



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

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## THE HANSARD

Wednesday, 26<sup>th</sup> October 2022

The House met at 2.30 p.m.

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

### PRAYERS

**Hon. Speaker:** Hon. Members we have a quorum to transact business.

### PERSONAL STATEMENT

#### FAREWELL MESSAGE TO PARLIAMENT

**Hon. Speaker:** Hon. Members, I have been requested by Hon. Duale to allow him to give a Personal Statement.

**Hon. Aden Duale** (Garissa Township, UDA): Hon. Speaker, Hon. Members and colleagues, it is bitter-sweet for me to stand here today as I make my final contribution on the Floor of this House. This is the beginning of my fourth consecutive term as an elected Member of Parliament. I have been elected four times on four different political parties and in four different elections. I must thank the hardworking and patriotic people of the then Dujis Constituency for opening the doors of leadership for me and for keeping the faith when Garissa Township was curved out of Dujis. I worked hard never to let them down and in those 15 years they have given me their unwavering support in both good and bad times. They prayed for me in celebration and mourning. We have seen joy and tragedy, we have laughed together and cried together. I am forever indebted to them. Even as I change leadership positions from the Legislature to the Executive, I know I can count on their support, prayers and goodwill because as they say; “home is the starting place of love, hope and dreams.”

Hon. Speaker, talking about dreams, this is a surreal moment for me to be here bidding farewell to my fellow Parliamentarians, unlike the last time when it was a switch from the front bench to the back bench, today it is different. I will be walking out to go and implement the laws, the policies, the budgets and the resolution of this House. I have been a legislative insider long enough and I hope that as I cross over to the Executive, I will keep the faith and do the job with dedication, diligence and discipline.

Let me share a brief story with my colleagues. The first time I came to Nairobi, I got a lift because I could not even afford bus fare. I was young with big dreams of serving in the Government and in the Cabinet one day. That journey from the first day in Nairobi to this day when my dream is on the curve of being actualised took too long. Sometimes it looked like it was never going to happen. After the 2007 General Elections, I hoped for a ministerial appointment and instead I got the position of Assistant Minister. I worked hard while at it and I excelled at it as some of the few ranking Members led by you Hon. Speaker, who was a Minister for Foreign Affairs together with Hon. John Mbadi who served in the 10<sup>th</sup> Parliament can bear witness; that position bore fruits.

In 2013, I moved a step closer to actualising my dream when I was appointed the first Leader of the Majority Party in the Kenya National Assembly under the Constitution of Kenya, 2010. I served with dedication ensuring the supremacy of the Constitution was upheld. I delicately balanced the wishes of the Majority Party, the needs of my constituency, the national

interest, the public interest and the parliamentary independence. Sometimes it worked, and at times it did not but overall, together with colleagues inside this House and those in the Executive we made and transformed our country.

In 2017, I was reappointed to the position of the Leader of the Majority Party to complete the journey. We walked that path in the tough years of the COVID-19 pandemic, the harrowing years of the handshake and the crazy season of the Building Bridges Initiative (BBI) euphoria. I withered the storm until June 2020 when I stood here and told your predecessor and colleagues who were there that the season had come to an abrupt end. It was one of my many lessons in politics, that sometimes you may do everything right, deliver on your promises, execute all the assignments and do all the right things and get excellent results.

You must have the spine to stand by your friends. I am a living testimony that you do not have to betray your friends to thrive in politics. Ignore that nonsense, I stood by His Excellency William Samoei Ruto, now the President and Commander in Chief of the Kenya Defence Forces. He also stood by me. Thus, the currency of political hygiene is loyalty and being principled. Can a friend rely on you when it really matters? Can you rely on your friend? Can anyone depend on you? As many of my colleagues here will tell you, we walked on fire but we stood firm. We stood with the truth, we did not abandon our friends and eventually the good guys won. I trust that we will now have the opportunity to right the wrongs.

