MAY 2017 KEWOPA MEMBERS HANSARD [NATIONAL ASSEMBLY]

CHAIRS

Date: 10th May 2017
Member of Parliament: Hon. (Dr.) Joyce Laboso
Contribution she made on: The Deputy Speaker

Date: 16th May 2017
Member of Parliament: Hon. (Ms.) Rachel Shebesh
Contribution she made on: The Temporary Deputy Speaker

Date: 17th May 2017
Member of Parliament: Hon. (Dr.) Joyce Laboso
Contribution she made on: The Deputy Speaker

Date: 24th May 2017
Member of Parliament: Hon. (Dr.) Joyce Laboso
Contribution she made on: The Deputy Speaker

Date: 31st May 2017
Member of Parliament: Hon. (Dr.) Joyce Laboso
Contribution she made on: The Deputy Speaker

Date: 31st May 2017
Member of Parliament: Hon. (Ms.) Jessica Mbalu
Contribution she made on: The Temporary Deputy Speaker
Thank you, Hon. Speaker. This matter of the Division of Revenue Bill has been a very problematic matter from the beginning of this Parliament. At the very beginning, we set out to set the record straight about vertical and horizontal division. Happenings in court have returned us to where we are today. But as we move to the next Parliament, because of the importance of this Bill, it will be incumbent upon us to ensure that we find a solution so that we do not reach the point we are currently; where our counties may grind to a halt. So, as we review our Standing Orders, we must look at the laws and see where we can make amendments so that even if the Senate will be involved in matters of division of revenue, the buck has to stop somewhere, where it will be said that it will be final in the event that we do not agree. Sometimes, we have agreed under duress but, many times, we do not. Those are the points I wanted to raise as far as the Division of Revenue Bill is concerned.

Hon. Speaker, then there must have been a pothole on the route to your office. I took it to the Table Office and made the request to have the Motion for Adjournment to discuss the matter of the cost of living because it is very pressing.
Adjournment. If you could indulge me, that will be a very important matter.

DATE: 9th May 2017

Member of Parliament: Hon. (Ms.) Nyasuna

Contribution She Made On: The Finance Bill – Second Reading

Thank you, Hon. Speaker for this opportunity. I would like to support this Finance Bill. Even as we debate this Finance Bill, Kenyans are looking at us to relieve them from the very frustrating high cost of living. It has been hyped that Parliament would resume so that we reduce the cost of unga. One of the ways through which we can achieve economy is in currently, with inflation at 11.5 per cent despite promises and commitment by the Jubilee Government to maintain inflation at between 2.5 per cent and 7 per cent, is really a culmination of the failed promises of this failing Jubilee Government.

When we hear about of SGR we think more about the Standard Gauge Railway than about the Strategic Grain Reserves that this country is supposed to maintain. We are being treated to this discussion that we have had long droughts and that is why Kenyans are facing the very high cost of living. Drought should no longer be a determinant of the state of the economy of this country as if we are living in the Iron Age. Currently, we live in a very modern society where droughts are predicted and should be planned for. We have been treated to the circus of fake fertilisers and seeds that has cumulatively resulted in Kenyans being unable to afford the daily meal.

As I was coming to Parliament, I went through a supermarket. A packet of 2 kilogrammes of unga, which I brought and was taken away from me when I was coming in here, is being sold at about Kshs180. Two kilogrammes of sugar are now going for almost Kshs400. A packet of milk like this one which we were buying at Kshs30 is now Kshs65. Kenyans can no longer continue living in these kinds of conditions. Yet, what we get from Jubilee is promise after promise and shifting blame.

DATE: 9th May 2017

Member of Parliament: Hon. (Ms.) Nyasuna

Contribution She Made On: The Finance Bill – Second Reading

Hon. Speaker, apart from just the cost of food, we are also facing a very serious shortage of water. A Kenyan living in the current economy does not know what to spend their money on. Are you going to buy unga or water which many Kenyans especially in urban areas and even in rural areas have to now buy very expensively?

The other day when the Right Honourable Raila Odinga spoke about capping rent, he got
a rebuttal from the Deputy President saying that “Nyumba si yako. Wewe hujaijenga. Wewe hujui rent utaweka namna gani.” But we need to look at a place where as a Parliament we can have policy around rents and managing of rents and how often people can increase rents. If you ask any regular Nairobian, they will tell you that their landlord will come to their door after six months and tell them that rent imeongezeka and is increasing from Kshs5000 to Kshs10000 without any regulation. This Parliament does not know how often rents are supposed to be increased and what manages and controls rent. When we proposed to do that, it is turned into a mockery by a Government that is completely insensitive to the plight of its citizens. Even as this cost is so high, the 1 million jobs per year that were promised to Kenyans are not coming. What I would like to say to Kenyans is that they are staring in the face of mockery from a Government that has made promises that it cannot fulfil; A Government whose time to go home is here and nigh.

What should we do in the immediate? When the Budget was read, we spoke about zerorating of maize and its products. With regard to supply of maize, corn flour, wheat, maize-meal flour and ordinary bread, what we need to see from our Treasury is immediate discussions with millers to see how to reduce prices immediately so that Kenyans do not have to suffer through the kind of costs that they are going through at the moment.

As we had said, failing to plan is planning to fail. We are staring at the cumulative lack of planning by the Jubilee Government for some of the calamities that we are facing as a country and that is why we have ended up where we are currently.

There are many interventions within this Finance Bill. We need to see how to expedite them as a House so that we relieve Kenyans the high and tragic cost of living that they are facing.

Thank you, Hon Speaker.

DATE: 9th May 2017

Member of Parliament: Hon. (Ms.) Emanikor

Contribution She Made On: The Finance Bill – Second Reading

Thank you, Hon. Speaker for giving me a chance to contribute to this Bill. I rise to support it because it touches on items that touch on our daily lives and the lives of the common person. Inflation, increase in prices of alcohol by making it more difficult to get and cigarettes, betting and lotteries, are things that happen in Kenya now. This Bill has gone down to touch on the socio-economic aspects of our lives. This Bill brings solutions to the issues people are crying about. As leaders, I do not find it well for leaders to lament when they are supposed to give alternatives and solutions. Solutions are given through legislations and not through making noise and blaming the Government. Some of these problems we have in Kenya did not start with the Jubilee Government. Some of them have been there for ages, in fact, they were there when the people who are now
complaining were in Government. A government to solve these problems should be a
government of people who have never occupied the seats that we are fighting for.
These are people who have been there before - We know them. So, it is not a new team
that is coming in. I want to caution: If it is new, you better tell us! We know the damage that
alcohol has caused in the community. I am happy that this Bill proposes to increase the price
of alcohol. I am hoping that it is going to alleviate the problems that are brought about by
alcoholism, by addressing the issue of affordability.
In terms of betting, lotteries and gaming, the current rates are 7.5 per cent for betting, 12
per cent for gaming and 5 per cent for lotteries. This is extremely low considering the kill
the companies make. I consider it as an act of plundering poor vulnerable Kenyans. We
know many Kenyans have no ways of making money and now they are losing all the little money
they get. So, the move to increase taxes on betting, lotteries and gambling will help us
regulate this sector. It will help avert negative social effects. We know that it is counter-
productive for the youth. As one of the speakers said, many youth nowadays just sit back
and go through their phones to wait for this money which never comes sometimes. It
impoverishes people because they use a lot of money in the long run. In fact, it has caused
others to commit suicide. The proposed increase in the taxation rates will boost revenue for
this country. We know in 2014/2015, KRA collected Kshs 4.7 billion. So, how much more will
the Government collect if the 50 per cent increase is enacted? This will even save the
taxman. For instance, in the coming Budget, the taxman is expected to raise Kshs189 billion
- That is a lot of money. However, if we raise money through collection of taxes from betting
and gaming, then it means the taxman’s burden will be reduced. It will also reduce inflation
and lower the cost of living. We have been crying about inflation rates being high. The
money raised will go to develop sports and culture. It will help nurture the youth in terms of
developing their talents and even create jobs for them. It will occupy the youth which will in
turn reduce crime and also expose our youth to the international arena in terms of
competition and even getting skills that will shape the future generations of this country.
I am concerned about the increase in PAYE. When inflation is high and people are paying
more money to buy items, increasing the PAYE is tantamount to punishing them double.
It is akin to giving with this hand and taking back using the other hand. We may have to
make some amendments on the PAYE proposal just so as to make the Bill palatable to
everyone.
Thank you, Hon. Deputy Speaker for giving me this opportunity.

