



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. II NO. 28

THE HANSARD

Thursday, 13th April 2023

The House met at 2.30 p.m.

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

PRAYERS

Hon. Speaker: Serjeant-at-Arms, please, open the door to see if we have quorum.

QUORUM

(The Quorum Bell was rung)

Hon. Speaker: I believe we now have quorum.

(Hon. Robert Mbui consulted with the Speaker)

I have a Communication. Can you go back? Just hold on I am consulting with a Member.

COMMUNICATION FROM THE CHAIR

REMOVAL OF THE DEPUTY WHIP OF THE MINORITY PARTY

Hon. Speaker: Hon. Members, I have a short Communication. It is about the removal of Hon. Sabina Chege.

I wish to inform you that I received a letter from the Leader of the Minority Party, Hon. Opiyo Wandayi, MP., dated 6th April 2023, conveying the decision of the Minority Party to remove Hon. Sabina Chege, MP., as the Deputy Minority Whip. Attached to the letter are the minutes of the Azimio la Umoja One Kenya Coalition, National Assembly Parliamentary Group meeting held on 6th April 2023 and the names and signatures of Members who attended the meeting.

Standing Order 20A(4) provides that a decision of a parliamentary party replacing its whip or deputy shall be communicated to the Speaker in writing and in the case of the Minority Party, by the Leader of the Minority Party on behalf of the Minority Party. Further, Standing Order 20A(5) provides that the Speaker shall, as soon as practical following receipt of the decision of the Party, convey the information to the assembled House if the House is sitting, or notify Members if the House is not sitting.

Hon. Members, I also wish to notify the House that on 15th February 2023, I received a letter from the Member for Nakuru Town West Constituency, Hon. Samuel Arama under the signature of "Jubilee Parliamentary Whip" seeking the recognition of the Jubilee Party as a Parliamentary Party in accordance with the Standing Orders. The Member also sought my guidance on a number of other matters.

In the letter, the Member sought my guidance on the implications of Article 36 of the Constitution on freedom of association, Article 38 on Political Rights and Article 259 on

construing of the Constitution as read together with the provisions of the Political Parties Act, 2011 and the Standing Orders of the House with respect to privileges and rights of Members of the Jubilee Party who are Members of this House.

He also requested that the Jubilee Party, which currently has 28 Members, be recognised as a Parliamentary Party with accruing rights, privileges, and benefits enjoyed by parliamentary parties in keeping with the requirements of the Standing Orders.

Hon. Members, as you may further be aware, there has been uncertainty on the leadership of the Jubilee Party in light of several letters that I have received from Hon. Jeremiah Kioni, the Secretary General of the Jubilee Party. In these letters, Hon. Jeremiah Kioni has severally appointed a number of Members in this House to various leadership positions, including the Member for Nakuru Town West Constituency, Hon. Samuel Arama, who he claimed to have been appointed as the Party Whip, and Hon. Sarah Korere, the Member for Laikipia North Constituency, as the Deputy Whip, outside the coalition framework.

(Several Members walked in the gangways)

Hon. Members, can you take the nearest available seats. I am sure we understand what ‘the nearest available seat’ means. The nearest available seats, Hon. Members.

Hon. Members: Nearest.

(Laughter)

(Hon. Mugambi Rindikiri remained upstanding)

Hon. Member for Buuri, I think at the time you went to school the word ‘nearest’ was not in English.

Hon. Members: Nearest to you.

(Laughter)

Hon. Speaker: Hon. Members, in light of the foregoing, you will agree with me that the issues raised by the myriad of letters are conflicting and, indeed, weighty. In this regard and without prejudice to the exercise of the right of the Minority Party entrenched under Standing Order 20(A)(4), I will now allow the House to make general comments on this matter so that Members may give their views on the issues therein which I may consider in making my conveyance on the removal of the Deputy Whip of the Minority Party in the National Assembly.

I thank you.

I will give 30 minutes to the Members who want to make comments on this so that you can enrich my already very rich level of thinking.

(Laughter)

Go to interventions. I will give the first shot to the woman of the hour, the direct victim, Hon. Sabina Chege.

(Loud consultations)

Before you start, Hon. Sabina, I will give you...Order, Hon. Members. Some silence, please. I will give you five minutes and give your prosecutors five minutes each, that is, the Leader of

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

the Minority Party and the Leader of the Majority Party as the Standing Orders provide. I will give two minutes each to the rest of you who want to speak. Hon. Sabina, you have five minutes.

Hon. Sabina Chege (Nominated, JP): Thank you, Hon. Speaker for giving me this opportunity. Save for reports that I heard last week from the media, I am really shocked that a Communication is being done on my removal from a position that was negotiated by my Party with our coalition partners! This is being done without informing or involving me at all!

As you are aware, Article 47 of the Constitution provides for a right of every person to administrative action that is lawful, reasonable, and procedurally fair. Article 236(b) of the Constitution provides that due process of law should be followed prior to any removal of office process being effected.

I am a Member of Jubilee Party and I can confirm to this House that we have not been called to any Parliamentary Group (PG) meeting of our Jubilee Party, and neither have our coalition partners called us formally to any meeting. So, I feel that this right has been denied. We are 28 Members in this House and so this position is not Hon. Sabina's but Jubilee Party's. We need to be consulted and involved in any process or decision. I will only sum this as harassment and intimidation from our coalition partners. It has happened before. Hon. Speaker, you remember when the issue of the Parliamentary Service Commission (PSC) came up. We even sought for some time to sit with our coalition partners, but our party was denied a position in the Commission, which position is a right.

Under Article 3 of the Constitution, you have an obligation to uphold the Constitution which you have severally done in this House. Allow me to say that that letter from the Leader of the Minority Party, Hon. Wandayi, which you have referred to and which also makes reference to Standing Order 20(A), alleges to commence the replacement. I seek the indulgence of Members of this House, as we read Standing Order 20(A), to tell me whether the Standing Orders accord with the Constitution in terms of Article 47 on fair administration of action. The Standing Order has no due process and this is what the Leader of the Minority Party is using to intimidate me to leave a position that was negotiated by my Party. I will not take it kindly. I also know that my Party Members will not take it kindly. There is no justice, and due process has not been followed. As I have said before, I only heard of this on the Floor of this House. Neither myself nor my party Members were contacted.

Was any meeting held? Were there minutes that were given to you as part of this Communication? Were there signatures? How many Members of Jubilee Party signed? I beg that you avail to us these records and give us ample time for us to sit and deliberate as, one, Jubilee Party, and, two, as a coalition. As a way forward, I know you have commented that you have received our messages from Hon. Samuel Arama who is our Parliamentary Whip on Jubilee Party side. We are an independent Party, and we deserve to have our own position in this matter including our leadership position as Jubilee Party.

We cannot be ignored when we have 28 Members. We are the second largest Minority Party. We, therefore, beg that you give us time. We have our dispute resolution mechanisms and we have to follow due process. Give us time so that we can table before you, in this House, the deliberations that will follow. For now, I would like to request that the Communication be treated as null and void until all the parties sit down and agree. Everybody needs to be involved. We will not allow this position to go like it happened for the position of commissioners. I raised the matter but it was ignored. We lost a position then, but we will not allow our partners to take this one away. It may not be me but... (*technical hitch*) I am the victim.

(*Loud consultations*)

As I conclude Hon. Speaker, I reiterate that I am a Member of Jubilee Party, which is the second largest Minority Party in this House. I beg that we also get our equal share from the committees and the House leadership. Do not allow these people to intimidate us. Remember at one point when you were a Senator, the same people conned you your position.

(Laughter)

And you warned them that it was going to be noisy and messy.

(Laughter)

(Hon. Millie Odhiambo Mabona spoke off-record)

So, I want to repeat: we will not allow ourselves to be conned, Hon. Speaker. Again, it is going to be noisy and messy.

(Loud consultations)

Do not forget the journey that we have walked together. They want to intimidate us when we get to this level. There is freedom of association as you have communicated in this House. We are free to associate and make independent decisions but we will not be cowed or intimidated.

Hon. Speaker, as it was ruled then, you were removed from that position, but now you are in a position to guide this House. I pray that God will give you wisdom to give proper direction. For now, without those documents for my perusal, please, treat the Communication as null and void.

Thank you, Hon. Speaker.

Hon. Speaker: Order Members! On a light note, be notified that I claim intellectual property rights for the phrase, ‘noisy and messy’.

(Laughter)

I give the Floor to Hon. Opiyo Wandayi. I think it will be helpful if he can table the minutes on the Floor if he has them. Once tabled, if Hon. Sabina wishes to make a comment, I will give her two minutes.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, clearly you are ambushing me.

Hon. Speaker: I can call you much later so you get your minutes.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, I do not need to get them. I shall demonstrate from my submission shortly.

Hon. Speaker: Hon. Wandayi, for the record it is not an ambush. I told you yesterday I will deliver this ruling today.

Hon. Opiyo Wandayi (Ugunja, ODM): But you never told me you would open up debate on this matter.

Hon. Speaker: When...

Hon. Opiyo Wandayi (Ugunja, ODM): Yes.

Hon. Speaker: Go ahead.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Keynan, please, give me time to prosecute my matter. You have no right whatsoever to try and guide the Speaker who is very experienced. Let me start by saying that the contents of my letter to you plus the attendance

attached speak for themselves. I want to take you to Standing Order 20A (4)(b), just for the record.

“(4) A decision of a parliamentary party replacing its Whip or Deputy Whip shall be communicated to the Speaker in writing by-

(b) the Leader of Minority Party on behalf of the Minority Party”.

I want to take you further to Standing Order 20A (5) which says:

“(5) The Speaker shall, as soon as practicable, following receipt of the names under Paragraph (3), or the decision under Paragraph (4), convey the information to the assembled House if the House is sitting or notify Members if the House is not sitting.”

(Hon. Raphael Wanjala spoke off-record)

Hon. Speaker: Hon. Wanjala, under what Standing Order are you amplifying what Wandayi is saying?

Hon. Opiyo Wandayi (Ugunja, ODM): No, he is just being a good Member.

Hon. Speaker: Order! You are out of order Hon. Wanjala. You are a very senior Member of this House, and you are presumed to know the Standing Orders. Go on Wandayi.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, without saying much, the plain reading of these Standing Orders will tell you what the Minority coalition or the Majority coalition, whichever the case, needs to do. It is simply to communicate to the Speaker the decision they have taken. In fact, for removal of a Whip or Deputy Whip, it does not require any minutes or meeting of the coalition. It just requires me, the Leader of Minority Party, to communicate the decision of the Minority coalition.

Two, there is a provision of the Constitution in Article 108 which clearly stipulates about the leadership of the Majority Party and the Minority Party. Let me say that under the Constitution and our Standing Orders, any party which meets a threshold of more than 5 per cent of the membership qualifies to be a parliamentary party.

You must distinguish between a parliamentary party and a Minority coalition or Majority coalition. Anytime you choose, as a party, to belong to a coalition be it Majority or Minority... I hope I have time. Anytime you choose to belong to a coalition, as a party, whether you qualify as a parliamentary party or not, on your own, you seek your rights to be a parliamentary party standing on its own. You give all your rights to the coalition which you belong to. Therefore, as we speak, it is clear that Jubilee Party remains a member of the Azimio la Umoja - One Kenya Coalition Party.

More importantly, I do not understand how the supposed letters from whoever be it, Hon. Arama or Hon. Kioni, relate to the matter at hand, which is communicating the decision we have taken as a coalition to remove our Deputy Minority Whip. Let me admit the two are mutually exclusive. More importantly, I have heard my sister, Hon. Sabina, saying that Jubilee cannot be frustrated or punished. I have not yet communicated her replacement. Therefore, she does not know whether it will be from Jubilee or not. So, it is premature to suggest that Jubilee is being punished. She has no idea who I am going to present as her replacement.

Therefore, in my very respectful view, the debate on the Floor of the House is unnecessary and uncalled for. I just want to plead because precedence was set in the Senate two weeks ago: that even if somebody was to go to the Political Parties Dispute Tribunal or court, it will be a decision of the court. There is precedence for those of you who do not know. That a court decision is law until it is varied or appealed against. I do not want to say much. My point is that my letter speaks for itself. It is in accordance with the Standing Orders and the Constitution. It does not require any further debate. I want to plead with you to uphold the

dignity of this House and announce the removal of Hon. Sabina Chege as the Deputy Minority Whip and allow me to send the name of her replacement as soon as I make a decision.

With those very many remarks, thank you very much.

Hon. Speaker: Order, Hon. Members! Every Member shall be heard in silence. The Member for Eldas. Yes, Wanjala. Order, Hon. Keynan! Give Hon. Wanjala the microphone.

Hon. Raphael Wanjala (Budalang'i, ODM): Hon. Speaker, I am serving my fourth term in this House. Chairpersons and Members have been removed from committees and so have whips. There never has been debate when a Chairperson, Member of a committee or a Whip is removed. Why not allow the removal of the Deputy Minority Whip?

Hon. Speaker: Order, Hon. Wanjala! I will send you to the library to read the *Hansard* proceedings of the Senate of Kenya from 2017 to 2022 when the National Super Alliance (NASA) coalition removed the Senator for Bungoma as Minority Whip. The Speaker then, with distinction, allowed the House to debate the matter for two hours before he made his ruling. This is not with that precedent.

Hon. Wanjala, secondly, if you care to read the Fair Administrative Actions Act, in natural justice, *Waswahili wanasema*, “*Mgala muue na haki umpe.*”

Member for Eldas.

Hon. Adan Keynan (Eldas, JP): Thank you, Hon. Speaker for giving me this opportunity to contribute to this very important issue. First, I want to put it on record that I am the official Jubilee Parliamentary Group Secretary. I have held that position since 2020. Therefore, I am the only one in Parliament who has the right to speak on issues pertaining to the Parliamentary Group both in the Senate and the National Assembly.

Secondly, as a National Executive Committee (NEC) Member, I am yet to see the purported Azimio Coalition agreement. I am sure that when you made the ruling on 6th October 2022, you alluded to the same fact that this is a non-existent document. The Jubilee Party wrote to you on a number of occasions and this was done by none other than the then Secretary General, Hon. Kioni. He wrote to you on the leadership of the Houses. He also wrote to you on the formation of the Commission of Revenue Allocation, East Africa Legislative Assembly, and Pan-African Parliament to demonstrate that Jubilee is a distinct party. We are in this era. Since the general election until now, this great former party has been conned. We lost the Parliamentary Service Commission slot and the shocking thing was that Hon. Waluke was in jail. They nominated him and took the letter to jail but a day later, they appointed another person to replace him. This is the most inhuman thing that I have ever seen with this group and, of course, it is a trademark.

Equally, Hon. Fatuma Dullo lost her position as a Minority Whip in the Senate. We are today discussing the removal of Hon. Sabina Chege. Hon. Margaret Kamar also lost her membership to the Pan-African Parliament. Taking all these into account, a lot of things have now dawned on us. Being the second largest Minority Party and considering that some of us are not cows, we have decided that we cannot blindly follow the whims of individuals who do not reason. I want to put it on record that I am not a cow and that is why I have been elected many times. I reason, appreciate, and make decisions that are consistent with what I think is correct.

Hon. Speaker, you have also alluded to the provisions of the Fair Administrative Act. If you look at this, all the Jubilee Members have been removed from the WhatsApp group of the Azimio Coalition. That is the first demonstration that we are in a wrong coalition. Technically speaking, Jubilee is part of the Azimio Coalition as of now.

Hon. Speaker, I need your protection from this particular Member. I do not want to say his name because he is my good friend. Certainly, I am qualified to say a lot of things about you and you would not like this House. Considering the provisions of Fair Administrative Act, this purported letter from my good friend, Hon. Wandayi... I want to say this for the good of

Hon. Wandayi. You have demonstrated to the owners of Azimio that you are up to the job of being the Leader of the Minority Party. We appreciate that. In the same breath, we will not allow you to step on our rights. This particular letter is malicious, capricious, unconstitutional and inconsistent with the provisions of every...

Hon. Opiyo Wandayi (Ugunja, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Wandayi, what is your point of order?

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, the trajectory you are allowing this debate to take is very dangerous. First and foremost, Hon. Keynan, instead of addressing you, is continuously addressing me and that is against the Standing Orders. But more importantly, Hon. Keynan is insinuating that some of us are cows which is totally unacceptable. Cows! That is totally unparliamentary.

Hon. Speaker: Order! I did not hear that, Hon. Wandayi.

Hon. Opiyo Wandayi (Ugunja, ODM): If you did not hear that, you can check the *Hansard*. We cannot allow this House to degenerate in the manner you are making it.

Hon. Speaker: Order, Hon. Members. Hon. Wandayi, you have made your point.

Hon. Adan Keynan (Eldas, JP): Hon. Speaker, let me correct this. I said Hon. Wandayi is my good friend. He has demonstrated that he is up to the job. I said this: As Adan Kenyan and the father of the 13th Parliament, I am not a cow. This is because I reason, think and reflect. I did not make any reference to any particular individual. To that extent, I am allowed to say what I want to say. I said; Considering the provisions of Fair Administrative Act, all the Members of Jubilee have been removed from the Azimio Coalition WhatsApp group. That is a clear demonstration of intolerance.

Hon. Speaker, you have been a victim. God is fair. What goes around comes around. It is exactly five years ago that you were hounded out of office like what they want to do to Hon. Sabina. They are doing it in a very unceremonious manner. I ask for some few minutes. I was saying this: Jubilee Parliamentary Group decided to have my good friend, Hon. Waluke, as a representative of Jubilee at the Parliamentary Service Commission. The leadership went ahead and gave him nomination when he was in prison. Two days later, they gave it to another person. What could be worse than that? The import of this is that as Jubilee, taking into account our rights as a party and considering that we are under the new constitutional dispensation, we will be seeking to amend the Standing Orders so that Jubilee is recognised as a distinct Parliamentary Party that has all the rights. I am also sure that being the second largest party within the minority, the position of the Deputy Minority Leader was ours, but you can see it went to another party.

Hon. Speaker: Your time is up. Add him one minute. Make your point and sit down.

Hon. Adan Keynan (Eldas, JP): Hon. Speaker, in short, I want to say this: under the current Constitution, we will not accept to be intimidated, blackmailed, and backstabbed. We are here by right. We will continue to exist by right. Our rights must be appreciated. As the leader of this House, it is your duty to protect the rights of every Member regardless of their political affiliation. As the Jubilee Party, we are not persuaded. We will not be intimidated. We are not part of what is being proposed and Hon. Sabina continues to be our Deputy Minority Whip.

Thank you.

Hon. Speaker: Hon. Mwengi Mutuse. Give Hon. Mutuse the microphone.

Hon. Mwengi Mutuse (Kibwezi West, MCCP): Thank you, Hon. Speaker, for the opportunity to contribute to this debate.