In 2022, Hon. Speaker, I am here bidding farewell to the House to go and serve in the Cabinet. That is the power of dreams, it is a miracle. The lesson for me is in the same philosophy that we, in the Kenya Kwanza Coalition, the hustler nation, have been preaching. If you believe in it and put your mind to it, work hard at it, God will make it happen for you. It does not matter how long it takes, he will guide your steps, give you the push and support your dreams. Every hustler must rise. Everything is possible if you keep trusting.

I have served under three Speakers. First under Speaker Kenneth Marende for one term; two terms under your classmate and campus roommate Hon. Justin Bedan Njoka Muturi, and just under 40 days of your leadership. You have so far guided this House fairly, firmly and with keen political acumen. Given your years in politics, I am not surprised. I trust that your leadership will help transform this House, Parliament and country. I have also served under five Clerks. I began with the late Samuel Ndindiri, then worked with Patrick Gichohi. Thereafter I worked more closely with the late Justin Bundi and his successor Michael Sialai. In the current Parliament, I have worked with the Acting Clerk Serah Kioko. All these professional gentlemen and one lady have made my stay in the National Assembly memorable.

The first tip I have for my colleagues is about the staff of Parliament. We have over 1,000 qualified, intelligent staff who have degrees, masters and PhDs in this House. These are civil servants who know a lot of things. They can make your career shine but you have to go to their offices and ask questions. Do not be afraid to ask; there is no stupid question that they have not heard. There is no impossible request they have not received. They have seen it all, so speak. You will be surprised at the depth of knowledge they possess. They will guide you in your roles in legislation, representation and even in oversight. Do not think that you are too important to speak to a parliamentary staff, they have seen politicians come and go and they will be here when you leave. I found some of them here and I am leaving them here, but I am going away with tonnes of knowledge. Please, use them to help transform this country.

The second tip I have is that when it comes to the Legislature, we sink and swim as one. We are here to work for the people of Kenya and we make laws to serve the nation. It does not matter which side of the political divide you are from, always strive to do the right thing. There is no use trying to embarrass your colleagues or act thoughtlessly. If you do so, you just lower the dignity of the whole House. Think about honour as you go about your business. In any case, do not forget what happened in the 11<sup>th</sup> Parliament, when my late friend, Hon. Jakoyo Midiwo,

and I experienced protestors who brought pigs and all manner of livestock to the parliamentary gates. They offended all of us.

Just do the right thing for the people, country, Legislature and yourself. As long as you keep your conscience clear, you will succeed. Make sure you can sleep at night, after all the politics is done. Trust me, this is a House of politics. It can get nasty.

Hon. Speaker, there is one more thing that I must say boldly. You must find a way to protect the National Government Constituencies Development Fund (NG-CDF). I am not saying this for sentimental reasons or your egos. I have seen NG-CDF change lives in all constituencies in this country. It has built schools, hospitals, roads, police stations, provided water, toilets, bursaries and even food to our school-going children. We know how transformative it is. It is unique to us as the only Legislature in the whole of Commonwealth to have it in place. We know the courts have made their finding. We also know that the beauty of our constitutional democracy is about constant negotiation to find solutions within our context. We know there are theories. We also know what works. The NG-CDF has proven over and over again to be a solution. Let us do all we can to find a way to keep the NG-CDF model alive. In this way, we will do a lot of justice to our people.

As we speak about our constitutional architecture, I beseech my colleagues in the Legislature to help guarantee the independence of the Judiciary. Do everything you can to make sure it has operational and financial autonomy. We have seen what a captured justice system can do. Let us restore faith in the Judiciary. You have seen what His Excellency President William Ruto has done to that end. Let us support him.

On a related note, let us also keep our independent institutions, independent. Do not make laws that will hobble them. I naively did that at some point. However, I have since learnt how costly it is to the people of this country and Parliament. I trust that you will revisit those laws and re-make them in this term in the spirit of the Constitution.

Hon. Speaker, as I come towards the end of this farewell note, let me also tell my colleagues that when they were elected, they made pacts with their people. You had an agenda for your constituency and a deal with your community. After election, I am sure many of you have realised that your party also has an agenda. There is also the media with its agenda. If you are not careful, you may end up abandoning your people. Keep your focus. Serve your people. They are all that you have. Do not let the lights and shillings of the city fool you. At the end of the day, you must have the dignity and honour to face your people, and seek re-election. Do not abandon them. Do not switch off your phones. Do not disappear from the constituency. You were elected to help solve problems. Please do your job.

