Hon. Speaker, I am very sorry. I was looking for my Seconder and he seems not to be in. So, I was negotiating with Hon. Maanzo to second me and he is in agreement. I am the Vice-Chair of the Mediation Committee on the County Governments (Amendment) Bill, Senate Bill No.1 of 2014. The Senate appointed Senator (Dr.) Bonny Khalwale, Senator Billow Kerrow, Senator Janet Ong’era and Senator Kipchumba Murkomen. This House appointed Hon. Daniel Maanzo, Hon. Timothy Bosire, Hon. Limo and I.

The aim of the Mediation Committee was to try to bring a framework which could guide the county governments to remain within the Third Schedule of the Constitution, so that one day they do not wake up and transfer county headquarters from town“A” to town “B”.

We found the following:-

THAT, the Transition Authority had failed to classify urban areas and cities as they were leaving office as per Section 54 of the Urban Areas and Cities Act.

THAT, the physical locations specified in the Schedule of the County Governments (Amendment) Bill are currently not urban areas since they are not yet classified as such by the Urban Areas and Cities Act, 2011. The determination of the physical location of the headquarters of a county government should not only be a preserve of the respective county government, but also the people’s representatives at the national level. The Mediation Committee identified Clauses 2 and 3 as being contentious and agreed on the following:-

1. Clause 2 be amended by inserting the following new definition on “city” and “urban” areas to mean the same as defined under the Urban Areas and Cities Act, 2011.

2. Clause 3 be amended to provide that each of the county government shall be located in the respective physical location set out in the Third Schedule of our Constitution. A county assembly may, by a resolution supported by, at least, two-thirds of the members of the county assembly, and with the approval of Parliament, transfer the headquarters of the county government from the physical location specified in the Third Schedule to such other physical location as it may consider appropriate.

Hon. Speaker, this is the framework that we found most appropriate, so that in terms of transferring the county assembly, it remains a preserve of the people and the representatives at the national level, so that at no one time would the county government or the governor decide where the county government would be. We found it fit to put a framework in place which shall guide the transfer of any county headquarters in the event that the county government wishes to do so. A county assembly should, before passing this resolution, facilitate public participation as provided for by the Constitution. The county government should confer the status of an urban area to the seat of the physical location of the county government in accordance with the provisions that are set out in the Urban Areas and Cities Act, 2011. From the foregoing, the
Mediation Committee recommends that a mediated version of the Bill - attached herewith - should be approved by the National Assembly, having set the framework as I have defined. 
Hon. Speaker, I wish to thank you most sincerely, your office and that of the Clerk, for giving the Members that you appointed, an opportunity to mediate between the Senate and the National Assembly. 
I move and request Hon. Maanzo to second.

Date 1st December, 2015

Member of Parliament: Hon. (Ms.) Kajuju

Contribution She Made On: MEDIATED VERSION OF COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO.1 OF 2014)

Hon. (Ms.) Kajuju: Thank you, Hon. Speaker. I stand to support the mediated version of the Bill. I thank the Committee for coming up with a resolution that, on the face of it, is going to sort out many of the problems our counties have encountered while in the process of ensuring that they shape up and meet the constitutional requirements. 
One of the important aspects I have noted is the fact that the mediated version of the Bill demands public participation. The county assemblies must undertake public participation so that whenever residents of a county agree on the headquarters of a county, the county assemblies must ensure implementation by the governor. It would be a setback if it is only governors who were left to decide where to take county headquarters. 
We know of situations where governors have resisted taking county headquarters to where members of the county have agreed. 
I would ask the county assemblies to also ensure that they stick to their mandate under the law to ensure that the counties function and that county headquarters are designated as per the law. We shall be able to realise the growth that devolution is expected to give the counties through settlement in the county headquarters. 
Hon. Speaker, with those remarks, I support the mediated version of the Bill.

Date 1st December, 2015

Member of Parliament: Hon. (Ms.) Muhia

Contribution She Made On: MEDIATED VERSION OF COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO.1 OF 2014)

Hon. (Ms.) Muhia: Thank you very much, Hon. Speaker. I thank all the Members who have contributed and found it fit to support this mediated version of the Bill. Indeed, there was not so much to say because we already debated this Bill during its Second Reading. We are all in agreement that this nation has to remain orderly. For us to remain orderly, we have to stick to the provisions of the Third Schedule of the Constitution. 
I also thank Hon. Chris Wamalwa for saving the time of this House because we are all in agreement. Thank you, Hon. Speaker. I thank the whole House.
I beg to reply.
REPORTS
Date 1st December, 2015

Member of Parliament: Hon. (Ms.) Mbalu

Contribution She Made On: THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL

Hon. (Ms.) Mbalu: Hon. Temporary Deputy Speaker, I beg to report that a Committee of the whole House has considered the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 57 of 2015) and approved the same with amendments.

Date 1st December, 2015

Member of Parliament: Hon. (Ms.) Mbalu

Contribution She Made On: THE TAX PROCEDURES BILL

Hon. (Ms.) Mbalu: Hon. Temporary Deputy Speaker, before I report, I must confirm to the Leader of the Majority Party that a Chairperson of a Committee of the whole House or a person presiding over the business of the House does not take sides. Therefore, I am well placed.

Hon. Temporary Deputy Speaker, I beg to report that a Committee of the whole House has considered the Tax Procedures Bill (National Assembly Bill No.29 of 2015) and approved the same with amendments.

Date 1st December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL

Hon. (Ms.) Abdalla: Thank you, Hon. Temporary Deputy Speaker. I beg to second the Natural Resources (Classes of Transactions Subject to Ratification) Bill, 2015.

This is one of the Bills that are required under the Constitution to have been passed by August 2015 and for which we extended the period to August 2016. So, this is a rather urgent Bill that needs to be passed by this House.

There is a great fear that if this Bill is not passed as soon as possible, the transactions that will have taken place between August 2015 and the time this Bill will commence will be brought to doubt. So, there is some urgency for this Bill to be passed.

The Constitution requires that we pass this Bill within five years. If not, transactions done before the August 2015 constitutional deadline are covered by the Constitution and this Bill, but those that are done beyond the August 2015 deadline are a problem. So, this Bill is very urgent.

I can understand the time the drafters of this Bill took to bring it to the House. The fact that it is a negotiated Bill has ended up excluding some items that need ratification by the House. It has also
brought a big question to this House. Since the Constitution does not acknowledge parliamentary approval and expect parliamentary ratification of these instruments, does it mean we amend all the statutes that we have so far passed that call for parliamentary approval and not ratification? For example, the Schedule to this Bill says that long term concessions of forests are part of the classes of natural resources transactions that must be ratified by Parliament. It also talks of excision or change of boundaries of wildlife parks. In the Forest Bill, the change of a forest boundary or relocation of wildlife requires parliamentary approval and yet in this Bill relocation of wildlife requires ratification while the change of forest boundary is excluded.

Date 1st December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL

Hon. (Ms.) Abdalla: Under the Schedule, it gives a list of transactions that are subject to ratification. Under the Wildlife Management and Conservation Bill, if you were to change the boundaries of a national park, the Cabinet Secretary (CS) proposes but it can only happen with the approval of the House and yet it is on this Bill.

Under the Forest Management Act, the same is the case for situations where you want to change the boundaries of a forest reserve, and yet it is not part of this Bill. Therefore, the question that it is begging is: Do we go back to all the natural resources transactions that require parliamentary approval and make them ratification or we list them in this schedule so that we are inclusive? The latter is more laborious.

In the past, concessions of forest lands for private management were not part of our Statute. So, even the court rejected a concession that the Kenya Forest Service wanted to enter into because of that reason. So, I am concerned about the transactions that have been left out in the Schedule that require parliamentary approval and involve natural resources. Therefore, do we change our Statute that call for parliamentary approval in the change of management of natural resources, such as, national parks and forest reserve, to read “ratification” or do we put the list here? That is the issue as a committee we have grappled with.

Hon. Temporary Deputy Speaker, the Constitution uses the words “Ratification of natural resources agreements.” It is not the ratification of international instrument. It is ratifying agreements between private entities who want to use natural resources that are owned by the national Government, county government or a private---

Date 1st December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL

Hon. (Ms.) Abdalla: So, Hon. Temporary Deputy Speaker, as a Committee, when we listened to the expert who came to talk to us, our concern was whether we should include all those legislations that we sought approval of the House, under the classification of transaction that needs ratification or we wait for an omnibus---
Date 1st December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL

Hon. (Ms.) Abdalla: Hon. Temporary Deputy Chairman, I also need to speak to Clause 4(b). Clause 4(1) speaks about classifications that are subject to ratification and because of that we believe that without an amendment to Clause (b) we shall be tying some of these transactions to the need for an approval and yet they do not require that.

We are more concerned about the possible impact on research that Clause 4 will bring if it is not amended at sub-clause 2. Concessions regarding scientific research and exploitation of natural resources are excluded except those that involve taking natural resources out of the country. If we do not amend 2, anybody can stop research that does not involve taking something out of the country by using the argument that Clause 4(1) supersedes Clause 4(2). As a Committee we intend to bring a slight amendment to Clause 4(2)(b) so that we do not get into that situation.

On the question of 35, there is a dangerous precedent that has been set with regard to confidentiality agreement. As an individual who has had the privilege of seeing some of these agreements, I have fear that allowing the Cabinet Secretary to decide which components of an agreement can be confidential without giving access of that information to a Committee would be giving a blank cheque. My proposal would be to use the American example of the foreign relations committee where they are sworn to secrecy and they are given the full picture before they approve a transaction, rather than just being told that the Minister has agreed to part of that agreement being confidential and yet we do not know what is being hidden. Some of the things being hidden in the agreements are contrary to what we have sworn to uphold as Members of this House.

We, therefore, need to change Clause 12 to ensure that they have a right to keep their matters confidential to the full House, but the Committee that is looking at that transaction needs to look at it more exclusively so that they do not approve bad contents of an agreement blindly. We will be seeking an amendment to deal with that issue of confidentiality. Let us make sure that business competitors do not get the contents of the agreement, but let us not have committees of this House approving agreements blindly.

The other issue that has been mentioned by the Leader of the Majority Party is that of timelines. We know that the Senate has problems with passing Bills on time. We are concerned about them keeping the 60 days period of approving the amendment.

Clause 15 is about the transactions that have been entered into between August, 2010 and August, 2015. This Bill recognizes that all those agreements are valid because of there not having been a ratification instrument. We are calling for more stringent audit of those agreements because they have not gone through ratification and some of them are about huge investments in different sectors that involve natural resources.
Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Tuya

Contribution She Made On: PAPERS LAID

Hon. (Ms.) Tuya: Hon. Temporary Deputy Speaker, I beg to lay the following Paper on the Table of the House today Wednesday, 2nd December 2015:- The Report of the Select Committee on Implementation on the implementation status of House resolutions for the period from April to November 2015.

NOTICE OF MOTION
Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Tuya

Contribution She Made On: ADOPTION OF REPORT OF THE SELECT COMMITTEE ON IMPLEMENTATION

Hon. (Ms.) Tuya: Hon. Temporary Deputy Speaker, I beg to give notice of the following Motion:- THAT, this House adopts the Report of the Select Committee on Implementation on the implementation status of House resolutions for the period from April to November 2015, laid on the Table of the House today Wednesday, 2nd December 2015.

Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF REPORT OF THE SELECT COMMITTEE ON IMPLEMENTATION

Hon. (Ms.) Abdalla: Hon. Temporary Deputy Speaker, I understand where Hon. Eseli is coming from. But having allowed the Maasai Spiritual Leader into this House with his traditional clothes and secondly, knowing that Hon. Pkosing is a Pokot, we should be grateful that he is even wearing a shirt.

MOTIONS
Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Kanyua

Contribution She Made On: THE ADOPTION OF SESSIONAL PAPER ON NATIONAL POLICY AND ACTION PLAN ON HUMAN RIGHTS

Hon. (Ms.) Kanyua: Thank you, Hon. Temporary Deputy Speaker. I also wish to join in supporting this Sessional Paper on the National Policy and Action Plan on Human Rights of 2014. I also want to congratulate the many actors, partners and Government departments that
were involved in its drafting. It took a very long time to put it together. For good reasons, the country has a history and a future with human rights. To merge the two, would really require that a lot of time and attention goes into the Sessional Paper.

As we approve and adopt the Sessional Paper, it will guide a lot of legislation that needs to come in terms of supporting human rights issues and in terms of supporting the implementation of the Constitution that we now have. Quickly, a lot of times, constitutions are very aspirational and promising. In fact, at one time, a lady is said to have gone to a hotel and got a menu. In that menu, the first choice of her meal was fish and ugali. She was informed they did not have fish and ugali. She asked: “Can I then have chicken and rice?” She was told: “We do not have chicken and rice.” She said: “I do not like beef much but could you give me beef and ugali?” She was told: “We do not have beef and ugali either.” At that point the lady asked the waiter: “Is this a menu or a constitution?” This is because it is a Constitution that says there is education, health care, freedom of expression, freedom of movement and the Bill of Rights. The Constitution promises many things unlike the lady’s menu. It promises things which when you ask for you are told: “Sorry, we are not serving that now.” When you ask for freedom of media you are told: “Sorry! The laws that we have do not particularly give freedom of media.”

So, the Sessional Paper allows the country to not only have a Constitution that is similar to a menu, but a Constitution that promises things that are, indeed, available in our country. I urge this House to look at adopting legislations that are very critical to human rights. We are in a country that does not have a housing law. One of our indicators of poverty has been the issue of housing, slums and dwellings that are not really up to human habitation. As a country, we need a housing legislation. I am glad many other laws need to be passed, for example, the Fair Administrative Action, the laws on media, including the Bill that I am moving on access to information. Many of those laws will see the light of day in this 11th Parliament. However, even as we do those ones that are on the queue, the ones that have been published and the ones that are set to come, including the Legal Aid Bill, it would be important that Members continuously bring laws that implement the human rights chapter of our Constitution. I particularly note the absence of the Housing Bill, but there are many legislations that need to be brought. Every time the country is audited on human rights standards, it is important that our country makes the right steps.

As I conclude, I want to alert our colleagues in the civil society that let us not cry wolf when there is no reason to. There has been no change in law in terms of the operations of civil society in this country. There is no active Bill before this House on changing the environment within which the civil society works. The environment that the civil society worked in under the Kibaki Administration legally remains exactly the same as we have it in the Jubilee Administration. In fact, in the Jubilee Administration, in our manifesto, we actually have partnership with civil society as one of the ways in which we want to build this country. So, it has not been right for the civil society to assume there is any change in how they should do their work. What they need to do like everybody else is engage with policies like the National Human Rights Policy now, action it and make sure the country continues to enjoy stability, a thriving democracy and, most importantly, continues to ensure that the human rights of all its citizens are respected and are enjoying a certain quality of life. That is what this House today is confirming by adopting Sessional Paper, No.3 of 2014.

I support, Hon. Temporary Deputy Speaker.
Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: The Adoption of Sessional Paper on National Policy and Action Plan on Human Rights

Hon. (Ms.) Abdalla: Hon. Temporary Deputy Speaker, the Member for Kisumu Central is trying to gag my good friend from Samburu West from stating what he has seen practically happening in the 50 years of Kenya’s Independence. The Member for Samburu West stated that there is a positive correlation between the amount of development that goes to areas where presidents have been produced. So, I do not see any misinformation in that statement. I totally agree with it. He will tell you that there is no tarmac in his county, and there is a lot of tarmac in counties that have produced presidents. So, there is no misleading in the statement from the Member for Samburu West. The fact is that he has stated that it is difficult to produce a president, and we must appreciate that with 50 per cent plus one, you will be contributing very little if your voter population is less than 50,000 and you require 10 million voters to get 50 per cent plus one. I am totally at a loss as to why the Member for Kisumu Central has raised a point of order.

Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: Adoption of Sessional Paper on National Education for Sustainable Development Policy

Hon. (Ms.) Abdalla: Hon. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts Sessional Paper No. 11 of 2014 on the National Education for Sustainable Development Policy, laid on the Table of the House on Tuesday, 2nd December, 2014.

As you will notice on the Order Paper, this is one of the myriad policy papers that have been lying in the Ministry of Environment and Natural Resources for very long, and have some of the achievements that helped this Ministry be ranked number one in the year 2014 in the review by the Public Service Commission.