I want to congratulate Hon. Nassir for bringing this Bill. I want to say from the outset that it is a very good Bill. For those of us who have worked in the human rights sector, we have been accused of not taking into account interests of the police; that we tend to focus a lot on civilians, at the expense of the police. That is not necessarily true. We are concerned with the civilians as much as we are concerned with the police. It is because our concern is human rights. If the police are human, they have as much right as any other human. The only challenge is that, even as the Bible says: “To whom much is given, much is expected.” The police are accorded the instruments of protecting life and property. Because of that, a lot is expected of them. Therefore, when they err, we tend to put a greater burden upon them.

I am speaking after we have come back from the party primaries. I think many of you saw that I lost one of my security details. He was not a police guard but it could easily have been my official police guard. It is unfortunate that within the circumstances, it was reported as an accident when it was not. It was actually a deliberate murder. The guys ran off the road and ran over the guy.

They were actually coming for me. My team turned and took off with me to Homa Bay because the Mbita police were not helping. In the process, they ran to the people they found on the ground and killed one. Even as we speak, nobody has been arrested for the murder. Those are the instances that, at times, make us blame the police. Assuming it was my official security that was injured, that would have been a police officer.

Therefore, we urge the police to ensure that they use the same energy they would use when one of their own is injured when dealing with an incident involving a civilian. I hope the police will take this matter seriously and pursue the people who killed the young man, who will be buried on Saturday. I was told that it is propaganda, and that nobody died. I do not know whether we will be burying air, but he will be buried on Saturday.

I once worked at the Office of the Attorney-General. One of my roles was defending the police, especially when they were injured or when they died in the course of duty. The law is not very clear in terms of compensation. I want to laud Hon. Nassir for taking into account that aspect. The police work in the public interest in terms of protecting us and taking care of our property. When police officers are injured, it is only befitting that they are taken care of. When they lose their lives, their loved ones should also be taken care of. Many times, you would find widows visiting our offices for years after they have lost their loved ones in the course of duty. Some children would drop out of school as a consequence. Therefore, this law is timely because it would help in such instances. We should provide timelines for compensation so that we do not have cases where people move back and forth trying to get compensation.

The only challenge I have with this Bill is where it provides that a member of the Service may designate a person who shall be a beneficiary, and who may change the name of such a person.
at any time. If you look at this on the face of it, you will find that it does not look like a problematic clause but in reality, it may clash with the law of succession.

The law of succession is very clear about who is to inherit. I want to assume, for instance, that you have a married member of the service who designates a girlfriend or boyfriend instead of the wife and children, or who designates the wife and in the process of quarrelling he replaces the name of the wife with that of a girlfriend. In that process, he will have disinherited the family. Therefore, I encourage Hon. Nassir – although I do not see him here – to bring an amendment to align the Bill with the law of succession so that we do not disinherit widows and orphans. We do not want instances where somebody is deceased and then people start fighting at the funeral. Many people do not know that dues of a deceased person are not inherited at the funeral. In order to ensure that we do not have cases like the ones we have witnessed in the past, I encourage Hon. Nassir to bring an amendment to make it clear that even when you designate a person, he or she should be a person as provided by law.

I know that this is a very good step towards compensation, but I wish he had brought a further amendment to address the issues of accommodation and living conditions of police officers. When I became the Member of Parliament for Mbita, I found the police living in extremely pathetic conditions. I want to single out two islands, namely; Remba and Ringiti. The police there provide very critical services to us.

Two days ago, 29 fishermen were arrested and taken to Uganda and yet the police officers they rely on are the ones in Ringiti and Remba islands, who lack a patrol boat and other facility. They were taken to Lolwe Island in Uganda and charged. This is a very big problem. We keep raising it in Parliament but the Government is not taking it seriously. I was talking about the pathetic living conditions of police officers in the context of the living conditions of the officers in those islands.

When I saw how pathetic the situation was, I decided to prioritise their living conditions through the NG-CDF. Over and above their living conditions, we must provide them with other equipment that will enable them to protect our fishermen in the waters, so that we do not have a situation where our fishermen are harassed all the time. I urge the Government to sort out the border issues once and for all and establish friendly relations with our Ugandan counterparts because even when we have our borders it is impossible for people to fish in the waters of the Kenyan side alone. Kenyan fishermen will always go to Uganda and vice versa.

Hon. Deputy Speaker, with those few remarks, I beg to support and urge the Government to take urgent action in relation to the fishermen of those islands.

DATE: 10th May 2017

Member of Parliament: Hon. (Ms.) Ombaka

Contribution She Made On: The National Police Service (Amendment) Bill – Second Reading

Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Amendment Bill on the National Police Service. It is true that the Police Service has a very bad image. When you talk about the Police Force in this country, you straightaway
begin to look down upon them. That is because of the nature of their work. First, the police
officers in this country are underpaid and their lifestyles are so low compared to what we
expect of them. That is why many of them are seen as corrupt. The image one gets from the
police officers is that they are destitutes, corrupt people and do a bad job. Not many young
people would like to join the police service because they are underpaid and work under very
difficult circumstances. Many of them work very far away from their families, live in small
houses and have difficult lifestyles.

Therefore, one begins to think that they are neglected, frustrated and that the profession is
not worthy joining. Being a police officer, you are supposed to provide security to the
people. Their work involves being exposed to a risky lifestyle. They are the people who are
sent to stop any riot for example, when university students are fighting and throwing
stones. They are injured and sometimes they die. They are the people who are taken to war
zones where there is cattle rustling and they are supposed to protect people from
robberies. They are exposed to violent areas and their lives are at risk and yet, they are
underpaid and nobody knows the trauma they undergo. Therefore, medically, they need to
be salvaged and given proper medical attention because of the lifestyle they lead. They
should be insured because they can lose their lives anytime or any part of their bodies, their
limbs can be chopped off and they are, at all times, exposed to danger.

When a policeman goes to work in the morning, he does not know whether he will come
back home because he is going to face a lot of violence out there. Many of them are in the
streets manning motorists and so on. Sometimes, people are involved in accidents and
bleed, but they do not have gloves to handle them. Therefore, their exposure to danger is
extremely high. It is for this reason that this Amendment Bill has come at the right time with
a big shock to me. Before, I read this, I assumed police officers are taken care of medically.
When I read this Amendment Bill, it occurred to me that it is coming too late. The labour
laws require that any employee must be given protection and a medical cover. It is
surprising to see this today, many years after the civil servants were given medical
compensation. I support this because it is a right to the policemen and women and is part of
the labour laws which must be followed. It is very necessary for the police officers to be
given compensation whenever they are injured or fall ill like anybody else in the Civil
Service. It is surprising that, that aspect of their lives has been neglected for a long time. As
has been said before, the compensation needs to be given on time. There are a lot of delays
when looking for compensation from the insurance or anywhere else. The salary and
retirement benefits come very late in this country. But where one is ill during their time of
work and still there is a delay; that is an abuse. We need to compensate on time those who
are injured in the line of duty because that compensation goes a long way in improving the
life of the victim.