Hon. Speaker, when you retreat to make your ruling, it is important for you to consider the character of the people who have brought this matter before you. Character is important because consistently, the ODM Party has been short-changing people who work with them during elections. This is because at the beginning of the 13th Parliament, the first issue that was

to be debated in this House was membership of coalitions. ODM has been seeking to enslave people and to forcefully have people to associate with it without considering their own democratic rights. In considering the matter brought before you, the Minority side has cited the Standing Orders and it is also important for you to study the Standing Orders against the Constitution. Hon. Members have a right to associate with anyone they wish to.

They have also cited the Fair Administrative Actions Act. Therefore, the Standing Orders alone cannot stand against the Constitution. I urge you to reject the letter from the Minority side and find it important for the Hon. Member who has been cited to exercise her democratic right and refer the matter back to the Party internal dispute resolution mechanisms.

I thank you.

Hon. Speaker: Hon. Robert Mbui.

Hon. Robert Mbui (Kathiani, WDM): Thank you, Hon. Speaker for this opportunity.

Just like my Leader, I am very concerned about this debate because this is a House of rules; and as a House of rules, our decisions are guided by things that have happened in the past in the House.

When it comes to our Standing Orders, which is what guides our business, it is very clear on the process of removal of an individual from an office equivalent of the one Hon. Sabina Chege is holding. If we are going to discuss this matter, then we are talking about things that are outside our Standing Orders, yet it is the one to give direction on how we operate as a House.

I am concerned because in our debate, we are forgetting something very important. What is the responsibility given to the Whip and the Deputy Whip? It is possible that we might debate and forget that. The Deputy Whip is the Principal Assistant to the Whip, and the purpose of the Whip is to bring together Members of the Coalition in order for them to fast-track and pass issues of their coalition. When a Member has been seen by the coalition not to be trustworthy and capable of doing that job, it is our right to make a decision on who becomes the Whip. Tomorrow, if the coalition decides that I am not faithful and trustworthy enough to continue serving as the Deputy Leader, I will step aside and move on. I cannot occupy a position and deny other people the opportunity.

Finally, on the matter of the Standing Orders, if Jubilee Party is in Azimio-One Kenya Alliance, she cannot continue holding the position that she does, but if Jubilee Party were to leave the coalition, then, Jubilee Party has a right to claim positions as a Parliamentary Party. They must make a decision. Are they in Azimio-One Kenya Alliance or Kenya Kwanza Coalition?

(Hon. Kimani Ichung'wah rose on appoint of order)

Hon. Speaker: Order, Members. Leader of the Majority Party, what is your point of order? Hon. Mbui, are you done?

Hon. Kimani Ichung'wah (Kikuyu, UDA): He still has time.

Hon Speaker, Hon. Robert Mbui is a seasoned parliamentarian and a very good one, and I sympathise with him because he is likely to be the next victim. And being a seasoned parliamentarian, he knows that he cannot impute improper motive on a Member without bringing a substantive Motion. The matter at hand did not touch on the character or personality of Hon. Sabina Chege. Hon. Robert Mbui has gone forth to claim...

(An Hon. Member spoke off-record)

Hon. Speaker, if you can, please, protect me from this Hon. Lady with funny hair always. She has this penchant of always shouting. I do not know her name, Hon. Speaker.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

(Loud consultations)

Hon. Speaker: Order, Members. Order, Hon. Leader of the Majority Party.

(Loud consultations)

Member for Busia County, Hon. Catherine Omanyo, I know for sure that you do not have funny hair. Order, Hon. Members. Hair is normally described as either short, long, curly but not funny.

(Laughter)

Leader of the Majority Party, you have to withdraw that comment on the gracious lady. **Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. I am actually informed that she is Hon. Catherine Omanyo, Member for Busia County.

With all due respect, I withdraw.

(Hon. Raphael Wanjala spoke off-record)

Hon. Speaker: Hon. Wanjala!

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I know the Member for Budalang'i is also from the County of Busia. It might be him encouraging Hon. Catherine Omanyo to interrupt other Members, including her own Leader when she is speaking on the Floor of the House. I just want to advice the gracious lady that she would look more gracious and beautiful with long hair when she allows the person on the Floor to articulate their issues without interruption.

Hon. Speaker, however, back to the point, allow me...

(Loud consultations)

Hon. Speaker: Order!

Hon. Kimani Ichung'wah (Kikuyu, UDA): I was just saying that because she has this penchant of just shouting from her seat. There is an intervention button she can use if she desires to say something. She must not learn from the Member for Budalang'i.

Hon. Robert Mbui imputed an improper motive on Hon. Sabina Chege. He alleges that they have proved that she is incapable. How is that the case when the people of Murang'a and the people of Kenya know her as a very efficient leader? The Members of Jubilee Party in this House nominated Hon. Sabina Chege to represent them in their coalition. It would, therefore, be very improper for Hon. Robert Mbui to impute or impugn that she is incapable while it is her members in Jubilee Party who nominated her. Hon. Robert Mbui belongs to the Wiper Party. I sympathise with him because he is the next victim.

Hon. Speaker: Leader of the Majority Party, you have made your point. Let us have Hon. Arama.

(Hon. Robert Mbui rose on his seat)

Sorry, Hon. Arama.

Hon. Robert Mbui (Kathiani, WDM): Thank you Hon. Speaker...

Hon. Speaker: Hon. Mbui, I thought you said you were done?

(Laughter)

Hon. Robert Mbui (Kathiani, WDM): I had finished but he brought me back. I want to substantiate so that it is clear. I never mentioned the capability of Hon. Sabina Chege. I talked about the issue of trustworthiness and loyalty. When we, as a coalition, saw her smiling ‘cheek-to-cheek’ in State House against our agreement as a party, we were concerned. It is an issue of party loyalty and not efficiency. She is moving numbers away from this coalition to the other coalitions.

(Laughter)

Hon. Speaker: Order, Hon. Mbui. You can only smile ear-to-ear, not cheek-to-cheek. I have given the Floor to Hon. Arama. I see him on the screen. If he is not there, I will give the Floor to Hon. Omboko Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker for giving me this chance. When you retreat to make your ruling, it is important that you refer to the ruling you made when we were discussing political party coalitions. You made the ruling that you made because Azimio-One Kenya Alliance could not be put together. They could not be clearly understood. That coalition, therefore, does not exist *per se*. It is neither here nor there. That ruling will, therefore, help and guide you in making this particular one.

Two, the rights of an individual to association, political rights, and other rights cannot be taken away by coalitions that we enter into. To purport that by joining a particular political party, you completely lose your rights and you can be meddled with despite existence of the Constitution, is a matter that I would want you to look at when you will be making your ruling.

Lastly, it is not correct for coalitions which we enter into come to the Floor of the House and purport to completely take away our rights. Parliament is known to make fair laws for Kenyans. How could it happen that the Standing Orders of Parliament would be so unfair to allow individuals not be listened to and be directed like cows? Allow me to use it the way the Azimio-One Kenya Alliance is directing.

An Hon Member: *Unaongea hivyo?*

(Laughter)

Hon. Speaker: Hon. Member for... With the light here, I cannot see you well. The Member next to the lady from Mombasa. Is that Hon. Amos Mwago? Sorry, Amos, there is too much light I cannot see you properly.

Hon. Amos Maina (Starehe, JP): Thank you, Hon. Speaker for giving me this opportunity. As a Member of the Jubilee Party, I want to stand with Hon. Sabina Chege and defend her position as the Deputy Minority Whip.

(Applause)

We have been in Azimio Coalition for far too long and the harassment – as it has been explained – has become too much. Azimio has suffocated our space. We talk of democracy but there is no democracy on that side of the divide. It is high time we were recognised as a parliamentary party with our positions and rights. We seek your indulgence to protect our rights. We have seen a letter doing round that they want to remove us from some committees. We delivered for the Azimio Coalition and some of the people being persecuted like Hon. Sabina sacrificed their political careers because of the Azimio Coalition.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Right now, Azimio is talking of choices having consequences. Hon. Sabina made her choice to support the Azimio Coalition and she paid for the consequences. She cannot continue being intimidated and persecuted every other time. We are setting a very bad precedent. We were not invited to the purported meeting that happened and Azimio Coalition cannot purport to be deciding for us. Azimio says that it already has a name of a Jubilee Member of Parliament to replace Hon. Sabina, but we were not consulted about the name as Jubilee Party. We cannot continue to accept this manner of indulgence with Azimio Coalition. I support Hon. Sabina.

In your wisdom, as you retire to make a ruling on this matter, for the sake of posterity protect Hon. Sabina. Thank you.

Hon. Speaker: Hon. Member for Murang'a County.

Hon. Betty Maina (Murang'a County, UDA): Thank you, Hon. Speaker. I stand to oppose the proposal by the Azimio Coalition to remove Hon. Sabina from the position of the Deputy Minority Whip. Poison remains poison even if it is served in a golden pot. The trend of political parties and political leaders using House positions as tokens and punishment for its members must stop in this nation. When Hon. Sabina Chege was voted in 2013, she employed me in her office. I take this opportunity with a lot of humility to thank her. I know her as a woman of high morals and integrity. In the 2022 elections, when I was vying as a woman representative, Hon. Sabina did not support me because she was a Jubilee Party person and she really supported the party. However, nobody can have a stomach disorder for swallowing his words. Today, you can support and tomorrow you oppose. We need to be given freedom to oppose what we do not like and support what we like. Therefore, I oppose the removal of Hon. Sabina Chege.

(An Hon. Member interjected)

Hon. Betty Maina (Murang'a County, UDA): Even if there is no Motion.

Hon. Speaker: You have made your point.

Hon. Rachel Nyamai.

(Loud consultations)

Order! That is semantics. What you do not agree with you can oppose.

Hon. Members: Yes.

Hon. Speaker: Hon. Rachel Nyamai.

Hon. (Dr.) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Speaker for giving me an opportunity to put my word on this very emotional matter that you have brought to the attention of this House. First of all, the seat that Hon. Sabina Chege occupies today is a negotiated position for effort. We know effort cannot be erased through writing of a letter. When you retire to make your ruling, I want you to recall that your transgressors have come to haunt the House that you lead. At some point, after making your ruling, you may want to audit the number of committee positions that were given to the Jubilee Party within the Azimio Coalition.

Hon. Sabina Chege deserves to be in that position. As a Member of the National Executive Committee (NEC) of Azimio Coalition, I have not been consulted. I am a Member of the Jubilee party and I have been elected to this House for three terms. I am requesting you to protect us in this House as the third largest parliamentary political party and the second largest parliamentary political party within the Minority. We have lost two positions. One position in the Parliamentary Service Commission for the Minority coalition of parties is for a woman. The position that Hon. Sabina Chege is being removed from is for a woman. This is an onslaught on women.

Hon. Members: Yes!

Hon. (Dr) Rachael Nyamai (Kitui South, JP): It is going to be messy and noisy.

Hon. Speaker, make sure you make it noisy and messy. Thank you.

Hon. Speaker: Hon. Kaguchia

Hon. Kaguchia John (Mukurweini, UDA): Hon. Speaker, thank you very much for giving me this opportunity. When you make a bed, so must you lie on it. One time, last year, the Azimio Coalition was walking shoulder high in this town that it had many wives. It was very happy and it put us down all the time. Now it must learn how to live with these many wives. It cannot wake up in the morning and purport to divorce any of its wives. It is doing this without giving us minutes. I am shocked by the remarks made by Hon. Wandayi. He said he does not have the minutes and that he alone is enough to remove Hon. Sabina Chege who is not a Member of the Orange Democratic Movement (ODM) Party!

When you retreat to make your ruling, be guided by a ruling that was made in this National Assembly. You will recall that in the last National Assembly, Hon. Muturi was faced with the same scenario. The ODM party did not present a Member of the Wiper Democratic Movement–Kenya (WDM-K) to be a Member of the Parliamentary Service Commission and the WDM-K party asked to what extent that list could be considered valid without a Member of the WDM-K party, which was a parliamentary political party in that Assembly. Hon. Muturi asked these political parties to go back and consult. When they consulted, the ODM party, which is known for sitting on other Member's rights, was forced to remove their candidate and replace him with Hon. Ben. Momanyi who then sat in the Parliamentary Service Commission.

It is a known fact that the ODM party is a bully. It has been bullying other coalition party members. It is time we stopped this bullying attitude.

Hon. Speaker: Hon. Raphael Wanjala.

(Loud consultations.)

Order! Hon. Minority Leader. What do you want to say? *Wanjala, ngoja.*

(Hon. Wanjala spoke off record.)

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Wanjala, just hold on. Hon. Speaker, I keep on pleading with you that you need to rein in on the conduct of Members of this House. It is unbecoming conduct. There have been several references to the ODM party. I want to be on record that apart from being the Leader of the Minority coalition in this House, I am also a senior official of the ODM party. It is not in order... Political parties are legal beings. Therefore, it cannot be a habit of this House to disparage a political party with a rich history such as the ODM party with careless abandon under your watch. That cannot be allowed. I want to beseech you, again. I understand the excitement of some of our colleagues; they are very excited.

Hon. Speaker: You have made your point. Hon. Raphael Wanjala.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Speaker. I want to make it clear ...

Hon. Speaker: Hon. Members, you must hear Hon. Wanjala in silence for him to understand how to hear others in silence.

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, I want to make it clear that the debate before us is not about the ODM. It is an Azimio la Umoja–One Kenya Coalition Party issue. Azimio has several parties. It is not just ODM. That is one. Two, when Azimio decided to make Hon. Sabina Chege the Deputy Whip of the Minority Party, it was not debated

here. The United Democratic Alliance (UDA) was not consulted. Therefore, Kenya Kwanza has no business debating matters of Azimio.

(Applause)

The issue before us is very emotive. That somebody who is in your coalition is propagating the ideals of other coalitions. How will I allow such a person to come and whip me? That is why the Azimio coalition sat and made a decision to de-whip the Deputy Whip of the Minority Party. Therefore, we cannot be forced to swallow what we have not chewed. Even a woman in a house cannot purport to stay put in your house when she has denied you your conjugal rights and putting up with other men out there. You will have to kick this woman out.

(Laughter)

We will force that woman out if she is running around with other men.

(Laughter)

Hon. Gathoni Wamuchomba (Githunguri, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Order. What is the point of order Hon. Wamuchomba? Hon. Wanjala, if you and your party want to be referred to kindly, then also refer to your colleagues kindly. Hon. Wamuchomba, what is your point of order? Give Hon. Wamuchomba the microphone.

Hon. Gathoni Wamuchomba (Githunguri, UDA): I rise on a point of order. Is it in order for Hon. Wanjala to insinuate that the honourable respected lady from Murang'a has refused and denied conjugal rights to Wanjala? Is it in order, Hon. Speaker? Is it in order, really?

(Laughter)

Hon. Speaker: Hon. Wanjala, your time is up. Before you continue with excitements, allow me to acknowledge the presence of students in the Speaker's Gallery. These are your children watching you. These are your children watching you and looking at you as their role models.

(Hon. Raphael Wanjala spoke off-record)

Order, Wanjala! I acknowledge, in the Speaker's Gallery, Kamwiru Boys High School from Kirinyaga Central, Mirera High School from Naivasha in Nakuru, and the AIC Tinderet School from Tinderet in Nandi. On my behalf and on your behalf, I welcome the students and their teachers to the House of Parliament. I encourage them that it is not always like this.

(Laughter)

Thirty minutes is about over. Leader of the Majority Party, we are coming to an end of this discourse.

(Hon. Wanjala spoke off-record)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. Let me also have my say on this matter as much as it relates to the other Coalition. You are aware that we are one House irrespective of what coalition we support. I draw your attention to some of the issues raised. The letter that the Leader of the Minority Party has written is pegged on Standing Order 20(a). You have alluded to the provisions of our Constitution under Article 36 and Article 38 in your Communication. They are on our individual rights and political rights. As you make your considered ruling, I invite you to weigh the weight of what are constitutional rights granted under our Constitution *vis-à-vis* the provisions of that Standing Order 20(a) that the Leader of the Minority Party pegs his letter on. It is there and it is a constitutional principle that any statute, regulation or any subsidiary law, including Standing Orders, that is not in congruence with our Constitution, remain null and void to the extent of that inconsistency.

What happens if our own Standing Orders under 20(a) do not grant a Member of this House the fair administrative process as granted under Article 47 of the Constitution? If you care, Article 47 of the Constitution provides for the right to every person - including Hon. Sabina Chege - the right to lawful, reasonable and procedurally fair administrative action. It, therefore, behoves on the Leader of Minority Party and the Azimio la Umoja-One Kenya Coalition Party to prove it to the House that, that fair administrative process that is procedural, legal and reasonable has been afforded not just to Hon. Sabina Chege, but all Kenyans.

(Hon. Catherine Omanyo spoke off-record)

Hon. Speaker, protect me from this lady from Busia. I do not know what it is she wants with me. I do not want you.

(Loud consultations)

You know she has this penchant of interrupting me to look her way and I do not want to look her way. Let me look at you, Hon. Speaker, because I want to address you.

I was inviting you to the provisions of Article 47. I also invite you to the provisions of Article 236(b) of our Constitution. They provide that due process of the law must be followed prior to effecting any removal-from-office process. It also behoves the Minority Coalition to prove it has adhered to the provisions of Article 236(b) - that a fair process of removal from office has been effected. From what I hear after keenly listening to Members elected on the Jubilee ticket, they are saying that they have not been afforded the opportunity to be heard. They did not even participate in the purported meeting of a coalition that they are being forced into. I say "being forced into" because I also want to draw your attention to last year. You will recall that last year, you gave a very detailed and holistic Communication on the question of the leadership of this House, when it was contentious about who the Majority and the Minority is between the Azimio Coalition and ourselves.

You remember you alluded in your Communication that you could not confirm with certainty which parties are in Azimio and which ones are not. As you stated, the post-election agreements remain a mystery to date. Only yesterday, we read for the First Time the Political Parties (Amendment) Bill. This Bill requires the Registrar of Political Parties to table the agreements to the House within a period of 15 days of receiving them. That is so that it becomes clear who is in what coalition. I have had occasions to hear in the media the honourable Leader of the Minority Party claim that Hon. Keynan and Hon. Mutuse belong to his Coalition. I have heard Hon. Mutuse deny that he belongs to the Azimio Coalition. I just wanted to draw your attention to your own ruling when you determined the issue of the Majority and the Minority.

Two, I want to speak to my good friend, the Leader of the Minority Party. We are in a season of talking about bi-partisanship, the need to reason together, and the need to listen to

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

each other. I find it completely in bad faith, out of taste and insincere that, at a time when the entire country seeks to come together, the Leader of the Minority Party is the one instigating disharmony within the Azimio Coalition. It would be in my interest as the Leader of the Majority Party that there is disharmony in the Azimio Coalition.