This Sessional Paper is a result of Kenya having endorsed and adopted Agenda 21 during the United Nations (UN) Conference on Environment and Development in Rio de Janeiro in 1882, and which sought to provide the world with solutions to the challenges of environment and development. It also arose from the fact that there is still a considerable lack of information on the interrelated nature of human activity and environment, especially as a result of inaccurate and insufficient information. It was also felt that there was need to increase public sensitivity on
environment and development problems and involve the persons in their solutions to address the same.

Agenda 21 on environment and development indicated that all levels of education and training needed to be re-oriented towards a more sustainable model of development. It was felt that despite the amount of investment most countries were putting in development and environment, there was lack of information that emanated from lack of investment in the education system that is able to make children at a young age to be sensitive to environmental concerns.

As I said, this policy has been in the making for a long time. As you note, Agenda 21 was passed in 1992. In 2005, the UN declared the decade of education for sustainable development that affirmed the important role of education, training and public awareness in achieving the goals of sustainable development. It required member states to integrate Early Childhood Development (ECD) into the education plans at all levels across all sub-sectors of education.

Kenya, like many African countries, is very good at ratifying international instruments. So, in addition to the 1992 UN Conference on Environment and Development, Kenya has further approved the Johannesburg Implementation Plan at the World Summit on Sustainable Development in 2002, recommending the declaration of a UN decade on education. Two, in March 2006, it also agreed through the African Ministers of Education in the context of enhancing education, including environmental education in the education curricula in Kenya. We also signed in 2009, the Bonn Convention.

These are the basis of international instruments that required Kenya to have these policies because those are commitments we have made. Locally, our own Constitution in Article 42 declares that every person has a right to a clean and healthy environment, which includes the right to have the environment protected for the benefit of present and future generations. Every person has an obligation relating to environmental fulfilment that is also under Clause 70. So, this policy is long overdue and is required for purposes of ensuring that we create a proenvironment populace; having invested a lot and not getting the dividends, is clear that we need to have environmental education both formal and informal in order to change people’s attitudes towards environmental concerns.

The aim of this National Education for Sustainable Development Policy is to provide a framework for mainstreaming education which inculcates sustainable development as a life-long practice at all levels of education in Kenya. The strategy is to create an overall re-orientation of the education sector both the formal and informal, so that we are able to achieve sustainable development.

My previous employer, the International Union for Conservation of Nature and Natural Resources (IUCN) defines environmental education as the process of recognising value and clarifying concepts in order to develop skills and attitudes necessary to understand and appreciate the inter-relatedness among man, his nature and his biophysical surrounding.

Environmental education also entails practices in decision making and self-formulation of a code of behaviour about issues concerning environmental quality.

Whereas we appreciate that our economy is over-dependent on natural resources, the welfare and wellbeing of the health of our people is dependent on a good quality of environment.

We as a nation have not invested in creating enough environmental awareness for purposes of getting more environmental positive action by the populace.

It is clear that Kenya has put in a lot of steps in ensuring that we have a better environment but without investment in education, the gaps will not be filled. That is the gap that this policy is trying to fill. We are trying to re-orient the education at all levels for sustainable development,
enhance public understanding and awareness, and build capacity for sustainable development. So, that is what this policy aims to do. The question is how.

We, in Kenya, have a problem of having a policy that comes way after the enabling legislation has already been passed. The institution that is supposed to carry out and promote environmental education is the National Environment Management Authority (NEMA) whose Bill, the Environmental Management and Coordination Bill, was passed in this House in the beginning of this year to comply with the Constitution. It covers activities relating to environmental education as one of their responsibilities. That, in our opinion as a Committee, is one of the weakest responsibilities of NEMA that needs to be strengthened. It is our hope and prayer that now we will be able to pass this regulation; I understand that in the next one hour, we will then be able to push NEMA into doing the responsibility and showing results of what they have done with other stakeholders mentioned in this policy to integrate environmental education in the formal and informal curricula in this country.

People must have knowledge about environmental issues and attitudes in order to act proenvironment in a conscious way. However, environmental education per se is not a prerequisite for pro-environment behaviour. It is in this regard that we must go beyond just information and look at incentives that will make people more pro-environment. I want to give an example of the fact that our Constitution speaks of 10 per cent forest cover, yet there is no document on a strategy for achieving that 10 per cent cover, let alone the environmental awareness messages to lead to that increase in environmental cover. It is important that we not only look at the awareness creation on matters but start with strategies for actualising those environmental concerns.

In conclusion, this is a timely, long awaited document that I would urge the House to pass, so that it can give us a framework for judging the institutions that have been given the responsibility to promote environmental education for sustainable---

Hon. Temporary Deputy Speaker, I request the Member for North Horr, Hon. Chachu Ganya, to second the Motion.

**Date 2nd December, 2015**

**Member of Parliament: Hon. (Ms.) Kiptui**

**Contribution She Made On:** ADOPTION OF SESSIONAL PAPER ON NATIONAL EDUCATION FOR SUSTAINABLE DEVELOPMENT POLICY

**Hon. (Ms.) Kiptui:** Thank you, Hon. Temporary Deputy Speaker for this opportunity. I support this Sessional Paper.

In this country, education has been given a lot of attention. In Kenya we cannot talk of people being illiterate. Majority of us have gone to school and if we tie our national agenda to the educational standards, it will do more and we will develop faster than before. In all spheres of our development, educational factors play a very major role.

I support the Motion.

**Date 2nd December, 2015**

**Member of Parliament: Hon. (Ms.) Munene**

**Contribution She Made On:** ADOPTION OF SESSIONAL PAPER ON NATIONAL EDUCATION FOR SUSTAINABLE DEVELOPMENT POLICY
Hon. (Ms.) Munene: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to support this Motion.

This Motion is very important to this country. If we pass this Motion, this country is going to change. My constituency is next to a forest and we can see the effects of destruction. River Gura in my constituency used to have a lot of water. When people destroyed Mt. Kenya Forest, the river dried up. The river used to supply water to the residents of Tetu in Nyeri County. If people are educated about the environment and resources, this country will change. There are some people who do not get enough food because there is no water.

The other issue is with regard to the National Environment Management Authority (NEMA). When Mr. Michuki was alive, he did a lot of work in cleaning the Nairobi River. I urge the Chair to ensure that this Motion is passed so that we educate our people. Some of our people are illiterate and they do not know what is happening to our forests. If we do not do that our animals will run away from forests and this may interfere with tourism.

The other issue is with regard to people who farm near forests. Animals destroy their food and injure them as well and it takes a long time for these people to be compensated. We want the Government to consider those people. It is sad when you cultivate your land and you get no yields because buffalos eat your crops and destroy your property. I urge the Chairperson of the Departmental Committee on Environment and Natural Resources to ensure that after we pass this Motion, she sits down with NEMA and consider ways of helping this country because we need forests.

Some people cut trees for firewood. We can provide them with an alternative as it happens in Germany. They can find alternative ways to get fuel for cooking because the Government is able to provide them with such.

I support the Motion.

Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL EDUCATION FOR SUSTAINABLE DEVELOPMENT POLICY

Hon. (Ms.) Abdalla: Thank you, Hon. Temporary Deputy Speaker. I thank all the Members for their contributions to this Sessional Paper. We have noted all the issues they have raised, especially on the overreliance of the National Environment Management Authority (NEMA) on licencing and enforcement rather than creation of environmental awareness. As has been said by the Members, this Sessional Paper has taken too long to be formulated and may have been overtaken by the fact that Sustainable Development Goals (SDGs) have been revised.

I urge the House to pass this Sessional Paper. I also ask my colleagues to stay in the Chamber because the next sessional paper is wider and would really benefit from their contributions.

With those remarks, I beg to move.

Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL ENVIRONMENT POLICY

Hon. (Ms.) Abdalla: Once again, thank you, Hon. Temporary Deputy Speaker. I beg to
move the following Motion:—
THAT, this House adopts Sessional Paper No. 10 of 2014 on the National Environment Policy, laid on the Table of the House on Tuesday, 2nd December 2014.

I must congratulate the Ministry of Environment and Natural Resources. If our environment would be conserved and managed as well as the written words on this policy paper, we would be very far. This policy paper is excessively well written and clearly stipulates the direction the country should be going on matters of environment. However, as a nation we are good at producing papers. As the English say, “the taste of the pudding is in the eating,” I do not think we have good taste buds on matters of tasting the pudding. The pudding is in the pieces of legislation that the Ministry is proposing and today we are dealing with the policy. So, let me deal with this excessively well written policy paper on the environment.

This Sessional Paper is very inclusive of all the sectors covered under environment. The policy paper starts with a situational analysis on the problems that Kenya is facing on the environment, the fact that our high population growth, the shrinking productive land and technological changes are contributing to environmental degradation, including unsustainable land use practices, poor soil and water management practices, deforestation and pollution.

Allow me to go through some of the major challenges because it is important for Members to appreciate that it is in these challenges that we should incorporate some of the areas that have been mentioned in the Bills that we pass in this House. I am glad that the Ministry of Environment and Natural Resources acknowledges that environmental governance and the fact that our laws in the natural resource sector are not harmonised is one of the biggest challenges. We produce legislation on fisheries and yet we do not incorporate Environmental Impact Assessments (EIAs) in utilisation of fisheries resources. We produce legislation on livestock but we do not incorporate the fact that you need EIAs and other environmental assessments in all these activities. So, the number one challenge to solving environmental problems is the need for us to strengthen our environmental governance through harmonisation of our policies.

Our next challenge is the loss of biodiversity. We continue to lose our biodiversity through habitat destruction, overgrazing, deforestation and the like. The challenge of conserving our biodiversity is further weakened by the fact that we now have more institutions answerable on biodiversity. It is a shared function so we not only have to question the Ministry responsible but also the County Executive Committees (CECs) responsible for the environment in the counties. So, in addition to biodiversity in itself being a challenge, the challenges brought about by devolution need to be incorporated in any of the programmes we include to address loss of biodiversity.

I want to speak about the valuation of environment and natural resources. In our budgeting processes we assume that environmental goods and services are a public good. When we were considering the Water Bill, I spoke about the fact that many individuals believe that water is a public good. That is why we have a lot of challenges in the water services because many people believe that it should not be marketed at the value that it is. However, on this question of valuation, we end up burdening the communities that conserve resources and because we do not value the goods they conserve, we end up paying them nothing.

I want to talk about the communities that conserve the water towers; the Mau and the Cherangany. When we design programmes we design programmes that only look at the people downstream and not the people who conserve the water because the notion of valuing natural resources in our budgeting processes has not been inculcated in us.
On the question of rehabilitation and restoration of degraded areas, we all know that we are giving a lot of our resources to security, but the interlinkage between insecurity and environmental degradation needs this country to shift our focus from not only just dealing with the symptoms but dealing with the cause. We are now receiving a lot of rains but the money for digging dams has not been provided on time for us to capture the massive amount of water that has been showered upon us by the Almighty. So, on the issue of rehabilitation of degraded forest areas, this is the time we should be doing tree planting in a massive way, but we are not sensitive to the climatic influences required during rehabilitation.

The other challenge this policy addresses is urbanisation, waste management and pollution. As I have said before, waste management is a devolved function. However, without a strengthened policy and legislative framework, the county governments are not performing their waste management roles as well as they should. We have devolved waste management but we have not given the county governments the tools to address the same and as we speak no county in this country has a legally registered waste management place.

My colleagues and the whole world is in Paris dealing with the climate change conference because climate change, energy, security and disaster management is a serious problem in this country that this policy seeks to address.

Hon. Temporary Deputy Speaker, we have just concluded debate on the Sessional Paper that deals with the question of public participation, environmental education and awareness. Lack of this contributes to reduced success in the management of environment.

There is also the question of data information and distribution where we have serious institutions such as the Information and Remote Sensing Institute. That institution has serious equipment including aeroplanes and yet all counties are spending millions of shillings asking for data to be provided by the private sector. As we speak about data and information being some of the challenges in the sector, we have not fully utilised the resources that we already have. This policy is going to direct it in the right direction.

As a country, we have a serious problem of poverty. We know that it is directly related to the state of the environment and natural resources that form the basis of the livelihoods of a majority of our populace.

Finally, another challenge that is facing our people is the issue of chemical management.

In today’s media, the people of Marsabit were noting with a lot of concern the increase of cancer cases. It has been shown that there is some chemical pollution in their water system. That is a challenge nationally, but more specifically in areas where some extractive activities have resulted in chemicals being included.

The goals and objectives of this Sessional Paper include ensuring that we have a better quality of life for present and future generations through sustainable management. We have several objectives. For the benefits of Hon. Members, I would like to share the guiding principles of this policy because it is---

Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL ENVIRONMENT POLICY
Hon. (Ms.) Abdalla: Hon. Temporary Deputy Speaker, because time does not allow me, let me just mention a few guiding principles of this policy that we really need to look into. On pollution, I have been at the forefront of ensuring that the Ministry of Environment, Water and Natural Resource brings regulation. That regulation should ensure that any proponent of an investment such as in the extractive sector gives an environmental bond. If they cause degradation, we should retrieve that bond. I am very happy because this policy is talking about the need to have the polluter pay principal inculcated into the same.

Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL ENVIRONMENT POLICY

Hon. (Ms.) Abdalla: I mentioned the extractive sector because that is the one that we have put in the Bill, but the regulation is going to cover all sectors. There is the issue of Owino Uhuru Slums where there was lead poisoning. We cannot get money from the investor to rehabilitate that area because he did not put a rehabilitation bond. If he had done it, the Government would not have to foot that bill.

So, I am happy that, that has been covered by his Bill. This Bill then goes to all the sectors that are natural-resource related and say what they should do. What I am happy about is that some of the challenges have been put in the draft Bill. For example, this afternoon, we will be discussing the draft Forest Conservation and Management Bill. This Bill says that they are going to ensure that they have a strategy to meet the 10 per cent forest cover. The Bill as it is does not have that strategy. When we questioned them and said they need to bring that, it looked like it was our idea, but basically their policy states that. This policy is giving us a blueprint from which to judge whether their sessional papers are talk shop or they really mean what they say. If Ministries produce legislative proposals that inculcate what they have in this Sessional Paper, we will be moving forward.

Since my time was up and you indulged me, I want to take this opportunity to urge the House to pass this Motion, unlike the first one that might have been overtaken by events. This Sessional Paper is well done. It will serve as yardstick for us as a House when reviewing the legislation pertaining to environment.

With those remarks I would like to again, with pleasure and a lot of gratitude, urge my colleague, Hon. Chachu Ganya, Member for North Horr to second.

Thank you.

Date 2nd December, 2015

Member of Parliament: Hon. (Ms.) Kiptui

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL ENVIRONMENT POLICY

Hon. (Ms.) Kiptui: Thank you, Hon. Temporary Deputy Speaker for the opportunity. I rise to support this Sessional Paper considering that even at the time of creation, God created the environment before the human being. He gave us a duty to control, conquer and use it for our benefit. Unfortunately, it is like we do not take that very seriously, no wonder at the moment, we are faced with issues of global warming. It has become a concern. It should come naturally to us
that we need to conserve our environment because without it, our lives cannot be sustained. I am happy that the Ministry of Environment and Natural Resources has come up with this Sessional Paper which seeks to coordinate and give proper direction on how we should relate with the environment.

When it comes to issues of conservation for instance, at the moment you will find so many young people at shopping centres saying that they have nothing to do. At the same time, you find so many gullies developing within their environment and they just look at it as a Government function. Until the Government comes to fix it, they will do nothing about it. I hope that when we pass this Sessional Paper and the successive legislations come, we will do a lot of civic education to inculcate to our people especially the young ones that environment is key to our survival. The laws that will come, I hope, will portray environmental conservation as a social responsibility of each one of us and they should not expect to be paid for it.

The companies that will be extracting oil, geothermal or other minerals, should show by example. When they disturb the environment while looking for those minerals, at the end of it, they should be able to put it back as it was before. We find that the law is not strict on people who destroy our environment. People are drowning in deserted quarries because the people who dug them failed to cover them. We want to congratulate those people who mind the environment, for example, one company that was dealing with cement in Mombasa and after that, the area was converted into a conservancy. In fact, tourists visit the area to see animals. That is the way to go. I support this and I am looking forward to the legislations that will follow.

Date 2\textsuperscript{nd} December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL ENVIRONMENT POLICY

Hon. (Ms.) Abdalla: Thank you, Hon. Temporary Deputy Speaker.

I would like to thank all the Members including the Secretary General of the Orange Democratic Movement (ODM) for supporting this very important Sessional Paper. I beg to reply.