Compensation may not necessarily be medical. Sometimes, it can also be in terms of the
Government educating the child of a policeman who has been injured during his work,
especially where there is disability. When a policeman is disabled due to an accident, he
may be compensated financially. But even employing his son or his daughter or paying
school fees for that policeman"s child is also part of what we should accept as compensation. I support this very highly because compensation comes as a reward. It is a kind of “thank you” that you give to somebody because he has performed so well but has, unfortunately, succumbed to a particular disease; been disabled in one way or the other or is completely rendered unable to work and perform as he has done before.

Somebody raised an issue of who receives your compensation. Compensation can be received by your children, yourself or your wife. But when the bit of the wife came in, there was the issue of our men marrying more than one wife and, therefore, the person to compensate may bring in a problem. They may never know who to compensate. That reminds me about the Bill we passed here on the marriage law. The Marriage Bill that came through said that the African man, especially the Kenyan man, can marry as many wives as he wants. That Bill was passed here and is now a law. We allowed men to marry more than one wife.

Underneath that law was one statement that I will not forget: For every woman that you marry, that woman must have a certificate of marriage even if she is 10th or 100th wife. She must have a certificate of marriage. We need to highlight that certificate because that is what will help when compensation is undertaken. The wife - whatever number - will still benefit from that compensation that you give to the policeman simply because she is legally married within the laws of this country. Even if she is the 100th wife, she will still get that compensation on behalf of her husband. That is what we need to highlight. Policemen must declare who their next of kin is. Who will qualify for compensation? Who will benefit? How many wives are there? How many children are there that will benefit from the compensation that their father has received from the State? In the case of the woman, she will also need to decide who her husband is and if there is a marriage certificate. That will help us in areas where compensation becomes a challenge.

Otherwise, I do not wish to say much more. This Bill has come at the right time when many policemen have suffered greatly in the line of duty. They have been maimed, paralysed and are mentally sick. Many of them require medical attention. Many of them require psychological counselling. They are traumatised. Their medical care is certainly coming in at the right time just like any other person who works as a civil servant.

I vehemently support this Bill.

DATE: 16th May 2017

Member of Parliament: Hon. (Ms.) Tobiko

Contribution She Made On: Procedural Motion On Exemption Of The Constitution Of Kenya (Amendment) Bill (No.6) From The Provisions Of Standing Order No.141(2)(B)
Thank you, Hon. Speaker. I stand to support the Procedural Motion. I know the Eleventh Parliament has tried, a lot of times, to address the issue of the two-thirds gender rule. But I feel like we did not do enough; we did not do justice to the requirements of the Constitution. Giving us a second or third chance to try it, there will be no harm.

I just want to address myself to the contribution by the Member for Cherangany. I think there is one thing that he must have forgotten. That, for Kenyans to have the Article on the two-thirds gender rule in the Constitution, we went through a referendum. Kenyans spoke. They spoke loud enough. Therefore, trying to resist what Kenyans passed in the 2010 Constitution is really refusing the voice of the people. Kenyans spoke loud enough, and they were very certain of what they wanted in terms of leadership and representation. They wanted inclusivity in the House of leadership. They wanted women to also participate and be decision-makers in this country. Therefore, there is no harm in re-introducing this Bill again.

Kenyan women have made good progress. You can see that in the just-ended party primaries. We now have women who are going to contest for gubernatorial positions. We are making progress. We are not waiting for freebies. We are ready to battle it out with our male counterparts.

DATE: 16th May 2017

Member of Parliament: Hon. (Ms.) Tobiko

Contribution She Made On: Procedural Motion On Exemption Of The Constitution Of Kenya (Amendment) Bill (No.6) From The Provisions Of Standing Order No.141(2)(B)

Hon. Speaker, I do support the progressive nature of what we want to pass. We are not saying that we must meet it now, but let us have it progressively. I support the Motion. Thank you.

DATE: 16th May 2017

Member of Parliament: Hon. (Ms.) Ombaka

Contribution She Made On: The President’s Award Bill

Thank you, Hon. Speaker, for giving me this opportunity. I want to support this Bill because it deals with the young people, most of who today are disillusioned, demotivated and feel that they have no future. A lot of them have lost hope and do not think the society cares for them. They have resigned themselves to fate.

This Bill comes at a time when quite a number of young people are struggling with poverty. They are trying to show that they are still human, trying the best that they can and engaging in kinds of activities that need to be recognized and give them hope. A good number of them are really trying.

As a Women Representatives, we have the National Government Affirmative Action Fund. My experience with this Fund is that we try to target young people who are doing something valuable in their lives, especially in terms of making money and doing some kind of business. I am proud to say that quite a number have woken up and are really trying to benefit from this Fund. You can see that their lives are changing and they are trying to live better lives.
Looking at this Bill, youth groups might benefit from the President’s Award. They have emerged from poor backgrounds and they are trying their best to live better lives.

Hon. Speaker, I have a group in Rarieda Constituency along the lake which has been using canoes to go and fish in the lake. They are very scared because sometimes the canoes may capsize and many of them may die. When they approached me to give them some funds, they had an intention of buying a motor boat. I gave them funds and they bought a motor boat. This is an engine that is much better than a canoe. Their lives have now been transformed and they are making good money. This is the kind of group that if this Bill was passed today, and we needed to award young people, I will recommend it.

It is very inspiring when you inspire young people. If you give them an award, they feel recognized and will do a lot to change their lives. I support this Bill thoroughly because young people are the future of this nation. If we do not inspire them, then the nation actually dies.

I also want to recognize the bit about the board members that will be awarding young people. The Bill recommends people who are experienced, have gone through different types of lives and have come up with different life skills. I believe that once you are a member of this board, you will be as fair as possible. This country is divided along gender, religious and even tribal lines. So, sometimes, when an award of this nature comes up, people will scrutinize who is going to benefit from it. They will want to look at the criteria that is used to award its winners. So, this is a board must be constituted of just people who will look across the country and see the type of people who qualify for the awards. It must be sensitive to women who will get the award and the young girls that will require to be awarded. What do women do that will need recognition that requires them to be awarded? So, we have to look at those issues. They will need to look at different regions and see what young people do there, what inspires them and what they have come up with to be awarded. This board is going to be hugely challenged. It will need to be extremely professional and neutral in identifying winners. Otherwise, a Bill like this will motivate people. But if you just award young people from one region, do not look at different gender angles and many other factors that make us different yet united, the board may fail. It will fail us if it does not become sensitive to the lives of young people.

Many young people are involved in voluntary work, but voluntary work has a lifespan. There is a bit you can do up to a certain point. We need to recognize these people because quite a number are doing voluntary work. When I was growing up as a teenager, we were doing some work voluntarily and we would be paid Kshs1. We would go and cut grass and it used to be called bob a job. You got one bob for a job you did for a particular family maybe drawing water or cutting grass. There was no award as such, but we got a lot of inspiration just being encouraged by our teachers that it is good to support people and it is good to volunteer. The very fact that a teacher would tell you that you are wonderful and a good girl, that in itself was an inspiration and we grew up knowing that it is good to serve others.

This Bill is going to help young people who will also feel that we are inculcating some values in them by appreciating what they do for the community. So, we are going to have a generation that is going to be humane. We will have a generation that appreciates voluntary work for the community. It will understand that you need to be a good boy or good girl and grow up well with some values and you will be awarded. Being awarded by the President is also a credible thing because it will inspire them to greater heights. The President sits there and gives you an award and you will go home feeling great.