However, in the spirit we are living in today, it is only sincere and in good taste and good faith that, if the Azimio Coalition wants to remove anybody from any position, they should follow the due process. They should follow the Fair Administrative Action Act and the provisions of Article 236(b) of the Constitution.

Hon. Speaker, I also want to draw your attention to a precedent that has been set in this House. In your Communication, you alluded to the myriads of letters that have been written by the purported Secretary-General of the Jubilee Party because there is a dispute. I heard the Deputy Leader of the Minority Party ask what the relevance of those letters was. The relevance of those letters by Hon. Jeremiah Kioni, the Secretary-General of the Jubilee Party, is very simple. I was just perusing through those letters and I have seen that he wrote about the Commission on Revenue Allocation (CRA) nominating Hon. Nyokabi to represent the Jubilee Party. The Azimio la Umoja-One Kenya Alliance also had other nominative slots.

With regards to the East African Legislative Assembly (EALA), Hon. Jeremiah Kioni wrote nominating himself and the former Member for Kigumo. The Azimio la Umoja-One Kenya Alliance also had their own nominees. If I may answer Hon. Robert Mbui, the relevance of those letters is that, even the Jubilee Party, led by their Secretary-General, Hon. Jeremiah Kioni, who is very active in the Azimio la Umoja-One Kenya Alliance, does not recognise the Azimio la Umoja-One Kenya Alliance as a coalition. That is why he has been very consistent in nominating Members of this House elected under the Jubilee Party ticket, to represent people who voted for the Jubilee Party in the Azimio la Umoja-One Kenya Alliance, in leadership and nominative positions that are brought to this House.

Also on precedents, Hon. Kaguchia has alluded to the case of Commissioner Momanyi. That is why I was warning and cautioning my brother, Robert Mbui. You might be next. Do not support injustice against your sister. Tomorrow, it shall be you. In the last Parliament, it was the Wiper Democratic Movement (WDM). The entire House stood with WDM. I invite the entire House today to stand with the Jubilee Party within the Azimio la Umoja-One Kenya Alliance. Hon. Momanyi was eventually nominated as a Commissioner of the Parliamentary Service Commission, recognising that WDM was a parliamentary political party. Today, even with all the injustice and unfairness that my former party Jubilee visited upon me and my colleagues in the United Democratic Alliance (UDA), I have a duty as a democrat to defend the rights of Members elected on a Jubilee Party ticket. Buttressing that duty, I will even defend the ODM and WDM. I will even defend the Pamoja African Alliance (PAA) and the United Party of Independent Alliance (UPIA), as small as they are within the coalition. That is how we enrich our democracy.

This House has also set a precedent. The House has a practice of not extinguishing the rights of individual political parties. That is what this House did with Hon. Momanyi and also with Hon. David Ochieng' when ODM sought to remove him from a Committee when he was elected on his own Movement for Democracy and Growth (MDG) party. This House and the Speaker in the 12th Parliament stood with the individual rights of the MDG party that was represented by only one Member, Hon. David Ochieng'. The House stood to protect the fundamental rights of individual Members in the name of David Ochieng' and Commissioner Momanyi.

Hon. Speaker, I invite you to keep those factors in mind as you consider this matter. I know...

(The Speaker (Hon. Moses Wetang'ula) spoke off-record)

I just want to conclude. Thank you, Hon. Speaker. Even as you claim the property rights to the “noisy and messy” divorce process, I invite you...

Hon. Speaker: Intellectual property rights.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Even as you claim the intellectual property rights to the “noisy and messy” phrase, I invite you to not allow this process to be noisy and messy. I invite you to protect the individual rights of Hon. Sabina Chege as a Member of this House. I invite you to protect the political rights of the Jubilee Party within the Azimio la Umoja-One Kenya Alliance.

Finally, we must protect women’s rights.

(Applause)

I do not know why it has to be my sister, Hon. Sabina Chege. Let me make full disclosure because the Member for Budalangi spoke about conjugal rights.

Hon. Raphael Wanjala (Budalangi, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Wanjala.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Sabina Chege comes from a county that neighbours my county.

Hon. Speaker: Hon. Wanjala, what is your point of order?

Hon. Raphael Wanjala (Budalangi, ODM): Hon. Speaker, you have clearly heard the Leader of the Majority Party say that the Kenya Kwanza Alliance protects the rights of women, yet they have just sacked a woman who was the Director of the National Youth Service.

Hon. Speaker: Order, Hon. Wanjala! Leader of the Majority Party, wind up.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I prefer to ignore Hon. Wanjala as usual. Women’s rights must be protected.

In conclusion, I must make full disclosure. I will disclose the sacrifices that Hon. Sabina Chege made during the campaigns for the Azimio la Umoja-One Kenya Alliance. I had occasion to sit with Hon. Sabina Chege for not less than five hours under a tree without any phone or anybody near us because of the fear that had been visited upon people who hailed from the Mount Kenya Region and who supported the Azimio la Umoja-One Kenya Alliance. The sacrifices Hon. Sabina Chege made must and should be protected.

(Loud consultations)

Hon. Speaker: Order!

Hon. Kimani Ichung'wah (Kikuyu, UDA): Finally, Hon. Sabina Chege represents a big population of people in the Mount Kenya Region within the Azimio la Umoja-One Kenya Alliance. I know this because I hail from the region. Even though we gave the Azimio la Umoja-One Kenya Alliance a few votes from Mount Kenya, those votes are represented by Hon. Sabina Chege within that Coalition. We shall defend those votes within your coalition. I do not know what the Azimio la Umoja-One Kenya Alliance and ODM have against...

Hon. Speaker: Mama Zamzam, tuko karibu kumaliza. Nimempatia nafasi Mama wa Mombasa.

Hon. Zamzam Mohammed (Mombasa County, ODM): Ahsante sana, Mhe. Spika. Ngingependa kulielezea Bunge hili kuwa nyumba ya Azimio la Umoja-One Kenya Alliance ina wenyewe. Wakati ule walipanga kumchagua wanayemuweka pale, walizungumza kando. Hakuna yeyote ambaye amesema kuwa nafasi hiyo ikitoka kwa Jubilee Party inaenda kwa ODM Party. Haya ni mambo ya Azimio la Umoja-One Kenya Alliance. Ninataka nimwambie Kiongozi wa Waliowengi Bungeni kuwa nyinyi ndio mnawadanganya hawa Wabunge.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Mwanamme yeyote atakayekutoa katika ndoa yako na akatembea nawe kule nje, hawezi akakuamini hata siku moja. Ninataka niwaelezee viongozi wenzangu kuwa makelele kule yaweza kuwa ni mengi, lakini wanawachongea nyinyi. Namjua William Ruto yuko *very intelligent. He is very smart.* Hawezi...

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Speaker.

(Hon. Zamzam Mohammed spoke off-record)

Hon. Speaker: Order, Mama Zamzam. What is your point of order? *Tulia kidogo Mama Zamzam.*

Hon. Kimani Ichung'wah (Kikuyu, UDA): Mhe. Spika, nitajitahidi kuzungumza kwa lugha ya Kiswahili hata kama sio sanifu kama ya Mama Mhe. Zamzam. Mhe. Zamzam amenukuu...

(Kicheko)

Amenitaja kama Kiongozi wa Chama cha Waliowengi. Amesema kuwa tumemtongoza mwanamke hadi akatoka kwa ndoa yake na tunamdanganya. Unajua mke wangu huwa anaangalia haya mazungumzo katika Bunge na anatoka katika eneo la Nyeri. Akisikia Mama Zamzam akisema kuwa nitemtongoza mwanamke mwingine akatoka kwa ndoa yake... Ni Zamzam ama Tamtam?

(Kicheko)

Sina tabia ya kuwatongoza wake wa wenyewe.

Lakini nina tabia ya kukinga haki za akinamama. Hata wewe mama Zamzam, kikiumana kwa Azimio la Umoja-One Coalition Party ama nyumbani, nitasimama na haki zako.

(Laughter)

Hon. Speaker: Mama Zamzam.

Mhe. Zamzam Mohammed (Mombasa County, ODM): Mhe. Spika, kila siku Kiongozi wa Waliowengi lazima anipinge. Nafikiri huwa anasikia raha. Lakini nitasema ukweli. Wabunge mlioko hapa, fanyeni heshima na *coalition* iliyowapa nafasi. Kama leo umechaguliwa huku na kesho nakuona kule kwingine, nitakuamini vipi kama utaweza kuniwekea mambo yangu ya ndani wakati unatembea na jirani?

Ninampenda sana dada yangu Mhe. Sabina Chege. Ni kiongozi mchapa kazi. Juzi ndugu yangu Hon. Adan Keynan ameorodheshwa kwa wale walio Kenya Kwanza. Vukeni safu daka kwa daka. Upande huu tujue tunaweza kusimama na Azimio la Umoja-One Kenya Coalition Party kama watu waliostawi na msimamo. Lakini mkidanganywa leo na kesho mwende kule, hamwezi kuaminika. Mtakuwa mkiwekwa kando kando. Nimefunga Ramadhani. Hilo mliweke kwa akili. Liwe litakalokuwa, tuko Azimio. Hata tukibaki wawili, tutabaki huku. Watakao kwenda waende.

Ahsante sana, Mhe. Spika.

Mhe. Spika: Mbunge wa Mathira. Huyu ndiye wa mwisho, halafu tufunge mjadala huu.

Hon. Eric Kahugu (Mathira, UDA): Thank you very much, Hon. Speaker, for giving me this opportunity. As a son of a single mother, a son who defends women in leadership, a devoted in-law to the great people of Murang'a County, I call upon you, when the time comes

to make the ruling, to protect Hon. Sabina Chege. She worked for that position and she deserves it.

Finally, to the Leader of Minority Party, we are requesting for the shoes that Hon. Sabina Chege gave Raila Odinga, because they have disowned her.
I thank you.

Hon. Speaker: Order, Hon. Members.

(Several Members stood in their places)

(Loud consultations)

Hon. Catherine Omanyoo, take your seat *mama*. Hon. Osoro, sit down. Hon. Members, take your seats. Order, Hon. Members. Order, Hon. Members! Sit down. Hon. Wamboka take your seat. Order, Hon. Members. Hon. Wamuchomba, take your seat. Hon. Mbeyu, take your seat. Order, Hon. Members. Take your seats. Hon. Mbeyu and Hon. Kogo, take your seats. Order, Hon. Members. Take your seats. Serjeant-at-Arms and your team, you can retreat. Thank you.

Order, Hon. Members. Since I became your Speaker, I have never had any occasion to send any Member out for misconduct. I am not about to exercise that duty and right. I urge you, even when your passions are high, to maintain decorum and respect for each other. Each one of us is distinct and individually elected to carry the dignity of the people who elected you to this House. We do not carry the dignity bestowed upon us by either dancing on the Floor or speaking with very high pitches and notes or generally showing that you have the capacity to employ your arms instead of your brains.

(Laughter)

These proceedings are televised. People who elected you, your husbands, wives and children, and people who admire you are watching.

(Hon. Raphael Wanjala spoke off the record)

Hon. Wanjala, I will not give you the distinction of expulsion. I want you to reflect and see that if you are the only one trying to look different out of 349 Members, then there is something severely wrong.

(Laughter)

Having been with you for all these years, I thought osmosis has worked in some form. Hon. Members, I want to bring this debate to an end. Hon. Sabina Chege, Hon. Wandayi, Leader of the Majority Party and other Members were given an opportunity to speak. All the Members who spoke have the right to speak the way they spoke, to defend or prosecute Hon. Sabina, depending on the school of thought they belong to on the matter or the party position they take. The ultimate responsibility and decision lies with your Speaker. I will bring you a reasoned ruling in due course.

(Hon. (Dr.) Otiende Amollo spoke off the record)

Hon. Senior Counsel Otiende, I have tremendous respect for you. Allow me to close this debate now. As my distinguished learned junior, I am sure you understand very well that when we say that we close, we close. I know you are a man who speaks sensibly. You are

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

unlikely to raise passions. If you have any matter to add to my ruling, I will give the freedom to write me a small note. I want to close this matter.

(Hon. Opiyo Wandayi spoke off the record)

Hon. Wandayi, this was not a Motion and so, there is no right of reply. Order! I do not need any help. Order, Hon. Wandayi. What has just happened here is not strange. In a democratic dispensation, sometimes we take leave of our senses and do strange things. But the moment you realise that, you quickly recollect yourself and sit back as an honourable Member. That is what I urge you to do. As your Speaker, I want to go on record as leading an orderly House, a House of reason where when an issue arises and you have the opportunity to speak, you speak to facts and not individuals or cast emotions that are totally unhelpful and unnecessary. We will make a reasoned ruling that will give you direction and set precedent to assist this House in the future.

Next Order.

Hon. Opiyo Wandayi (Ugunja, ODM): On a point of order.

Hon. Speaker: Hon. Wandayi, what is the problem? Do not open anything. I have closed.

Hon. Opiyo Wandayi (Ugunja, ODM): No, I am not opening anything. You know Hon. Speaker, this is a House of rules, record and procedures. It behoves all of us to ensure that the House conducts itself with respect. I have been pleading with you – not once or twice but very many times – that you must ensure that this House does not degenerate. My point of order is not about anything that has been discussed. I listened to you keenly and regardless of whatever else has been said on this matter....

Hon. Speaker: Are you analysing what I have just said?

Hon. Opiyo Wandayi (Ugunja, ODM): What I am requesting you is to indicate to the Minority Coalition when exactly you intend to communicate on the matter we wrote to you about. That is what I am requesting.

Hon. Speaker: Order, Hon. Wandayi. You do not need to say those very many words to ask for when is the ruling. You could have just said that.

(Laughter)

You could have just said: “Hon. Speaker, when are you giving us the ruling?” instead of taking a very long route to arrive at where you are standing. I will give you a ruling Hon. Wandayi in the manner that feels deemed fit and it will come very soon.

Next Order.

Hon. (Dr.) Otiende Amollo (Rarieda, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Not on the debate I have closed. Yes, Hon. Otiende Amollo. I will stop you Senior Counsel if you wade into the debate that I have closed. Give him a microphone.

Hon. (Dr.) Otiende Amollo (Rarieda, ODM): Thank you, Hon. Speaker. As a Member of Parliament familiar with the rules and as a lawyer, I respect the guidance you have given. I will not speak on that issue. My point of order is different. I see my friend, Hon. Didmus Barasa, wearing a cap on his head, which I believe is not parliamentary. Unless the rules changed today, they have always been that you are only allowed to wear a cap on your head if it is religious. I do not believe that the red herring Hon. Didmus Barasa is wearing is a religious one. Therefore, I urge that you guide him and others who have been similarly dressing like him. Some of the Members mistake between rights and privileges, and that is the problem with the previous debate.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Otiende Amollo, thank you very much. I have seen several Members spotting similar gear. I will look at the rules, see how we ought to adhere to our dress code and give a communication later.

Hon. Samuel Chepkong'a (Ainamoi, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: The very last point of order, Hon. Chepkong'a. Do not open debate that we have closed.

Hon. Samuel Chepkong'a (Ainamoi, UDA): Thank you, Hon. Speaker. Generally, I follow rules and guidelines. I do not shout myself. I rise under Standing Order 83. I am very concerned. The reason why people are shouting here is that they stand on a purported Standing Order.

Hon. Speaker: Your point of order.

Hon. Samuel Chepkong'a (Ainamoi, UDA): On a point of order, Hon. Speaker. Let me read out Standing Order 83 for the benefit of Members. I hope whoever sits in your Chair will enforce it. We cannot purport to be ignorant of what the law says. We approve our own Standing Orders and then we come here putting up our hands, shouting at the Speaker and then you say: "I rise on a point of order." Standing Order 83 reads as follows:

"(1) Any Member may raise a point of order at any time during the speech of another Member stating that the Member rises on a point of order and that Member shall be required to indicate the Standing Order upon which the point of order is based."

Hon. Speaker, the emphasis here is the word "shall" – which means it is mandatory. If somebody rises on a point of order and he does not quote the standing order under which he is rising, I expect whoever is sitting in your seat, whether it is yourself or Hon. Wangari here to rule that person out of order until they find the Standing Order on which they are standing on. The reason why we become unruly and even sabotage debate in this House is that people do not know what Standing Order they are standing on. Article 117(1) of the Constitution states very clearly that there shall be freedom of speech and debate in Parliament.

That speech is guided by the Standing Orders. If you think that the Standing Orders do not matter, we should bring a Motion and expunge them so that we become a lawless debating Chamber.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Chepkong'a. You have said what the Hon. Speaker would have said. The Standing Orders are here to guide our debate. The only variable, Hon. Chepkong'a, is that sometimes a Member on the Floor is visibly out of order and it becomes innocuous to ask a Member which Standing Order when you can see that the Member is veering off the Standing Orders. So, sometimes, we exercise that discretion. What I want to urge, particularly my brother from Budalangi, is that when you have a point of order, even before we switched to use of electronic gadgets, all that a Member needed to say was: "Point of order", and sit down. The Hon. Speaker will listen and give one a chance.

Normally, when a Member is on the Floor when another Member calls a point of order, the one on the Floor stops talking, sits down and waits for the point of order to be prosecuted, and the Hon. Speaker will rule whether it is a point of order that is valid or not. However, we have seen the bad example from my brother from Budalangi, who was not only shouting but also gesturing at both the Chair and the Member on the Floor, and sometimes uttering words that are not very palatable. That is not very good. I want to encourage my brother Wanjala: You are senior and there are juniors here who want to learn from you. I do not want them to learn the bad things but the good thing from you as a senior so that we keep on mentoring our juniors to move together with you who have been here longer.

Let us listen to Lilian Gogo. Farah, I will give you a chance after Lilian. Please, do not open any debate on Sabina Chege. There is no Motion on Sabina Chege here.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): I am well guided, Hon. Speaker. I must stand here to commend you on the way you have conducted the disdains in the House this afternoon. As a Member of Parliament who is doing her second term, I have been here for five years and I was graced to get another five years. This is a House of elected representatives, Hon. Speaker. When Members want to start insinuating and attacking the personality, orientation and how certain gender looks, it is despicable. We only have elected representatives in this House. For one to be locked behind this door to be called a Member of the National Assembly, especially for a woman Member, it calls more than enough if it is not for the life of that particular woman. I beg you, *Papa*; there is a tendency that is coming up in this House of Members wanting to entertain the House using the gender of the woman. We will not allow this as women leaders of this country.

Hon. Speaker, when a Member takes time to say: “Do not look in my direction, I do not want you”, surely, this is not a House where people want to talk about sexual insinuations.

Hon. Speaker, Kenyans are looking up to us to debate on current matters which affect the nation, so that we can move forward and not talk about sexuality.

Hon. Speaker: You have made your point, Lilian.

Hon. (Dr.) Lilian Gogo (Rangwe, ODM): Thank you, Hon. Speaker.