NOTICE OF MOTION
Date 3\textsuperscript{rd} December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE

Hon. (Ms.) Abdalla: Thank you, Hon. Temporary Deputy Speaker. On a light note, I notice that Hon. Lentoimaga is wearing traditional shoes known as “akala”. I would like to urge you to consider in your ruling whether mixing formal dressing and traditional clothing is accepted. I am reliably informed that, that could be the case, Hon. Temporary Deputy Speaker.

Date 3\textsuperscript{rd} December, 2015
Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL WETLANDS AND CONSERVATION MANAGEMENT POLICY

Hon. (Ms.) Abdalla: Hon. Temporary Deputy Speaker, I beg to move the following Motion:-

THAT, this House adopts Sessional Paper No. 12 of 2014 on the National Wetlands and Conservation Management Policy, laid on the Table of the House on Tuesday, 2nd December 2014.

Whereas I agree with you that the issues that have been raised on the two previous policies are very similar - in fact, the environment policy includes a wetlands component - I wish to highlight to the House that wetlands are natural areas that are seasonally or permanently flooded and comprise 3 to 4 per cent of our land mass. The coverage fluctuates to about 6 per cent during rainy seasons and is probably higher during this current El Nino rains.

This policy is based on the fact that Kenya has ratified the Ramsar Convention on Wetlands of International Importance, which obligates the country to formulate and implement policies that promote the conservation of wetlands. The process of developing this policy started in 1999 and ended in 2008. We have been operating with a draft policy since then. Based on that, I congratulate the Cabinet Secretary (CS) for Environment and Natural Resources because she went into the Ministry and found over 10 draft policies that she has been able to conclude.

The issue of importance is the fact that there is a lot of encroachment into our wetlands and transformation of wetlands for other uses. In fact, for my Committee, the development of urban areas on wetlands happens to be the largest source of contention with the National Environment Management Authority (NEMA).

Whereas this policy is well written and has been long in development, there are a few areas that I would like the House to note. As a Committee, we feel that this policy would be more enriched. We are presenting the Report to the Ministry so that they can amend some of the provisions in the policy.

The most important issue is the fact that there is no clarity on the institution to implement this framework, especially with regard to the challenge of people encroaching on wetlands. For example, people who put up expensive developments on the Kibagare River claim that they have title deeds. This means the Ministry of Land, Housing and Urban Development is involved in taking away wetlands of national or local importance and giving them to developers. When the developers want to develop the areas, they send their plans to NEMA with a title deed. NEMA is not supposed to give approval without the involvement of the Water Resources Management Authority (WARMA). However, the institutional arrangement between NEMA, WARMA and the Ministry of Land, Housing and Urban Development is lacking and it is being highlighted in this policy as a challenge. That is the biggest challenge that wetlands face right now. So, whereas we have a beautiful policy, the question of who is responsible for bringing proposed legislation and implementing those pieces of legislation is left out. The Committee observes that, that is lacking.

The Committee also notes that the policy does not address emerging issues. For example, there is oil exploration in wetlands. Even if you own land close to a river, you do not own the 30 metres between the river and where your land is. If somebody comes to drill close to a river, lake or water marsh that belongs to the national Government, because that is what the Constitution says, what is the national policy relating to how that process should go on? Much as this policy has been under development for long, it does not take into account the fact that wetlands are being
explored for oil, gas and other minerals. Also, this House just dealt with a very sensitive petition regarding sand drenching at the Coast. The policy seems not to have identified the drenching and harvesting of sand in rivers, oceans and other wetlands as a concern. The other concern is that research, creation of awareness and education on wetlands has not been addressed.

In the interest of time, the Committee recommends that this House adopts the Sessional Paper. The Committee also recommends that the Ministry includes the issues we have highlighted as having been left out in the next draft policy. The Ministry has also left out the question of restoration. This is something we deal with on a daily basis. Stakeholders are asking where the money they pay to WARMA for extracting water from the rivers go to. Who funds the rehabilitation of the wetland so that it is able to regenerate itself? Should there be a fund that addresses that or would it be an extra tax to the persons extracting water so that the cost of restoring wetlands is included? The issue of institutional arrangement and the variety of stakeholders that need to be included should be looked at.

Over and above the issues we have highlighted that need to be added, we still feel that this Sessional Paper is good and we urge the House to pass it.

With those remarks, I would like to ask my colleague in the Committee, Hon. Mwiti Irea, to second.

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL WETLANDS AND CONSERVATION MANAGEMENT POLICY

Hon. (Ms.) Abdalla: Thank you, Hon. Temporary Deputy Speaker. I wish to thank all the Members who contributed to the wetlands policy and urge those who have not contributed to note that the next one is Integrated Coastal Zone Management (ICZM) Policy, under which you can also deal with the issues of wetlands.

I thank you and beg that this House adopts the Report.

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON INTEGRATED COASTAL ZONE MANAGEMENT POLICY

Hon. (Ms.) Abdalla: Hon. Temporary Deputy Speaker, I beg to move the following Motion:- THAT, this House adopts Sessional Paper No.13 of 2014 on the Integrated Coastal Zone Management (ICZM) Policy, laid on the Table of the House on Tuesday, 2nd December, 2014.

ICZM is rooted in the understanding that coastal and marine environment is limited spatially, and is a distinct system that if not managed in a coordinated manner, may affect not only the environment but also the socio-economic interests of the communities living around it.

This policy is meant to guide development planning, conservation of the environment and accommodate the social and economic needs of local communities. It is premised on the failure of largely sectoral-based resource management approaches to address cross-cutting development
issues. The overall objective of the policy is to guide and manage the utilisation of coastal, marine environment and its resources to ensure sustainable livelihoods.

Over the past years, coastal resources and environment were managed through uncoordinated sectoral policies. The sectoral management approach has failed in ensuring sustainable development in our coastal region. The approach used has failed because of weak institutional policies, sectoral sectors, bureaucracy, competing interests and misplaced priorities. To give the House an example of the challenges that Coastal Zone Management is facing, the protected areas in coastal areas are managed by the Kenya Wildlife Service (KWS). The research and stock levels biodiversity is dealt with by the Kenya Marine Research Institute (KMRI). When proponents of projects that are supposed to take place in our coast take their documents to National Environment Management Authority (NEMA), instead of NEMA approaching Kenya Marine Research Institute for issues of biodiversity, the lead agency is the Kenya Maritime Authority because of lack of policy.

The function of that organisation is to deal with maritime commerce. So, if your goal is to deal with maritime commerce, would you stop a project that is going to affect biodiversity? You would be going against your own set objectives. That needs coordination, so that we give the best advice for any activity that involves coastal zones.

It is something that we must be able to address. That is the only way we are going to not only ensure that coastal communities benefit from their resources but the national economy also benefits, and that customary and common heritage is protected.

This policy is extremely important, so that we are able to utilise our coastal resources more sustainably. There is a long list of objectives that this policy intends to achieve. So, I will briefly go to the ones that are crucial. This policy calls for the need to have a coordinated approach, that is interdisciplinary and interagency to ensure synergy and smooth operations of any institution and programmes that are happening in our coastal zones. It also calls for the provision of integration, standardisation, and consistency between licensing regimes.

There are fishermen going to the sea. There are those who want to harvest sand and there are those who need to do exploration for oil, gas and the rest. The need for ensuring that the licensing regime is standard is there.

This policy is also calling for the establishment and management of an Ocean Development Fund. Our marine resources are not as rich as those of our neighbouring countries of Somalia and Tanzania. Therefore, we need to invest in strengthening the resources themselves. That can only happen if money is earmarked for such activities.

Hon. Temporary Deputy Speaker, the policy is also calling for approaches to deal with emerging issues and advise on the scope and effectiveness of ocean marine. It is also calling for our country to be steadfast in meeting our international maritime and other natural resources responsibilities and ensuring that we produce a forum for coordinated action.

My Committee reviewed this policy and noted with concern that it has left out one of the biggest challenges that we are facing. The new challenge that we are facing is that there is a lot of exploration going on for minerals, oil and gas off our shores. That has not been included in this Bill. Kenya has a case with Somalia at the International Court of Justice on the issue of the boundary between the two countries. This is a major challenge, which has not been addressed by this policy.

We have been made to understand that whereas Kenya and Tanzania observe the latitudinal marking of marine boundaries, Somalia wants to use the perpendicular one from the coast. That is a very vital issue. Should we have addressed it in this policy, we would have helped our legal
team dealing with this matter. We feel that the exclusion is not good for our country. Therefore, we will be recommending that the next version of this policy addresses this issue.

Hon. Speaker, we also note with concern that this policy does not deal with the question of piracy and the need to secure our maritime territory. We would want our enforcement agencies to have a more coordinated and legislated approach in securing our maritime territory. We would like the Kenya Police, the Kenya Wildlife Service and the Kenya Navy to have a joint force for that purpose. We will, therefore, be urging the Minister, through this Report, to ensure that they not only introduce an ocean management and development fund but also call for the establishment of a Kenya Coastal Guard Service (KCGS), so that the agency can deal with the insecurity questions that we have discussed.

As I mentioned, the Kenya Marine and Fisheries Research Institute (KEMFRI) should be the lead agency on the biodiversity question on the coastal marine resources. We note with concern that the agency needs strengthening, so that the challenges we are currently facing in that area can be addressed.

With those many remarks, I would like to urge this House to adopt Sessional Paper No.13 of 2014 on the Integrated Coastal Zone Management Policy and request Hon. Chachu Ganya to second the Motion.

COMMUNICATION FROM THE CHAIR

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Shakila Mohamed

Contribution She Made On: DRESSING CODE FOR MEMBERS WHILE IN CHAMBER

Hon. (Ms.) Shakila Mohamed: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to support the Motion.

This Motion is very timely for the Coast region. As you are aware, there are so many upcoming projects which are harmful to human beings and animals. Lamu for instance, is a heritage site, which depends on fishing and tourism.

First, I want to congratulate the Chair of this Committee for bringing this Motion. It is my hope that the Government will implement this Motion and not do things contrary to what the law says. In Lamu, we depend on fishing and tourism. We have a lot of animals which are not found in any other forest. When we initiate these harmful, dangerous and poisonous projects such as the coal project, which is yet to come to Lamu, they spoil the environment, including our seas. We urge the Government to walk the talk.

The President talked about environmental conservation of the forest at the ongoing climate summit in Paris. The Government should stop these harmful and poisonous projects, which are contrary to what it stands for. The coal project, which will soon be initiated in Lamu, will kill people. It will produce poisonous ashes which cause cancer. Its smoke will produce acid rain, which will spoil the environment that is land and the sea.

When the world is going green, why is Kenya initiating the coal project in Lamu? We will oppose this project. We want the Government to bring us environment-friendly green projects, using wind or tidal power, which is free. You do not need any money to implement it.

It is upon the Government to ensure that it implements Motions passed in this House to avoid harming human beings, animals and our marine life.

With those few remarks, I support this Motion.

Date 3rd December, 2015
Member of Parliament: Hon. (Ms.) Juma

**Contribution She Made On:** DRESSING CODE FOR MEMBERS WHILE IN CHAMBER

**Hon. (Ms.) Juma:** Asante sana, Naibu Spika wa Muda kwa kunipatia nafasi hii ya kuchangia Hoja hii.

Mwanzo, nataka kulalamika kidogo. Karatasi za kueleza Hoja hii hazikuwa zinapatikana katika Chumba No.8 hapa Bungeni. Kwa hivyo, tumelazimishwa kutafuta njia nyingine kujua Hoja hii inaomba nini.

**Date 3rd December, 2015**

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Member of Parliament: Hon. (Ms.) Juma

**Contribution She Made On:** DRESSING CODE FOR MEMBERS WHILE IN CHAMBER

**Hon. (Ms.) Juma:** Mheshimiwa Naibu Spika wa Muda, sijaona hizi karatasi kwenye mtandao. Kama utaniruhusu, mara nyingi hakuna makaratasi yenye kufasiri hizi ripoti katika lugha ya Kiswahili.

Wengi wa wananchi kule tutokako hawajui Kiingereza. Ningeomba Bunge ifahamu kuwa ngeenzi kufurahishe taarifa zote zinazokuja Bungeni.

Kama Wabunge wengine, ningepe nda kuiunga mkono Hoja hii kuhusu kufahamu wa lugha ya Kiswahili. Naunga mkono Hoja hii kwa sababu ya watu wa watu wataendeleza kwa kufanya miradi tofauti tofauti ya kuleta maendeleo katika sehemu hiyo. Ni aiubu kuwa nchi ya Kenya inashindwa na nchi vile Mauritius, ambayo imeendelea sana katika maswala zinazoula katika ujumla wa ndogo sana.

Naonekana kuwa kwa sababu wa Watu wa Watu wa Watu wataendeleza kwa kufanya miradi tofauti tofauti ya kuleta maendeleo, na kama wengine kule tutokako hawajui kufanya miradi tofauti tofauti na kumuza na kuhusu hivyo, wakati ndogo sana sana.

Yaonekana kuwa kwa sababu wa Watu wa Watu wataendeleza na watu wengine wengine, pesa zinaendwa kwa utafiti. Mwaka baada ya mwaka, Bajeti itikengenezwa. Hata kuijibidhi kushindana, pesa zinaendwa zinaelekezwa kwenye utafiti. Saa hii tunakupa pesa zielekezwa katika maswala ya maendeleo, na nchini ndogo sana, lakini katika ulimwengu mzima, ndio pia katika kwa kutafuta nafaka ya watu wa Watu wa Watu.

Kama Wabunge wengine wengine, ningepe nda kuiunga mkono Hoja hii kwa sababu mara nyingi watu wengine wengine wengine wa Watu wa Watu wataendeleza na wanachaga watu wengine wengine wa Watu wa Watu. Hii ndio mara nyingi wavuvi wengine wengine wengine wa Watu wa Watu ambavyo wengine wengine wa Watu wa Watu.

Yaonekana kuwa kwa sababu wa Watu wa Watu wataendeleza na watu wengine wengine, pesa zinaendwa kwa utafiti. Mwaka baada ya mwaka, Bajeti itikengenezwa. Hata kuijibidhi kushindana, pesa zinaendwa zinaelekezwa kwenye utafiti. Saa hii tunakupa pesa zielekezwa katika maswala ya maendeleo, na nchini ndogo sana, lakini katika ulimwengu mzima, ndio pia katika kwa kutafuta nafaka ya watu wa Watu wa Watu.

Hapa Kenya, tunawezza kupunguza umaskini ikiwa tutazingatia mambo yaliyotajwa katika hii Ripoti. Isiwe tu ni ripoti ambayo itakaa na kupata vumbi, lakini iwe Ripoti ambayo mambo yake yafuatiliwa.

Jambo lingine ni kwamba katika bajeti za masuala ya ukuwimia na kadhalika, pesa nyingi sana huwa zinaendwa kwa utafiti. Mwaka baada ya mwaka, Bajeti itikengenezwa, hata tunajibidhi kushindana, pesa nyingi sana zinaelekezwa kwenye utafiti. Saa hii tunakupa pesa zielekezwa katika maswala ya maendeleo, na nchini ndogo sana, lakini katika ulimwengu mzima, ndio pia katika kwa kutafuta nafaka ya watu wa Watu wa Watu.

Kita kingine, kama alivyozungumza Mhe. Mwanyoha, uchimbaji wa mchanga umefukuza samaki, na wavuvi hawana njia nyingine ya kupata pesa. Umaskini ujifunza sasa. Mashirika ya kusimamia ufuwo wa bahari pia yameachwa peke yao.
Hawashugulikii na Serikali. Pesa haziko ilhali wanafanya kazi nzuri. Kumalizia, nashukuru sana Mwenyekiti na wanachama wa Kamati hii kwa kuleta Hoja hii.

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Seneta

**Contribution She Made On:** DRESSING CODE FOR MEMBERS WHILE IN CHAMBER

**Hon. (Ms.) Seneta:** Thank you, Hon. Temporary Deputy Speaker, for giving me this chance to also contribute to this Motion. I thank the Chairperson of the Departmental Committee on Environment and Natural Resources and the Ministry for bringing this Sessional Paper to the Floor of this House. I urge the Ministry to make sure that they follow up on the implementation and enforcement of this policy paper, so that it does not gather dust on shelves.

Wetlands and coastal zones contribute significantly to the socio-economic development of Kenya, and the health of our people, livestock and wildlife. Therefore, it is very important for us to look into ways of conserving wetlands. When I was growing up, we used to fetch clean water from seasonal and permanent rivers. However, today most of the population of this country depends on boreholes, because we no longer have rivers which flow naturally as a result of interference by human activities. People live on wetlands. We no longer enforce the legislation that requires people to live some metres away from the rivers to allow proper flow of water into the rivers.