I want to conclude by saying that I support the Bill very much because it has a huge role to play in the growth of young people. It will do a lot in inspiring young people and motivating them to aim higher and make them feel valuable in the society. For that reason, I support this Bill hugely.
Thank you for the opportunity.

DATE: 16th May 2017

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

Contribution She Made On: The President’s Award Bill

Thank you, Hon. Speaker. I want to thank you for allowing me to contribute to this the President’s Award Bill, 2017. From the outset, this is a creative Bill that recognises that self-development is a contribution to national development. When I look through the clauses, I get encouraged. Clause 3 on objects and purposes of the Bill, clearly states that we are looking to recognise and appreciate individuals who are not likely to be recognised in the mainstream awards. Many Kenyans have been focused in a rot way of development. A rot development is a development that does not allow you to be innovative or creative. It does not give room for research or to be on the lookout so that you do not assume that life is a straight line.

I like this Bill because it will create a pool of talented people who are forward looking and are investing in ways of building themselves, their communities and the country at large. What really impresses me in this Bill is the part that rewards, acknowledges and looks forward to the fulfilment of self-development activity. Clause 3(c) is targeting young people who are always on the lookout for various ways of coming up with innovations and ways of moving from formal employment to self-employment, self-creativity and self-fulfilment. That will be a country which will be moving to a fast-growing level of talent and moving from the traditional and conventional job oriented formal employment. What encouraged me is self-discovery, personal discovery, growth and responsibility to themselves and their community and the element of perseverance. Many people are affected and they are not just the formally educated people. I am assuming this Bill targets even the informal and the very traditional people who have been carrying out innovative investments.

I come from the north, in Wajir in particular, where there are people who have been devising innovative strategies to deal with climate change and environmental complex situations in hazardous environment. In a formal mainstream, such people are not likely to attract any recognition for awards.

Clause 5 talks of the composition of the board. The board is looking for people who are highly knowledgeable and experienced in matters relating to community development, resource mobilisation, governance, public administration, planning and research, advocacy and communication. Such people are not found in informal setups. There are people who have Bachelor Degrees, Masters and PhDs who are not innovative and their education is not moving their capacity and self-development beyond the office and their families. I was impressed with this requirement in terms of appointment of people who are likely to be attracted to the President’s Award institution. This will ensure that we tap into people’s capacity and experience that are not likely to be tapped. I am imagining of an old man or lady in Wajir who has been conserving indigenous trees and medicinal plants, but has never been put in the books of recognition or awarded for anything. This is encouraging.
Most of the clauses in this Bill are very innovative and encouraging. When I look at Clause 7, the board has been given the space and the leeway to have unlimited powers to search for certain things that can be rewarded or awarded. Clause 7(b), says that: “Provide quality experiential activities that impart positive life skills and ethical values to young people for a better society.”

Some of our young people are not attracted to traditional indigenous system set up, but if this Bill will recognise their research capacity from their formal education and their “wizardness” in computer skills, it will allow them to do things that are community oriented and are within the setup of the community. This will ensure that they leave their lives of being highly industrialised to lives that is enable skill building and talent building and skills that will make them to value their communities.

The other day, I was reading about the “Blue Whale Challenge Game which is a computer based game that makes our youth to commit suicide. It is disastrous in life. This Bill, which I am sure will become law, will ensure that youths go out of house-based interactions and knowledge and invest in innovative development and experience the real situation in life. I was impressed with this.

Clause 7(h) says: “Liaise with the relevant Government Ministries, institutions and organisations in matters relating to conferring of awards to young people.”

The other thing, if you look at some of these clauses, like paragraph (h) on the functions of the board, there is the issue of liaising with the relevant Government Ministries, institutions and organizations in matters relating to conferring of awards to young people. I am assuming these kinds of institutions and organizations will definitely be the ones at the lower level – at the community level – because that is one of the areas that they are found. The other provision I find useful is paragraph (j), which seeks to develop regulations or procedures to regulate the work, functions and practice of the board. I do not know whether that word is misplaced.

Looking at the establishment and conferring of awards, I like the departure from the traditional award, like bronze, silver and gold. The award is redefined in terms of more details of some of the things, like (b), the skills section will require the participant to undertake the acquisition of practical and vocational training. That will provide hands-on and practical life skills.

This Bill really motivates me. Coming from the background of agriculture, natural resources and environment, it is some of the award areas which they are looking at to involve environmental conservation, civic responsibility, construction work and disaster management. This is heavily grounded in the communities that we live in, including our youth in the cities and big towns to those in the rural areas, who are not attractive to them because they do not have DSTVs and other lucrative setups. I like this Bill for that. It is moving our children from the boredom of their homes and towns and rural setup.

With those remarks, I support this Bill.

DATE: 16th May 2017

Member of Parliament: Hon. (Ms.) Sunjeev
Thank you very much, Hon. Temporary Deputy Speaker. Today I feel very privileged and honoured to be among this batch of Members of Parliament. I feel that we are doing a great thing because we are planting seeds for the future to have a more energized and aware youth of our country. I want to thank the President for proposing this award. There are certain things that you cannot give a child or a grown up. You cannot measure it in terms of money. This Bill brings along that sort of concept for our children and youth.

I would like to point out that just recently I was watching a movie called “Queen of Catway”. The story belongs to a young girl who was born and brought up in Uganda in a very poor background, and who finally made in the game of chess. She was tutored in the slums where she lived and was encouraged to participate in a game called “chess” at a very young age. She learnt to master the game. When she grew up, she won a gold medal yet she came from a small place in Uganda. That story and many other stories like that are so inspiring. That people can come from very small backgrounds or very poor families and do so much for their country. That is exactly what we are looking for. We are looking for a better nation.

It is good to promote our youth in other sports activities, not only in academics, because that gives them a better edge when they apply for jobs in the future. This Bill is also promoting responsibility to themselves and their country. Why not? Each one of us should be carrying these responsibilities so that we can have a better nation. I also feel that an energized child is an empowered child. Finally, our children will bring up a more transparent and happier society if we nurture them to grow up like that. It was said before that this Bill provides a legal framework. I would like to see this going through. When you see people from poor backgrounds doing much for themselves and their society, it is nothing short of a miracle. It is truly a miracle.

I would also like to say that while we are promoting a child’s enthusiasm for greater things, they will form a society which together will do better things not only for the society, but for the country as well. In our country, we have a large base of youth. We would like to tell other developing countries that our nation cannot be taken for granted. If our nation has a very large number of healthy people, that is a very serious message. We can do lots of things with these resources. We call them resources when we look at them from the point of view of what they are going to do when they grow up. Of course, this is providing enthusiasm for our children.

I would like to cite an example of the talent show that was organized in Nairobi some time last year by Hon. Shebesh at the city centre. I went there to support them and promote their ambitions. A few months later, I met some of the people who were working in the talent show and they had a different look towards life. They were enthusiastic and motivated. What else do you want? You need to have a strong healthy and happy society. If you do not have these three things, then basically you are going to lose track somewhere. If this kind of talent show was promoted everywhere with the help of our leaders, I think it would go a long way.

We must not forget that we are a nation of different cultures and backgrounds. While creating such an award scheme, people from different backgrounds and cultures, with stable lives, will do something and gain the attention of the President, which is one of the greatest things. The society is going to commend the job you are doing or you have done.
I want to stress the fact that a strong functioning board is the backbone of any activity. In this Bill, there is going to be a board. I am eternally happy and grateful that I got a chance to speak to this Bill.