As I go to the Executive arm of Government, I promise to work with Members here. If anyone of you wants my help, please do not hesitate to visit my office. I will make time for you. You will not wait, unless you come too frequently and make it difficult for me to do my job.

*(Laughter)*

Seriously, please, let us coordinate because we serve the same people and country for our future and well-being of our generations. I also look forward to actualising the provisions of Article 125 and 153 of the Constitution, to come to this House and respond to your questions directly. I will also honour all requests to appear before the House Committees.

As I conclude, I want to ask my colleagues and all Kenyans watching for one thing; their forgiveness. I have been in this Parliament for years. I may have said words or done things that annoyed, wronged or offended someone. I may never know what some of those were. However, every time it was brought to my attention, I acted in an offensive manner. I reach out to the aggrieved parties and we bury the hatchet. As I go to the Executive, grant me that honour.

Sometimes, due to the nature of our politics or the firmness required to execute assignments, I may have upset or offended you. I apologise unconditionally to anyone in this House and outside whom I may have wronged.

For Hon. Kimani Ichung'wah, the Leader of the Majority Party, it is my pleasure to congratulate you. I may have served the longest so far in that office but you are now the man in the Chair. You are a hardworking, disciplined and very intelligent man. I have no doubt that you will excel. The sky is the limit for you, Hon. Ichung'wah. As I join the Executive, I once again ask for your kind support, Hon. Members and Hon. Speaker.

Hon. Speaker, let me also congratulate my immediate former Chairman of the Public Accounts Committee (PAC) and my former Leader of the Majority Party, Hon. John Mbadi and Hon. Opiyo Wandayi who is the current Leader of the Minority Party. These are two fine gentlemen who are intelligent and hardworking. They are people of consensus. Every time we had an issue in the House or PAC, we brought our heads together. I want to thank Hon. John Mbadi, Hon. Opiyo Wandayi and my other colleagues who are not with us: the late Hon. Jakoyo Midiwo and the late Hon. Nyenze, Member for Kitui West.

I look forward to a harmonious working relationship between the Legislature and Executive. The country needs us to step up. We must do it for the service of the nation. I trust that the people of Garissa Township will send to this House a hardworking and patriotic lawmaker as my replacement. Please, Hon. Speaker and colleagues, grant him or her the support he or she needs to continue serving the people.

I must now sit down. In accordance with the Constitution, I will hand over my resignation letter this afternoon, so that you can send the writs to the Independent Electoral and Boundaries Commission (IEBC), so that they give the people of Garissa Township an opportunity to elect a new Member of Parliament. As I sit down, I will not say goodbye to Members. I will say, see you soon, because I expect to be back as a Cabinet Secretary to respond to your Questions, as we transform this country from the bottom-up. I thank all the 349 Members, the staff, Committee on Appointments, media and all the people who gave me that opportunity.

Hon. Speaker, I thank you for the time you have accorded me.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Duale. On behalf of the House, I wish you well in your new assignment. However, you did not tell your colleagues how frequent is too frequent that will enable you to lock the doors.

*(Laughter)*

I will now give three opportunities on either side to bid farewell to our colleague who is moving to the Executive. There is no doubt Hon. Duale had a distinguished, admirable and very positive assignment in this House and country. We wish you well.

I will give the first bite to the Leader of the Majority Party and Leader of the Minority Party in that order. If you want me to give an opportunity to more Members, I wanted to give a chance to three Members. Let us see how it goes.

*(An Hon. Member spoke off the record)*

Yes. I will give you a chance for five minutes each. Is that too much?

**Hon. Members:** Yes.

**Hon. Speaker:** Okay. Three minutes each.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker.

**Hon. Speaker:** Three minutes each.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): I beg the Leader of the Minority Party and I to be given more time. With your indulgence, Hon. Speaker, can you give us eight minutes?

**Hon. Speaker:** I will give the two of you five minutes each. I will give the rest three minutes each.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. Let me also take this opportunity....