Today there are floods in many parts of this country. There are floods in Narok, Kajiado, Kwale and many other counties. These floods are mainly caused by our failure to conserve the natural environment, and this leads to climate change. There are people building estates close to rivers. What you hear the following day is people demanding *El Nino* emergency money, because they want the Government to put measures to control this. Some of these things are brought by us not following, or trying to conserve our natural resources.

So, I urge the Ministry to implement this policy. The Ministry should ensure that physical planning is duly followed by the county governments and the people when they are building. This is so that we leave the water course to follow in its own channel and conserve our wetlands.

By doing this we will also conserve our forested areas, so that we can have the beauty of Kenya, which we have been given as a gift by God for our people to enjoy. I support this Sessional Paper. I urge the Ministry to make sure that they implement its proposals.

I support. Thank you.

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Ombaka

**Contribution She Made On:** DRESSING CODE FOR MEMBERS WHILE IN CHAMBER

**Hon. (Ms.) Ombaka:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. I also stand to support this Motion. We are all aware that the coast is one of the biggest income earners for this country in terms of tourism. The country gets a lot of money through tourism and the coast region is very significant in this respect. The very fact that tourism declined as a result of insecurity means that we still need to work very hard in terms of improving the coastal region and the environmental part of it.

When the environment is destroyed along coastal areas, it means we will lose much more. Therefore, it is very important to pay special attention to coast environmental conservation, and
also protect the maritime life and the Swahili culture that is very wonderful. Some of us who go
to the coast occasionally admire the coastal and maritime life. The beaches are beautiful. Without
protection we will lose a lot economically.
I do not want to highlight so much about the coast, because there are other areas that we have not
protected. This is the area of Lake Victoria which is also part of the maritime life and there is
also good culture there. When we are protecting sections along the Indian Ocean, we must think
about areas like Lake Victoria. Lake Victoria is one of the largest fresh water lakes in the world.
As you look at it, the local communities utilize the area very well, but protection of that water
mass is important. Lake Victoria is growing in terms of so many people utilising it.
The fishing industry is also important because it brings a lot of income to the people of the
region. The only problem is that environmental protection is needed. There are many markets
growing along the beaches. There are many stalls. There are many *boda bodas* coming up along
the lake. Women are washing clothes and dishes or domestic items along the lake and animals
also utilise the lake. When you look at the whole thing, utilisation is going on but without caring
about the protection of the water mass. So, just as we would wish to protect the coastal region,
the Indian Ocean, all the maritime life, the Swahili culture and the beautiful things that we see
there, so should we be able to do the same for the areas along Lake Victoria.
I support this Sessional Paper because environmental protection is key. Everybody in the whole
world is moving towards protecting their own environment.
Without protection, human beings and animals will perish. It is important that we highlight that.
Lastly, environmental education is missing in all these. We want to protect very many wetlands
and plant trees. This is important for human sustainability. However, without environmental
education, we cannot go far. For example, many people are not aware that it is important to plant
trees. They do not know that it is important to protect the water mass they have around. They
destroy it without realising the implications.
Therefore, we must also put in place education on environment. People must be sensitised the
way Prof. Wangari Maathai was doing. She did that but I do not know what we have learnt in
protecting our own land.
I know that protection of the coastal land, region and any other place like Lake Victoria will earn
us more money, and will make us healthier.
I thank you for giving me the opportunity to contribute. I support this Motion.

*Date 3rd December, 2015*

**Member of Parliament: Hon. (Ms.) Abdalla**

**Contribution She Made On:** THE FOREST CONSERVATION AND MANAGEMENT BILL

**Hon. (Ms.) Abdalla:** Hon. Temporary Deputy Speaker, the Committee Report is ready and we
had hoped to table it this morning, but the bureaucracy in the Secretariat is such that they have to
wait for the Chairperson of Committees to sign it. That is what has been pending. However, the
Report is ready for tabling.

*Date 3rd December, 2015*

**Member of Parliament: Hon. (Ms.) Abdalla**

**Contribution She Made On:** THE FOREST CONSERVATION AND MANAGEMENT BILL
Hon. (Ms.) Abdalla: Thank you, Hon. Temporary Deputy Speaker. I beg to support the Forest Conservation and Management Bill, 2015. I would like to acknowledge the importance of pre-publication scrutiny of Bills. My Committee had the privilege of doing a pre-publication scrutiny of this Bill. We were able to give a lot of input and the new Bill does not have the many issues that we had when we looked at the first draft. I am happy that has borne some fruit.

This Bill is replacing the Forest Act of 2005. It is intended to incorporate the provisions of the Constitution that affect this sector. This Bill has erroneously mentioned only one article of the Constitution which is 69 as being the basis of the review. The review is going to be affected by not just Article 69 because it is going to include a new dimension that was mentioned by Hon. Sakaja that allows the private sector to be given concession on public land. That is Article 71 of the Constitution. It is also going to be affected by definition of the different land tenure systems that have been mentioned in the Constitution. We will urge the House to amend the title to include the entire Constitution and not narrow it to the effects of Article 69 of the Constitution.

Hon. Temporary Deputy Speaker, our Committee listened to the public. We got input from private tree growers association who are people who have plantations of different types of trees on their farms for commercial purposes and for electric poles. We also listened to indigenous community representatives, the KFS and to professional foresters.

The input that we have received and we are struggling to incorporate in this is the fact that despite the change of names from “Kenya Forest Guards” to the “Kenya Forest Service”, the interpretation of Service has not been there. The KFS and the Government continue to do inhumane evictions of forest dwellers. We are looking at possibilities of more humane ways of evicting persons in the forests.

I mentioned that this Bill needs to incorporate different land tenure systems in which forests are located. We will urge the House to remove the mention of national and county forest because whether a forest is national or county, it is a public forest. So, there should be no need to mention in this Bill about a county forest or a national forest.

Whether the forest is on community land or on a county alienated area, it is still public. We will urge the House to remove the words “national” and “county” and replace them with “public forest”. This is a very important component because you will see that in the interactions at the Senate, they talk a lot about taking over the management of national forests in their counties. Hon. Temporary Deputy Speaker, we think that is ill advised. Although forests are both a county and national Government function, once they are gazetted, they become public land and should be managed and not necessarily taken over by the counties. I am a firm believer of the notion that if you want to derive benefits from a resource, you should also invest your resources in developing and managing that resource. I am concerned that this view that we want to take over forests from national Government because they are our resources does not take into account the fact that as a county you need to contribute resources to manage those forests. It is in that light that I am very happy that Clause 43 allows for concession. I think Government should not be in the business of doing business. The Government should be in the business of developing a conducive environment for others to do business.

I wish to support very much the inclusion of concessions so that persons with skills and want to make the most out of these forest resources can be given concessions so that we get more out of our forests than we are getting right now. It is known that when concessions are given, the resources and output of different forests are higher. Our colleagues in the region have taken this step and it is my view that, as a House, we should all welcome the issues as stated under Clause 43.
The establishment of the Kenya Forest Service Board (KFSB), the Kenya Forest Research Institute (KEFRI), the Kenya Forest College in Londiani and a trust fund on forests has been done in the normal way. People want to set up their own enclaves where they do not want interference from others. They end up having institutions that are intended to serve the same goal, but doing different things that are not helping each other.

My Committee travelled to China to study the potential of exploiting bamboo in this country. We discovered that the KEFRI has top of the range equipment and information that shows that we, as a country, have a very high potential of exploiting bamboo which can give us billions of shillings in revenue. That information is not percolating down to KFSB’s actions and into the Executive action. In fact, as a country, we have 150,000 acres of bamboo that are not being cut because of a silent presidential directive in the 1990s which stated that we should not exploit bamboo.

The Bamboo trees are rotting because of lack of synergy between the KEFRI and the Executive in implementing a comprehensive bamboo utilisation programme. It is our proposal to have a representative or a member, namely the Director of the KEFRI, included as a board member to the KFSB and vice versa. We want to strengthen the institutions that are going to deal with forests so that we have synergy in this sector.

A major item that has been left out, and I spoke about this when we were dealing with the environment policy is the fact that our Constitution and Vision 2030 state that Kenya must have 10 per cent forest cover. That 10 per cent forest cover is not included as a strategy in the Kenya Forest Conservation and Management Bill. We will include the need for a five-year strategy of how the Government of the day intends to increase forest cover to 10 per cent.

An extremely contentious matter, which I spoke about in the classes of transactions that require parliamentary ratification, is the change of forest boundaries and sizes of forests. I was not able to convince my Committee to amend this matter. However, some Members, especially those from Tana River County, will be addressing some of the historical injustices that have been meted on them because of the irregular establishment of forests. The process that was outlined in the 2005 Act requires that you do public participation to establish a forest.

The Government of the day considered the meeting of the county council as being sufficient public consultation. They established 43 per cent of Tana River County and areas inhabited by the pastoralist communities as a forest reserve. It is next to impossible to degazette those forests yet some of them include established towns.

This House has received and considered two petitions from Tana River County and yet the Bill requires that the decision to change the boundaries of Wayu and Bura forests must emanate from the KFS and the Executive. It is a game of musical chairs. I am fearful that if we do not do something, any civil servant can decide to go to the county assembly and ask it to establish a forest reserve in your area and it is next to impossible for you to change that. So, I will urge the House to amend the procedure set in this Bill. It is good that it will help in areas where politicians urged the Government and ended up degazetting forests for private use, but in arid and semi-arid lands (ASALs) it has now become a habit to establish forest reserves so that you deny people from that region an opportunity to fully exploit their areas.

As we speak, Madogo, Wayu and Bura towns are all forest reserves established in 2013. Those towns have been in existence since the early 1970s. We need to be very careful so that politically correct civil servants do not establish forests in that manner in future. We should not allow this Bill to allow them to do the same.

I am very happy with the proposed establishment of a forest fund whose intention is to have monies set aside to promote conservation of forests, establish tree nurseries, promote community
management of forests and provide vocational training for members of the public on the use of forest resources. This fund will, with the approval of the National Treasury, get some money that will be levied against import of products that can easily be produced in this country. We are importing a lot of furniture and yet, as I said before, Kenya has 150,000 acres of bamboo lying idle. Most of the furniture we import is made from bamboo.

We also appreciate the fact that private tree growers are going to benefit from their idle land. If you want to plant eucalyptus trees, for example, you will need to invest for eight years without receiving much in return. With this new Bill, we can ask the National Treasury to exempt land owners who have put their land under trees from paying taxes and land rates until they start selling their products. Those are the areas that have been addressed in this Bill.

We will propose many amendments relating to land tenure. We will also seek to improve the relationship between county governments and the national Government.

Clause 20 of the Bill presents something that the House needs to think about. When a function is assigned to both the national Government and county governments, how does the county implementing national policy report back to the national Government or the Cabinet Secretary responsible for that resource? The proposal in this Bill is that the member of the County Executive Committee (CEC) responsible for forest matters should report to the CS. We will urge this House to reject that clause because it establishes an informal set-up of communication.

Hon. Temporary Deputy Speaker, a member of the County Executive Committee should not communicate formal implementation issues directly to a Cabinet Secretary. It should be with the approval of their respective county governments, so that we create some formality in terms of how the counties interact with the national Government.

I want to say this on a light note. Many discussions about royalty sharing in mining and oil have been seen to be giving advantage to arid and semi-arid areas. I had hoped that there would be public input to the effect that incentives, resources or royalties from forests should be given to local communities.

However, the component in this Bill is just saying that the Forest Association should be involved and they should have a percentage of the royalty given to communities and yet it is not strong enough. Since I do not own a forest and I do not come from a forest area, it is the responsibility of those of you who come from the Mau and the Cheranganys of this world to give us ideas on how benefit sharing should be included in this Bill. As of now, it is only stating it broadly and not going to the volatile details that you will witness when we will deal with petroleum and minerals.

All in all, this Bill is good. We interacted with the first version before it was published. We are very happy that we have cordial relations with the Ministry to a point that many of the concerns have already been included and the ones that have been left out, we had an agreement to deal with the same.

This Bill is timely and needs our support. There is also the issue of having county and national Government forests. We need to appreciate that the Constitution has clear land tenure classification that we must take into account. We welcome all the new provisions in this Bill. We look forward to your support. We urge you to support all our amendments that will make this Bill better.

With those many remarks, I beg to support.
PETITIONS
Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Kajuju

Contribution She Made On: INCREASED CASES OF HUMAN-WILDLIFE CONFLICT IN MERU COUNTY

Hon. (Ms.) Kajuju: Thank you, Hon. Speaker. This is a public petition on increased cases of human-wildlife conflict in Meru County.

I, the undersigned, on behalf of residents of Kithoka, Nkunga, Tigania West and other parts of Meru County, draw the attention of the House to the following:-

THAT, the residents of Meru County have been engaged in human and wildlife conflict for a long period of time;

THAT, recently, over 300 stray elephants trampled down fences, ruined farmlands and damaged crops and homes and caused injuries and loss of lives;

THAT, the residents of Meru County have suffered extreme crop loss and destruction, hunger and suffering;

THAT, there remains deep anxiety and fear in Kithoka, Nkunga and Tigania West areas and other parts of the larger Meru County due to the continued wanton destruction of crops by the elephants;

THAT, the Kenya Wildlife Service wardens normally take a long duration to respond to the residents’ distress;

THAT, concerned that only 20 kilometres of the entire park area is fenced hence making it easier for the animals to stray more often;

THAT, the matter presented in this petition is not pending before any constitutional or legal body.

Therefore, your humble petitioners pray that the National Assembly, through the Departmental Committee on Environment and Natural Resources:-

1. Recommends the erection of electric fence covering the entire park and provision of additional forest stations and wardens.
2. Recommends that the Ministry of Environment, Water and Natural Resource puts in place mechanisms to ensure human and wildlife conflict cease forthwith.
3. Recommends the quantification and compensation of victims of human-wildlife conflict and such other affected persons and/or families and property as a result of the damages suffered due to the massive destruction of homes, crops and loss of life.
4. Makes any order or direction that it deems fit in the circumstances of the case.

Your Petitioners will ever pray. It is dated today, 3rd December, 2015.
MOTIONS
Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Kanyua

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL VALUES AND PRINCIPLES IN GOVERNANCE

Hon. (Ms.) Kanyua: Hon. Speaker, I beg to move the following Motion:-
THAT, this House adopts Sessional Paper No.8 of 2013 on National Values and Principles of Governance, laid on the Table of the House on Tuesday, 22nd April, 2014.
The bit on national values and principles of governance is drawn from the Constitution of Kenya 2010, Article 10, in particular.
Before we go to Article 10, it will be important to look at the policy in detail, especially the history of the country. The policy starts by noting that we have more than 40 ethnic groups in this country. They are actually more than 40. When the actual number is done, it comes to slightly above 70 ethnic groups. However, the recognised ones in our laws and systems have been 42 ethnic groups. So, we have over 42 ethnic groups with distinct cultural and value systems and no semblance of statehood living in our country, Kenya.
Looking at the history of our creation by the European settlers in the 1800s, the history of the one-party system, our removal of Clause 2(a) from the old Constitution and our new democratic environment, it has become important for the country to have a Sessional Paper on National Values and Principles of Governance.
The problem statement has been well done in the policy. Attainment of Vision 2030 is one of the main reasons and drivers why we would need a national policy on Values and Principles of Governance.
The Vision 2030 foresees Kenya as a developed country, as a middle income, where a majority of its citizens would enjoy a quality of life that is acceptable. For us to move to Vision 2030, it is very important for the country to have a set of national values and principles that guide the 42 ethnic communities that live together in this country.
The Constitution 2010 also requires that we abide by Article 10. We should abide by the values that are encapsulated there and those that are shared across all the Kenyans in this country, and those that leaders are particularly called upon to begin to shape.
Hon. Speaker, the National Economic and Social Council had identified the development of a national value system as part of the Council’s 2009-2010 agenda. They recognised that the country needed a value system to commit to. Even to those of us who have had time to look at the history of our country; it has become very evident that we need a common value system to subscribe to.
The broad objectives of the policy are to institutionalise the national values and principles of governance as enshrined in the new Constitution. The scope of the policy is to apply to all State officers, public officers and all State organs. It will also apply to all persons in the application or interpretation of the Constitution, in enactment, application or interpretation of any law or in
making or implementing public policy decisions. The scope of the policy is far-reaching. Every State organ, public officer and State officer is required to apply the national values and principles in their daily operations.

The policy holds that national values define a people’s identity. There are fundamental beliefs of a nation guiding choices, actions and behaviour of its citizens.