DATE: 16th May 2017

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

Contribution She Made on: The President’s Award Bill

Thank you, Hon. Temporary Deputy Speaker, from the outset, I support. I have an advantage of speaking after the Member for Kibra Constituency who has the experience of these awards. The village school I went to never had that advantage. That is why it is important that this becomes a law because the President’s Award was launched back in 1966. Until now, I do not think anybody from my county has ever got an award. I was not privileged as a Member for Kibra Constituency to go through it.

This award is targeting young people between 14 years and 24 years, irrespective of their gender or physical status. It is important that it becomes a law so that there is fairness. We have had several awards, including some that are given from State House every public holiday, but at times we do not know how the selection is done. We have some heroes and heroines back in the village who deserve these awards, but they have never got their names on the list of those to be awarded. Once we entrench in law the President’s award, then we will have a Board of Trustees in place to manage the whole affair. I hope the board will do a good job by moving from county to county.

I will be one of the champions of this law because I intend to visit all the schools in my constituency to encourage young people to participate. Most of them are already doing things like the ones the Member for Kibra alluded to. My fear is that they may go unnoticed.

Secondly, we are looking at the new curriculum of education which is supposed to produce a wholesome person. When children go to school, it is not just about them sitting the national examinations. Rather, we should encourage them to participate in co-curricular activities. This law offers motivation that if you participate in co-curricular activities, you could easily get the President’s Award.

We looked at the Bill as a Committee and we noted issues that need to be addressed during the process of implementation. The Bill should clearly give mandate to the board to formulate guidelines for the implementation of this award. I am talking about things like the enrolment process, management of the participants and the evaluation process. The guidelines on implementation should contain a list of eligible activities in each of the four sections, that is, voluntary service, vocational skills, sporting activity and camping activity. We noticed that the Bill does not state the minimum age for each level of the award.

With regard to the board, the Bill is silent on the issue of gender, youth and Persons with Disability (PWDs), which are issues that have been addressed in the Constitution. I really have no issue with the qualifications of the members of the board. It is important that the Bill talks about how members of staff are going to be appointed.
We looked at some countries that have implemented this kind of thing. For instance, South Africa has been very successful with regard to the President’s Award. In South Africa, they consider surveys, adventurous journeys, physical creation skills and residential projects all of which attract gold awards.

Finally, considering that the National Honours Act exists and it mandates the President to confer national honours to a person whose merits are laid down in the Act, it is prudent to amend that Act to include regulations of the President’s Award. We do not need to have a separate law in place.

We need to start mentoring our children from a young age and encourage them to participate in community surveys. We need to tell them to work as teams because that is what they do not know. We have a society where people are insensitive. They live in a neighbourhood where they do not know their neighbours. They do not care about other people’s children let alone what is happening in the neighbourhood. That is a bad culture in this nation. We need to train our children from a tender age to care for each other. We need to impart in them good leadership skills. By the time we leave this House, we should have mentored many young people, so that they can take over from us and take this country to the next level.

I support.

DATE: 16th May 2017

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

Contribution She Made on: The Kenya Trade Remedies Bill

Thank you. At the outset, I support this Bill and I want to commend Hon. Ochieng for a job well done. This shows Kenyans that it is important to nominate and elect young people in this House because they have fresh ideas.

What caught my eye in this Bill is the issue of dumping in Kenya. An example is the Ministry of Education buying computers and bringing them here in Kenya. This is one of the areas that the agency needs to focus on because we have very old computers being brought to Kenya in the name of donations to schools. The Agency will help us work on the issue of electronic waste management. Our domestic industries have been endangered. The Agency needs to focus on protecting the domestic industries and grow them. It is unfortunate that, today, we are speaking about unga because Kenyans are starving.

Last year and this year, we had low yields of maize and yet we exported the same. The situation has caught up with us and we are now importing maize. It is a sad situation. We are now importing maize from other countries and this is very sad for our nation. Therefore, we need to put controls and measures in place. The ministry in charge would have focused and seen our grain levels were diminishing. It was, therefore, not advisable for this nation to export maize and wait for Kenyans to suffer so that we can import maize. We have several industries which need to be looked into like the sugar industry which
this Government needs to take care of. I want to commend the Jubilee Government for supporting Mumias Sugar Company. We need to increase production and cushion farmers. How, do we entice our youth to be interested in farming? We grow coffee and yet we import it while we have the best coffee growing in Murang’a County and other counties in this nation. Why should we import tea while we should be having Kenyan tea on our shelves?

There was something circulating on the social media about plastic rice being sold in this country and some brands were mentioned. I am not very sure whether the rice was plastic or not.

Why should we import rice yet we have Mwea rice which is enough for this nation?

This Bill has come at the right time. We need to cushion our farmers and industries and start manufacturing our own vehicles in Kenya. Once we cushion these industries, jobs will be created for our young people.

DATE: 17th May 2017

Member of Parliament: Hon. (Ms.) Kiptui

Contribution She Made on: The Legal Metrology Bill

Thank you, Hon. Speaker. Before I contribute, I wish to alert the country on the missing of the MCA that Hon. Kamama has referred to. Hon. Minito is from Churo Amaya Ward. We were informed yesterday that he was picked up by two gentlemen who claimed to be security officers who wanted Hon. Minito to record a statement. My appeal goes to the Minister of Interior and National Security to use Team Technologies to try and trace the Hon. Member using his mobile telephone or any other means. It is very serious that somebody who was picked up has gone missing for more than 48 hours.

As for the Bill, I support it because if passed, it will help to streamline issues of metrology and contribute a lot in the development of our country.

Thank you, Hon. Speaker.

DATE: 18th May 2017

Member of Parliament: Hon. (Ms.) Emanikor

Contribution She Made on: Election of Members To EALA

Thank you, Hon. Temporary Deputy Speaker, for giving me this chance. Mine is very brief. I am concerned about the timing. You can see the anxiety that is in the House. We should get into this business as soon as possible considering the tight schedule that we have regarding the coming general elections, and considering IEBC timelines.

I urge that the Motion be brought early next week because a delay in disposing of this
Motion will have a negative impact in terms of the attention it deserves. I also urge political parties to address any anomalies arising from non-compliance with the procedures or the relevant statutes so that the Motion can be brought here for consideration. Looking at the Independent Candidates phenomenon, because it has been mentioned in the Report, in future, this issue will tilt the balance across the political divide. It is critical that this phenomenon is considered in future. We cannot wish it away.

As far as the issue of the number of nominees is concerned, I think the provision for nominating three times the number that a political party is entitled is intended to increase the democratic space that we always brag to have embraced.

Finally, I support the Member for Emurua Dikirr on his argument for consideration of minorities, women and people living with disabilities. This will provide the diversity that is required.

Thank you for the time you accorded me, Hon. Temporary Deputy Speaker.

DATE: 18th May 2017

Member of Parliament: Hon. (Ms.) Nyasuna

Contribution She Made on: Election of Members To EALA

Thank you very much, Hon. Temporary Speaker. I am unable to support this Report in its current state given the seriousness and the fundamental nature of the recommendations that has been made, more so recommendations number 4 to 7.

I have proposed an amendment. If it is approved, I will move it to ensure that the Report is revised into a form that can be supported. The EALA is very important to this country. Perhaps Kenyans do not understand just how important the EALA is. It is strengthening, widening and deepening East African relations. It should be understood that EALA is at the centre of legislation in the East African Community is concerned. My concern, however, is the basis on which Recommendation No.3 was arrived. The recommendation says that CORD should forward more names in addition to the names that are on the list yet the law is very clear.

