Members will be remembered for — that we develop prioritisation mechanisms before issuing the 2025/2026 Budget Circular so as to increase resources towards capital development. This is welcome.

The committee is proposing an increase by 100 per cent over the medium term and target capital projects with a greater impact on capital formation and GDP growth to improve the country's long-term debt repayment capacity. As a country, we have been complaining and we have seen that there is a problem of public debt. I think through adoption of this report, we will manage our debts very well and, of course, increase local borrowing.

I appreciate and thank the committee for the recommendation that ...

The Temporary Speaker (Hon. Peter Kaluma): Why are you cutting Hon. Jessica Mbalu?

Hon. Jessica Mbalu (Kibwezi East, WDM): Hon. Temporary Speaker, is there sabotage?

The Temporary Speaker (Hon. Peter Kaluma): How many more minutes do you need?

Hon. Jessica Mbalu (Kibwezi East, WDM): The people of Kibwezi sent me here. I do not want sabotage. I just hope and pray that they are machines.

The Temporary Speaker (Hon. Peter Kaluma): More so when you are in the colours of Wiper.

Hon. Jessica Mbalu (Kibwezi East, WDM): Thank you.

The Temporary Speaker (Hon. Peter Kaluma): How many more minutes do you need, Hon. Jessica Mbalu?

Hon. Jessica Mbalu (Kibwezi East, WDM): Even two is enough, because I can see Members want to contribute too.

The Temporary Speaker (Hon. Peter Kaluma): Jessica Mbalu, three minutes. Do not stop Hon. Jessica Mbalu when she is making those important points. You have three minutes.

Hon. Jessica Mbalu (Kibwezi East, WDM): Thank you, Hon. Speaker. May God bless you.

The recommendation by the Committee is welcome. It will help the National Treasury and Kenyans to ensure that our debt is managed well and that there is prudent use of our resources. I hope Cabinet Secretary, Hon. Mbadi, who has been with us, is listening and is watching.

It is recommended that the National Treasury submits annual borrowing plans to the National Assembly in accordance to Section 63(d) of the PFM Act, 2012 and the Public Finance Management (National Government) Regulations, 2015. This plan should be published on the National Treasury website for transparency processes.

I agree with Hon. Makali that we have enough staff who have the capacity at the National Treasury, and now that the Cabinet Secretary, Hon. Mbadi is there, this is the time to test him. This is the time to test what he has been speaking about. Even if he went to the other side, we have to test him. The public debt is a matter of national concern and so as we improve our financial management, we want to rely less on the external loans.

I want to be on record that I support this report, most importantly on the issue of the pensioners. How I pray that through this report, those who have not been paid their pension will get their pension, and the National Assembly Members will be blessed.

That is the message from Kibwezi East Constituency. Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Jessica Mbalu. Hon. Abdikadir Mohamed.

Hon. Abdikadir Mohamed (Lagdera, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this debate on Consolidated Fund Services expenditures. The problem of this country is about loans and public debt. If you look at the CFS expenditures, the first charge is about Ksh2.08 trillion. These are the loans we pay - the principal amount, the interest and also the salaries for constitutional office holders like judges, President and Deputy President. What do we collect in a year? Last year, we collected about Ksh2.7 trillion. Almost 70 per cent of our revenues go to CFS expenditures. We also have to finance our recurrent and development expenditure. This makes us borrow more money, but I think there is a way that we can reduce this reliance on loans. Middle East normally gives grants: free money with no interest and repayments. Since the year 2015, Ksh15 billion has been given as grants by Middle East countries like Saudi Arabia through Saudi Fund and Kuwait through Kuwait Fund. Some of them were meant for projects within my constituency.

The Modogashe-Samatar Road was paid for using the Kuwait Fund and this money has not been utilised. For one single reason, we are told that the staff at the National Treasury think they can get nothing from grants. They prefer to borrow loans because they can get something. I think this is a case of economic sabotage. As Hon. Mbadi reports to the National Treasury, he should deal with some of the staff who have not been processing grants for the last 15 years because they will get nothing. I think he should deal with them ruthlessly.

We closed the last financial year with almost Ksh220 billion in pending bills. I am a Member of this committee and a certain department had almost Ksh20 billion in pending bills in the last financial year. They were told that this pending bill should be their first charge this financial year. This means, they will have a budget cut of almost Ksh20 billion. We will continue creating a financial hole for our departments. The National Treasury should avoid having pending bills from one financial year to another and telling departments to pay them as a first charge. If they closed the year with Ksh20 billion in pending bills, it means this financial year's budget will be reduced by another Ksh20 billion. We are just creating another financial hole.

My colleagues have talked on the issue of the Treasury Single Account. I want to add that once we have this account, commercial banks will lose. This is the money they are lending to Kenyans and the Government. We need to balance the interest rates of the commercial bank and the Government. If we have a Treasury Single Account this does not mean we move everything from commercial banks to it. We must be careful because I am sure banks will not like this story.

Going back to my point about the grants, the Government should look at the side of Middle East. I am sure this can be a very good deal for us and will reduce our dependence on loans from China or Western countries. The National Treasury should move with speed and process the pending Ksh15 billion grant from the Saudi Fund before this money is withdrawn by the country. I am sure by now, they want to take that money back.