National values exert influence in the way citizens relate with each other and how communities engage each other. We clearly need a sense of identity in which we share a set of national values that would not allow a citizen to lift a finger against another citizen because that would be the value system of our country. That way, leaders will treat the offices in which they serve with respect and dignity because that is the national value of our country.

Looking at the challenges that have led to our country not having a good value system, five issues were identified as causing the problems that we have today. It was identified that, as Kenyans, we do not share a strong national identity. A lot of us identify more with the communities we come from other than with the nation. In my case, I am first and foremost a Kikuyu before I am Kenyan. Other persons are Maasai before they are Kenyan. You are Luo before you are Kenyan. You are Kamba before you are Kenyan. You are Luhya before you are Kenyan. You are Kikuyu before I am Kenyan. Other persons are Maasai before they are Kenyan. You are Luo before you are Kenyan. You are Taita before you are Kenyan.

We want a country in which Kikuyu identify themselves as Kenyan first, Luhya identify themselves as Kenyan first, Luo identify themselves as Kenyan first and Kamba identify themselves as Kenyan first. If something is good for Kenya, it is going to be good for Kikuyu; it is going to be good for Luo; it is going to be good for Kamba; it is going to be good for Maasai; and it is going to be good even for small tribes like Orma and the EEl Molo. We all desire a country with a strong national identity. It is a big mark of honour to belong to a country with a strong national identity. We are among the few nationals of a country that go to bad-mouth their country abroad. We all need to learn that in our national value system, standing for our mother country is a strong national identity.

When you carry a Kenyan passport, it means something. That is something we all need to work on – having a strong national identity.

It is regrettable that some of the symbols of our strong national identity still need to be developed. I belong to the category of Kenyans who believe in a national dress. It is important that the country gets a national dress upon which we can all relate to. The other thing affecting our national value system is effective representation and leadership. The country will be as good as its leaders in terms of value system. We need to strengthen the electoral system that we work under.

Equitable allocation of resources and opportunities is important in building the national value system. Good governance and sustainable development are equally important in building the national value system. Kenyans need to arise to address the challenges that confront our country.

The policy covers very critical areas, including leadership and institutional framework, implementation strategies, value carrier, value drivers and policy implementation role. The National Assembly is called upon to be one of the value carriers and the value driver of the national value system. The policy addresses the question of resource mobilisation, policy outcomes, monitoring and evaluation.

As I celebrate Sessional Paper No.8 of 2013 on the National Values and Principles of Governance, I urge that the matters contained therein be implemented. I ask each one of us to begin to look at Kenya in a new way; to begin to adopt Kenyan in a new light and to love our
mother country even as we celebrate our cultural diversity. There is nothing as good as our country. We will never get another Kenya. This is the only Kenya that we have. With those remarks, I beg to move and request Hon. Kajuju to second the Motion.

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Kanyua

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL VALUES AND PRINCIPLES IN GOVERNANCE

Hon. (Ms.) Kanyua: Hon. Speaker, hon. Members are reminding me about gender balance. In the new value system, gender equality is also one of our value system. Thank you, Hon. Speaker.

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Kanyua

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL VALUES AND PRINCIPLES IN GOVERNANCE

Hon. (Ms.) Kajuju: Hon. Speaker, I rise to second the Motion and strongly support the national values and principles of governance that have been properly articulated in this Sessional Paper. This is good guidance that the Government is giving to Kenyans to show them the way forward for this country. Time has come for the President to tell us how we should move and for Kenyans to pick it up and ensure that it is inculcated in our day-to-day life.

I would like to tell hon. Members that this is not a Paper that just came out of the blues. This Paper is a result of a process which was started way back in 2011. A steering committee and taskforce were formed. The then Minister for Justice and Constitutional Affairs ensured that those organs were able to bring on board the issues of national values and principles of governance. There was a lot of public participation because the steering committee and the taskforce then wanted to know from Kenyans the best way to ensure that we implement Article 10 of the Constitution that Kenyans clearly stated that they wanted to live by in 2010.

Several values have been put in the Constitution. We are now trying to ensure that Kenyans understand and implement them through this Sessional Paper. There was a time when we used to have a Government spokesman who had this vision for Kenya. One of the phrases that the Governor of Machakos County – who was then the Government Spokesman – tried to popularise is “Najivunia kuwa Mkenya”. Every time I spoke to people then, they would say “Najivunia kuwa Mkenya.” That is what this Sessional Paper is trying to do. It is trying to tell Kenyans that time has come for us, as a people, to be proud of our country.

The reason as to why we have to be proud of our country, especially now that we are talking about devolution, is that we have seen situations where our current county leaderships have been talking of 47 governments and one main Government. In other words, they are saying that we have 47 governments and a national Government. We cannot have 48 governments in Kenya.
We are people who are guided and presided over by the President, who was elected by the people of Kenya.

Hon. Speaker, it is going to be a defeatist attitude if the people of Kenya think about their counties and bring about disintegration within this country. Instead, we should use our strength through the county governments to bring about integration within the communities, regional situations that we find ourselves in and within the national Government.

Even as I think about Meru County as my county of birth, I must be able to say that I belong to Kenya. The Mover of this Motion has clearly stated that even when we go out of this country, I should not go there and think about myself as a Meru. I should speak about the Kenyan that I am. That is what has helped the United Republic of Tanzania. Tanzanians think about themselves as Tanzanians. They do not have any tribes and communities. I am praying one time one day, even if it is not during my time but the lifetime of my children, that they will think of themselves as Kenyans. Because we are here, and we are elected as the representatives of the people, it is our time, at least, to show the people the way to go. This Paper clearly seeks to strengthen the institutional framework through which it can be implemented. It seeks to promote a strong legislative framework that is in line with the national values and principles of governance.

Another thing that has brought about a lot of division is political parties. We have seen that there are so many parties in Kenya that confuse Kenyans. It is a good vision that the Jubilee party is coming up to bring all those parties together so that we can emulate other developed countries that have just two parties through which persons can elect their candidates without creating political parties for regions, communities and counties. That is not going to help us and it is not going to help us build Kenya. What we need is a strong national identity. We need to think as Kenyans and think about our patriotism.

The Constitution is good in Article 10 because it talks about regional balance and inclusivity. It talks about us as Kenyans. That is why I am urging this House today to kindly stand up for our national values and principles of governance. Let us take them on board and learn to live with the principles of governance that are in this Sessional Paper.

I, therefore, second.

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Kiptui

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL VALUES AND PRINCIPLES IN GOVERNANCE

Hon. (Ms.) Kiptui: Hon. Temporary Deputy Speaker, indeed, this is a very emotive topic. Some of us are very emotional when we talk about it. As leaders, we must be the ones to show the way. Unfortunately, since Independence, this country has taken a nosedive. It is continuing to go down instead of coming up.

We have enumerated our values in the Constitution. However, we do not live by those values. We have a disease in this country whereby we churn out very good papers and legislate good laws but, when it comes to implementation, we go the opposite of our original intentions. It is a very sad situation. As a Member from the other side said, we need a revolution. We need a big bang that will wake us up into sense. We pray God that we remove this spirit of contradiction.

In this country, we say this and do the opposite. Look at how we behave even on the streets. We have no respect for one another. When you go to a bank and you find someone is being served,
instead of waiting on the queue for your brother to be served, you jump in front or shout to the
teller. You want to be served so that you can go away quickly. That, in itself, shows a very
selfish attitude that we have towards one another, lack of respect and even care for fellow human
beings.
Hon. Speaker, in our education system, we need to inculcate those values at a very early stage in
our children’s lives. But do we do that? In our curriculum, what do we see? Even when you teach
children during the day about good manners, when they go home, they watch television and see
leaders fighting. That, in itself, is a very big contradiction. For instance, in the political arena, we
have made politics money driven. If you have no money, voters will see that you have no value.
It does not matter what innovative ideas you may have which may help this country to go
forward, but you are never given a chance if you are poor. This is because you came in here
through your money. Your money voted you in. We have made our politics very expensive to the
extent that very soon, we will have no good leaders but only people who have money.
Hon. Speaker, it is high time we met as leaders, went for a retreat and asked ourselves: What are
we going to do to turn this country into the right path as it should be?
In Kenya, leaders are not regarded as leaders and that is why when we go to the constituency
every weekend, we find so many *Harambees*, almost 30 in number. It is because we are looked
at as having a lot of money. We are just considered like bags of money or walking Automated
Teller Machines (ATMs) without Personal Identification Numbers (PINs). *Ukuguzwa tu*, money
should come out. We really need to think about it.
I do not care much about how many laws we will enact. My problem is at the implementation
stage. May God help this present Parliament to turn Kenya around?

**Date 3rd December, 2015**

**Member of Parliament: Hon. (Ms.) Kanyua**

**Contribution She Made On:** ADOPTION OF SESSIONAL PAPER ON NATIONAL VALUES AND
PRINCIPLES IN GOVERNANCE

**Hon. (Ms.) Kanyua:** Thank you, Hon. Speaker. Because we do not have much to say in reply,
allow me to give one minute each to Hon. Benjamin, Hon. Isaac Mwaura and Hon. Christine
Ombaka. I will use the two minutes to wrap up.

**Date 3rd December, 2015**

**Member of Parliament: Hon. (Ms.) Ombaka**

**Contribution She Made On:** ADOPTION OF SESSIONAL PAPER ON NATIONAL VALUES AND
PRINCIPLES IN GOVERNANCE

**Hon. (Ms.) Ombaka:** Thank you, Hon. Speaker, for giving me this opportunity. I just want to
raise one point that national values also mean that we need to be one people and one nation. To
be one nation, we need one language that can unify us. We are so lucky that we have Kiswahili
and English languages. If you look at Kiswahili, it is not well spoken in certain regions. I am one
of the victims who cannot speak good Kiswahili.
Kiswahili should be one of the languages which should be taught in schools and
everybody should be able to speak it well so that we use it all the time. That will unify us.
Tanzania, for example, has been unified by one language. They do not talk about
tribalism. They talk about my brother, my sister because the language has unified them as
a nation. We lack that kind of unity through one language. That is my submission to this.
Thank you very much.

Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) Kanyua

Contribution She Made On: ADOPTION OF SESSIONAL PAPER ON NATIONAL VALUES AND PRINCIPLES IN GOVERNANCE
Hon. (Ms.) Kanyua: Thank you, Hon. Speaker. As the Mover, I really want to support and appreciate all the Members who have spoken on this policy. For the many comments and good values that we have espoused here today, this is the Kenyan nation we want to see.
I also want to emphasize the issue of a strong national identity and a strong national value system. We are among the few communities which do not have a national consciousness that we all agree corruption is bad and shun corrupt people, and that would be a national value system that we all share.
The education system needs to accord to the new value system. We need graduates who are not only hardworking and intelligent, but are also Kenyans of good repute and young people who can guide our country in matters of education. We will be asking the national education system to use the Sessional Paper we have adopted today to guide the civic education and the social studies classes that are being undertaken in our primary schools.
I would like to thank the House and Parliament at this point in time, for adopting a Sessional Paper as progressive as the one we have adopted.
I beg to move.
MOTION FOR ADJOURNMENT
Date 3rd December, 2015

Member of Parliament: Hon. (Ms.) B.N. Nyaga

Contribution She Made On: ADJOURNMENT TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY
Hon. (Ms.) B.N. Nyaga: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. We have done a good job in 2015. We have received two important guests in this country: The President of the United States of America (USA) and the Pope. They talked about how to curb corruption. They talked to us about gender, supporting the youth, praying for our country and supporting one another. That is how we are supposed to be and continue for the rest of our time.
Thank you, Hon. Temporary Deputy Speaker.
Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: PAPERS LAID
Hon. (Ms.) Abdalla: Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House today, Wednesday, 16th December 2015:-
Report of the Departmental Committee on Environment and Natural Resources on the vetting of Principal Secretary nominee for the Ministry of Environment and Natural Resources, Mr. Charles Sunkuli, State Department for Environment and Dr. Margret Mwakima, State Department for Natural Resources.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) R.K. Nyamai

Contribution She Made On: PAPERS LAID
Hon. (Ms.) R. K. Nyamai: Hon. Deputy Speaker, I beg to lay the following Papers on the Table of the House:-
Report of the Departmental Committee on Health on the vetting of Dr. Nicholas Muraguri, nominee for appointment as Principal Secretary for Health.
Consideration of the Petition by Mr. Solomon Muriungi regarding amendment of the Cancer Prevention and Control Act, 2012,
Consideration of the Petition by Mr. Dennis Githinji on behalf of university students and graduates of Bachelors, Masters and PhD Degrees in Laboratory Medicine in Kenya regarding registration and regulation of the practice of degree holders in medical laboratory science and technology.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) S.W.Chege

Contribution She Made On: PAPERS LAID
Hon. (Ms.) S.W. Chege: Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House today:-
Report of the Departmental Committee on Education, Research and Technology on vetting of Dr. Dinah Jerotich Mwinzi, Principal Secretary nominee for the State Department of Vocational and Technical Training in the Ministry of Education, Science and Technology.
Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF REPORTS ON VETTING OF NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES

Hon. (Ms.) Abdalla: Hon. Deputy Speaker, I beg to give notice of the following Motion:- THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the vetting of persons for appointment as Principal Secretaries laid on the Table of the House today, Wednesday 16th December 2015 and pursuant to the provisions of Article 155(3)(b) of the Constitution approves the appointment of Mr. Charles Sunkuli as Principal Secretary, State Department of Environment and Dr. Margaret Mwakima as Principal Secretary, State Department of Natural Resources.
Thank you.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) R.K. Nyamai

Contribution She Made On: ADOPTION OF REPORTS ON VETTING OF NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES

Hon. (Ms.) R.K. Nyamai: Hon. Deputy Speaker, I beg to give notice of the following Motion:- THAT, this House adopts the Report of the Departmental Committee on Health on the vetting of the nominee for the appointment as Principal Secretary for Health, laid on the Table of the House today Wednesday 16th December 2015 and pursuant to the provisions of Article 155(3) of the Constitution approves the appointment of Dr. Nicholas Muraguri as Principal Secretary for Health.
Thank you, Hon. Deputy Speaker.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) S.W. Chege

Contribution She Made On: ADOPTION OF REPORTS ON VETTING OF NOMINEES FOR APPOINTMENT AS PRINCIPAL SECRETARIES

Hon. (Ms.) S.W. Chege: Hon. Speaker, I beg to give notice of the following Motion:- THAT, this House adopts the Report of The Departmental Committee on Education, Research and Technology on the vetting of the nominee for appointment as Principal Secretary for the State Department of Vocational and Technical Training in the Ministry of Education Science and Technology laid on the Table of the House today, Wednesday 16th December, 2015 and pursuant to the provisions of Article 155(3) of the Constitution approves the appointment of Dr. Dinah Jerotich Mwinzi as Principal Secretary for the State Department of Vocational and Technical Training.
Thank you. Hon. Deputy Speaker.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: THE FOREST CONSERVATION AND MANAGEMENT BILL

Hon. (Ms.) Abdalla: Thank you, Hon. Deputy Speaker. I was “seconding” the Forest Conservation and Management Bill in which I was highlighting to the Members the major changes. I had noted that pre-publication scrutiny of Bills tends to assist in the amount of amendments that are needed because the Committee had already interacted with this Bill.

The issue is the process through which the de-gazettement or the realignment of forest boundaries is to be undertaken. In the 2005 legislation and in the current proposal, it is the Ministry and the Kenya Forest Service (KFS) that is to provide a Motion for de-gazette or change of boundaries. The effect of this is that if a civil servant colludes with the KFS, they can decide to declare your area a forest. This is the challenge that is facing the Members of Parliament from Tana River County. A high percentage of their land mass has been declared a forest reserve. For now, even though the House has passed two petitions to de-gazette the said forest reserves or to change the boundaries, that responsibility is still taken back to the civil servants who were in the first place the persons who pushed for the gazettement of the same. We will be urging that those Bills be streamlined so that this House does not act in vain where we approve petitions to alter boundaries of forest reserves. We realize that that is not in our powers to implement, rather it has to go back to the same civil servants.

This Bill is very progressive because it appreciates that the Government should not be in business but should look for the best practices and the most profitable means of managing resources under their docket by providing for concessions of Government forests. This Bill, given the amendments that I had previously spoken about, will recognize all forests, either county or national, as public forest. This is because once an area is declared a forest, it becomes public forest in line with our Constitution.