Where did this recommendation come from? From where did they get the idea that the names to be submitted must be more than the number of slots that a party is entitled to? Regulation 6(i) has been quoted here several times. I just want to quote it again for the record. It requires a party to nominate any number of candidates, but not to exceed three times the number of slots it is entitled to. The Committee’s recommendation has created confusion by suggesting that a party must nominate three times the number of slots it is entitled to.

Saying that CORD has nominated few candidates than the required number of candidates
is being dishonest. It is a political strategy and this is a political process. So, every side and team puts forward its best and puts forward its best game. Where do we get the idea that an election can only happen when there are more names than the number required? We have Hon. Moses Kuria, for example. He came to Parliament without a single elector of Gatundu South Constituency having cast a vote. He was a single candidate. He is here as an elected Member of Parliament. The political parties have just concluded their nominations. We have seen many parties blocking certain individuals from clinching the nomination certificates. This is in order to ensure that you present to the electorate a formidable team of candidates that can be elected. That is exactly what the Jubilee is doing. They have requested certain candidates to step down, promising to give them other jobs once they form the next Government. That is the same strategy being applied. The CORD is within its legal rights to presents the four names for the electors to vote “Yes” or “No”.

Our Legal Counsel, Hon. T.J. Kajwang’, has already spoken to the genesis of the court case that was presented here as a basis for us to act differently. I will be moving an amendment, on behalf of our coalition. If it is accepted, this Report will become acceptable and we will move forward. However, we cannot engage in some wood work, come up with a Jubilee political strategy and make it look like it is the law. It is not the law. I have stated here that if Rule 6(i) intended that a political party should nominate three times the number of slots it is entitled to, it should have been amended to say so. However, since it has not been amended, it remains the law that we should be dealing with. This is what we have. We may wish to use this process to exert our authority or to show somebody dust. I am sorry, the law accepts only the names that will be submitted by the coalition.

The importance of the EALA is such that we, as a country, cannot just keep sending new people all the time, just like the Members of this House would add value to the politics of this county by coming back to Parliament. That is why we have all been struggling in the nomination so that we could come back. I am sure if I am re-elected during the general elections, I will not perform my duties the same way I did in 2013, when I first stepped into this House. I am much more experienced and, therefore, I will add more value to the politics of this country than I did at the beginning of my term in 2013. That is why, as CORD, we are presenting names of persons like Hon. Judith Nayai Ramaita Pareno and Abubakar Zain Abubakar. These are people who have been at EALA before. They will take with them the institutional memory that is required.

Hon. Temporary Deputy Speaker, Section 6(2) states that in nominating its candidate, each party shall, in as much as its feasible, take into account the need for fair representation of various shades of opinion, regional balance, gender and other special interest groups. It means minorities or communities that have not necessarily been considered. We present that Hon. Pareno, who is a very senior lawyer and comes from a minority community, deserves to be considered. It is the same argument for Hon. Abubakar Zain.

The other group that must be looked at is the youth. We must have youthful persons in
the East African Legislative Assembly (EALA) for us to be said that we are considering every group possible. That is where Kennedy Musyoka comes in. He brings in the youthful element.

People made propaganda and Hon. Ng’eno said it. Why are we so firm in trying to remove specks from other people’s eyes when we have logs in our own? Whenever we have an opportunity, many times we bring in people who are close to us if they are qualified to hold those positions. Even the people who speak the loudest are the ones who practice that the highest. This is about a youthful qualified Kenyan getting into EALA in order to bring a youthful element in that Assembly. I think we should not ignore that fact.

As I conclude, I agree with my sister, Hon. Emanikor, on the issue of timing. I do not intend to anticipate debate in any way, but if this House is not going to be sitting next week on Tuesday, then we need to look at the timelines. Otherwise, if the amendments that I am proposing to delete Recommendations 3, 5, 6, and 7 are admissible, then I will support the Report.

DATE: 18th May 2017

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

Contribution She Made on: Special Report on The Duty Free Shops Contracts At Jomo Kenyatta And Moi International Airports

Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity. From the outset, I support this Special Report by the Public Investments Committee (PIC) on the Duty Free Shops Contracts at Jomo Kenyatta and Moi International Airports. I will be very brief. We travel severally. We need to clear the cartels in our international airports so that they attain the same standards as other international airports. We also need to secure them.

Having looked at the Report, the Committee did a good job. This Report should be adopted immediately because I do not know how much time we have left. My only worry is that committees do very good reports here in Parliament but their implementation takes a lot of time.

I request the Committee on Implementation to take action immediately so that these very good reports which will benefit our nation are implemented.

DATE: 18th May 2017

Member of Parliament: Hon. (Ms.) Kanyua

Contribution She Made on: Special Report on The Duty Free Shops Contracts At Jomo Kenyatta And Moi International Airports
Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to add my voice on the adoption of this Report about the Duty Free Shops at the JKIA and Mombasa International Airport. Hon. Temporary Deputy Speaker, you have noted correctly that some of these Reports should attract a little more attention from Members than they have done today.

It is true many questions and cases have been raised and the Government has lost a lot of money from the duty free shops. I join my colleague Hon. Sabina Wanjiru in requesting that we follow other international best practices as far as these shops are concerned. Every time we pass through the airports and see the products being sold, we raise questions on whether they are promoting Kenyan products as well. Many of the products in those shops are international brands. There is need to find out how the shops are given to their owners, the contracts, leases and how they handle emergencies. There are measures to be looked into as far as duty free shops are concerned.

In my own respect and coming from Nyeri County where we have the best tea and coffee, it would help us if the duty free area where many visitors and other international guests pass by would have dedicated spaces for local products. This happens in a couple of other countries. If you go to West African countries and other African countries, you will find most of their local products being sold in their airports.

In Geneva, you will find their chocolates and watches being sold and in other countries you will find the products they manufacture being sold in the duty free shops. Kenya should follow the same. I think the whole aspect is about looking at who gets awarded to sell at the duty free shops. I hope the Report addresses all these issues and gives measures we can take which will be useful to other airports as well.

In Nyeri, we are in the process and have requested the national Government to expand Nyaribo Airstrip. We have products we think the international market would be interested in but we have no way of selling them from Nyeri because we do not have an airstrip where large planes can land. Many of these measures might apply to the Jomo Kenyatta International Airport (JKIA) and Moi International Airport for now but I think the Report will be useful as the country develops and we look at expanding the airstrips and airports that we will have.

I support the Report.

DATE: 24th May 2017

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


Thank you, Hon. Deputy Speaker. I beg to move the following Motion:

THAT, pursuant to the provisions of Article 113(2) of the Constitution and
Standing Order No.150, this House adopts the Report of Mediation Committee on its consideration of the Health Bill (National Assembly Bill No.14 of 2015) laid of the Table of the House on Wednesday, 17th 2017 and approves the mediated version of the Bill.

The Health Bill 2016, National Assembly Bill was published in the Kenya Gazette Supplement No.44 of 2015 as a Bill originating from the National Assembly. The Bill underwent the First and Second Readings and was subjected to public participation at both the National Assembly and the Senate. It was then referred to the Senate for consideration pursuant to the National Assembly Standing Order No.142. The Senate subjected the Bill to First and Second Readings and public participation as required by the Constitution and Senate’s Standing Orders and was passed on the 14th of July 2016 with amendments and referred back to the National Assembly. The National Assembly, during its sitting on the 24th of November 2016, considered the proposed amendments by the Senate and by resolution rejected the Senate amendments. Consequently, and pursuant to the National Assembly Standing Order No.149 and the Senate Standing Order No.154, the Bill was referred to the Mediation Committee with the sole objective of developing a version of the Bill that would be presented to both Houses for approval.