Hon. Farah Maalim (Dadaab, WDM): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Farah, what is your point of order?

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, I want to inform my colleagues on both sides of the House that we are called *Waheshimiwa* because of being in a dignified august institution. The biggest indignity in this House is for Members of Parliament to be on their feet when the Speaker is on his feet. When debating, you can rise and ask if a Member is in order to say a, b, c and d. You can interrogate and debate anything in this House.

For God’s sake, when the Speaker stands and says: “Order!” we cannot have both sides of the House pointing fingers at each other or behaving as if they are in a football match or watching an FA Challenge Cup in the United Kingdom (UK) or in some other places, but not in Africa. To begin with, the two leaders of this House – the Leader of the Majority Party and the Leader of the Minority Party – should set a good example for the rest of the membership of the House. Please, do not address a gallery outside this House. Let us debate the future of this country in this House because that responsibility is vested in our hands.

We have the Executive headed by President Ruto. So, the future of this country is vested in our hands. We are the ones who will determine how this country will be governed for posterity. So, for God’s sake, when the Speaker is on his feet, Members on both sides of the House should not rise pointing fingers at each other, led by their leaders. That is a very bad example.

I personally have the experience having been a Deputy Speaker. I would not hesitate to send everybody out of this House, not for any other reason, but to maintain the dignity of this institution because others will come and copy from us. I understand that we have issues and I know the Minority has its own right. So, the Majority cannot determine who heads the Minority. This is a fact of life and that is why it is called Minority in leadership...

Hon. Speaker: Hon. Farah, you are debating. I close this debate.

Next Order!

PAPERS

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung’wah (Kikuyu, UDA): Thank you, Hon. Speaker. I beg to lay the following Papers on the Table:

1. Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June 2022:
 - (a) State Department for Development of Arid and Semi-Arid Lands (ASALs);
 - (b) Kenya Off-Grid Solar Access Project for Underserved Counties (IDA CR. No.6135-KE) – Ministry of Energy and SNV Netherlands Development Organization;
 - (c) Roads 2000 Phase Two Project (AFD Credit No. CKE 101201B, Credit No. CKE 104601J and Credit No. CKE 1094011 M) – Kenya Rural Roads Authority;
 - (d) Green Zones Development Support Project Phase II (Credit No.P.KE-AAD-005) – Kenya Forest Service;
 - (e) Integrated Programme to Build Resilience to Climate Change and Adaptive Capacity of Vulnerable Communities in Kenya – National Environment Management Authority;
 - (f) Global Fund – to contribute to achieving vision 2030 through Universal Access to Comprehensive HIV Prevention, Treatment and Care (NFM 2) Programme – KEN-H-TNT, GA 1547 — the National Treasury;
 - (g) Enable Youth Kenya Programme (ADF Loan No.2100150038895) – State Department for Crop Development and Agricultural Research;
 - (h) Agricultural Sector Development Support Programme II (SIDA Grant No.51110109) – State Department for Crop Development and Agricultural Research;
 - (i) Support to the Technical and Vocational Education Training and Entrepreneurship (TVETE Project Phase III) (Loan No. 2100150042254) – State Department for Vocational and Technical Training;
 - (j) Support to Roads Sector Policy: 10th EDF Rural Roads Rehabilitation Project in Kenya (Agreement No.KE/FED/023/-571) – Kenya Rural Roads Authority;
 - (k) Eastern and Southern Africa Higher Education Centres of Excellence (ACE II) Project (Credit No.5798-KE) – State Department for University Education and Research;
 - (l) Coastal Region Water Security and Climate Resilience Project (IDA Credit No.5543-KE)–Ministry of Water, Sanitation and Irrigation;
 - (m) Water and Sanitation Development Project (IDA Credit No.6029/6030-KE) – Ministry of Water, Sanitation and Irrigation;
 - (n) Programme for Legal Empowerment and AID Delivery (Grant Number KE/FED/2018/397-591) – State Law Office and Department of Justice;
 - (o) Multinational Kenya-Tanzania Power Inter-Connection Project (Kenyan Component) (ADF Loan No.2100150032846) – Kenya Electricity Transmission Company Limited;
 - (p) Bagamoyo-Horohoro Lunga Lunga-Malindi Road Project (Phase I) ID No: PZI-DBO-129 - Kenya National Highways Authority;
 - (q) Kenya Informal Settlement Improvement Project No. P113542 Credit No.4873KE – State Department for Housing and Urban Development;
 - (r) Second Informal Settlements Improvement Project No. P167814 Credit No. 6759KE – State Department for Housing and Urban Development;

- (s) Promotion of Youth Employment and Vocational Training in Kenya (TVET Phase 1) Project Loan Reference: BMZ No.2016 67 211 & BMZ No.2016 65 298 and Project Grant Reference No.1930 05 527 – State Department for Vocational Training and Technical Training;
- (t) Secondary Education Quality Improvement Project (Credit No.61380-KE) – State Department for Early Learning and Basic Education;
- (u) Kenya Development Response to Displacement Impacts Project (KRDIP) IDA Credit No.6021-KE and Grant No. TFOA 7762-KE – State Department for Development of Arid and Semi-Arid Lands;
- (v) Establishment of Kenya Advanced Institute of Science and Technology Project No KEN-4 – Ministry of Education – State Department for University Education and Research;
- (w) Mombasa-Mariakani Highway Project (LOT I – Mombasa -Kwa Jomvu) – Kenya National Highways Authority;
- (x) State Department for Industrialization;
- (y) Independent Policing Oversight Authority; and,
- (z) Veterinary Services Development Fund.

Thank you, Hon. Speaker.

STATEMENTS

BUSINESS FOR THE WEEK 17TH TO 21ST APRIL 2023

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

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee (HBC), which met on Tuesday, 11th April 2023 to prioritise the business for consideration during the coming week.

Hon. Speaker, as Members are aware, yesterday, Prof. Kithure Kindiki, the Cabinet Secretary for the Ministry of Interior and National Administration, was the first Cabinet Secretary to appear before the National Assembly plenary to answer Questions and expound on policies under his docket. I would like to thank Members for their presence and active participation, which contributed to the success of the new process.

Hon. Speaker, with regard to the business for next week, on Tuesday, the House is expected to continue with the debate on the Report of the Departmental Committee on Labour on the Inquiry regarding Sexual Harassment of Female Workers in Tea Estates in Kericho County, general debate on the proposal to amend the Constitution and the Standing Orders and Second Reading of the Statute Law (Miscellaneous Amendments) Bill, 2022, should they not be concluded today.

Hon. Speaker, as I indicated earlier this week, I will be updating the House every Thursday on which Cabinet Secretaries are scheduled to appear during the upcoming Wednesday afternoon plenary session. Therefore, in accordance with the provisions of Standing Order 42A(5) and (6), I wish to convey that the following Cabinet Secretaries are scheduled to appear before the House on the afternoon of Wednesday, 19th April 2023 to respond to Questions:

- (a) The Cabinet Secretary for Roads and Transport will respond to the following Questions:
 - (i) Question No.018/2023 by Hon. Joyce Kamene, MP., regarding erection of a footbridge at the Hilton Garden Inn crossing;

- (ii) Question No.072/2023 by Hon. Paul Abuor, MP., regarding delayed completion of the Riosiri-Rongo University-Cham Gi Wadu Road;
- (iii) Question No.077/2023 by Hon. Gideon Mulyungi, MP., regarding the completion of construction of Kalisasi-Mumbuni Road, Phase I and Phase II;
- (iv) Question No.078/2023 by Hon. Gideon Mulyungi, MP., regarding stalled construction of Nguni-Nuu Road and Enziu Bridge in Kitui County;
- (v) Question No.079/ 2023 by Hon. Charles Ngusya, MP., regarding upgrade to bitumen standard of Kibwezi-Kitui-Kabati-Migwani-Mbondoni Road;
- (vi) Question No.080/2023 by Hon. Peter Masara, MP., regarding stalled construction of Kokendi-Arombe Bridge in Suna West Constituency;
- (vii) Question No.081/2023 by Hon. Gideon Mulyungi, MP., regarding ease of traffic congestion in the City since the Nairobi Expressway became operational;
- (viii) Question No.082/2023 by Hon. Tom Odege, MP., regarding stalled construction of the Masara-Sori-Agolomuok Road in Nyatike Constituency;
- (ix) Question No.83/2023 by Hon. Gideon Mulyungi, MP., regarding stalled construction of the Mwingi – Slaughter House Road; and,
- (x) Question No.0115/2023 by Hon. John Njuguna, MP., regarding stalled road projects in the country, pending bills owed to contractors and the reasons thereof.

(b) The Cabinet Secretary for Environment, Climate Change and Forestry to respond to the following Questions:

- (i) Question No. 069/2023 by Hon. Caroline Ng'elechei, MP., regarding massive decrease in forest cover percentage despite ban of maize cultivation in Plantation Establishment and Livelihood Improvement Scheme (PELIS); and,
- (ii) Question No. 104/2023 by Hon. Abdul Haro, MP., regarding impact of heat waves in the country.

Finally, the HBC will reconvene on Tuesday, 18th April 2023 to schedule business for the rest of the week. I now wish to lay this Statement on the Table of the House.

Thank you.

Hon. Speaker: Thank you, Leader of the Majority Party. Member for Buuri, Hon. Mugambi Rindikiri, how long is your Statement?

Hon. Mugambi Rindikiri (Buuri, UDA): Hon. Speaker, I will take less than seven minutes.

PARTICIPATION OF THE PARLIAMENT OF KENYA IN THE 13TH PLENARY
ASSEMBLY OF THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL
CONFERENCE ON THE GREAT LAKES REGION

Hon. Mugambi Rindikiri (Buuri, UDA): Hon. Speaker, pursuant to the provisions of Standing Order 43, I rise to issue a general Statement on Participation of the Parliament of Kenya in the 13th Plenary Assembly of the Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR) in Juba, South Sudan from 27th March to 1st April 2023. The National Assembly was represented by the Member for Isiolo County, Hon.

Mumina Gollo; the Member for Kiminini, Hon. Kakai Bisau, and yours truly, Hon. Mugambi Rindikiri.

The Parliamentary Forum of the ICGLR is the inter-parliamentary organisation with the central role of promoting peace, security, stability and development in the Great Lakes Region through parliamentary action and diplomacy. It comprises Parliaments from 12 Member States, namely; the Republic of Angola, the Republic of Burundi, the Central African Republic, the Republic of Congo, the Democratic Republic of Congo (DRC), the Republic of Kenya, the Republic of Rwanda, the Republic of Sudan, the Republic of South Sudan, the United Republic of Tanzania, the Republic of Uganda and the Republic of Zambia.

During the event, participants engaged in discussions on various matters of mutual security concern for the region. Among them was the consideration and adoption of resolution on the political security and humanitarian situation in the Central African Republic, the Democratic Republic of Congo, the Republic of Sudan and the Republic of South Sudan.

During the conference, elections were conducted for the Bureau of Permanent Committees of the Parliamentary Forum. Kenya, through a highly vigorous process, managed to clinch the position of chairperson in two committees out of the five permanent committees of the Parliamentary Forum. I was also honoured to be elected the President of the Committee on Democracy and Good Governance while the Member for Kiminini, Hon. Kakai Bisau, was elected the President of the Committee on Peace and Security.

The Kenyan Parliament also earned representation in the three other permanent committees of the Parliamentary Forum. The Member for Isiolo County, Hon. Mumina Gollo is a member of the Committee on Humanitarian and Statutory Issues. The Senator for Mandera, Senator Ali Roba, EGH, is a member of the Committee on Economic Development, Natural Resources and Regional Integration, while Senator Hezena Lemaletian is a member of the Committee on Human Rights, Children and Vulnerable persons.

The membership of the Kenyan Parliament in those committees is critical in enhancing Kenya's footprint in shaping and influencing the agenda on peace and conflict resolution in the Great Lakes Region. It is my hope that the continued participation by our Parliament in the ICGLR and its committees will be supported so as to bring forth proactive and sustainable strategies that will strengthen economic development, democracy, integrate gender perspectives and mobilise the requisite resource to support the work of the Parliamentary Forum.

Hon. Speaker, on behalf of the delegation and on my own behalf, allow me to take this opportunity to thank you for facilitating our participation in the Forum. We look forward to more support to the Members, particularly Hon. Kakai Bisau and myself, as we preside over the two committees to which we were elected presidents.

I thank you.

Hon. Speaker: Thank you, Hon. Rindikiri. Congratulations to you and the Member for Kiminini for bringing honour to the country.

ISSUANCE OF DIPLOMATIC PASSPORTS TO KENYAN ATHLETES

Next is a Statement by the Chairperson of the Departmental Committee on Sports and Culture. Hon. Dan Wanyama informed me that there is another Member to give the response. Is it Hon. Mary Emaase? Go ahead. Is Hon. Cynthia Muge here?

The Statement you are responding to is on a matter raised by Hon. Cynthia Muge. To be fair to her since she is not here, I will defer it so that you can deliver it on Tuesday when she is here.

Hon. Mary Emaase (Teso South, UDA): I stand guided.

Hon. Speaker: I have not been informed about her whereabouts. Leader of the Majority Party, you can inform Hon. Muge that we have stepped down her Statement to Tuesday.

(Statement deferred)

Next Order.

MOTIONS

RATIFICATION OF THE AFRICAN UNION TREATY ON ESTABLISHMENT OF THE AFRICAN MEDICINES AGENCY

THAT, this House adopts the Report of the Departmental Committee on Health on its consideration of the Ratification of the African Union Treaty for the Establishment of the African Medicines Agency (AMA), laid on the Table of the House on Tuesday, 21st March 2023 and, pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, approves the Ratification of the African Union Treaty for the Establishment of the African Medicines Agency.

*(Moved by Hon. (Dr.) Robert Pukose
on 12.4.2023 – Afternoon Sitting)*

(Debate concluded on 12.4.2023 – Afternoon Sitting)

(Hon. Beatrice Kemei stood in her place)

Hon. Speaker: Order, Member for Kericho. Please take your seat.

(Question put and agreed to)

NOTING OF REPORTS OF THE 144TH AND 145TH ASSEMBLIES OF THE INTER-PARLIAMENTARY UNION

THAT, this House notes the Reports of the Kenya Delegations to the 144th and 145th Assemblies of the Inter-Parliamentary Union and related Meetings held in Nusa Dua, Indonesia, from 20th to 24th March 2022 and in Kigali, Rwanda, from 11th to 15th October 2022, laid on the Table of the House on Tuesday, 7th March 2023 and Thursday, 2nd March 2023, respectively.

(Moved by Hon. Rebecca Tonkei on 23.3.2023)

(Debate concluded on 12.4.2023 – Afternoon Sitting)

(Question put and agreed to)

Hon. Speaker: Next Order.

BILLS

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

First Readings

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO.37 OF 202)

THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO.38 OF 2022)

*(The Bills were read a First Time and
referred to the relevant Committees)*

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

*[The Temporary Speaker (Hon.
Martha Wangari) took the Chair]*

The Temporary Speaker (Hon. Martha Wangari): Hon. Kangogo Bowen, Chairperson of the Departmental Committee on Blue Economy, Water and Irrigation.

SPECIAL MOTION

CONSIDERATION OF NOMINEE FOR APPOINTMENT AS CHAIRPERSON
OF THE KENYA FISH MARKETING AUTHORITY

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Temporary Speaker, I beg to move the following Special Motion:

THAT, taking into consideration the findings of the Departmental Committee on Blue Economy, Water and Irrigation in its Report on the vetting of a nominee for the appointment as the Chairperson of the Kenya Fish Marketing Authority, laid on the Table of the House on Wednesday, 12th April 2023 and pursuant to the provisions of Section 201(1)(a) and (2) of the Fisheries Management and Development Act, 2016 and Section 8(1) of the Public Appointments (Parliamentary Approval) Act, 2011, this House approves the appointment of Hon. Martin Otieno Ogindo as the Chairperson of the Kenya Fish Marketing Authority.

On 14th March 2023, His Excellency the President nominated and notified the National Assembly about the nomination of Hon. Martin Otieno Ogindo as the Chairperson of the Kenya Fish Marketing Authority. After a few days, the Speaker of this House, via his Communication on 16th March 2023, conveyed to the House the Message from the President. He subsequently referred the name and the Curriculum Vitae of the nominee to the Committee to conduct the approval hearing.

In compliance with Article 118(b) of our Constitution and Section 6 of the Public Appointments (Parliamentary Approval) Act of 2011, the Clerk of the National Assembly placed an advertisement on print media on 23rd March 2023 informing the public of the nomination, the date, time and place for the approval hearing. The Clerk of the National Assembly also invited the public to submit memoranda by way of written statements and making submissions on oath on the suitability of the nominee, in conformity with Section 6(9) of the Public Appointments (Parliamentary Approval) Act of 2011. At the close of submission, the Committee had not received any memoranda contesting the nominee's suitability. The

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Clerk of the National Assembly also wrote to the Kenya Revenue Authority (KRA), the Ethics and Anti-Corruption Commission (EACC), the Directorate of Criminal Investigation (DCI), the Higher Education Loans Board (HELB), and the Office of Registrar of Political Parties (ORPP) seeking the reference and background checks relating to the suitability of the nominee.

The nominee appeared before the Committee on Friday, 31st March 2023 for vetting. The Committee examined his suitability based on the criteria set out under Section 7 of the Public Appointments (Parliamentary Approval) Act and Section 201(1)(a) of the Kenya Fish and Development Authority Act. In addition, the Committee examined his academic credentials, the relevant experience, the knowledge of sector issues, and the leadership and integrity of the nominee. During the approval hearings, the Committee also played the jury card on the procedure used to arrive at the nominee, any constitutional or statutory requirements relating to the office in question, and the suitability of the nominee for the appointment proposed. This was concerning whether the nominee's abilities, experience and qualities meet the needs of the chairperson for Fish Marketing Authority.

In this regard, the Committee observed the following:

- (a) The nominee is a Kenyan citizen born on 28th December 1966.
- (b) The nominee went to school and he holds a Master's degree in Finance and a Bachelor of Commerce (accounting option) from the University of Nairobi.
- (c) The nominee has over 20 years of work experience in the public service after working in the following institutions:
 - (i) Member of Board of Directors of the Agricultural Development Corporation between 2018 and 2020.
 - (ii) Advisor to the Governor of Nairobi in 2016.
 - (iii) Member of Parliament for Rangwe Constituency from 2008 to 2013.
 - (iv) Accountant in the Ministry of Local Governments between 1999 and 2007.
 - (v) Accountant in Lonrho Motors Limited between 1996 and 1997.
 - (vi) Accountant in Office of the President between 1992 and 1997
- (d) In accordance with Article 78(1) and (2) of our Constitution, the nominee is eligible for appointment as a state officer since he is a Kenyan citizen born on 28th December 1966 in Homabay County and does not hold dual citizenship.
- (e) The nominee meets the requirements of Chapter 6 of our Constitution on leadership and integrity, having obtained the clearance from EACC, KRA, DCI, ORPP and HELB.
- (f) The nominee has never been dismissed from office under Article 75(1) of our Constitution on conflict of interest, and under Articles 76, 77 and 78.
- (g) The nominee demonstrated knowledge of typical administrative and technical issues touching on the office of the chairperson, has the requisite abilities and qualifications and experience to serve as the Chairperson for Kenya Fish and Marketing Authority.
- (h) There was no memoranda received contesting his nomination and suitability for his appointment.