This Bill is going to strengthen the KFS, the Kenya Forest Training Institute (KFTI) in Londiani and also the Kenya Forest Research Institute (KEFRI). As I had said earlier, our KEFRI is doing great research. It is the interpretation of that research into tangible profit-making and sustainable beneficial activity that is lacking. So, due to those realities that my committee has noted, we intend to ensure that the Board of the KFS has representation from the KEFRI for purposes of integrating the great research that is being done.

I had spoken for over 20 minutes before, therefore, with those many remarks, I would like to “second” this Bill and urge this House to pass it.

Thank you, Hon. Deputy Speaker.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Leshomo

Contribution She Made On: THE FOREST CONSERVATION AND MANAGEMENT BILL
Hon. (Ms.) Leshoomo: Ahsante Mhe. Naibu Spika, kwa kunipatia nafasi hii ili nijaribu kuiunga mkono Mswada huu.


SPECIAL MOTION
Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Odhiambo-Mabona

Contribution She Made On: APPROVAL OF APPOINTMENT OF CABINET SECRETARIES

Hon. (Ms.) Odhiambo-Mabona: Thank you, Hon. Speaker. I thank and appreciate you for allowing three Members each from both sides. I am very passionate. I came here before 2.30 p.m. My system is not working. Everybody is supporting while I am opposing. I would really love to be heard on why I am opposing. I request that you indulge me to be the first one on this side.

When a lady makes a request, in my culture, she is given, Hon. Speaker. So, be kind to allow me to speak because I want to speak very passionately.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) (Dr.) Shaban

Contribution She Made On: APPROVAL OF APPOINTMENT OF CABINET SECRETARIES

Hon. (Ms.) Dr. Shaban: Mhe. Spika, hata wewe unataja masuala ya jinsia ambayo ni muhimu kwa Wakenya wote, haswa kwa vile tume pata Wizara ya kusimamia masuala ya jinsia.

Naunga mkono. Ahsante sana.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Katana

Contribution She Made On: APPROVAL OF APPOINTMENT OF CABINET SECRETARIES

Hon. (Ms.) Katana: Ahsante sana, Mhe. Spika. Nachukua nafasi hii kuunga mkono mjadala huu ambao tunaujadili sasa kuhusu uteuzi wa mawaziri.


Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Odhiambo-Mabona

Contribution She Made On: APPROVAL OF APPOINTMENT OF CABINET SECRETARIES

Hon. (Ms.) Odhiambo-Mabona: Thank you, Hon. Speaker. I am sure you have not given me the chance because of culture but because I am a Member of the House. I rise to oppose this Motion. In
opposing the Motion, I want to say that it has nothing to do with the appointees that are before this House, many of whom I know. I can just give an example of Hon. Kazungu, Hon. Kiunjuri, Hon. Sicily Kariuki and Hon. Charles Keter. We have worked with the three male colleagues in the last Parliament and this one. I have no known reason why at an individual level they would be disqualified or even other nominees.

I want to give accolades in relation to Mrs. Sicily Kariuki. She has done a commendable job. As a Member of the Departmental Committee on Agriculture, Livestock and Cooperatives, she has done a very good job. It attests to the fact that when you give women work, they do it to their utmost. Most women excel when they are given work.

It is for that reason that I wish to oppose this list for being unconstitutional. It is not recognizing the voices of women in this country. Under Article 27(8) of the Constitution, the Government is mandated to ensure that in every elective and appointed position, not more than one-third shall be of one gender.

Right now, we are grappling with how to make Parliament constitutional. Instead, the President is going ahead in the Executive to give us an unconstitutional list. As a person who has in the past spoken for women, I will stay on course and support the women agenda. If the list is unconstitutional for that reason, I cannot support it.

I would also want to say that under Article 232 of the Constitution and especially because of the history that we went through--- I happen to be one of who you would call the founding mothers of this Constitution. One of the things that we said because we wanted to ensure that we do not go through ethnic violence was the issue of resource allocation that was showing its head through politics. Those were issues of resource allocation and part of it was on appointments. Those appointments do not show the face of Kenya as required under Article 232 of the Constitution. In fact, not only these ones as somebody would be challenging me and saying: “How do you represent the face of Kenya or gender out of five?”

Hon. Speaker, if you look at the constitution of the Cabinet as a whole with these numbers added, they do not represent the face of Kenya as envisaged in the Constitution. Neither do they represent the gender representation or disability issues that are required under Article 232 of the Constitution.

Finally, I want to echo what my sister whom I respect very much, Hon. Naomi Shaban has said. This country is greater than all of us and, therefore, as Kenyans, we must know that first. I told one of my colleagues outside here when we were talking informally that if you want to put this country first, tell the President that he is “naked”. This country is sinking under the weight of corruption and when we are appointing these people, we are expecting them not to go and sink under the weight of corruption that is killing this country.

Through corruption, children are dying in hospitals because they cannot get medicine, people are dying of hunger and many people who are supposed to be rescued are not being rescued. My brother Hon. Mbadi said that nine people died in his constituency. Out of those nine, one of them that I buried was from Mbita Constituency. That is because we are neighbours. So, out of the nine that died, one of them was from my constituency. It is all because of corruption. If you want to go and become a sycophant and cheat the President that all is well, all is not well. Let him tell Kenyans the issue of the Eurobond. It is a lot of money such that if you did any project worth a billion, the country should be able to see it. So, let those who truly believe in Kenya tell Kenyans the truth and let us stand on the side of Kenya and slay corruption.

Finally, I know many people have spoken to the issue of Ethics and Anti-Corruption (EACC) and Parliament. I had indicated to you before that there was an impromptu Kamukunji yesterday, which I cannot divulge its contents thereof because then it ceases to be a Kamukunji. However, I would
want to urge that as a matter of urgency we need another Kamukunji as soon as Parliament opens. We did a scratching of the surface. There are so many things Hon. Speaker that I want to tell you---

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) T.G. Ali

Contribution She Made On: APPROVAL OF APPOINTMENT OF CABINET SECRETARIES

Hon. (Ms.) T. G. Ali: Thank you, Hon. Speaker. I support the Motion. Almost all the PSs who have been presented here represent the face of Kenya. They also represent people with special skills. I believe that as they come on board they are going to make radical changes that would help this country. We have seen experience lacking in many of the ministries. I believe the nominees who will be approved here today will bring innovation and changes to this country.

As we approve these names, I have a message for the nominees. For the past few years we have had issues of corruption. We have had PSs who have not been proactive in pushing the agenda of this Government. I expect this Parliament to look and monitor this to ensure that we play our proper role of oversight.

I also take this opportunity to thank the President for being very kind to people from different parts of this country and ensuring that we have the face of this country. I would also like to say that I as the Member of Parliament for Isiolo, I am also looking upon him to ensure that he brings on board young men and women who are also very experienced so that we have an opportunity in serving this Government in different capacities. As we look out there for gender balance, Isiolo should be the next area for focus.

I support. Thank you.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Kanyua

Contribution She Made On: APPROVAL OF APPOINTMENT OF CABINET SECRETARIES

Hon. (Ms.) Kanyua: Thank you, Departmental Committee Chair for donating a minute to me. Hon. Speaker, as a Committee Member of both the Defence and Foreign Relations Committee and the Regional Integration Committee, I feel highly offended that I was not given an opportunity to contribute earlier. I would like to say that we were very impressed by the skills and capacity that was presented by Ms. Maina – the nominee for PS for East African Affairs – and the incoming Defence PS. We look forward to their contribution in leading these institutions. I congratulate His Excellency the President for making such good choices on the type and calibre of PSs. I wish them all the success in their new positions.

I support.

Date 16th December, 2015

Member of Parliament: Hon. (Ms.) Chebet

Contribution She Made On: APPROVAL OF APPOINTMENT OF CABINET SECRETARIES
Hon. (Ms.) Chebet: Thank you, Hon. Speaker, for giving me the opportunity to contribute on this Motion.

From the outset, I support the Motion. I would like to congratulate the President and his Deputy for these nominees. I have read through the CVs of these nominees and I can confirm that they are qualified, experienced and committed to deliver services to Kenyans. They passed the integrity test and I hope they will not engage in corruption. I know that they will work in the Ministries that are marred with corruption. I know that they will stay away from the monster of corruption.

SPECIAL MOTIONS
Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon (Ms.) Abdalla: Thank you, Hon. Temporary Deputy Speaker. I beg to Move:- THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, 16th December, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of Mr. Charles Sunkuli as the Principal Secretary, State Department for Environment; and Dr. Margaret Mwakima as the Principal Secretary, State Department for Natural Resources.

Hon. Temporary Deputy Speaker, on behalf of the Departmental Committee on Environment and Natural Resources, and pursuant to the Provisions of Standing Order No.199(6), it is my pleasure, privilege and honour, to present to this House the report of the vetting of Mr. Charles Sunkuli and Dr. Margaret Mwakima as Principal Secretaries.

The Committee held three meetings to deal with this mater. None of the two nominees received adverse reports against them. Therefore, we went ahead and did a vetting exercise for the two. It is our pleasure to note that Mr. Charles Sunkuli, who is currently the Managing Director of Ewaso Nyiro South River Basin Authority, has a Bachelor’s degree in Education from Moi University. He also has an Executive Masters of Business Administration from ESAMI, Tanzania.

The candidate has a lot of knowledge on environmental matters. In fact, one of the regional authorities he was heading will be under the State Department, where he will be the Principal Secretary.

We had interacted with this candidate even prior to him being appointed the Principal Secretary. We note that he holds the regional authority with the least amount of pending bills. The other regional authorities have quite hefty pending bills. Therefore, he is definitely a better manager of resources and we noted this while vetting him.

Dr. Margaret Mwakima has a very strong academic background on environmental matters. She has a PhD in Eco-Tourism Management and would be bringing a wealth of experience in natural resource management.

We, therefore, concluded that Mr. Sunkuli and Dr. Mwakima are qualified and suitable to serve as Principal Secretaries in the State Department for Environment and Natural Resources. The Committee, therefore, recommends that the National Assembly approves the appointment of the two. In addition to this approval, my Committee would like to make two further recommendations. First, as part of job orientation, the PSs should be given an urgent orientation on financial management to enable them to be at par since they come from different backgrounds.
Secondly, as already alluded to by an Hon. Member while contributing to the previous Special Motion, the Government should focus on the need for internal promotion of persons in the Ministries rather than appointing PSs from outside. It is our view that there are many public servants who have served this country diligently, and who are able to rise to the level of Deputy Secretary and eventually become PS. Such persons end up retiring very disillusioned. I believe that, for purposes of strengthening our Public Service, the PSC should try its best to have a higher percentage of persons being recommended for appointment as PSs from individuals who have worked in the public service. Hon. Temporary Deputy Speaker, with those many remarks, I beg to move and request Hon. Chachu Ganya to second.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Seneta

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. (Ms.) Senata: Thank you, Hon. Temporary Deputy Speaker for giving me a chance to support this Motion on the approval of these two nominees, who actually come from the pastoralist communities of Kenya.

At the outset, I want to thank the President for nominating Mr. Charles Sunkuli, on behalf of the people of Narok, Kajiado and the pastoralist communities at large. I also congratulate the two of them on their nomination. These two nominees have a very rich experience in terms of natural resources. I only want to urge them, as they join their new line of work, to showcase their experience by improving that Ministry and State Department.

Natural resources, as a sector, needs people who can put in place policies and practices that can help us sustain our environment. Mr. Charles Sunkuli has been working with Ewaso Nyiro South River Basin Environment Authority. He has a lot of dedication and commitment in improving the environment.

I also want to congratulate Dr. Margaret. She is a lady from a pastoralist and minority community. I support what my other colleague, Hon. Amina Abdalla, has just said – that they need total orientation on financial accountability because these are people who are now going to be accountable. In the past days, we have seen PSs getting into problems because of financial accountability in their ministries.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Shaban

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. Dr. (Ms.) Shaban: Thank you. I want to add my voice in supporting this Motion by the Chair of Departmental Committee on Environment and Natural Resources, Hon. Amina and her team for vetting these nominees, Charles Sunkuli and Dr. Margaret Mwakima.

I want to thank the President for his decision in making sure that Taita Taveta has also been brought on board more so in his Executive where Taita Taveta was lacking and even picking a PS nominee who is well versed in that area because that is the area of her training.

More so Taita Taveta is where we have the Tsavo National Park, the biggest God-given resource in this country, the wildlife and even other natural resources like minerals and all that that are found in Taita Taveta.

Dr. Margaret Mwakima has a lot of experience in the tourism sector. So, she will be able, in the Executive, to add value to the people who are working in the tourism sector and work with them to
add value to the Jubilee Government in realising the full potential of the natural resources in our country.
As for Charles Sunkuli, his experience in Ewaso Nyiro is something which adds value. We will see
this adding some value to this Government.
I beg to support.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. (Ms.) Abdalla: Hon. Temporary Deputy Speaker, I just want to say that these two individuals
are here because of their qualifications. The issue of people being happy because the nominees are
from their regions is secondary. These are very qualified individuals and they deserve the positions.
My recommendation on financial management is based on the fear that, in Kenya if you are a PS or
you head a parastatal that starts with the word “National or Kenya”, the possibility of going to the
corruption courts are very high. So, we are just urging the new PSs to take heed that the fight against
corruption is now extremely serious. We do not want them to fall prey. So, they should be given
orientation on financial management.
With those remarks, I beg to move.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Gathecha

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. (Ms.) Gathecha: Thank you, Hon. Temporary Deputy Speaker. I rise to support this Motion. I
would like first of all to start by congratulating His Excellency the President for giving us such
qualified individuals with requisite skills within their fields. We are definitely looking forward to
seeing them do the work that is required in the manner that will ensure that the Jubilee dream comes
to fruition.
On the issue of gender regarding principal secretaries, it has actually gone beyond the 30 per cent
requirement. We appreciate that we now have such qualified women employed by the Government as
Principal Secretaries. They are highly qualified because they have the requisite degrees and
international experience.
Hon. Temporary Deputy Speaker, we are seeking to move Kenya to the 21st Century level of
development. Looking at the nominees’ wealth of experience, regardless of where they come from,
they present the best.
Ms. Munano’s promotion being within her Ministry shows that those who work diligently within
their ministries will at some point get promoted to the positions of PS and CS. There has been
reinforcement in terms of the importance of education, which is an important aspect in ensuring
that the youth in our country get jobs they are qualified for. None of the nominees has less than a
Masters degree. We want to thank them. I would like to request them to give the Government the
service that is required of them once they take up their positions. They should also curb rampant
corruption. We want to expand the space for people in this country to participate in development.
Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Chae

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. (Ms.) Chae: Thank you, Hon. Temporary Deputy Speaker for allowing me to add my voice on the recommendations of the four Principal Secretaries(PSs) who are going to serve in the State Departments of Housing, Urban Development, Public Works, Transport and Maritime Commerce. I believe that their vast experience as far as we have been told by the Committee is going to improve the working conditions mostly in housing where we need to see improvement throughout the country. We want Paul Maringa to come with the experience from Rwanda to ensure that project management in public works in Kenya is working properly. Sanity should be restored in our transport sector. I am sincerely happy with the gender balance shown in these appointments.

I wish Nancy well. Mrs. Nancy Karigithu should ensure that she intensifies maritime commerce. Thank you. I support.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Amolo

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. (Ms.) Amolo: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to support the two nominees.

Looking at their academic credentials and working experience together with their teaching experiences from various universities, I support their appointment because I know that we have been longing to have people who are experts in various fields.

Dr. Andrew K. Tuimur, being a specialist in livestock and that line of operation, I believe he will help Kenyans from all parts of the country, in spite of their various standards of living and their communities. I believe he will spread out his wings because there is a difference when you are being supported by other staff. But in this case, he will be heading the Ministry. Therefore, he will need to open up and accept everyone who comes into his office, without minding where they belong or where they come from.

Mr. Patrick Nduati comes from the World Bank environment; he has worked in various areas of water and sanitation. He should embrace all Kenyans from wherever they come from, and put everything in place so that we can be served.

All these appointees are coming in knowing very well that all Kenyans are fighting corruption. Therefore, they should not come in to cultivate corruption, but to fight corruption.

With those few remarks, I thank you for giving me this opportunity.

I support.

Date 17th December, 2015
Member of Parliament: Hon. (Ms.) Muia

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. (Ms.) Muia: Thank you, Hon Temporary Deputy Speaker. I have been requested to spell my name. I am Hon. Regina Muia, Member of Parliament (MP) for Kilome Constituency. I stand to support the appointment of the nominees. After going through the Report, I have seen that they are qualified and they will do a good job. I am wondering that an MP can stand before the House and start talking about tribes and who should be nominated or not.