The following were the contentious clauses that the National Assembly rejected and were referred back to the Senate: Clause 5(4), Clause 15(c), Clause 16(2)(a), Clause 17(1)(j), Clause 18, Clause 19(4)(a), Clause 24(a), Clause 25, Part IV which comprised clauses 30 to 44, Part VII which comprised clauses 62 to 67, Clause 73, Clause 89, Clause 91 and the First Schedule. Consequently, the Mediation Committee on the Health Bill, 2015, National Assembly Bill No. 14 of 2015 was constituted by the Speaker of the National Assembly pursuant to the National Assembly Standing Order No.149(2) and the Speaker of the Senate pursuant to the Standing Order No.154 on 26th January, 2017 and 25th February 2017 respectively. The Committee was established to come up with an agreed version as I said earlier. The following were the Members of the Mediation Committee;

1. Hon. (Dr.) Rachel Nyamai
2. Hon. (Dr.) Nyikal
3. Hon. (Dr.) Pukose – Deputy Chair of the Departmental Committee on Health
   National Assembly
4. Hon. (Dr.) Naomi Shaban
5. Hon. (Dr.) Enock Kibunguchy

From the Senate, we had the following Senators:

1. Sen. (Dr.) Wilfred Machage – Chairperson Departmental Committee on Health – Senate
2. Sen. Zipporah Kittony
3. Sen. (Prof.) Wilfred Lesan
4. Sen. Mvita Mshenga

The Committee held its first sitting on 4th April 2017 and elected myself as the Chair
and Hon. (Dr.) Wilfred Machage as the Vice-Chair. The Committee deliberated on the contentious clauses and unanimously agreed on a version of the Bill to be presented to both Houses for approval. I would like to thank the Members because this was something that we really looked forward to.

Hon. Deputy Speaker, I take this opportunity to thank your office and that of the Speaker of the Senate, not forgetting our clerks from the two Houses who extended the necessary support that we required in order to come up with this version. I also thank all the Members of the Committee for the sacrifice, commitment and selflessness to the cause of the mediation process until a common ground was arrived at. As you may recall, this was done during the busy nomination period.

I now take this opportunity to take the House through the clauses. On Clause 5, the Senate amendment was that Clause 5 of the Bill be amended by inserting the following new subsections immediately after subsection 2, “The national and the county governments shall ensure the provision of free and compulsory vaccination for children under the age of 5 and maternity care” and “For the purpose of implementing subsection 3, the national Government shall in consultation with the respective county governments provide conditional grants to county governments. The justification of the Senate was that the amendment sought to anchor into legislation provision of free maternity and also ensure provisions of funds through conditional grants to cater for service. The Committee’s recommendation was that the Committee agreed with the proposed amendment to Clause 5(3) with further amendment to delete the word “compulsory”. The Committee rejects the Senate Amendments to Clause 5(4) and the justification was to legislate for conditional grants goes against best practise and causes rigidity in law. The Mediation Committee resolved that Members agreed with the proposal by the Senate to insert the following new Sub-clause (4) to read as follows: The purpose of implementing subsection (3), the national Government shall in consultation with respective county governments provide funds to the county governments.”

The justification was that the amendments seek to anchor into legislation provision of free maternity and ensure provision of funds to cater for both services.

Regarding Clause 15, concerning the national Governments Ministry responsible for health, Clause 15 of the Bill to be amended in Sub-clause (1) by deleting

**DATE: 31st May 2017**

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

**Contribution She Made on: The Breastfeeding Mothers Bill**

Hon. Temporary Deputy Speaker, I beg to move that the Breastfeeding Mothers Bill (National Assembly No. 13 of 2017) be now read a Second Time. I am inspired to move this Bill as a young mother and also as a mother who has gone through this experience a few years ago. Kenya has made remarkable growth in exclusive
breastfeeding for children that are six months old. In 2003, 13 per cent of mothers were the only ones who were breastfeeding exclusively. It is also good to notify the House that it is recommended that a child should exclusively be breastfed for six months without having anything else to feed on. This year, according to the National Demographic and Health Survey, 61 per cent of children aged less than six months were breastfeeding exclusively. This is a remarkable growth from 2003 from 13 per cent to 61 per cent now. This achievement is as a result of massive drive to promote breastfeeding through two programmes that are set up by the Kenya Government: the baby-friendly hospitals initiative and the baby-friendly community initiative. They promote breastfeeding in hospitals at the time of delivery and other breastfeeding initiatives in the community. Both have been proposed in the country’s most recent maternal infant and young children nutrition strategies stretching to 2017 which we are in now. Although the initiatives have not yet been scaled up fully, they have created mass awareness of breastfeeding and the Government plans to increase exclusive breastfeeding to 80 per cent by the end of this year. A recent study in six counties within Kenya looked at the challenges among Kenyan women on breastfeeding and considered that women in different settings from urban to poor, to middle income and rural areas have several challenges when breastfeeding their children. It is, therefore, important since breastfeeding reduces child mortality rate. For example, in poor countries like Peru, the Government initiative in promoting breastfeeding has helped in reducing child mortality. They have reduced child mortality from 1,000 deaths to 19. As women, we have had challenges when breastfeeding. Some of those obstacles are when the woman has to go back to work because the maternity leave is only three months and bearing in mind that the child is supposed to breastfeed for six months exclusively. Of course, lack of food in some areas, poor knowledge on how to handle breastfeeding and where we have teenage pregnancies are some of the challenges that have actually hindered breastfeeding; not forgetting the health-related issues like the Human Immunodeficiency Virus (HIV) where HIVpositive mothers are not allowed to breastfeed. We have also had poor social and professional support. So, my Bill aims at encouraging mothers and not discouraging them to breastfeed for six months and also making it enjoyable and comfortable. We are also encouraging young women who are also career women to actually enjoy bringing up their children and also enjoy breastfeeding them. In trying to combine breastfeeding with work, for urban poor women, their concern is limited livelihoods and the nature of their employment. Women are constantly looking for a job and, often, most of them are casual labourers who are not entitled to maternity leave. They also have limited pay that does not allow them to save enough for the period that they
have to be with their child for six months. This then means that they have to resume work shortly. Some of them do not even wait for a month. They even go to work after two weeks so that they can earn a living and take care of their child. Some of them also work for very long hours and the environments are not conducive to carry babies to work, breastfeed or actually express their milk and have it stored safely.

Another challenge for income working women is lack of work-place support such as breastfeeding rooms and facilities to either breastfeed or express milk. If a woman is going to a market-place, a place where one can actually go and change a diaper or nappy is not available.

Some of the harassment that women have to go through is like if a woman has a child and the child soils a nappy in a matatu or when they are travelling or even walking to a market. When you go to markets, you will find public toilets that even a person without a child cannot get into. If you go into some of them, your child will pick infections from there. If you go to restaurants, many of them do not allow you to change your child’s diaper there. So, women end up frustrated and they may end up leaving their children at home because they do not have a place or a facility where they can do that. Some women have narrated stories of having to express their milk in very uncomfortable settings such as toilets. It is even a shame that this House that makes laws has no room for women to express their milk or even breastfeed or change their milk.

Although the breastfeeding breaks are recommended internationally through the Maternity Protection Convention, Kenya has not yet ratified it. Globally, only 29 countries have ratified it while 158 have not.

Hon. Temporary Deputy Speaker, when I came back to this House after getting my child, I used to express my milk inside the car because there was nowhere to do it. It is a shame. There is nowhere in this House where one can express milk, leave alone coming with the child. This is a Bill I want to ask this House to adopt and move very fast to set a precedent. Before this Bill becomes an Act, the Parliamentary Service Commission (PSC) should consider it with immediate effect. Despite the success that Kenya has made around exclusive breastfeeding in the last few years, more needs to be done to ensure that the rights of mothers and children are realized. Kenya also needs to ratify the Maternity Protection Convention. Although women in the formal sector in Kenya are entitled to maternity leave, breastfeeding breaks and flexible time are now provided in the law.