The Temporary Speaker (Hon. Peter Kaluma): You need how many more minutes?

Hon. Abdikadir Mohamed (Lagdera, ODM): One minute to conclude.

The Temporary Speaker (Hon. Peter Kaluma): You have two minutes to conclude.

Hon. Abdikadir Mohamed (Lagdera, ODM): Okay. Thank you, Hon. Temporary Speaker. That money will be of great help to us. Imagine it was given to us in 2015 and up to now it has not been utilised. The National Treasury should investigate as to why it has been pending for the last 10 years. Now, the country is threatening to take the money back or give it to another country which is ready to use it.

Thank you, Hon. Temporary Speaker. I support the Report.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Hon. Wilberforce Oundo.

Hon (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. Due to the importance of the debate on the Motion at hand, I stand under Standing Order 96 to

move that debate be now adjourned to a later date so that we can debate it exhaustively when we are ready. I move that the debate be now adjourned.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Oundo. The debate on the Motion appearing as Order No.11 is adjourned to a later date as will be scheduled by the House Business Committee, for those good reasons.

Next Order.

(Debate adjourned)

BILL

Second Reading

THE COFFEE BILL
(Senate Bill No. 10 of 2023)

The Temporary Speaker (Hon. Peter Kaluma): Is the mover in the House? The Bill is stepped down for consideration in the future.

Next Order.

(Bill deferred)

MOTIONS

ADOPTION OF REPORT ON FUNDS SPENT CONTRARY TO
PROVISIONS OF ARTICLE 223 OF THE CONSTITUTION

THAT, this House adopts the Report of the Public Petitions Committee on its consideration of Public Petition No.4 of 2022 regarding Funds Spent by the National Government Contrary to the Provisions of Article 223 of the Constitution, laid on the Table of the House on Tuesday, 12th March 2024.

(Moved by Hon. Nimrod Mbai on 20.6.2024)

(Resumption of debate adjourned on 23.7.2024)

The Temporary Speaker (Hon. Peter Kaluma): Is anybody keen to speak to this particular Motion? It is a continuing debate on the Public Petition on Funds Spent Contrary to Provisions 223 of the Constitution. Do you want to make some contributions? Please proceed.

Hon (Dr) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Temporary Speaker. I remember the last time this Motion was before the House, it was moved and seconded. We adjourned it because this is a very important Report from the Public Petitions Committee. This Committee looked at some of the expenditure items under Article 223 of the Constitution which captures the Supplementary Budgets of this country. What needs to be done in case items have not been provided for in the budget and at the same time, what happens in case of an emergency?

Having looked at the Report to the end, you will realise that two items were not approved by the Committee and they recommended further investigations. This is Telkom

Kenya where the Government paid about Ksh6 billion for privatisation of this important Government entity. The other was food subsidies, as you can remember the maize flour.

Looking at the two items because this matter also came to the Budget and Appropriations Committee, we were not convinced that Parliament had no reason to regularise them as required by law. Most of these expenditures were done towards the election time. There are several lessons we have learnt from this because it was done at a time when the House was unable to approve them.

I want to thank the Departmental Committee on Agriculture and Livestock and the Chairperson, Hon. Mutunga. They looked at the matter and were able to single out genuine expenditure items and those that are not. Based on this, the lesson we learnt is that any time this country approaches elections, there is a very high likelihood of expenditure being incurred, which cannot help us at all and is targeted to finance campaigns.

That is why I like the recommendation that during any election year in this country, as a House, we need to safeguard public resources. This is by coming up with a very clear framework on what we should spend our money on about three or six months to election. This way, we will be helping our country in terms of ensuring that people do not take advantage of some laws under the Public Finance Management Act, 2012 to misapply and get public money for their campaigns.

Secondly, which is important, is that in any budget we do on an annual basis, there is a fund called the Contingency Fund. For example, if you look at the current budget for the Financial Year 2024/2025, because of the challenges we are facing as a country, we have only provided Ksh4 billion as contingency resources. These are resources that the country should use when we have an emergency.

Hon. Temporary Speaker, you may realise that despite this money being in an account at the National Treasury, people spend money under Article 223 of the Constitution and not under the Contingency Fund. Basically because the use of a Contingency Fund has a very well-detailed structure in terms of the use of money and you must account for it. Under Article 223, you can use the money and come to the House to ask Parliament to regularise it. Therefore, Article 223 is more prone to abuse as opposed to the Contingency Fund. That is why Ministries, Departments and Agencies (MDAs) rush to spend money under Article 223 and not the Contingency Fund.

So, regarding that point of the Contingency Fund, we must make sure that MDAs use the Contingency Fund before they start using funds as stipulated under Article 223. This is so that, once the Contingency Fund is exhausted, then they can have a reason to use the funds under Article 223.

Thirdly, Hon. Temporary Speaker, on matters under Article 223, as the House and Hon. Mbadi had said before, he proposed a Bill to amend the Public Finance Management Act and the Constitution on the use of funds under Article 223.