I am a Member from the Opposition and the nominees come from the Jubilee Coalition. The Coalition appointed people who voted for them overwhelmingly. I do not see why one would even stand here and start challenging his Excellency. I am very happy because the PS for Health is a Kamba who has come from a place which did not vote for the Jubilee Government. He is now a PS for Health because he is qualified. As I stand here, there is a PS for ICT and Innovation who is a Kamba. He never voted for the Jubilee Government. We do not want discrimination in this House. Somebody should not talk about who should be nominated or not.

His Excellency was looking for people who are qualified, focused and who can take this country forward. Therefore, I am not going to agree with that Hon. Member. I challenge the Hon. Member who stood here and started talking about Kambas. The Kamba people were recognised. Dr. Mailu who is the CS for the Ministry of Health was recognised. I support the appointment of the nominees into the Government.

Thank you.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Abdalla

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. (Ms.) Abdalla: There is no problem, Hon. Temporary Deputy Speaker. I know your heart is in the right place. I want to support the nomination of Dr. Tuimur and Mr. Patrick Nduati. I want to congratulate the President for putting the right persons in the right jobs. It is very easy to support individuals when they have been given jobs out of meritocracy. As a livestock doctor and a person, Dr. Tuimur inherited a very badly managed parastatal and the effort that he has put in improving it must be commended. This is a very good reflection on the President as well; for recognizing the good work that Dr. Tuimur has done and promoting him.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Munene

Contribution She Made On: ADOPTION OF REPORTS ON APPOINTMENT OF PRINCIPAL SECRETARIES.

Hon. (Ms.) Munene: Thank you, Hon. Temporary Deputy Speaker for giving me this chance. I support the two nominees whom we vetted and saw that they qualify for the jobs. Dr. Tuimur is qualified to be the PS for the State Department for Livestock because we want the livestock sector in this country to grow so that people can get more milk and meat and export the excess. He also knows a lot about this sector.
The second one, Bw. Nduati, as you can see, has been doing a lot of work in irrigation in this country. When we looked at his CV and his oral presentation, we got satisfied that he was very qualified. I support him. I thank the President because this time round, he has appointed people who are qualified for the jobs. As the Committee on Agriculture, Livestock and Co-operatives, we have problems with irrigation and livestock in this country.

SPECIAL MOTIONS
Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Chege

Contribution She Made On: APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY

Hon. (Ms.) Chege: Hon. Temporary Deputy Speaker, I beg to move:-

THAT, this House adopts the Report of the Departmental Committee on Education, Research and Technology on the Vetting of a Person for Appointment as Principal Secretary, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of Dr. Dinah Jerotich Mwinzi as the Principal Secretary, State Department for Vocational and Technical Training.

At the outset, I want to thank my Committee for the support they gave me as we vetted this person. We have a very qualified lady who has been proposed for appointment to the position of PS for State Department for Vocation and Technical Training. I also want to thank the President for finding it important to split Education into three departments now that we are moving forward to empower the people who are engaged in technical training.

As a Committee, we hope that she will do a very good job to make sure that technical training is not just preserved for people who have not performed very well in school. As we look at the curriculum review, we can start technical training from the early stage of basic education and progress all the way to secondary and higher education, so that we can have well qualified technicians.

The nominee was cleared by EACC, HELB and all other relevant authorities. We received two memoranda. One of the memoranda was from Mr. Absalom Mabachi Toili. The Committee went through it and the sworn affidavit. The Committee’s conclusion was that the issues raised in the memorandum did not directly involve Dr. Mwinzi. They were issues which had been handled by the Ministry. The complainant had been issued with a termination letter of a project and complained that he had not been paid. He had been given a chance to go to court as he had never complained before. The Committee, therefore, dismissed the petition.

The second memorandum was about polytechnic instructors who had not been paid. We went through the memorandum and again the whole issue is under the Ministry. The Ministry said that they are going to pursue it even after this process is over by next year, so that we can make sure that the 1,274 instructors at the polytechnics are paid for the seven months after their contracts ended when there was a transition from the national Government to the county governments. I would like to inform this House that Dr. Mwinzi is well qualified. We looked at her academic qualifications, employment record, professional affiliations, potential conflict of interest, the knowledge of the area that she has been assigned or proposed to take, her integrity, vision, leadership, expectation and key priorities.

She explained to the Committee the position she is currently holding at the Ministry of Education. Dr. Mwinzi has previously worked at the Ministry of Youth Affairs and later transferred to the Ministry of Education. She has been holding some technical jobs and she has received several
compliments from various levels on the work that she has done. She holds a PhD in Education, Communication and Technology and a Masters of Philosophy in Religion both from Moi University. She has held various leadership positions. This is a lady who has grown from being a secondary school teacher to a university lecturer, assistant dean of students and to a dean before joining the Ministry. All across, when we looked at her record, she has performed very well. As we support this nominee, our prayer is that Members of Parliament will get the impact of her being the Principal Secretary (PS) because already, we have the new technical institutes that we have started building in our constituencies. Our hope is that when she comes in, she will fast-track the issues of making sure that those technical training institutes have enough tutors and tools for training so that they are not just “white elephant” projects, but will impact on our young people who want to go to technical institutes. Hopefully, this year, we are going to do the next additional 60 technical institutes. Finally, each constituency in this country will have a well-equipped technical training institute that is going to help our youth in training. We all know where the money is. With technical institutes, you can never go wrong. As I thank my Committee, I urge this House to adopt our Motion and to support this nominee.

I also want to thank the President. This time round, we got very well qualified persons. From the time we started discussing this from yesterday, today, if you look at somebody like Dr. Mwinzi on her role in rebranding of Technical and Vocational Education and Training (TVET) sector and technical training institutes and her experience in public financial management, the project planning and management of technical institutes, policy formulation and implementation, she answered the questions very well. I want to congratulate the President and his Deputy for giving us qualified persons. We are hoping that they are going to make Kenyans proud. They have very good curriculum vitaeas (CVs). The best thing we would expect from these nominees is to go and do the best for this country.

Without adding more, I beg to move. I want to request my Deputy, Hon. Melly, to second.

Thank you.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) F.I. Ali

Contribution She Made On: APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY

Hon. (Ms.) F. I. Ali: Thank you, Hon. Temporary Deputy Speaker. I wanted to contribute on the previous Motion, but I will do it. My contribution will be very general. It was necessary that the Government and the President of the Republic of Kenya fast-tracked the appointment of PSs. It will add some value but I am a worried Kenyan. Kenya is experiencing an economic crisis and financial constraints. Many Kenyans are not getting good public service because of the huge wage Bill. I was shocked when the President increased the PSs from 20 to 41. I thought that the President would appoint a lean Government with lean PSs and Cabinet Secretaries. I strongly felt that the President did not consider the economic crisis facing this country, the huge wage Bill of this country and the lack of capacity of this country to finance many projects, especially the national ones. He did not consider that, sometimes, there is even the delay of payment of county government expenses and expenditure. As Members of Parliament, we are all aware that this country is unable to generate sufficient revenue to cater for different services and development.

I feel that the President did not care about this country in appointing a huge number of PSs. One PS might earn a salary of Kshs1million. The other thing that I want to say is that we are not conveyor belts. We should reject some of these appointments so that we save this country the agony of paying unnecessary officials. I was informed recently that one of the ministries with three new PSs has one
directorate which is vocational training. It has been devolved. It will deal with the village polytechnics. That PS will be very idle and helpless to handle it. About 80 per cent of these appointees are not from the public service. They are not mainstream civil servants who have grown into the cadre and should have been appointed. This will demotivate most of the able and ---

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Ombaka

Contribution She Made On: APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY

Hon. (Ms.) Ombaka: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute. I would like to support the appointment of Dr. Dinah because of the experience she has. First of all, her education is impeccable. She has got various degrees. She has undergraduate, masters and PhD degrees along with other diploma certificates and professional courses. So, in terms of education, she is really qualified. Two, she is also very experienced. Thirdly, the very fact that she is a woman who is going to head a technical college as a PS is a good thing for the women of this country. That is an area that not many women are associated with. Technical education is always associated with men heading the institutions, but not women. So, this is a role model. Many women will now vie or go for positions that are more technical and science-based. It is an encouragement to this country.

I want to conclude by my observations since yesterday. I did not get an opportunity to contribute yesterday. Even today, I took a long time to get this chance. However, I want to say that the appointments that are being done are very good in terms of the people who qualify for those positions. Most of the nominees are really qualified and experienced people. Even if they are young because they were born in the late 1960’s, they still have good papers one can be proud of.

The one thing that is lacking, and which the President should consider all the time, is regional balance. It is being raised on the Floor, but we are treating it as a very small matter. It is a serious matter. We have to have regional balance for everybody to feel that they are included in the appointments and that they are part and parcel of this country. If we are talking about one country and one nation, then we need to embrace everybody. Certain areas are neglected all the time. One such area is where I come from - Siaya. Look at all these appointments! Ever since I came to this Parliament in 2013, nobody from Siaya has been appointed, unless you are talking about the CS for Defence, Ms. Rachel Omamo. She is the only one. Women from Siaya are never there in the appointments that are done. It is not that they are not there, but they are not seen. How does the President nominate people? We may need to forward names to him. Can he allow us to do that so that we can help him to balance the country? We can help the President to identify the right people as well from our region so that we do not feel excluded.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) S.W. Chege

Contribution She Made On: APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY
Hon. (Ms.) S.W. Chege: Thank you, Hon. Temporary Deputy Speaker. Hon. Njagagua and Hon. Kisang had requested I give each one of them a minute. I will use one minute to conclude if it is okay.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) S.W. Chege

Contribution She Made On: APPROVAL OF NOMINEE FOR APPOINTMENT AS PRINCIPAL SECRETARY

Hon. (Ms.) S.W. Chege: Thank you, Hon. Temporary Deputy Speaker. I want to thank my Committee members for the great support they have showed during the exercise. I also want to thank all Members of Parliament for positively supporting our Motion. Since I might not have another chance to speak in this House, I would like to wish all the Members of Parliament, the people of Murang’a County and the entire country at large a very merry Christmas and Happy New Year 2016. I thank the President and his Deputy for nominating Dr. Mwinzi. My prayer is that Dr. Dinah Mwinzi will do the country proud and especially Members of Parliament who are already constructing their new TTIs.

Hon. Temporary Deputy Speaker, I beg to reply.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) T.I. Ali

Contribution She Made On: APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR SOCIAL SECURITY AND SOCIAL SERVICES, ARTS AND CULTURE AND GENDER AFFAIRS.

Hon. (Ms.) T.I. Ali: Hon. Temporary Deputy Speaker, I beg to move:-

THAT, this House appoints the following Principal Secretaries:- Mrs. Susan N. Mochache, Principle Secretary State Department for Social Security and Services; Mr. Joseph Robert Okundo, Principal Secretary, State Department for Arts and Culture and Mrs. Zeinab W. Hussein, Principal Secretary State Department for Gender Affairs.

Hon. Temporary Deputy Speaker, Ms. Susan was interviewed and vetted by our Committee. She has relevant qualifications. When she appeared before the Committee, she was escorted by her spouse. This was great support. In fact, that happened to almost all the lady nominees who came before the Committee. We are urging the men, in future, to come along with their spouses too.

Madam Susan holds a Master of Science in Communication Management from the University of Scotland, United Kingdom. She also has Bachelors Degree in International Business Administration from the United States International University. She has also sat for KCSE.

The nominee has undergone professional training in various areas. They include programmes in change management, negotiation, execution, mentorship and also strategic methods and project structuring, among others.

The nominee is currently serving at the Communication Authority of Kenya as a Director Universal Service Obligation and Funding to date. She also worked with Safaricom as a Dealer Management
Administrator. The other organizations she has worked for include Brutal Limited where she served as a Distributor Manager, Lonrho Motors East Africa where she served as a sales administrator.

Hon. Temporary Deputy Speaker, she also chaired the national committee that developed the Kenya National Broadcasting Strategy through consensus building over a period of 18 months. She conceptualised a greater statistic unit that was responsible for publicised Information Communication Technology (ICT) sector, publication and national survey. She has vast experience in social assistant related programmes such as providing leadership on establishment of university access to fund, which involved policy development, legislation, regulation and the operation framework for the fund. On integrity, Ms. Mochache has never been dismissed from office. She has never been charged in a court of law. The Committee recommends that she has the relevant experience and knowledge on topical issues that touches on the Ministry she has been nominated to.

Mr. Joseph Robert Okudo, the nominee for State Department of Arts and Culture---

**Date 17th December, 2015**

**Member of Parliament: Hon. (Ms.) T.G. Ali**

**Contribution She Made On:** APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR SOCIAL SECURITY AND SOCIAL SERVICES, ARTS AND CULTURE AND GENDER AFFAIRS.

**Hon. (Ms.) T. G. Ali:** Hon. Temporary Deputy Speaker, Mr. Joseph Robert Okudo has relevant qualification and knowledge that can inspire the Ministry he has been nominated to represent. Ms. Zeinab has vast experience in her area of appointment. She is young and vibrant. She is full of energy. She has relevant experience as she has worked in regions across East and Central Africa and different parts globally. She has technical skills. She is qualified for the position.

I beg to move. I would like to ask Hon. Wesley Korir to second.

**Date 17th December, 2015**

**Member of Parliament: Hon. (Ms.) T.G. Ali**

**Contribution She Made On:** APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR SOCIAL SECURITY AND SOCIAL SERVICES, ARTS AND CULTURE AND GENDER AFFAIRS.

**Hon. (Ms.) T.G. Ali:** Thank you, Hon. Temporary Deputy Speaker. I want to thank Members for supporting these nominees. These nominees were outstanding in terms of their performance at the Committee level and we found them fit. We want to thank the President for giving this country people with technical skills, people who will add value and move this country forward. As already said by other Members, the three nominees were eloquent, intelligent and visionary. They had great dreams for the different departments and ministries that they are going to serve.

I thank Members. I want to give one minute to my Chairman who was away and he has just come in.

**MESSAGE**

**Date 17th December, 2015**

**Member of Parliament: Hon. (Ms.) S.W. Chege**

**Contribution She Made On:** PUBLIC AUDIT/PUBLIC PROCUREMENT AND ASSET DISPOSAL BILLS
Hon. (Ms.) S. W. Chege: Hon. Speaker, I beg to lay the following Paper on the Table today, Thursday, 17th December, 2015:


Thank you, Hon. Speaker.

SPECIAL MOTIONS
Date 17th December, 2015

Member of Parliament: Hon. (Ms.) T.G. Ali

Contribution She Made On: APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES

Hon. (Ms.) T. G. Ali: Thank you, Hon. Speaker. I support the nomination of Mrs. Lilian Omollo as the Permanent Secretary for Youth and Public Service. I was one of the persons who interviewed and vetted her. We concluded that she is a very knowledgeable person. We realised that Mrs. Lilian Omollo is a real Kenyan. She is married to a Mr. Omollo from Nyanza, she is from Embu, but her mother is from the Kamba community. Therefore, she represents the face of Kenya.

I want Hon. Members to appreciate that women are true Kenyans, no matter where they come from. This is because they crisscross the whole country. It is important that we acknowledge them as Kenyans. Mrs. Lilian Mbogo has a very clear vision for this Ministry and Department. She has very clear objectives on how to handle staff rationalization at both the county and national levels, and how to handle public service output and strategies.

Also being in the Ministry responsible for youth affairs, she has very specific things she wants to do to ensure that the youth are empowered. One of the things that she said, which we really appreciated, is that she will ensure that the youth have sustainable sources of income through implementation of sustainable economic empowerment programmes. When we implement youth projects, many times we repeat things that do not work. Lilian was very clear on what she intends to do. We really appreciate her.

With those remarks, I support and ask Hon. Members to also support her.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Korere

Contribution She Made On: APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES

Hon. (Ms.) Korere: Thank you, Hon. Speaker. I stand to support the nominee, Mrs. Lilian Omollo.

At the outset, I want to commend the President for the appointments. Since yesterday, we have been discussing a list of nominees. The President has shown his trust for the youth and the women of this country.

I also support with a lot of reservations because these lists lack seriousness in terms of representation of minorities and other special groups. Talking about the minorities, in the Public Service of Kenya in all previous regimes since Independence, we have never had a single Ndorobo appointed a CS or a PS. Since I represent the Ndorobo, let me give some free advice that these people are not adulterated with corruption. They can be the best people to bail this country out of the menace of corruption.