The Government also needs to ensure that the law is enforced. Employers need to be sensitized to provide the necessary support such as breastfeeding rooms and other facilities to enable women to express milk comfortably. These measures are key in ensuring continued exclusive breastfeeding, even after women resume work after their three months of maternity leave. For the informal sector, there may be need to re-consider labour laws and the possibility of social protection measures, specifically targeting women. Generally, there is
also need for the public to be sensitized about the need to support breastfeeding women. It is always very uncomfortable when a woman removes the breast to feed a baby, and you see everybody staring.

Breastfeeding mothers need support and love when they are feeding their children. Such support includes allowing mothers to carry babies to workplace in both informal and formal sector.

I have a few recommendations in this Bill. I wish that, at least, the first six months after giving birth, mothers should be allowed to work for fewer hours, for example working between 10 a.m. to 4.30 p.m. Those hours will give them enough time to breastfeed. They should be allowed to have baby nurseries at their workplaces for babies of up to six months, to enable them to breastfeed. The challenge in this is the cost that will have to be footed by the caretaker.

However, children between zero to six months sleep most of the time. So, if you have a nursery where you can just come in with your child, you can go on with your work and breastfeed because they do not need anything else. We should not be told to breastfeed in the bathroom because we all know that nobody eats in the toilet or bathroom. It is very unhealthy for any woman to breastfeed in the bathroom or toilet. We should also give a private room to express milk and proper storage like a fridge that is purposely dedicated to that.

Since the Government has been generous enough to give smoking zones, it should provide changing zones, especially in major towns. I wish Hon. Sakaja was here because he is going to the Senate. We need to give women places to change their babies’ diapers or nappies. Those places should be very clean and private. It should be in workplaces and public places.

I have not seen any baby-changing rooms in our own airport. We need that room so that when you are travelling, you can purchase a diaper, even if it is one. Once we allow the environment to be conducive for those mothers, all is going to be well.

I will go straight to the Memorandum of Objects and Reasons of the Bill. The principal objective of this Bill is to provide a legal framework for mothers who may wish to breastfeed their children at the workplace. The Bill provides for the right of a mother to breastfeed freely or expresses her milk for the infant. It also requires the employers to provide employees with lactation rooms to either breastfeed or express their milk for their children. Hon. Temporary Deputy Speaker, breastfeeding is the first preventive health measure that can be given to a child at birth. It also enhances mother-infant relationship. It also nurtures first immunization, enabling the infant to fight potential serious infection. It contains growth factors that enhance maturation of an infant organ system. Presently, female employees exit the workforce or stop breastfeeding in order to secure their jobs. No woman should be forced to compromise the health of her child in order to make a living. This Bill is trying to make sure that no woman will compromise the health of her child in order to make a living. Part one of the Bill provides for preliminary matters, including the title of the Bill and
the interpretation of the terms used in the proposed Act. Clauses 3 to 9 of the Bill provides the fundamental principles and rights at work for a breastfeeding mother. It provides for the right to freely breastfeed or express milk for the baby. It also places an obligation on the employers to provide breastfeeding working mothers with rooms to either express their milk or breastfeed. It also provides for the standards of such rooms. The Bill further provides for baby-changing tables or rooms. This is important because the greater majority of public finds it uncertain to change a baby in a public setting such as a restaurant or a public toilet. Provision also caters for persons who are travelling for long distances in the accompaniment of babies. It ensures that in each public rest-room, a baby changing facility is provided. This part also provides for the power of the Cabinet Secretary to make regulations for the better carrying out of the proposed Act.

This Bill is affecting counties, and it is an ordinary Bill. It might occasion additional expenditure, but this is what is given within the estimates. We do not need to look for extra funds to provide a table and make a special room within a public building.

With those few remarks, I move the Bill. I would like to ask Hon. Ken Okoth to second.

DATE: 31st May 2017

Member of Parliament: Hon. (Ms.) Munene

Contribution She Made on: The Breastfeeding Mothers Bill

Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to say something about this Bill. I thank Hon. Sabina because she cares about our children. This Bill is very important.

It is better for women to breastfeed their children because milk from the mother makes the child to grow quickly and healthy. However, we get problems when we do not get somewhere to breastfeed our children. When some women go back to work, they try to press their milk for the children. But when you do that, you know that the milk is going to be cold. The maids, whom we leave our children with, do not know how to give them milk. Therefore, our children are getting problems. I thank the Mover and ask our men and everybody in this House to make sure that this Bill is passed. Young kids used to get problems because they did not get proper care. If we are going to have a private and clean place where a mother can go and breastfeed the child, we will have healthy children in this country.

When women get their first children in this country, they leave them with nannies with instructions on how to handle them. Three months cannot be enough for breastfeeding a child.

We should breastfeed children for about a year. If you look at how the old mothers used to take care of their children, you will know why we are healthy. They used to do proper things but, because of the busy schedule of our young mothers, children get problems nowadays.
Sometimes, when mothers leave home, they are called back because their children are sick. As a mother, this Bill is good so that our children can be strong in this country. Fathers will be happy when they see that their children are growing well. Hon. Sabina has been breastfeeding her child when she is here and she has been going through challenges. We are taking care of our mothers by ensuring that they can get private places in their offices to breastfeed. If you go to Jomo Kenyatta International Airport with a small child of about one or two months, you will have nowhere to breastfeed that child. So, it is good for this House to pass this law that young mothers will get private places to feed their children.

Thank you. I support this Bill. I know God is before us and all Members of Parliament in this House are going to pass this Bill. We are going to have healthy children and healthy mothers.

Thank you, Hon. Temporary Deputy Speaker.

**DATE: 31st May 2017**

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

**Contribution She Made on: The Breastfeeding Mothers Bill**

Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I would request that using your discretion under Standing Order No.1 that you extend the time by three minutes.

Having said that, I congratulate Hon. Sabina Chege for bringing this Bill. It is a testimony to the fact that we did not do wrong by supporting the position of the 47 women elected in our counties. Many people have been saying that the 47 women are flower girls. They are not! It shows that when you bring women to this House, they also bring issues that are very dear to their fellow women.

I congratulate Hon. Sabina Chege. I think it is because of this that her people demonstrated confidence in her and have given her the opportunity to defend her seat yet again. I can see male Members of Parliament are opposed to this Breastfeeding Mothers Bill. They want it to be a Breastfeeding Fathers Bill. I would suggest that Hon. Ichung’wah be the first breastfeeding father when this Bill passes because I know it is going to pass.

In the same spirit, Hon. Gikaria was concerned that he will not have another child because of his age. I am going to have my first baby after 50 years. With technology, you can do so much. So, I will also be a beneficiary since I am coming back to this Parliament. That will happen with assisted technology. I will be a breastfeeding mother even as Hon. Ichung’wah will also be a breastfeeding father.

This is a matter of reproductive rights of women. I challenge the Government of Kenya, especially the Executive. If you looked at the advert three days ago about a policy on menstrual hygiene for women, you will realize that all the people who were being advertised, including Principal Secretaries (PSs), were men.
I know how terribly awkward it can be for male PSs within an African setting to be seated discussing the menstrual health of women. That is why we encourage this Government and the succeeding Government, which will be a National Super Alliance (NASA) Government, to ensure that in all appointed positions, two-thirds are women. It should not be one-third because men have been enjoying too much.