After considering the suitability, capacity and integrity of the nominee, and pursuant to Section 8(2) of the Public Appointments (Parliamentary Approval) Act No.33 of 2011, the Committee recommends that the National Assembly approves the nomination of Hon. Martin Otieno Ogindo for appointment as Chairperson of the Kenya Fish Marketing Authority.

The nominee, Hon. Martin Otieno Ogindo, appeared before us and demonstrated a lot of knowledge, despite the fact that he is an accountant by profession. He demonstrated his managerial skills and abilities that qualified him for nomination as Chairperson of the Kenya Fish Marketing Authority. We asked Hon. Ogindo how he would handle the responsibilities of the position to which he has been appointed, yet he is in the finance sector. The nominee said that he culturally and traditionally eats fish and he was born and brought up in areas where fish farming has been the primary business throughout his life. Hon. Ogindo served as the Member of Parliament for Rangwe in this House between 2007 and 2013. He also served as the Chairperson of the Budget and Appropriation Committee.

The Kenya Fish Marketing Authority is under the Ministry of Mining, the Blue Economy and Maritime Affairs. It is very important because the blue economy is one of the new economies of the world. There is much to be explored in this new sector. We need the nominee to take up his position immediately so that markets for our fish, especially in Lake Victoria and the Indian Ocean, are fast-tracked. The blue economy contributes to over 60 per cent of the Gross Domestic Product (GDP) of many other countries. It is only in Kenya where we have not exploited our blue economy. As a Committee, we believe that upon approval of the Member as the Chairperson of this very important Authority together with other stakeholders, he will elevate our blue economy to greater heights of exploration.

I got a communication this morning from fish farmers in Kisumu that they lost millions of shillings because of mysterious theft of fish in Lake Victoria. If we approve the nominee, he will team up with other stakeholders to find out what really happened in Lake Victoria. It is not the first time. Last year, farmers also lost a lot of fish. We want to find out what is happening.

There is a lot of illegal fishing in the Indian Ocean. The Chairperson will team up with other stakeholders and the Ministry of Mining, the Blue Economy and Maritime Affairs to curb illegal fishing. They will also ensure that the regulations, which are under consideration by the House, are also fast-tracked to make sure that fish farmers in this country benefit from their economic activity.

I urge Members of this House to consider the appointment of Hon. Martin Otieno Ogindo. I urge the House to adopt the Report. I beg to move the Motion and ask my very able Vice-Chairperson, Hon. Marwa Kitayama, to second.

Hon. Maisori Kemero (Kuria East, UDA): Ahsante sana, Mheshimiwa Spika wa Muda kwa nafasi hii nzuri ya kipekee ya kuafiki Hoja hii ambayo imeelezwa katika Nyumba hii kwa namna ya ufasaha kabisa na Mwenyekiti wa Kamati ya Maji. Kamati hiyo vile vile inaangalia mambo ya unyunyizaji wa maji na ukulima wa ndani ya bahari, zikiwemo fuo za bahari. Kamati hii inaangazia mambo yanayohusiana na uchumi samawati.

Mheshimiwa Martin Otieno Ogindo alikuja mbele ya Kamati yetu na tukazingatia sheria za nchi ambazo zimetungwa na Bunge na yale yote ambayo ni muhimu. Alionekana kuwa anafaa achukue nafasi hiyo ambayo ameteuliwa na Mheshimiwa Rais ili aisukume nchi hii, haswa upande huu wa uchumi samawati. Alikuja mbele yetu na tukamhoji. Alipendeza katika mazungumzo yake. Ni mtu ambaye amesoma. Masomo yake si ya juu juu. Ni masomo ambayo yamefikia kilele chake kabisa.

Kama Kamati, tulijitosheleza na maelezo aliyotoa Mheshimiwa Martin Ogindo na ufahamu wake wa mambo yanayohusiana na uchumi samawati, uvuvi, na sheria zote ambazo zimependekazwa kusaidia sekta hii iweze kutoa ajira na kuhakikisha kuwa nchi hii imepata rasilimali na uchumi samawati ambao umekomaa. Kwa hivyo, tulisadiki maelezo yake.

Ningependa kuchukua nafasi hii kumpongeza Mheshimiwa Martin Otieno Ogindo, ambaye ni mwenyeji na mkaazi wa Homa Bay, kwa sababu ni shemeji yangu. Ni vizuri niseme kuwa nimeoa katika Kaunti ya Homa Bay na ameweza kusimamia watu wa maeneo hayo na kuonyesha kwamba anaweza kufanya hiyo kazi. Watu wa eneo hilo kwa wingi shughuli zao ni

uvuvi. Kilimo cha samaki ni kilimo kipya na kimeendelea kupatia nchi hii fedha nyingi. Tumehakikisha kuwa watoto wetu wanasoma na nchi inaendelea mbele.

Tumemwangalia Mhe. Ogindo vizuri. Bunge lilipopeana nafasi kwa mtu yeyote ambaye ana swali lolote au shauku yoyote kuhusu Mhe. Ogindo ajitokeze, hapakuweco mtu yeyote aliyejitokeza. Hiyo inaonyesha wazi kwamba hata nchi nzima inakubaliana naye na tumpongeze katika uteuzi huu. Mhe. Rais alimchagua mtu mwenye uwezo na tajriba ya kuweza kufanya kazi hii kwa namna ambayo itafanya nchi hii kutamaniwa na nchi zingine.

Mhe. Spika wa Muda, ninaomba niachie hapo. Ninaomba Bunge hili kuunga mkono Hoja hii ili tupitische uteuzi wa Mhe. Martin Ogindo, ndio aendeshe sekta hii mpya ili ipatie watoto wetu ajira na kuendeleza uchumi wa jamii nyingi katika nchi hii, haswa maeneo ya Pwani, Turkana, Kisumu na maeneo yote yaliyo na zawadi ya maji tuliyopewa na Mwenyezi Mungu.

Mhe. Spika wa Muda, ninaafiki na ninakushukuru kwa nafasi hii. Asante sana.

(Question proposed)

The Temporary Speaker (Hon. Martha Wangari): Member for Baringo County, Hon. Florence Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you very much, Hon. Temporary Speaker for this opportunity. I concur with the Chairperson of the Departmental Committee on Blue Economy and Irrigation that Hon. Martin Ogindo is the right person for the position of Chairperson of the Kenya Fish Marketing Authority. This is a Government that has considered development as the key agenda. The blue economy is considered as one of the main developments in the world. The world today depends on irrigating fish. There are many ways of growing and marketing fish as a key economic agenda. We thank the President for considering Hon. Ogindo and giving him the chance to serve Kenyans. He has proved loyal, hardworking and able. He was once an elected Member of Parliament and was able to lead his people. I congratulate him as he takes up this position. I support the Motion.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Member for Baringo. Member for Emurua Dikirr? Not in the House. Member for Nyeri Town, Hon. Maina Mathenge.

Hon. Duncan Mathenge (Nyeri Town, UDA): Thank you, Hon. Temporary Speaker. I rise to support. The blue economy is one of the new areas of growth for our country, especially in established areas like the Coast, the Lake Region and Lake Naivasha, which is nearer to your home. The potential is very big. Therefore, it behoves us to support this industry, especially the appointment of people who will add value. This sector also holds the potential for new employment opportunities for our young people, which is one of the areas we know as a country we are struggling to come to terms with. Therefore, the kind of experience and knowledge that this appointment brings to the board is of immense benefit.

Hon. Temporary Speaker, I support.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Member for Malindi.

Mhe. Amina Mnyanzi (Malindi, ODM): Asante sana, Mhe. Spika wa Muda kwa kunipatia fursa hii. Ninaunga mkono yale maneno ambayo Mwenyeketi wetu amesema. Niko katika kamati hii ya Uchumi Samawati na Maji. Huyu ndugu wetu Mhe. Martin Ogindo alipokuja mbele yetu tulimchunguza, tukampekuwa na tukampiga msasa kuhakikisha kwamba amefuata zile sheria na kanuni za kuweza kuandikwa kazi katika Kenya. Kama vile Mwenyeketi wetu alivyosema, kazi ya Mhe. Ogindo inajizungumzia. Amekuwa mkurugenzi katika shirika la Agricultural Development Corporation; alikuwa mshauri wa Gavana wa Nairobi mwaka 2016, na amekuwa Mbunge wa Rangwe. Kwa hivyo, ni mtu ambaye ana uzoefu wa kazi za umma. Ana ujuzi na taaluma katika sekta ya umma. Katika mahojiano yetu,

alituhakikishia kwamba atafanya kazi na washikadau wote ili kuhakikisha kwamba hii sekta ya uchumi samawati inainuka.

Ninamkaribisha kwa mikono miwili na kumpatia baraka zetu. Ninaomba viongozi wenzangu kumuunga mkono. Uchumi samawati ndio unazungumziwa dunia yote hivi sasa. Kule Pwani tuko na samaki wengi. Soko yao haijapatikana hapa Kenya, bara la Afrika na dunia nzima. Ndiyo maana nataka tufanye kazi pamoja na ndugu huyu. Kule Pwani kuna samaki wanaitwa *red snapper*, ambaye anauzwa Ksh500 kwa kilo moja. Kilo ya samaki ya *prawns* ni Ksh1,200.

Mhe. Spika wa muda, kuna pweza, tuna, na *lobsters* ambao wako na bei nzuri na tunaweza sisi tukafanya mauzo mema ili kuinua uchumi wa Kenya yetu. Ni wakati sisi kama Wakenya tuanze kuzungumza kuhusu maswala ya samaki. Samaki wanatusaidia sisi, afya yetu na kwa wale ambo hawajui, kuna huyu samaki ambaye anaitwa pweza. Nafikiri wengi wenu mnamjua. Kwa wale ambao hawajui umuhimu wa pweza, mnifuate baada ya Bunge niwaambie maana ya pweza ni nini. Ndio maana ninasema tuzingatie umuhimu wa samaki katika Kenya.

Asante Mhe. Spika wa muda.

The Temporary Speaker (Hon. Martha Wangari): Sijui pweza tumle mzima ama tunywe mchuzi wake? Let us have the Member for Molo.

Hon. Kuria Kimani (Molo, UDA): I thank you, Hon. Temporary Speaker. I think the Member for Malindi should have been given more time to explain to us the importance of that fish called *pweza*.

I rise to support this particular nominee, a former Member of Parliament, a distinguished and educated gentleman of this country who holds a Master of Science in Finance. He is a learned fellow with a Certified Public Accounts (CPA), really educated and experienced gentleman to lead the Kenya Fish Marketing Authority. He is going to come to lead the Authority at a time when discussions across the world are now going under the blue economy and talking about how to make sure that we exploit our water bodies, our oceans, our rivers and our lakes to make maximum economic benefit to the people, to the country and also make it sustainable. One of the questions I have always asked myself is that when you go along the coastal towns and especially even in our country, whether you go to Mombasa, Malindi or Lamu, despite the heavy investment or the great returns that we get from the maritime, for example, fish in our oceans, do the local communities along those areas benefit? What you end up seeing are very good establishments, whether it is the best hotels around Wasini Island or the most exclusive resorts in Malindi or in Lamu, but when you go to the local communities surrounding those establishments, you find that they live in poverty. There are very many social ills such as drug and sexual abuse in these communities or towns.

It is also a challenge that we have to think about, as a country, even as we move towards the Blue Economy and exploit all the oceans for the maximum benefit of the country and the world. How do we make sure that the communities that have over the years stayed along our coastlines, that protect the prawns and all those fish that cost a lot of money, are also taken care of and taken along?

The Kenya Kwanza administration has an agenda of building dams and water pans across the country. For example, my constituency is going to hold one of the largest dams in the country; Itare dam. In this discussion this afternoon, I am thinking that perhaps we should make it mandatory that even as we do those dams that we have fish farming as a mandatory component of the contracts that we are doing for the dam constructions, so that we do not just benefit from the water that we collect from the dams, but we also grow our own fish. I have always held the thinking that one of the cheapest things to produce is, for example, fish, because once you get the fingerlings, you put them in water and they have their hole and you plant that ecosystem in terms of what they eat, you plant those plants, then you do not need to take care of them anymore. I think it is time that even as we do the dams and the water pans, we make

sure that we include a fish component in them from the onset of the construction. When the water goes there, we know that we will not just benefit from the water that we are going to collect from those dams or from the water pans, but also get the benefit of fish farming.

The issue of the blue economy is very special in the Sustainable Development Goal No.14 about the sustainability of our oceans. I really want to thank the Committee on the blue economy for the vetting exercise. I wish Hon. Martin Otieno Ogindo the best. It also reminds me that there was a Question or a Statement that was sought this week, by Hon. Atandi, about fish coming from China and how that fish becomes cheaper than our local fish. These are some of the conversations that we must begin to ask ourselves as a country, like how fish can be grown in China and come all the way to Kenya and become more cheaper than fish that we are harvesting whether it is from the Indian Ocean here or from Lake Victoria. I am keen to listen to the answer that this Committee is going to give to the Question that was asked by Hon. Atandi, on how fish can become cheaper having come all the way from China than our own fish in Kenya.

With those few remarks, I endorse the nomination of Hon. Martin Otieno Ogindo as the Chairperson for the Kenya Fish Marketing Authority. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Member for Molo. Member for Kericho County, Proceed.

Hon. Beatrice Kemei (Kericho County, UDA): Thank you, Hon. Temporary Speaker. I rise to support the appointment of Hon. Martin Otieno Ogindo as the Chairperson of the Kenya Fish Marketing Authority.

I do not know much about him, but from what the Members have said and from reading about him, he is best placed for this position. Fish is very important for us as a country. Fish being a protein is good and especially now that we have very many cases of lifestyle diseases, and we are going for the white meat that is fish and poultry. For that, I want to believe this appointee will make sure that we have much fish in the ponds. When it comes to marketing of our fish, he will ensure that we export more rather than import.

We have our waters like Lake Victoria which has had challenges with its boundary. Fish are not aware of the boundary and you find that our Kenyan fish or the fish that are in Kenyan waters swim all the way to Tanzania and Uganda. However, we really want to have more in Kenya. I want to believe that this person will consider giving more equipment to our fishermen so that they can be more productive in their work.

We will also want to have fish in other fishing waters such as Lake Turkana and Lake Naivasha among many others. Let us have it as a serious economic activity that will not only earn people money for their use. I also believe that we can earn foreign exchange from the same. So, for Hon. Martin, I want him to harness all the skills. Looking at his name, I also believe he must have done fishing when he was young and, indeed, he should have skills to improve the same. We want to see this activity move from being basic to the next level.

We have sexual harassment and sexual issues in the fishing industry which we heard the other day. I believe things will change with the coming in of Hon. Martin.

Hon. Temporary Speaker, to add on that, many of our youths are unemployed and this industry will employ many of them. We are not only looking at white-collar jobs, but other jobs which will not only employ the youth, but other Kenyans. Therefore, this industry is one area that will employ our people. I want to believe Hon. Martin Otieno will run it in the right direction and I support his nomination.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Asante. Mbunge wa Matuga.

Hon. Kassim Tandaza (Matuga, ANC): Asante sana, Mhe. Spika wa Muda. Kwanza, ninatoa shukrani kwa kupatiwa fursa hii adimu sana ili, niweze kuzungumzia anaye zungumziwa leo, Bwana Martin Ogindo, akiwa mwenyekiti wa Halmashauri ya Ukuzaji,

Usambazaji na Uuzaji wa Samaki. Nilikuwa kwa kamati ambayo iliweza kuzungumza naye na tukaona ni mtu ambaye anatajiriba inayofaa. Ukiangalia masomo yake, sio ya kubahatisha. Mhe. Martin Ogindo ni mtu ambaye alisomea shule ambazo zinatajika hapa Kenya mojawapo ikiwa ni Alliance High School. Kwa hivyo, moja kwa moja tunaona kwamba ni mtu ambaye huwezi kubahatisha makaratasi yake na kuyapiga msasa mara mbili tatu.

Lakini moja kwa moja tulijua ni mtu ambaye anazungumza, anafanya, anatenda na anauadilifu kulingana hata na ule msingi ambao alikuwa nao akiwa shule ya upili. Pia, ukiangalia ile taaluma yake ya uhasibu, inafaa sana katika ofisi hii ambayo ameweza kuteuliwa. Kulingana na maswala tulioweza kumtahini, tuliona ni mtu ambaye ataweza kuleta ufahamu na mbinu mpya mbadala ambazo zitaweza kukuza sekta hii ya samaki.

Ningependa nizungumzie kwa kina kidogo juu ya samaki. Ni jambo ambalo limeweza kuregesha nchi nyuma kutoka tupate uhuru. Tukizungumzia samaki mara nyingi, tunaangalia upande ule wa Ziwa Victoria. Tukijua kwamba tumemiliki asilimia sita peke yake ya lile ziwa. Kwa hali yoyote hatuwezi kuwa na samaki wa kutosha kutumia hapa nchini na hatimaye kuweza kupeleka nchi za ughaibuni. Pia, baada ya hapo, tukakuwa na Wizara ya Samaki, lakini la kuhuzunisha ni hatukuweza kuboresha samaki ambao hawana gharama yoyote walio katika Bahari ya Hindi, ambapo tuko na karibu kilomita mia sita na kuenda ndani kama sikosei zaidi ya kilomita zingine mia mbili. Samaki hawa ni bure, hawalishwi, hawana gharama na hawapatiwi dawa wala chakula.

Lakini la kuhuzunisha ni kwamba Wizara ya Samaki ilipobuniwa ikawa inaenda kuchimba vidimbwi ambavyo vina gharama. Kuwambia watu wanunue chakula cha samaki ndio walishwe na kuuzwa. Jambo hili linatendeka ilhali kuna samaki ambao unahitaji ndoana, mtumbwi ama boti la kisasa uweze kuwapata bure, kutumia na kuuza. Samaki hawa kwa sababu serikali iliopita haikuweza kuitilia nguvu, imeishia kwamba ndio wanaovuliwa na Wachina kama tulivyosikia hapa na baadaye tunauziwa sisi ikiwa ni raslimali yetu. Kwa hivyo ni tamaa, maoni na matumaini yangu kwa Bwana Martin Ogindo ambaye anapatiwa nafasi hii sasa, kuweza kuangazia hasa, maeneo ya Pwani ambapo tuna samaki ambao hawana gharama yoyote. Sioni ikiwa tutakuwa tunatumia fedha za mwananchi vizuri kugharamia kukuza samaki ilhali tuna samaki tayari ambao mwenyezi Mungu ametubariki katika nchi hii yetu.