As I support the nominee, it is my humble plea that when the Executive make more appointments, they will consider the minority tribes, especially the Ndorobo and other special groups.
Thank you, Hon. Speaker.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Wahome

Contribution She Made On: APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES

Hon. (Ms.) Wahome: Thank you, Hon. Speaker. I want to support this nomination. I am a Member of the Committee that vetted Lilian Omollo. She is one of the few nominees that are under 45 years old. She confirmed her age as 41. She demonstrated youthfulness, including energy in terms of this appointment. I particularly support this specific nomination because there is a tendency to marginalise women, especially those who are married outside their own counties. Women have no clan or counties; they almost have no names or postal addresses. I want to say that we have had previous cases of women who got married outside their maternal or paternal areas just like Lillian, who is now in another community. I say this because this matter was raised in the Committee.

Eventually, the Committee was happy because she was very proficient, firm and exhibited a lot of knowledge, eloquence and skill in the public sector. I want to encourage Kenyans to accept women married within their communities. Women are without borders. Therefore, we must stop disadvantaging them on the basis of marital status.

I want to thank the President and also join those who have raised an issue in terms of gender. We need to look at the gap and find ways of filling it in terms of the next appointment. As we laud His Excellency for this and other nominations, we are still waiting for another nomination for Cabinet Secretary (CS).

Thank you.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) (Dr.) Shaban

Contribution She Made On: APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES


Ukiangalia stakabadhi za Lilian Omollo zinaonyeshwa kwu ana ujuzi na anaaweza kazi. Hivyo basi, ninaunga mkono nikimtakia kila la heri, na ninge penda alele ujuzi na haswa, yale manzano aliyopata huko upande wa Nyanza katika Serikali ya Jubilee ili aweze kutooniesha na kutuwezesha kufanya kazi kama Wakenya kwa ujumla.

Ninaunga mkono.
Date 17th December, 2015

Member of Parliament: Hon. (Ms.) (Dr.) Mbarire

Contribution She Made On: APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES

Hon. (Ms.) Mbarire: Thank you, Hon. Speaker. I rise to support this Motion. I am very glad having heard Hon. Olago Aluoch supporting the appointment of Mrs. Lilian Omollo, adding that this will assist fight tribalism in this country.

I know Mrs. Lilian Mbogo. She went to one of the finest secondary schools in this nation which is Sacred Heart, Kieni. This is where I also went to, in Embu County. That is the reason why she is where she is today. We know the good work which she has done in the NEPAD and in the Ministry of Devolution and Planning. I want to assure all of you here that for sure I know that she will perform well. We, the people from Embu are also very proud of her. She is our daughter and we own her like the Luo do. I want to thank the President for giving this appointment to a great woman.

Thank you, Hon. Speaker.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) (Dr.) R.K. Nyamai

Contribution She Made On: APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES

Hon. (Ms.) R. K. Nyamai: Hon. Speaker, I beg to move the following Special Motion:-

THAT, this House adopts the Report of the Departmental Committee on Health on the Vetting of a Person for Appointment as Principal Secretary, laid on the Table of the House on Wednesday 16th December, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of Dr. Nicholas Muraguri as the Principal Secretary, State Department of Health.

Hon. Speaker, the Departmental Committee on Health interviewed Dr. Nicholas Muraguri who appeared before us on Friday, 11th December, 2015. He was orally interviewed by the Committee. In the process of seeking questions from him, the Committee examined him on various areas. We started with his academic qualification, employment record, professional affiliation and his potential conflict of interest with the Ministry of Public Health and Sanitation.

We also looked at his knowledge on the subject matter, overall suitability for the position, integrity and vision for leadership in this kind of position which is highly demanding. We also considered his vision for leadership and expectations and key priorities, if he gets the position.

In terms of academic qualification, Dr. Muraguri is highly qualified. He is currently pursuing a PhD in Public Health from Gate University in Belgium. He was also pursuing a Masters in Development Studies from Mount Kenya University. He holds a Global Executive Masters of Business Administration.

He got First Class Honours from the United States International University (USIU), Colombia Business School. He also holds a Masters degree in Public Health which he got a First Class Honours from the University of Pretoria. He also holds a Bachelor of Medicine and Surgery from the University of Nairobi, among other professional qualifications. We, therefore, found Dr. Muraguri to be highly qualified academically for this position.

In terms of experience, he has worked as a medical officer at various cadres, including the district and provincial level. This means that he fully understands what is required at the national health level and also at the counties. He served as a Director at the Division of Health Promotion in the Ministry of Public Health and Sanitation from 2004 to 2008.

He also served as a Director of National AIDS and STIs Control, a programme at the Ministry of Public Health and Sanitation for three years that is from 2012 to 2014.
He was the Executive Director for Joint United Nations Programme on Human Immunodeficiency Virus (HIV). He has been holding the position as the Director of Medical Services in the Ministry of Public Health and Sanitation.

He has served as a Technical Adviser and Member of the Technical Steering Committee for Ministerial Initiative for Women Ministers of Health, which shows that he supports women. He is also an adviser in the health promotion to the World Health Organisation (WHO).

He also holds various awards of excellence such as the Order of Grant Warrior (OGW) for the distinguished service in the Ministry of Public Health and Sanitation. He holds a Minister of Health Merit Award for the Best Programme Manager. This shows that he has been working hard even before he got nominated to this position.

Dr. Muraguri is a member of several professional organisations which shows his commitment to his work. This includes the Inter-Agency Technical Team, International AIDS Society, International Union of Health Promotion and Education and the Kenya Medical Association.

He has published 45 research papers most of which are peer review. He has also published highly researched papers within the medical field. He has provided leadership in the publication of many documents within the Ministry of Public Health and Sanitation some of which he will be implementing. He provided technical guidance for the Health Bill we are working on currently in Parliament.

He possesses good managerial skills and also very good interpersonal skills which we experienced when interacted with him. He showed a lot of enthusiasm to respond to the questions that were posed by the Committee.

During the interview, the candidate exhibited in-depth knowledge of issues touching on the Ministry of Public Health and Sanitation. Dr. Nicholas Muraguri exhibited that he has clear vision to initiate and reform the Ministry of Health, which currently has challenges because of devolution of health services, which we feel was hastened.

Having considered the nominee’s CVs and listened to his oral submissions during the exercise, we observed that he has satisfied the requirement of Chapter Six of the Constitution of Kenya on leadership and integrity. He has been cleared by the EACC, the KRA and the HELB, as required by law. He was also cleared by the Credit Reference Bureaus (CRB). He has never been charged in a court of law. He has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution, which deals with the conduct of state officers. He has not been adversely mentioned in any investigatory report. He exhibited impressive knowledge of topical issues touching on the health docket. He has the requisite abilities, skills, qualifications and experience for this position.

Pursuant to Article 155(3) of the Constitution and Section 8 of the Public Appointment (Parliamentary Approval) Act, 2011, the Committee recommends that this House approves the nomination of Dr. Nicholas Muraguri for appointment as Principal Secretary in the Ministry of Health by His Excellency the President.

With those remarks, I beg to move and request Dr. Shaban, the Deputy Leader of the Majority Party, to second.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Musyoka

Contribution She Made On: APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES

Hon. (Ms.) Musyoka: Thank you, Hon. Speaker for this chance to speak on this important Special Motion. I stand to support the nomination of Dr. Muraguri in this new position. He has been the DMS in Kenya and he is a highly qualified medical personnel. I have interacted with him. I know he
is highly professional and he has what it takes to handle this new post. He is going to be a great asset. He is going to add a lot value to healthcare delivery in this country.

A combination of Dr. Muraguri and Dr. Mailu as the CS should play a great role in the improvement of healthcare in this country. Having qualified medical personnel at the helm of healthcare is of utmost importance. It will go a long way in changing the way we deliver healthcare in the country.

We will be passing the new Health Bill very soon. This will be a great step in the development of healthcare and its implementation requires the kind of personnel that have been put in place with the passing of this Motion.

Dr. Muraguri is also an epidemiologist. “Epidemiology” is a cornerstone of public health. It is the study of pattern, causes and effects of health and disease. It gives healthcare the direction on policy decisions and evidence-based practice by identifying risk factors and diseases and targets for preventive healthcare. I feel very confident and I am sure all medical personnel can breathe easy and feel that healthcare is now going to be in safe hands.

They should sit and try to handle issues amicably that have emerged with the devolution of healthcare. The dissatisfaction among healthcare workers…

**Date 17th December, 2015**

**Member of Parliament: Hon. (Ms.) R.K. Nyamai**

**Contribution She Made On:** APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES

Hon. (Ms.) R.K. Nyamai: Thank you, Hon. Speaker. I thank the Departmental Committee on Health for the dedication that it has shown in this process. I thank the President for nominating Dr. Muraguri. I also thank the outgoing CS and the two PSs that we have worked with. We worked very well and I would like to appreciate their work.

As I finish, I would like to comment on a matter that was raised by Hon. Mwadeghu concerning some funds that he was denied. Dr. Muraguri only became a Director for Medical Services in the year 2014. Hon. Mwadeghu was denied the funds that he is speaking about by Hon. Anyang’-Nyong’o. He should not confuse the time of the Grand Coalition Government and the current government. It is important that he knows that he was not denied the funds. Now that Dr. Muraguri is the PS, he can engage him so that, that matter can be sorted out.

Thank you, Hon. Speaker and thank you all Members for supporting the Motion.

**Date 17th December, 2015**

**Member of Parliament: Hon. (Ms.) F.I. Ali**

**Contribution She Made On:** APPROVAL OF APPOINTMENT TO THE ETHICS & ANTI-CORRUPTION COMMISSION

Hon. (Ms.) F.I. Ali: Thank you, Hon. Speaker. I stand to second the Report of the Committee on Justice and Legal Affairs presented by the Chair.

The Committee Chair has clearly explained the credentials and qualifications of the nominees. The proposed nominee for Chairperson, Mr. Philip Kinisu, is a highly qualified financial expert. I want to confirm that he is not a lawyer, but he has international reputation in terms of financial aspects. What is unique in this appointment is that generally, the past Chairs were all lawyers who have either failed to end corruption or corruption escalated in this country during their tenures. I am persuaded that as a non-lawyer who is an expert in financial issues, he will end some of those corruption issues.

The other issue about the Chair is that he is well endowed financially and is a senior citizen who might not be desperate to seek for more funds in a corrupt way. We are persuaded that he is well protected in terms of his retirement package. Out of the other four nominees, only one is a lawyer, as
opposed to the tradition that saw most of the EACC Commissioners coming from the legal fraternity. The perception that lawyers are the best experts in fighting corruption is changing. The social sciences also have a role to play in the fight against corruption.

What is unique in this appointment is the nomination of three minority members: two female members and a male member from Northern Kenya. The EACC is struggling with staff whose capacity and commitment to fight corruption is doubtful. Ms. Rose Mtmbo, a nominee; is a Human Resource Director at CIC. She is persuaded that she will contribute greatly in the human resource function. So, we were all persuaded that she will contribute greatly in the cleaning process of human resource aspect. I second the adoption of this Report.

Thank you.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Lay

Contribution She Made On: APPROVAL OF APPOINTMENT TO THE ETHICS & ANTI-CORRUPTION COMMISSION

Hon. (Ms.) Lay: Ahsante sana Mhe. Spika kwa kunipa fursa hii ili niweze kuchangia kuhusiana na wale ambao wameteuliwa ili kwenda kusimamia Tume ya kupambana na ufisadi. Baada ya kusikiliza vile Mwenyekiti Wa Kamati ameongea, ni kuonyesha ya kwamba hao wote ambao wameteuliwa wako na umaarufu na vilevile wako na shahada za elimu za kuonyesha ya kwamba wamehitimu kwa kazi hii.

Ningetaka kugusia kwamba Tume hii ni Tume ambayo inategemewa sana nchini Kenya katika mambo ya kupambana na ufisadi. Kwa sababu hii, tuko hapa kuzungumza leo kuhusu wau ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wamehitimu kwa kazi.

Wajue kazi iliyoko mbele yao ni kazi kubwa Inatakakina tuone kwamba wameteuliwa wale ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa.

Singeweza kutaja wote ambao wamewekwa mapokeo na kazi zao kwa haraka haraka. Wengi walioteuliwa na kama m onekana kwamba inaweza kusimamia Tume ya kupambana na ufisadi kwa sababu hii, tuko hapa kuzungumza leo kuhusu wau ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Leshoomo

Contribution She Made On: APPROVAL OF APPOINTMENT TO THE ETHICS & ANTI-CORRUPTION COMMISSION

Hon. (Ms.) Leshoomo: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii nchini monekana na madini kwa kama kuonyesha kwamba wamehitimu kwa kazi zao kwa haraka haraka. Wengi walioteuliwa na kama monekana kwamba inaweza kusimamia Tume ya kupambana na ufisadi kwa sababu hii, tuko hapa kuzungumza leo kuhusu wau ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa na kuonyesha kwamba wale wengine ambao wameteuliwa.

Vile vile, ameketi katika Tume ya Utekelezaji wa Katiba, kumaanisha anakielewa Kipengele cha Sita kinachohusiana na mambo ya maadili---

Kwa hivyo, ningeomba wenzangu wale wamechaguliwa kuhudumu katika hiyo ofisi wa ng’ombe. Vile vile, yeye ndiye mama wa kwanza kupata shahada ya chuo kikuu kutoka eneo la Samburu.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) Amina Abdalla

Contribution She Made On: APPROVAL OF APPOINTMENT TO THE ETHICS & ANTI-CORRUPTION COMMISSION

Hon. (Ms.) Amina Abdalla: Thank you, Hon. Speaker. I would like to join my colleagues in congratulating the President for nominating those individuals. I also congratulate the Committee approving them. I am pleased with this list because it is headed by people who have reputations to lose. The chairman retired from a prestigious job. I am sure that he would not want to taint his wonderful professional career by mismanaging the EACC.

I hope this is the last time this House would ever have to change the EACC Commissioners because of being dissatisfied with their work. I mentioned that any person who is an accounting officer in a national institution is a person who is taking up a job that might end up killing their careers. That is because there are some who are going to be jailed for not understanding the systems. The EACC needs to be proactive by training those officers on loopholes that need to be sealed. The officers should know that some people can use their signatures and put them in trouble. I hope the new EACC will be proactive and reactive in their work.

I hope the new EACC will not write letters without appreciating the implication of signatures from that office. It is very scary to be called to the EACC to be a witness. It is really wrong when somebody writes and says that you are under investigation when they do not have substantive evidence. I am happy that Ms. Rose Mghoi has been nominated. She has done a lot of good work with Hon. Cheboi, as Hon. Chepkonga has mentioned. The list comprises of people who have done very well.

Hon. Cheboi, you are a fair man; if you fight for anyone, I do not have to know many details, I just support.

With those many remarks, I support.

Date 17th December, 2015

Member of Parliament: Hon. (Ms.) (Dr.) Shaban
Contribution She Made On: APPROVAL OF APPOINTMENT TO THE ETHICS & ANTI-CORRUPTION COMMISSION

Hon. (Ms.) Dr. Shaban: Ahsante sana, Mhe. Spika. Pia nami nataka kuunga mkono Hoja hii haswa kwa sababu ufisadi umekuwa kidonda sugu hapa Kenya. Ufisadi umekuwa kama ugonjwa wa saratani ambao unakula nchi chini kwa chini.

Mhe. Rais ameanzisha vita dhidhi ya ufisadi. Bila shaka, Philip Kinisu akiwa kama Mwenyekiti, Dr. Dabar Abdi akiwa kama mmoja wao, Paul Mwaniki, Sophia na Rose Mghoi, wote hao wanaonekana kuwa wako na kazi ngumu ya kufanya. Lakini kazi wanaokwenda kufanya ni kuwezesha Mhe. Rais kupigana na vita hivyo na kupunguza ufisadi hapa nchini, ili Wakenya waweze kufurahia maendeleo ya nchi hii pasipo na ufisadi.


Mwaka huu ulikuwa mgumu kwa Wakenya wote. Lakini mwaka pia ulikuwa na mafanikio maanake tuliona Rais wa Merikani akutembelea na tukamuona Baba Mtakatifu wa Kikatoliki akija kututembelea. Bila shaka, tutafunga mwaka tukiwa na baraka nyingi sana ili mwaka ujao, vita hivvo viwe vimewezekana, ili tuweze kushinda ufisadi.

Tunavyoelekea wakati wa Krisimasi, nawatakia Wakenya Krismasi nzuri na mwaka mpya ulio na mafanikio. Tutaweza vita dhidi ya ufisadi mwaka unaokuja.

Naunga mkono.