We need to support the new Cabinet Secretary for the National Treasury and Economic Planning so that we can amend the Constitution and get the utilisation of Article 223 streamlined. This is so that as we move into the future, no civil servant will abuse funds under Article 223. In that case, we will help this country and I can tell you public finance management issues will improve a lot in the country.

Hon. Temporary Speaker, the committee has said in this Report that it is still pushing for further investigations by the Directorate of Criminal Investigations (DCI) and other investigative agencies. However, as a House, this recommendation came through the Committee on Agriculture and Livestock, the same recommendation was pushed by the Budget and Appropriations Committee. Now, the Public Petitions Committee...

The Temporary Speaker (Hon. Peter Kaluma): Give Dr. Makali Mulu two minutes.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Hon. Temporary Speaker, I was saying that, time has come for these recommendations to be implemented. It is not a new recommendation. Hon. Mutunga pushed for the same recommendation, and the Budget and Appropriations Committee did the same. Now, the Public Petitions Committee is pushing for the same recommendation. Can we move to the next step where we direct the investigating agencies to take up this matter immediately so that within two or three months, or three weeks to four weeks, we get a detailed report? A report that can help the Directorate of Public Prosecutions (DPP) to push these people to court. If possible, we want to see heads rolling, so that we see people being taken to jail because of misusing funds under Article 223.

With those remarks, I support and submit. Thank you, Hon. Temporary Speaker.

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

Hon. (Dr) John K Mutunga (Tigania West, UDA): Hon. Temporary Speaker, I rise on a Standing Order 96.

The kinds of issues that Hon. Makali Mulu is bringing up are so salient and important that I would wish we would had quorum in the House. I would like to propose that we adjourn debate on this matter to a later date when probably we have more people in the House.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): I note Hon. Pkosing has come in to contribute to this debate, Hon. Sabina Chege, and the Deputy Majority Whip of the Party, (Dr) Naomi Waqo. But really, I will grant that this debate be adjourned to a future date so that we continue with it when the House is much fuller.

Next Order.

(Debate adjourned)

IMPLEMENTATION STATUS OF REPORTS ON PETITIONS AND RESOLUTIONS PASSED BY THE HOUSE

THAT, this House adopts the Report of the Select Committee on Implementation on its consideration of the First Report on Implementation Status of Reports on Petitions and Resolutions passed by the House, laid on the Table of the House on Thursday, 26th October 2023.

The Temporary Speaker (Hon. Peter Kaluma): Chairperson, Committee on Implementation. Engaged out of the house on other State duties, the Motion will be stepped down for consideration by Parliament at a later date.

(Motion deferred)

Next Order.

ALLEGED UNFAIR TRADE PRACTICES BY FOREIGN INVESTORS IN KENYA

THAT, this House adopts the Report of the Departmental Committee on Trade, Industry and Cooperatives on the Inquiry into Alleged Unfair Trade Practices by Foreign Investors in Kenya, laid on the Table of the House on Thursday, 7th March 2024.

The Temporary Speaker (Hon. Peter Kaluma): Chairperson, Departmental Committee on Trade, Industry and Cooperatives. Again, out of the country. Not out of the country, but out of the House on other Government engagements.

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I have stepped down this Motion to a later date, when it will be scheduled for consideration by the House Business Committee.

(Motion deferred)

Next Order.

SECOND REPORT ON EMPLOYMENT DIVERSITY AUDIT
IN PUBLIC INSTITUTIONS

THAT, this House adopts the Second Report of the Select Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions, laid on the Table of the House on Thursday, 21st March 2024.

The Temporary Speaker (Hon. Peter Kaluma): Chairperson, Committee on National Cohesion and Equal Opportunity. This particular Chairperson had requested that the Motion be stepped down.

Hon. Members, remember this is the day that the new cabinet was sworn in. Most of these Members are out on other State engagements. This particular Motion is also stepped down to a later date.

(Motion deferred)

Next Order.

REPORT OF THE EXTRAORDINARY SESSION OF
THE SIXTH PAN-AFRICAN PARLIAMENT

THAT, this House notes the Report of the Kenya Delegation to the Extraordinary Session of the Sixth Parliament of the Pan-African Parliament, held in Midrand, South Africa, from 20th to 27th March 2024, laid on the Table of the House on Thursday, 2nd May 2024.

The Temporary Speaker (Hon. Peter Kaluma): Member of the Pan-African Parliament, to move. Again, the Mover is engaged out of Parliament on other Government businesses. This particular Motion stands stepped down for consideration by the House at a future date.

(Motion deferred)

Next Order.

BILL

Second Reading

THE EQUALISATION FUND (ADMINISTRATION) BILL
(SENATE BILL NO. 14 OF 2023)

The Temporary Speaker (Hon. Peter Kaluma): Again, Hon. Members, the Chairperson, Departmental Committee on Finance and National Planning is clearly not in the House. Consideration of this particular Motion is deferred to a later date.

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(Bill deferred)

Let us be upstanding, Hon. Members

ADJOURNMENT

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, the time being 6.02 p.m. this House stands adjourned until Tuesday, 13th August 2024, at 2.30 p.m.

The House rose at 6.02 p.m.

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