Tusisahau samaki hawa ambao wako maeneo ya baharini, pia mbali na kuwa chakula, kuna wale ambao ni dawa. Wanaweza kutusaidia sana katika nchi hii hasa wazee ambao wako katika Bunge hili na wengineo. Ukiangalia samaki kama vile pweza na ngisi najua kwamba watu wengi wanapoweza kuja maeneo ya Pwani hutafuta supu ya samaki hawa kwa sababu ni dawa ya bure. Badala ya kununua madawa ghali ambao mara nyingi unaskia labda kuna mtu ameweza kuzimia na kupoteza maisha yake akiangaliwa.... Askari wakikuja wanapata kulikuwa na vidonge sijui vya rangi ya buluu. Kihistoria hakujawahi zungumziwa kwamba yule amepata tiba ya supu ya ngisi ama supu ya pweza ameweza kuzimia na kupoteza maisha yake.

Bwana Martin Ogindo tulipokuwa tunamutahini, tulimuuliza kama anajua tiba kama hizi za kiasili za bure ambazo hazina madhara yoyote na akakubali kwamba anazifahamu. Basi katika kukuza, sio tu kwa sababu ya kupeleka nje lakini kwanza nikufanya utafiti zaidi ya kuona ni vipi samaki hawa wanaweza kuwekwa katika mitambo. Waweza kuhifadhiwa na kusambazwa kila mahali na wale walio na matatizo na madaktari wetu waweza kuwafanyia utafiti na kuona labda mbali na kunywa supu, watatengeneza tembe lakini ziwe hazina madhara yoyote.

Kwa hivyo, katika swala zima la samaki tuko na uchumi ambao unaweza kusaidia nchi hii, ikiwa serikali ambayo ina imani kwa kuteua Mhe. Martin Ogindo imeweza kugundua hivyo, basi watilie mkazo maeneo ya Pwani. Moja kwa moja hii itaweza kuleta ajira, fedha za kigeni na hasa upande wa utafiti wa tiba itaweza kusaidia.

Mhe. Spika wa Muda, ninashukuru, ninapongeza na ninaunga mkono Bunge hili liweze kumpatia Bwana Martin Ogindo wenyekiti. Asante.

The Temporary Speaker (Hon. Martha Wangari): Wale ambao walikuwa wamfuate Mhe. Tandaza sasa wamejua ni ugonjwa upi ametaja. Member for Sotik, Hon. Francis Sigei? Not being in the House, we will have the Nominated Member, Hon. Dorothy Kiara.

Hon. Dorothy Muthoni (Nominated, UDA): Thank you, Hon. Temporary Speaker. I too stand to support the nominee, Hon. Martin Otieno Ogindo as the Chairman of Kenya Fish Marketing Authority. I am a Member of the Departmental Committee on Blue Economy, Water and Irrigation.

The nominee appeared before us after His Excellency forwarded his name to this House for consideration. I want to state here today that the nominee, Martin Otieno Ogindo, is highly qualified for this job. He has a Masters in Science, Finance Option. He has worked with the Agricultural Corporation, as an advisor to the Governor of Nairobi County and was a Member of this House. On top of that, he has a mastery of the sector he has been nominated to be in charge. He comes from the lake region and we do not have any doubt in our mind that this is the person who is best placed for this position. As we speak, the blue economy is more or less a new sector of this country. I know His Excellency the President of the Republic of Kenya is very passionate about it.

It is important to know that when this nominee appeared before us, he was even able to tell us the different types of fish that are found in Lake Victoria and the oceans.

Hon. Temporary Speaker, I, therefore, want to support my Chairman and say that this is a person who will do a good job in this sector. It is also important to note that he is ready for work. As I speak, the Government has put up very many landing sites where when fish are collected they will be taken for processing. We also need to be in the frontline of exporting our fish to other countries.

Hon. Ogindo has traversed this country and he knows all these landing sites. Therefore, I want to support the Chairman of the Blue Economy, Water and Irrigation Committee by saying that Hon. Martin Otieno Ogindo is very suitable for the position.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Member for West Mugirango, Hon. Stephen Mogaka.

Hon. Stephen Mogaka (West Mugirango, JP): Thank you very much, Hon. Temporary Speaker for this opportunity to also add my voice to this Motion. It is my recommendation that Hon. Martin Ogindo is best suited to head this very potentially lucrative Kenya Fish Marketing Authority.

I say so because the blue economy is the future. It is the growing economy that this country must take advantage of to help our citizens make profits, grow their assets and also create employment.

In particular, I celebrate that Hon. Martin Ogindo comes from a fish growing community. Therefore, organically, he has all knowledge about fish from the time the eggs are hatched until we have fish in our supper or lunch plate. He has both local and academic knowledge about fish farming and marketing. Since Hon. Martin is a business graduate, there is no doubt that this is a candidate who knows the waters that he is going to navigate.

I am particularly keen about this appointment because from the lake region, where my constituency of West Mugirango lies, we have rains throughout the year. We have a lot of wetlands which so far are not economically exploited to the benefit of the locals. Our communities have turned to growing trees on wetlands.

With this appointment and assurance of fish market, it behoves us, particularly those who come from the lake basin and rain belt, to encourage our fish farmers to create ponds that will grow and farm fresh fish. This will then hit the market and make alternative income from

farming. I say so knowing that arable, tea and cash crop farming from the region where I come from, has become a bit frustrating. As I speak, the cost of fertiliser has suddenly been deducted from the earnings of tea farmers leaving them with no income during this Easter period. Therefore, I want to encourage my farmers to consider fish farming as an alternative. Now that we are guaranteed of a professional head of the Kenya Fish Marketing Authority, I am sure Kenya will be one of those countries that will be producing and selling fish to the world market.

I encourage our Ministry of Foreign and Diaspora Affairs to consider having serious trade attaches in our missions. They should be people who understand that fish is now a new export that is likely to be available from Kenya. This is necessary so that where we have missions, the trade officers in those regions assist Hon. Martin in selling Kenyan fish to the countries they have been deputed to represent Kenya.

Above all, fish is white meat. Medics and nutritionists advise that as we grow older, we should avoid red meat. The alternative is fish which guarantees local market for fish besides the medicinal value that the coastal parliamentarians have advised us. Since I am going to a Committee meeting in Mombasa, I will try and taste that soup to see whether when I come back, *itakuwa sawa*.

Thank you, Hon. Temporary Speaker. I support this Motion.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Member for Wajir North, Hon. Ibrahim.

Hon. Ibrahim Saney (Wajir North, UDA): Thank you, Hon. Temporary Speaker. I read the Report and it brings two perspectives to the fore. One, the credibility, competence and qualifications of Members of Parliament, both present and former. Two, fishing as a livelihood.

Outside this House, Members of Parliament have been depicted as people who are illiterate and not competent enough to hold any public office.

(Applause)

Today, I am impressed that before us, we are approving a former Member who is well educated. We are no longer illiterate as perceived. Some people even see us as not only illiterate, but as innumerate, that we cannot even count numbers. That is why we have earned funny names and tags like *mpigs*. Meaning that we are undeserving of any remuneration or salary befitting our status. I am impressed that the appointment of Hon. Martin Otieno Ogindo proves that Members are up to the task and are well educated to deliver services to citizens of this country.

The second thing is on the Kenya Fish Marketing Authority. That is a very important livelihood cutting across the country - the breadth and length of this county. It is important that it gets all the facilitation necessary to make sure that it is operationalised. On a lighter note, I envy that we are not debating on the Kenya Camels Authority in as much as it is the livelihood of over four million Kenyans in 70 per cent of our land mass. However, this is a very important sector. I am sure we are yet to exploit our capacity in terms of production and exploiting fishing.

I am impressed that Hon. Martin is qualified and conforms to the required statutes and the law. Therefore, there is nothing much to discuss on his credibility in terms of qualifications. I accept that he is competent.

The only thing I can add is the extent that we are into fishing and making sure that we support that livelihood for the communities that depend on it. I know there are various species of fish that are very expensive yet unexploited. There is this type of fish they call 'trout' in Mount Kenya. I understand that it is only the royal family that normally come over, fish and export it to their motherland because it is a very expensive type of fish.

There is a fish farm in Sagana with the same fish called trout, which is very expensive. It is time we protected our aquatic system. We are complaining that China is flooding our

country with fish imports which might be the same fish fished from our shore line. It is about our capacity. Do Kenyans own ships? Do we have a ship sufficient enough to do fishing so that we can exploit our domestic market before we think of marketing?

Hon. Temporary Speaker, it is time we thought about handling and storage facilities and try to improve the fishing sector to a large extent so that we can reap requisite services that we want for our country.

With those few remarks, I am happy to be part of the approval of my former colleague, Hon. Martin Otieno.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Thank you, Hon. Member for Wajir North. Member for Emuhaya.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Temporary Speaker, having gone through the Report, Hon. Martin Otieno qualifies to take over the position that he has been vetted for.

Hon. Temporary Speaker, I would, however, quickly draw your attention to the situation in the fish industry and the task that awaits Mr. Oduor. This is an area that has been very sentimental and important to the people living around the lake and on the coastal line of Kenya. At the same time, fish farming has propagated itself into the interior. That is why the Government at one point had a policy whereby every constituency would create fishponds to promote fish farming. He is coming into this position at a time when the Lwang'ni Beach, Lake Victoria, has been removed and the promotion of the Dunga Beach done.

He is coming into office when the deep sea fishing at the Indian Ocean is no longer there and we cannot pride ourselves in getting high quality level of fish from the Ocean which we can export to other countries. Therefore, he should be ready to deal with all these things as he takes this job including and not limited to marketing of fish in both Lake Victoria and the Indian Ocean. We see the real fishermen not getting value for their money. The middlemen who are simply waiting to carry the fish away are reaping more from the fish that is found in the lakes especially Lake Victoria than the fishermen themselves. We should see him get ready to prepare to make sure that the shillings earned from fishing benefit the fishermen themselves and the *mamas* involved in the fish trade within and along the lake.

At the same point, there has been a lot of harassment, intimidation, and sexual harassment in the fish industry which has been enforced by several legends and myths told by the people around the lake that you must perform this and that to get fish. Mr. Otieno is going to face this challenge. He promised us that he is going to do away with these harassments that the women who trade in fish face around the lake.

Fish farming has spread countrywide. Mr. Otieno must be ready to make sure that there is increased fish consumption within the country given that many people are drifting away from red to white meat. He must promote fish farming countrywide so that it is not only limited to the lakes, rivers and oceans, but can also be practiced within the countryside through the ponds which were developed by the Government. Most of them are lying dangerously around the country. This is what he should be involved in. I think I have spoken on the marketing of fish.

Mr. Otieno must be ready to deal with modernisation of our fishing industry so that people can pride in fishing as an industry the way it used to be. That is the pride we want him to bring back to this country. I completely stopped eating fish because I could not separate or differentiate the Chinese fish and the one from Lake Victoria. This is a matter that this officer must deal with so that we can completely stop the importation of fish from China which has demoralised many fish farmers, fishermen on the lake and fish eaters like me so that we are assured that the fish we are eating is not from China. Fish from China comes with very many other connotative understandings around it and myths on the type of food fed to them before they arrive to this country. I do not want to belabour or go into the depth of what we hear. So,

he should block the proliferation of fish from outside and defend the fishing industry so that the local Kenyans and markets can enjoy. These are some of the tasks that are awaiting this individual as I support him to take office.

Finally, Lake Victoria is thoroughly infested by the water hyacinth. You cannot get fish from Lake Victoria until you deal with it. It has to be removed. The efforts that were made by the previous Government's administration have stopped. Once the hyacinth takes over the lake, it makes it look like a field where you can play football and fish cannot thrive.

There is another model type of fishing that has arrived in Lake Victoria called 'caging'. I do not know if you have heard about it, Hon. Temporary Speaker. This is the type that later contributed to mass deaths of fish. We do not know whether it is the caging that has polluted the lake or it is the lake itself that polluted the caging. This is a matter that is also lying on his table and awaits him to deal with so that this industry is promoted.

I chose to speak on the task and things that affect fishermen in this country which our very able nominee, approved by Parliament, will have to deal with as he arrives in office and sanitise the industry. For that matter, I thank you, Hon. Temporary Speaker.

I support this particular candidate being nominated.

The Temporary Speaker (Hon. Martha Wangari): Mbunge wa Mombasa County.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana, Mhe. Spika wa Muda kwa kunipatia fursa hii adimu kumzungumzia Mwenyekiti wetu mpya ambaye ameteuliwa kusimamia Kenya Fish Marketing Authority.

Ninachukua fursa hii kumpongeza sana Mhe. Martin Ogindo. Nikiangalia maelezo yake, alikuwa mwenzetu katika hili Bunge na kiongozi mchapa kazi. Nikiangalia masomo yake pia, anastahili kupata cheo hiki kwa sababu amefanyia taifa hili mengi.

Ninampongeza sana na ninamkaribisha kwenye soko la samaki. Kama mama Mombasa, sote tunajua kuwa sehemu kubwa ya blue economy imeshika sehemu ya Pwani. Wavuvi wetu ni kati ya watu maskini sana katika taifa hili. Wanaingia baharini wakati wa baridi kuvua samaki lakini wakishawatoa nje, hawana soko. Unapata mvuvi ametoa samaki wa kutosha lakini atakaa nao bandarini maana hakuna mnunuzi na samaki wanaharibika.

Ninataka nimueleze ndugu yetu Mhe. Martin ambaye ni mwenyekiti wetu kwamba aangalie wavuvi wetu na ahakikishe wanapata vifaa vya kuvulia samaki. Alivyosema mmoja wetu hapa, ni kweli kuwa wanahitaji majahazi ya kuingia baharini kuvua samaki. Wakiingia na mitumbwi kule baharini, maskini wengine hawatoki kwa sababu ya yale maji yalivyo mazito. Yanapiga ilhali wana mitumbwi tu kwa sababu ndicho kitu wameweza kupata katika hali yao duni ya maisha. Ninamweleza ndugu yetu Mhe. Martin ambaye ni mwenyekiti mpya aangalie wavuvi wapate madau ya kuwawezesha kuingia ndani kabisa kuvua samaki.

Jambo lingine ambalo ninataka kumweleza ni kuwa nilipoangalia stakabadhi au Ripoti hii, imenihakikishia kuwa mwalimu wangu aliyenifunza jiografia katika Kenya Methodist University (KEMU) alinieleza mambo ya kweli. Nimeyathibitisha kufwatana na Ripoti hii ya leo. Ripoti hii imeonyesha hakika kuwa Uchina wanavua samaki zetu kwa wingi sana katika maji makuu. Ni sehemu iliyo katika anga za Kenya. Ni sehemu iliyo katika taifa la Kenya. Ninamweleza ndugu yetu Martin ambaye ni mwenyekiti afuatilie serikali kuhakikisha kuwa sehemu yetu ya Wakenya kuvua samaki iwe yetu wenyewe na tuuze samaki wetu humu nchini Kenya na kule nje. Mchina anavua katika anga zetu. Anavua samaki kwa wingi sana kisha anakuja kutuuzia. Najjuliza swali: Kama si ujinga ni kitu gani? Mtu aje shambani mwako, avune mazao yako, kisha akuuzie kwa bei ghali nawe umenyamaza. Ni wakati wa Serikali kuchukua hatua. Tuangalie kuwa kama vile Wachina wanatoa ulinzi katika anga zao, anga zetu za Kenya zilindwe. Wavuvi wetu wamekuwa maskini miaka mingi. Ni wakati watambulike katika taifa hili, wapewe sehemu yao inavyohitajika ili tuone uchumi wa Kenya ukipanda juu.

Jambo la pili, ningependa kuwaeleza kuwa samaki wanaliwa na watu wengi sana. Utapata wengi wakiikimbia nyama wakati huu kwa sababu ya madhara yanayotokana na

nyama. Lakini hata ukienda hospitali daktari atakwambia ule nyama nyeupe. Sisi tuna samaki. Tuenzi samaki kama mataifa mengine yanavyoenzi samaki. Ninatembea katika *supermarket* zetu nyingi nikiangalia kama wanauza samaki kutoka Ziwa Victoria ambayo iko na maji baridi. Ninaomba waweze pia kuuza samaki kutoka maji ya chumvi ili tuinue uchumi wa wavuvi wetu wote kutoka Pwani na bara.

Ninashukuru *supermarket* ya Carrefour. Juzi nikitembea katika pitapita zangu, niliona wameweka samaki wote, wa bara na wa Pwani. Ninawashukuru sana kwa sababu wametoa mfano mzuri. Tusiuze samaki kutoka ziwani pekee. Tuangalie na samaki ya bahari ili tuboreshe soko la samaki.

[The Temporary Speaker (Hon. Martha Wangari) left the Chair]

[The Temporary Speaker (Hon. Omboko Milemba) took the Chair]

Jambo lingine ninalotaka kuzungumzia ni kuwa sehemu ya kuhifadhi samaki imekuwa donda sugu kwa wavuvi wetu. Wanavua samaki wengi lakini mahali baridi pa kuweka samaki pamekuwa adimu kwao. Utapata wengi wamekaa kando ya bahari na samaki wao wakisema “nisipouza leo, kesho samaki watakuwa wameharibika na watoto wangu hawatapata chakula”. Ninamuomba mwenyekiti mpya wa uvuvi ahahakikishe kuwa Beach Management Unit wamepeva sehemu za kuhifadhi samaki kando ya bahari na sehemu nyingine za soko.

Ninaeleza Serikali kuwa soko la samaki ni muhimu sana katika taifa hili. Wavuvi wengi sana kule Kisauni walinifuata kama mama kaunti wakaniambia “mama, tunaomba tujengewe soko la samaki”. Wanaomba kwa sababu wengi hawajulikani kama wanasamaki. Wamevua lakini pengine jirani zao pekee ndio wanajua. Laiti wakipata soko la kuweka samaki, itaaminika kuwa lile soko pale ndilo soko la samaki na kila mmoja atawania kwenda kununua.