**Hon. Speaker:** Hon. Alice Wahome has sent word that she was held up. She will be here at 4.00 p.m. When she arrives, we might disrupt business and give her an opportunity to speak. However, those who want to bid her farewell can include her in your statements.

Hon. Soipan is in the sister House, the Senate.

**Hon. Kimani Ichung'wah** (Kikuyu, UDA): Thank you, Hon. Speaker. Let me take this opportunity first to congratulate Hon. Aden Bare Duale on his nomination and approval by this House to now serve as the Cabinet Secretary for Defence. I must indicate that I am immensely proud to have worked with him as our first Leader of the Majority Party. I am even more proud to take over the office that he defined. He defined what the Office of the Leader of the Majority Party will be under our Constitution, 2010. He shaped it into what it is today.

I found Hon. Duale in this House in the 11<sup>th</sup> Parliament. I learnt a lot from him, as a Member of Parliament. When I joined this House as a new Member of Parliament, he helped me to settle down. He guided and shaped me into the person I am today. That is why I am very proud to take over the office that he leaves behind, having served as our first Leader of the Majority Party. We also served in the same party. We first served in Jubilee Party together, when he came in under United Republican Party (URP). I came in under The National Alliance (TNA). We worked together as we brought the two parties together to form the Jubilee Coalition. Eventually, we were both thrown out of the same Jubilee. We joined hands as founding members of UDA together with the other partner parties in Kenya Kwanza Coalition that moved on to form the Government this year.

He is the only Member of Parliament that I can proudly say is my friend and a friend to my family. When we were in the dungeons suffering immensely under the previous regime, I remember one time, accompanied by my two daughters, I drove to Hon. Duale's house. The following day he called my wife and told her because there were a lot of extrajudicial killings in this country, should anything happen to her husband, she should rest assured that her children would be well taken care of by Hon. Aden Duale and President William Ruto. He told her to support and pray for her husband in that fight. I know Hon. Aden Duale and his wife would call me late at night on many occasions. At one point, he used to sleep at 10.00 p.m. Eventually, we transitioned him to start sleeping at midnight or after midnight. He is now taking over a job where he will never sleep. Hon. Duale, be ready not to sleep as you defend our borders, lead our generals and Kenya Defence Forces (KDF) in protecting the lives and property of our nation and our people.

I wish you all the best. Know that you have friends in this House. We will remember you. We are not bidding you farewell because you are just crossing the street to the KDF Headquarters. You are always welcome to this House. We welcome you as our emeritus Leader of the Majority Party.

Hon. Speaker, I cut short my story on his prayers for my family and me. I thank God today. Having gone through what we went through with Hon. Duale and many of us who were in Kenya Kwanza Coalition, we stand here alive and our families are well. We thank God for that. I also thank Hon. Duale for the encouragement and courage he gave me continuously. He always told me, as a Muslim, you should fear nothing other than God. Through him, I almost became a Muslim in having the courage and determination to remain focused on what we were

looking for. I thank God because we achieved that. We formed the Government and Hon. Duale transitions from the Legislature to the Executive.

Hon. Duale, I pray that God guides you and gives you the wisdom to serve our nation in the Executive with determination, zeal and energy as you did in this House when you were the Leader of the Majority Party and more so, the Member of Garissa Township and earlier as Member for Dujis. We will emulate, follow and learn the best from you. I pray that even our new Members of Parliament will be able to...

**Hon. Speaker:** Hon. Wandayi.

**Hon. Opiyo Wandayi** (Ugunja, ODM): Thank you very much, Hon. Speaker. Let me join my colleagues in congratulating Hon. Duale on his achievement as an appointee of the President to the position of Cabinet Secretary. Hon. Duale has had a chequered career as a legislator. If there is one thing we all agree with, even those of us who were on the opposite side with him previously, it is that he is a man whom when given a task, gave it his all. Many people would refer to him as a workaholic. He did his research well and was ever prepared.

No wonder when he appeared before us in the Committee on Appointments, he did not disappoint. Amongst the nominees that came before us, he was one of the few whom I never gave much problems. That is because of who he is.