Mhe. Spika Wa Muda, jambo lingine ni kuwa tuangalie sehemu na viwanda vya samaki. Kutoka tuelezewe vinajengwa, hatuoni vikimalizwa. Serikali imekuwa na uvivu sana katika biashara ya samaki. Ukiangalia hata ile inajengwa pale Liwatoni, bado halijamalizika. Kuna nyingine Malindi. Kuna moja kule Ngomeni, kule Magarini, na nyingi nyinginezo. Ningeomba wapatie masoko ya samaki kipaumbele wajenge viwanda tutapeleka samaki wetu. Tupakie samaki wa mikebe kama tuna na wengine. Ukitembea katika *supermarkets*, utapata tuna kutoka India, Uchina, na hata kutoka mataifa jirani ilhali tuna tuna hapa Kenya. Tuna tuna wetu hapa. Tuna ngege, mbuta na samaki kila aina ambao ni samaki watamu sana. Ningependa kumwambia Martin aboreshe soko la samaki kwa sababu yeye mwenyewe ameingia kufanya mauzo. Pia, ahahakikishe kuwa anawapa samaki wetu soko litakaloleta mazao hapa Kenya na kuinua uchumi wa Kenya.

Jambo lingine ni kuwa nilitaka kuzungumzia mambo ya usafi katika bahari zetu. Meli nyingi zitapita zikimwaga mafuta ya meli. Pia, kuna wale hutupa taka baharini. Hii inaweza kuregesha soko la samaki nyuma kwa sababu samaki wengi wanakufa baharini. Ndio maana Mheshimiwa mmoja amesema siku hizi utapata samaki wengi wamekufa lakini wako kando ya bahari. Imetendeka Mombasa pia na sehemu nyingine. Ni jambo linalotupa wasiwasi sisi kama Wabunge kwa sababu huwezi kutumia samaki waliokufa kwa sababu hatujui wamekufa kwa kula sumu ama kwa nini. Hivyo tunaomba waboreshe fuo zetu kwa kuhakikisha ni safi. Wajengee wavuvi vyoo na mahali pasafi. Wawape mavazi safi na mazuri ya kuwakinga na baridi kule baharini. Waangalie meli kubwa itakayoingia maji makuu kutoa samaki ili tupate samaki wetu kwa wingi.

Ninaona muda hu nami. Hata hivyo, ninasema vifo baharini pia vimekuwa vingi. Tuangalie hawa wavuvi tuone kuwa wanapata mafunzo ya kujimudu wakiwa baharini ili wajue watatetea maisha yao vipi.

Kwa hayo, asante, Mhe. Spika wa Muda. Napongeza sana mada hii.

Spika wa Muda (Mhe. Omboko Milemba): Sawasawa. Wacha tumpate Mjumbe wa Jomvu, Mhe. Bady Bady.

Mhe. Bady Twalib (Jomvu, ODM): Asante sana, Mhe. Spika wa Muda.

Nami pia naungana na wezangu kumpongeza Mhe. Martin Ogindo kwa kuchaguliwa katika Kenya Fish Marketing Authority ambayo ni bodi ya kutafutia samaki wetu soko. Ninamfahamu kwa kuwa nilifanya kazi naye katika Bunge hili. Ninachukua fursa hii kusema tunatoka kule Mombasa ambako kuna wavuvi wengi sana. Shida kubwa ni biashara. Huwezi kufanya biashara bila mauzo kabambe. Mhe. Martin ambaye amechaguliwa kama mwenyekiti yuko na kazi kubwa sana kwa sababu wafanyibiashara wa samaki wana changamoto nyingi sana.

Mfano mmoja ni kuwa hawana vifaa. Leo hii, huwezi kufanya *marketing* ama mauzo ya samaki ikiwa hujapata samaki. Huwezi kupata samaki kama hauna vifaa bora. Kwa hivyo, Mhe. Martin, ambaye ameteuliwa kuwa Mwenyekiti wa Mamlaka hii, lazima awapatie nguvu wavuvi wa samaki ili awawezeshe kupata vifaa vizuri vya kuvulia samaki.

Vile vile, kuna wavuvi wengi sana kule nyanjani. Kwa mfano, nikiangazia sehemu yangu, kuna wavuvi pale Mkupe, Jomvu Mission, Jomvu Kuu, Mikindani, Kibarani na Likoni. Ni muhimu sana hawa wavuvi wote watambulike na Mamlaka hii ili wainuliwe katika biashara yao kwa kutafutiwa *market*. Wakivua, wasiwe wanaishi katika ile hali wazungu wanaita *hand-to-mouth*. Lazima wafanye *commercial fishing*, yaani ile biashara ya ukuzaji wa samaki wa kupata mapato. Isiwe wanauza kutoka kwa nyumba moja hadi nyingine.

Wanenaji wengine wamezungumza juu ya hawa ndugu zetu Wachina ambao wanaenda *deep sea*, ama ndani kabisa ya bahari kuvua. Tukiangalia nchi ambazo wanafanya hivyo, hata hapa tu Uganda, Serikali ya Uganda imeweka mikakati kuhakikisha kuwa maji yao hayaingiliwi. Kwa hivyo, ni muhimu sana Serikali yetu ya Kenya ihakikishe kuwa sheria zimewekewa hawa Wachina. Sio eti wavue samaki kwetu halafu waje watuuzie nasi tutoe pesa tununue. Kile ambacho wanafanya, Wakenya pia wanaweza kukifanya.

Jambo la muhimu ni kuhakikisha kuwa Mamlaka hii imeboresha hali ya wavuvi katika sehemu zote, iwe Ziwa Victoria au kwingine kote kule. Wavuvi wengi waliondolewa katika sehemu ambazo walikuwa wanavua kule Ziwa Victoria. Hivi sasa, wako mahali panaitwa Dunga *Beach*. Jambo la muhimu ni kuhakikisha kuwa *marketing* ienezwe nje ya Kisumu ili wauze samaki katika sehemu nyingine na wapate pesa zao.

Kulingana na wakati uliobaki, ningependa kuwaachia wenzangu nafasi wachangie Hoja hii. Twampongeza Mhe. Martin pamoja na timu yake. Wafanye kazi yao vizuri na wajue kuwa sisi, kama Wabunge, tunawaunga mkono kwa sababu tunamjua Mhe. Martin Ogindo. Tunajua tajriba yake ya kufanya kazi kwa sababu tumefanya kazi naye hapa. Hii ni awamu yangu ya tatu kama Mbunge wa Jomvu. Nimechaguliwa kutoka mwaka wa 2013 mpaka leo. Kwa hivyo, najua hali ya Mhe. Martin. Tutafanya kazi pamoja na tushikane naye ili tuboreshe mambo ya uvuvi na samaki wetu.

Ahsante, Mhe. Spika wa Muda, na Mungu akubariki. Nakushukuru kwa kunipatia nafasi hii ili nichangie Hoja hii.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Peter Kihungi. If he is not in the House, I will proceed. Hon. Paul Biego Chesumei. Not being in the House, I move to Hon. Eric Muchangi, the Member for Runyenjes.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Temporary Speaker. From the outset, I support the nominee, Hon. Martin Ogindo. The fishing industry is very important in this country. Having been a Member of Parliament, Hon. Martin is experienced. He comes from the lakeside, so we believe that he understands issues affecting the lakeside, among them the fishing industry. The nominee is very well-educated. We believe that a combination of his experience plus his academic qualifications will make him a very good

Chairperson who will now steer forward the fishing industry as the Chairperson of the Kenya Fish Marketing Authority.

The fishing industry in this country is still underexploited. It only contributes around 0.54 per cent to the GDP. That percentage needs to be improved. Fishing opportunities at the Coast still remain underexploited. We believe that with the nomination of this Chairperson, opportunities at the Coast will be exploited for the benefit of this country.

It is important that the allegations made by one of our colleagues be investigated. Our colleague claimed that there are foreigners who come to our deep seas to fish and, thereafter, sell the fish to us, claiming that it comes from China. It would be insulting for Kenyans to consume their own fish while still imagining that it comes from China.

I like the comments that were made by my fellow MP, Hon. Kuria Kimani, about dams. Once the Kenya Kwanza Government constructs dams, let there be a component of fishing. Also, fishing is synonymous with people who come from the lakeside. People from the Mt. Kenya region do not eat as much fish as those from the lakeside or those from the Coast region. They mostly eat *githeri*, *mukimo* and such foods. So, we also would like this...

(Laughter)

I am being reminded of *muthokoi* by my friends. It is important that this Chairperson considers marketing fish across Mt. Kenya so that the people there can be accustomed to eating fish, which is a very delicious meal.

With those few remarks, I support the appointment of Hon. Martin Ogindo as the Chairperson of the KFMA.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Kibet Komingoi.

Hon. Kibet Komingoi (Bureti, UDA): Thank you very much, Hon. Temporary Speaker. I also rise to support the recommendation of the Departmental Committee on Blue Economy and Irrigation on the appointment of Martin Ogindo. First, this represents the Kenya Kwanza Government's inclusion policy on regional representation. Mr. Ogindo is a competent, skilled civil servant and a former MP, whose character would fit probably both as a fisherman and also as a head of the commercial enterprise that he will run in trying to market fish and fish products in this country. Second, is on the issue of protecting our territories and resources. Fish resources in this country need to be protected. It should be remembered that fish is found within our seas, lakes and rivers.

Hon. Temporary Speaker, you remember the war we always have with Uganda on Migingo Island in protecting the resources around our lakes. Those are some of the things that we would urge Mr. Martin to see to, so that our resources are protected. Further to that is the issue of investment in the fishing industry, value addition and making sure that our fisherfolk are well-protected. They should be provided with fishing gear and landing sites, and storage facilities should be constructed. We should also avail ourselves markets by studying trends in the world to see to it that our fisherfolk provide what the market needs in terms of fish products.

Special focus should also be given to marginalised areas. In mind I have Lake Turkana, which has a lot of resources. I also have in mind Lake Baringo and rivers that provide the fish that need to be marketed. We must invest in these regions. We must provide the required facilities and educate our fishermen and the farmers so that they can earn from these sources of livelihood. If we are able to do this to improve what we require in these regions, we shall protect the livelihoods of our people. We will also provide nutrition to our people. Fishing, as an industry, will contribute more significantly to the economy of this nation. I support the appointment of Martin Ogindo as the Chairman of the KFMA.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Richard Yegon.

Hon. Richard Yegon (Bomet East, UDA): Thank you very much, Hon. Temporary Speaker for giving me this opportunity to share my views about this gentleman, Martin Otieno Ogindo. I have gone through his CV and found out that he has a vast wealth of experience, which I know he is going to bring to this Authority. Coming from the lakeside region, he must be having a lot of wealth and knowledge about this industry. Fish is one of the foreign exchange earners of this country. I have been in the business of exporting fish. Other countries consume more fish than Kenya. We want Ogindo to get involved and look at all the challenges we face in our country to make sure that we at least also reap immensely from the forex exchange.

I read in the media that the leader of Opposition, Hon. Raila Odinga, wants to take us back to the streets after the Ramadhan period. The Luo nation must have seen Kenya Kwanza taking one of their own on board. We are all inclusive. This is a way of trying to unite the country. Giving this chance to this gentleman means that Kenya Kwanza does not have to say such people never voted or did this to us. We want this to be an enticing factor so that Raila Odinga can see that we are trying to support people from his backyard. We want him to call off mass action. As Kenya Kwanza, we are trying to unite the country by appointing people from the whole country.

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

The Temporary Speaker (Hon. Omboko Milemba): Hon. Mary Emaase.

Hon. Mary Emaase (Teso South, UDA): Thank you, Hon. Temporary Speaker, for the opportunity. Let me add my voice to the debate. From the outset, I want to support the Motion. I do not know the nominee personally, but listening to my colleagues' compliments, reading the Report and looking at his qualifications, I am convinced that the nominee has the capacity to undertake the task ahead of him. We have faith that he will deliver in this particular portfolio.

Mr Ogindo has been nominated to a sector that has immense opportunities; a sector that can create a lot of employment opportunities for the youth and the fishermen of this country. I want to appeal to the nominee that once he takes office, it is important to put mechanisms in place to fully exploit the agro-based maritime resources within that sector. This is a sector that has faced a lot of challenges, some of which have been mentioned.

I want to point out one case regarding Lake Victoria. We have had a number of fishermen being arrested by a neighbouring country because of the issue of the boundary between Kenya and this particular neighbouring country. I want to appeal to him to work closely with the Ministry of Interior and National Administration to find a lasting solution to this particular challenge.

The blue economy and fisheries sector can earn this country a lot of foreign exchange. There is need for the nominee to ensure that he has a robust research and development sector to create value addition so that we can export some of our fish to other countries. There is also need for him to build partnerships with other partner States like Seychelles and countries that have advanced technology in fishing and processing of fish. We can benefit through such kind of engagements.

Fishing is also not limited to the Coast or Lake Region. There are small-scale farmers across the country who have dug their own dams, and are practicing fish farming within the comforts of their homes. I plead with the nominee to ensure that he reaches out to these small-scale fish farmers within the mainland and all other parts of this country and build their capacity. He should also help them to find market for their fish. This is a sector that will be able to generate foreign exchange and boost the economy by creating employment opportunities for the people of this country.

Thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Naomi Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for allowing me to add my voice to this very important Motion. I congratulate Hon. Martin Ogindo and the Committee that sat and compiled this Report. I have gone through the Report and I have seen that Hon. Martin Ogindo is qualified and is well experienced. I have a lot of faith in him; he will bring the necessary growth and transformation in that sector. Taking into consideration the fact that the blue economy is the future of our country, I urge him to give attention to the few points that I will raise so that we grow this sector to its full capacity.

We know very well that water resources are spread over 42 per cent of Kenya's total land area, which makes our country a maritime State. That is a gift that God has given us and we need to utilise it well and earn our living from it. If we give a lot of attention to it and if the Government invests a lot in the sector, we will get good income. Investing in it will create more jobs for our people.

Hon. Temporary Speaker, many of our youth are jobless and we are encountering problems because they are often idle. This will also help us to spur our economy as well as cater for our food security. We need to invest in the Blue Economy as a country, especially now when we have many investors. We know that in the past we have not done well in investing in this area, but this is the time that we should give this sector the attention it deserves as a country and as the Kenya Kwanza Government so that we can gain from it.

In 2018, the then Cabinet Secretary (CS) for Agriculture and Livestock Development, Hon. Mwangi Kiunjuri, said that Kenya was losing over Ksh440 billion annually by failing to fully exploit the Blue Economy. I do not think that we have changed that situation even to date. That is why we need to invest so that we get the Ksh440 billion that the former CS, who is currently an MP in this Honourable House alluded to. It is a lot of money that can be injected into our economy. As I said, we are aware that this country has great opportunity, especially on employment, and I want to urge the nominated Chairperson to give it the face of the country because where I come from, we are not associated with fish. We are known for the love of meat consumption. In employment, many a-times we are not considered. I want to request that the Blue Economy sector be considerate enough to give us the face of the country on employment.

I also want to talk about the fishermen and women. In the 12th Parliament, I was a member of the Committee on Agriculture, Livestock and Fisheries in the Senate, and we visited some of our lakes. The fishermen there described the difficulties they face. Clearly, they have been taken advantage of in the past. As a consequence of exploitation on the job, women have been subjected to sexual harassment, and some of them have admitted to us that they are now HIV-positive. Some of them are single mothers who have no money and depend on themselves. There are people who take advantage and exploit them when it comes to marketing their produce. Special attention should be given to the poor people who work hard for the economy of those areas. This will protect the interests of all Kenyans and that they will gain from this activity.

I would also like to touch on the other farmers in the other parts of the country. Now that as a country and a Government, we are giving a lot of attention to farming and promoting local businesses, I want to urge the current Chairperson of the Blue Economy and the parties concerned to make sure that they encourage many households to have fishponds as a source of income for their families and it becomes a national activity. We should be proud of our own produce and make sure that we also take care of our health. Fish is very healthy. Adults above 40 years are encouraged to avoid red meat and that means that we need fish for sustenance.

Considering the drought and the seasons, fish may not be negatively impacted. As somebody said, you may not need any medicine or food as long as there is enough water. We need to focus more on encouraging every citizen to invest in fish farming for the betterment of our health and economy. It should become part of our lifestyle.

As I conclude, as a country, we need to take advantage of the many investors, especially at the moment. To those who are eyeing the Blue Economy, Lake Turkana is close to where I come from, and we have a lot of opportunities there. Let us focus on the entire country and the opportunities that are available for investment as we create our own wealth from the resources that God has given us.

With those few remarks, I support and congratulate the Committee.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Thank you. Next is Hon. Rindikiri Mugambi. Thank you for being patient.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. I almost gave up, but I want to thank you for the opportunity. I also thank the Committee led by my friend Hon. Bowen. At the outset, I support the candidature and the appointment of our former colleague, Hon. Martin Otieno Ogindo. He has already presented his credentials, which we have no questions about. He has also given us his experience which, as a Member of Parliament, employee, and a businessman, he qualifies for the position.

The fish industry contributes about 0.5 per cent of our national GDP and about 2 per cent of national export earnings. This is not a simple economy, but we all know that it has very high potential. Having said that, we are looking forward to Hon. Otieno taking up this responsibility to head the KFMA. We hope and believe that he will do what this job entails, but based on his commitment and the Kenya Kwanza expectations, he will be the best candidate.

The Blue Economy touches on very many sectors of our country including tourism, fish processing manufacturing and value addition, sports associated with fish and employment. It is also a foreign exchange earner. Therefore, we are not talking about a small industry. The only difference is that in the past, it was not given any prominence, but now the Kenya Kwanza Government has picked it up as one of the sectors that need to be matured and promoted. I know that there are very many things that need to be done in this industry, and that is what we expect Martin and his associates will fulfil.

Hon. Temporary Speaker, I have observed that there is basic education and training that takes place concerning fishing, but I think it is time that we academically promoted teaching fish farming. I note that there is production of different types of fish, and as I said, we have to look at this very critically. The benefit will be determined by the kind of activities that we expect from the production. Storage is the biggest challenge and I want to state, for the Members' benefit, that I have started practicing farming the famous trout fish that was mentioned here. I border Kenya Trout Farm owned by the former President Mr. Mwai Kibaki. My constituency is known for that fish. I speak authoritatively because we have a product that can earn this country a lot of money. We call it wild fish because its behaviour is not like that of normal fish. As we talk about production, we must start focusing on the kind of fish that will be of high value, either for export or consumption.

The challenge faced by many farmers is transportation and storage. When we talk of marketing, we have to transport fish. I hope the first thing that Hon. Martin and his team will invest in either directly or indirectly, is transportation and storage of fish. We know Kenya is not isolated in terms of the fish industry. I think this team led by Hon. Martin needs to focus on international markets, because they are huge. This will be determined by the quality and type of fish we will produce. Remember the international agreement on fish trade. We should not only talk about the local market but also international markets. So, we expect Hon. Martin and the Authority to spend a lot of time bringing a lot of investors to invest in the fish industry in Kenya. We know even though we are faced with challenges of revenue, the Government can still put a bit of money in this sector. I want to ask the Committee to consider spending a lot of money here. This is because we have a potential industry that will grow and create employment, infrastructure development and bring tourists.

This is an alternative sector for our economy. We can see a lot of conflict between communities, particularly in Baringo. I hope I am not going to be a victim of Hon. Kamket and the Baringo factor. I am saying that we need to start inculcating into our communities that there is an alternative way of farming and earning income rather than fighting for the limited resources of pasture. I want to seriously recommend fish farming in Baringo, West Pokot and my neighbours in Isiolo and Laikipia so that we stop competing for the limited resources in terms of rains.

I want to ask the Committee to recommend to the Budget and Appropriations Committee – and I can see the Chairman here – to allocate money for every primary and secondary school to put up a fishpond. This will be for both teaching and production of fish for our children. I think this will add value to the feeding programme for our children. If allowed, I would ask the Members at one point in time to consider using the National Government Constituencies Development Fund (NG-CDF) to construct a fish pond in all our learning institutions, both primary and secondary schools.

As we move on, to increase productivity, we must come up with various incentives for the industry which are not limited to only export and investors, but also inputs and fish feeds. From my experience, one challenge we have is fish feeds, particularly as we farm fish in Mt. Kenya Region. Fish feeding products are a challenge in this country. So, places like where I come from in Mt. Kenya and other inland regions, because we are disadvantaged and have no lakes and oceans, we are faced with a challenge of buying fish feeding products.

I know our candidate who has been presented by His Excellency the President, Hon. Martin Ogindo, is capable of taking this challenge and making this sector a reality to the expectation of the Kenya Kwanza plan.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Yes, Hon. Ndindi Nyoro, Member for Kiharu.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Temporary Speaker...

The Temporary Speaker (Hon. Omboko Milemba): Order! Order, Member! I am following the preferences for Members who have been in the House for quite some time. You may proceed, Hon. Ndindi Nyoro.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Temporary Speaker, for this opportunity to contribute to this very important Motion. First, I want to laud the committee for sitting down and considering what we are debating today. I also wish to congratulate the Chairman, Hon. Martin Ogindo, for this very important appointment. Sometimes, when people serve in politics the way we do, there is usually a misconception out there that politicians have no capacity to be professionals. The truth is that before people join this House or any leadership role based on politics, majority of them are already qualified professionals and are almost seconded from the other areas they previously served. Therefore, it is very refreshing to see a former Member of this House taking the reins in this very important Authority of marketing fish and fish products in this country.

I believe the issue before us is about food security, the economy and nutrition. As we talk about food security, sometimes we forget to align it with nutrition, because they should always go hand in hand. Food security is not just having a full stomach, but the composition of what makes the stomach full. Fish is one of the premium products we consume. Therefore, it is important to know we are dealing with these three elements as we talk about this Authority and Motion. It is critical as we talk about food security, we consider nutrition.

More importantly, this is a premium economic activity for that matter. Globally, the fish industry is a huge one, valued at approximately US\$268 billion. This is more than double the size of the Kenyan economy. The fish industry in the world is in itself bigger than the entire GDP of our country multiplied by two. This shows how important this is in the economic sense,

and the more reason why we should have an Authority that will look after this very important activity.

As we consider the membership, I have gone through the Curriculum Vitae (CVs) of the people proposed to serve in this Authority, and they are enviable. The Chairman has a Masters in Science from the University of Nairobi after having acquired an undergraduate degree. Even the membership itself has very competent people who will lead this important enterprise. However, we sometimes get it wrong. When we talk about fishing, we are misled to think that fish only comes from lakes and oceans.

Looking at the data from the Kenya National Bureau of Statistics (KNBS), some of the counties that are very unlikely to produce fish are the highest producers. For instance, a County like Kakamega has high production. Nyeri County, where the Member for Mukurweini seated next to me comes from, is top seven including my County, Murang'a. This is because aquaculture is a huge segment within agriculture that produces fish in terms of fish ponds. This should be known to many who probably think that areas around Mount Kenya rely on fish from other areas. Fish is produced across the country from Western Kenya to Mount Kenya. It is an important economic activity and a source of quality food in terms of enhancing nutrition.

Hon. Temporary Speaker, when we talk about fishing and especially that which happens in the ocean, sometimes it is a boundary issue. That is why even within Kenyan areas, we have seen a proliferation of other bigger world economies and consumers of fish, specifically our friends in East Asia and others from Europe who are already doing massive fishing in our areas. It behoves a multi-agency kind of approach from the Kenya Coast Guard Service (KCGS), Kenya Maritime Authority (KMA) and this board that is about to be created to ensure that we safeguard the resources that we have.

Fish, to my understanding, is equivalent to offshore minerals. From where I sit, whereas we go to fish, the kind of value we get from it is much more than offshore mining. Therefore, it is important that we safeguard our wealth because it should be there to provide revenue and not just a source of asset. In an economy, an asset does not count much, what counts is what you derive from it; and since these assets are already ours, we should safeguard and derive enough revenues from them.

As I conclude, I want to talk about something we were discussing with the Chairperson, Hon. Bowen Kangogo, about this board that we are creating. This is due to the fact that, while I support the singular content of what we are debating, I vehemently disagree with the global approach. The reason for this is that from where we sit, particularly in the Committee on Budget and Appropriations, we have made enormous investments; capital investments in terms of fish landing sites and value addition of whatever we obtain from fishing, capital investments that will benefit our nation, our economy, and our fishermen. The departure I am bringing forth, is a departure that is global and a threat to our economy. We have a Government that is only able to raise money to buy oil and sustain the same Government. We are creating way too many bodies, regulatory authorities and boards that may not necessarily add any value in the sectors they are domiciled. It is important to bring to this House that the board we are talking about today with a membership of close to 10, is overseeing one staff. It has only one staff who is acting and not employed by the board, but seconded by the Kenya Cooperative Creameries (KCC).

We have gone to other sectors like the one of scrap metal, and with a membership of nine, the Kenya Scrap Metal Authority Council (KSMA) has one staff seconded from the Ministry. That is why we are a bit more stringent on how we look at Money Bills. We cannot continue to create an authority and a body after every other product because at the end of this, we will become a more regulated Government. We have a Government that plays a very huge role in the economy, and for an economy to be efficient, it is the private sector which should

be marketing this and who are already there, making money and taking the lead role. This is something that we must interrogate in this House. Currently, the Government of Kenya has...

The Temporary Speaker (Omboko Milemba): Okay. You should have begun with this. Add him a minute.

Hon. Ndindi Nyoro (Kiharu, UDA): Hon. Temporary Speaker, as a Government, Country, Republic, Nation and State, we are failing with regard to Kenya as a State. This is because we are becoming a very over regulated economy. We have 334 Semi-Autonomous Government Agencies (SAGAs), State-Owned Enterprises (SOEs), Regulatory Authorities and Tribunals. Majority of these bodies and authorities duplicate their roles. Going forward, we need this House to be critical and downscale this number because majority of them only serve the egos of the people who occupy positions other than rendering quality service to the Kenyan people, especially in the sectors they are domiciled. In the fullness of time, we are going to face this issue head on so that we do not have an overburdened country in terms of recurrent expenses so that we can channel most of our resources to production, quality regulations other than excessive regulation. The Government should serve the private sector and not what the private sector should.

I submit.

The Temporary Speaker (Omboko Milemba): Very well. You can also have a chance of bringing a substantive Bill that relates to the matter that you have addressed last, and which is of importance to this country.

Let us have the Member of Parliament for Sotik, Hon. Francis Sigei.

Hon. Francis Sigei (Sotik, UDA): Hon. Temporary Speaker, thank you very much for giving me this opportunity to support the Motion. At the outset, I want to support the nomination of Hon. Martin Otieno Ogindo as the Chairman. By extension, I want to thank the Chairperson of this Committee, who has done a very good job with this Committee by looking at the person objectively. Looking at his qualifications, I am very impressed. This goes to the Hon. Chairperson of the Committee who has done very well. Hon. Martin Otieno Ogindo, is a person of repute and long standing, both politically and in terms of managerial skills. His academic qualifications cannot be questioned. Personally, I know that he will deliver. The fisheries department has benefitted. I want to thank the Kenya Kwanza Government for creating a Ministry of Blue Economy. It is a serious thing and the President, in his wisdom, saw it fit to create this important Ministry to look at this sector keenly.

I want to talk about what we should do, and this goes to the nominee. One, I would like him to concentrate on fish farming in this country. I have served in Mt. Kenya for very many years. Far from what people are talking about, the Sagana Fisheries in Kirinyaga County has played a very key role in promoting fish farming in the Mt. Kenya region. As we talk, Mt. Kenya people are one of the highest consumers and producers of fish. I support that. I also would like to see change in the eating behavior of our people. They should consume more fish so that we also promote the small-scale farmers apart from fishermen around Lake Victoria, which is running out of production because of the depletion of tilapia fish. A small scale farmer with fish ponds is a very important farmer. Therefore, I support this Motion ...

(Technical hitch)

Finally, yesterday I was encouraged when the President appointed somebody to be in charge of the Kenya Coast Guard Service (KCGS). This goes to tell us that this Government is more serious in protecting the fishing industry. Therefore, I commend the Government. We want to see more protection of Mgingo Island. We want it to be secured so that our people can get fish. I want the Ministry of Interior to look at this issue.

I also want to talk about the infrastructure that my colleague talked about. We need to relook at the marketing aspect of fish, and focus on whether we can export fish; that is possible. We need to look at the consumption within the country and also focus on fish export. I am very sure that this country can benefit a lot from this. Of more importance is nutrition. Fish has a high nutritional value. We need to encourage our people to eat fish.

On the issue of small fishermen, they are living from hand to mouth. How can we protect these fishermen so that they can get more income from this industry? I propose that in future, we look at the cooperative movement. The cooperative movement in this country must add fish in their content so that it can take care of fishermen in our areas. This will go a long way in promoting fish ponds that we have in the country.

I stand here to support the nomination of Hon. Martin Otieno Ogindo as the Chairperson of the KFMA.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Harrison Kombe, Member for Magarini. *Sasa tumekufikia.*

Hon. Harrison Kombe (Magarini, ODM): Ahsante, Mhe. Spika wa Muda. Mvumilivu hatimaye hula mbivu. Nimevumilia, japo peke yangu upande huu, lakini wakati wangu umefika. Kwanza, nachukua nafasi hii kumpongeza Rais kwa kumteua Mhe. Martin Otieno kwa wadhifa huu wa kuwa Mwenyekiti wa Halmashauri ya Soko la Samaki.

Mhe. Spika wa Muda, ni matumaini yangu na Wakenya wengi hasa wavuvi kwamba watapewa hali nzuri ya ulinzi katika sehemu wanazomiliki. Nikizungumzia habari ya kisiwa cha Migingo, kuna wakati mmoja tulipitia sehemu hiyo. Lakini tulipata wavuvi wakihangaishwa na maafisa wa usalama wa Uganda. Ni matumaini yangu kwamba ndugu Martin Otieno, akiwa hapa, atahakikisha kwamba wavuvi wetu wako salama kwa kupatiwa ulinzi na wale walinda usalama wa majini. Kuwe na maboti yatakayokuwa yakizunguka kuhakikisha wavuvi wetu wako salama. Si Migingo tu; kuna hata sehemu zile za Kismayu. Wavuvi wetu wengi wamepata kuteswa na maafisa wa usalama wa Somalia. Hivyo basi, ina maana kwamba maboti ya *patrol* ya kuzunguka maeneo yetu ya uvuvi yanahitajika kwa wingi. Ninavyozungumza, Malindi, Ngomeni, Marereni, na sehemu hizo zote hazina hata boti la kuwafuatilia. Sehemu hizi hazina mashua ya maafisa wa usalama kuhakikisha kwamba wavuvi wetu wako salama katika maeneo hayo.

Vilevile, ni muhimu wavuvi wetu wapewe mashua na vifaa vya usalama. Mara nyingi tumepoteza wavuvi sehemu za Lamu kwa sababu wakati mwingine bahari huchafuka, na ikichafuka basi mawimbi huwa mazito.

The Temporary Speaker (Hon. Omboko Milemba): Order, Member. There is a point of order. Maybe you remember you have to state which point of order you are registering.

Hon. Kaguchia John (Mukurweini, UDA): Hon. Temporary Speaker, I am raising a point of order, yet the Hon. Member for Magarini is still up standing.

The Temporary Speaker (Hon. Omboko Milemba): Please.

Hon. Kaguchia John (Mukurweini, UDA): Thank you, Hon. Temporary Speaker. I am standing on a point of order under Standing Order 95. I request that the Mover of the Motion be asked to reply. As you can clearly see, we are remaining with a few minutes—about ten minutes for the time allocated for this debate. If we allow Members to speak, we will have only one Member speaking. Because the Mover of the Motion has the leeway to donate two minutes to each Member, he could help us in that regard.

The Temporary Speaker (Hon. Omboko Milemba): Order. Whereas you have correctly risen in your place under Standing Order 95, this Motion still has some time. Therefore, the Mover will not be limited in any way, even if we allowed the few interests that are here to speak on this.

Proceed, Hon. Kombe.

Mhe. Harrison Kombe (Magarini, ODM): Asante, Mhe. Spika wa Muda. Ni ishara mbaya kwa mwenzangu kusimama nikiendelea, huku akileta hoja ya nidhamu pasipo kuwa na utovu wa nidhamu.

Kuna haja ya kuhakikisha wavuvi wetu, wawe wa ziwani au baharini, wanapewa vifaa vya kutosha kufanyia kazi zao, hasa vifaa vya usalama ili iwapo bahari itakuwa ama ziwa itachafuka, basi waweze kujimudu. Hata ijapo mashua imezama, wawe wanaweza kuelea na kutoka nchi kavu.

Vilevile, Kamati husika ikiongozwa na Mwenyekiti wao ilifanya vizuri maana ilitembelea sehemu yangu. Sehemu ile ipo kati ya bahari ambapo walikwenda kuchunguza ujenzi wa chumba cha kuweka mitambo ya kuhifadhi samaki. Wamefanya kazi nzuri. Vile vile, shughuli hiyo imepanua sehemu hiyo, kwa sababu stima imevutwa mpaka kule na wananchi wanaoishi kule watapata nafasi ya kupata stima majumbani mwao.

Hayo yote yakiendelea, kuna haja ya kusambaza huduma hizi kuanzia sehemu za Marereni na Kipini ili tuweze kujenga sehemu za kuhifadhi samaki. Samaki wengi wanapovuliwa huwa wanaozea huko baharini kwa sababu hakuna nafasi ya kuwahifadhi. Wakati mwingine, soko linakosekana na hivyo basi wavuvi wanaenda hasara.

Nitaendelea kumpongeza aliyeteuliwa, Bwana Martin, na kumualika aende afanye kazi yake vizuri kama vile alivyowahudumia wananchi katika sehemu ile aliyokuwa amechaguliwa. Ni matumaini yetu kuwa atawahudumia Wakenya wote kwa jumla.

Kwa hayo machache au mengi, ninaunga mkono uteuzi wake.

Ahsante, Mheshimiwa Spika wa Muda.

The Temporary Speaker (Hon. Omboko Milemba): Very well. Hon. Gichimu Githinji. Is he in the House?

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Speaker. Because of the interest in this Motion and the limited time that we have, I wish to take the least time possible. In this matter, we are just supporting the nomination of Hon. Martin Otieno to be the Chairperson of the KFMA.

First of all, fisheries are a very big contributor to food security in this country. Even before we think of marketing, we need to think of production. We cannot market what we do not have. Statistics show that the demand for fish in this country is over 600,000 tonnes, whereas production is only about 150,000 tonnes. The first focus is on production so that this Board can have something to market. I support the creation of this Board and its appointment. Fish is a very important and lucrative sector in terms of resources.

The Board needs to look at the issue of poaching. Fish poaching along the Kenyan coastline and territorial waters is very high. We need concerted efforts involving the KMA, this Board and probably even the Navy so that we deal with poaching that is extracting our very valuable resources in terms of fish alongside the coastline and within Kenyan territorial waters.

As I conclude, I want to touch on the use of technology. Other countries that invade our territories use very sophisticated equipment to fish, process, package and even market their fish while they are still in the waters. That is an area that they also need to look at so that we can match those other countries that are very good at this, including value addition, and reduce on the wrangles. We have seen instances where equipment is brought into this country for value addition. As we speak, there are court cases in respect to those matters. I believe this Committee, led by the able Hon. Kangogo Bowen, will look into all aspects in respect to fish farming and help fishermen and fish production. I support.

Thank you.

The Temporary Speaker (Hon. Omboko Milemba): Very well. We have few minutes left. For affirmative action, let us give Hon. *Toto* an opportunity to speak.

Hon. Linet Chepkorir (Bomet County, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to support the Motion. I thank the Departmental Committee on Blue Economy and Irrigation for approving one of the former Members to Chair the KFMA. I have gone through the history of Martin; he has 20 years' working experience. He has worked as an MP for Rangwe Constituency; he was a treasurer in the Ministry of Local Government and worked in the Office of the President in 1992. The nominee is competent and up to the task. I support his appointment.

My card has been having a problem, but I thank God today I have the opportunity to contribute. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Geoffrey Mwangi.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to lend my voice to this very important Motion. From the outset, I support the Report of the Committee on the nominee, Mr Martin Ogindo. I wish him all the best as he takes the helm at this very organisation. I urge him to make the appointment of a substantive Chief Executive Officer (CEO) his first order of business. This organisation is nearly three years old, but has not had a CEO. I urge him to fully implement the organisational structure to ensure that KFMA is fully operationalised. I urge him to make the protection of fishermen, especially from foreign vessels, a priority to ensure that Kenya continues to reap maximum benefits from this important industry. Unfortunately, fishing has always been seen as an activity only at the Kenyan Coast, in Lake Victoria and around other big water bodies. It is very important that the KFMA gives fishing a national outlook by promoting it in rivers and other small water bodies.

In Tetu Constituency, we have a rare but much sought after fish called trout, which does very well in fresh water. However, there has been little or no government effort to promote farming of this type of fish or its consumption, especially in inland communities. The KFMA should not conduct fish marketing only for export, but also promote a large local industry.

We are told by scientists that because of these issues of climate change as a result of challenges that come with carbon footprints that going forward, we will have to think about our sources of protein. Today, our sources of protein are predominantly beef, mutton and others. But let me point out that to produce one kilogramme of beef, we have to emit about 99 kilograms of carbon. Yet to produce a kilogram of fish just takes about 10...

ADJOURNMENT

Hon. Temporary Speaker (Hon. Omboko Milemba): Order Hon. Member. You still have a balance of about four minutes and we shall carry it forward to the next session.

Hon. Members, the time being 7.00 p.m., the House stands adjourned until Tuesday, 18th April 2023 at 2.30 p.m.

The House rose at 7.01 p.m.

Published by
Clerk of the National Assembly
Parliament Buildings
Nairobi