Hon. Duale has set a record. He came to this House a term before me; this is his fourth term and I am serving my third term. He has been elected for a record four times consecutively on different parties. The first time on the ODM party ticket, second time in 2013 he came back on URP ticket and in 2017 he was re-elected on the Jubilee Party ticket. This time round he came back on UDA party ticket. This is a record which I think many of us may never break.

It goes a long way to demonstrate the fact that his people have confidence in him regardless of the party he ran on. Finally, we wish to encourage him as he transits to the Executive to continue with the spirit of engagement so that the differences between the Executive and Legislature can be continuously narrowed for the good of the country and our people.

Hon. Speaker, thank you very much and may God bless him.

**Hon. Speaker:** Hon. Wangwe

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Thank you, Hon. Speaker. Allow me also to congratulate my very good friend and senior, Hon. Aden Duale. I appreciate the opportunity he has been given and he deserves it. I want to speak about the last Parliament where in the last term, I served as the Majority Chief Whip.

Hon. Duale gave me lots of guidance on how to lead this House. He told me the only instruments I need in this House are two - the Constitution of Kenya and Standing Orders. He taught me with these two instruments, I would speak without fear or favour. Therefore, as I stand here, I am serving my third term. Hon. Duale, I owe you gratitude as you exit this House. You are a wonderful colleague whom I will miss in this House.

His mastery of the processes of the House gave him advantage. He could not allow you to speak if he realized that you had breached the processes and procedures of this House. The leadership that is there today, let us guide others. Let us mentor our young colleagues who have joined this House so that we come out with stronger legislators in future.

By virtue of mastering of the two instruments which Hon. Duale gave me, you can only compare him to the late Martin Shikuku. There is no way he could allow you to speak outside the two.

Finally, in terms of guiding the leadership of the House, I wish to thank Hon. Duale because he showed me how to assign responsibilities to colleagues without fear or favour. He guided in terms of placement of colleagues in various Committees. Without anticipating debate of future placements, those who will be coming forth, let us follow suit on how he led us.

Hon. Speaker, thank you. I wish Hon. Duale well as he goes to the Executive.

**Hon. Speaker:** Hon. Murugara.

**Hon. George Murugara** (Tharaka, UDA): Thank you very much, Hon Speaker. Allow me to also join the rest of the House in congratulating Hon. Duale. This is no mean feat, he deserves it and has gotten it. The little we can say is just go well and extend the services you gave this House to the Executive.

When we came here as freshers in 2017, Hon. Duale was our Leader of Majority and he made this House extremely interesting. It is important to reckon that he has trained Hon. Kimani Ichung'wah, who has taken over from him. This is because the notes he prepared are the same ones we want Hon. Ichung'wah to follow. Although, in between there was an interlude, where we had our own difficulties and things were not moving well, Hon. Duale as a ranking Member of this House sat through with us and never abandoned us. He encouraged us to soldier on and do what was right for the Republic of Kenya. It is as a result of this good work that God has rewarded him with this position of Cabinet Secretary and may he go well. Our regards to your colleagues when you reach there.

When we met in the Committee on Appointments you did very well. Your colleague, Hon. Musalia Mudavadi, who slightly competed on the power of the garb with the Hon. Speaker also did and spoke very well. My constituent, Hon. Prof. Kithure Kindiki, equally did very well. Not to forget all the others, including my schoolmate, Hon. Simon Chelugui.

Our regards to all of them, we congratulate them and wish them well. We thank His Excellency the President for extending this magnanimous decision to you and the others so that you can serve us and the Republic well. We promise to follow your footsteps in ensuring that this House remains as interesting as it was. This is because we have the best Speaker, Leader of the Majority Party, Deputy Speaker and others. We also speak for ourselves that this will be a good House. Let the freshers be excited about being in the House because it will be good. Go well Sir.

Hon. Speaker, thank you, very much.

**Hon. Speaker:** Hon. Alice Wahome, I give you time to bid farewell to the House so that the limited interventions can cover both of you. If you can spend five minutes, I will be very happy. There is a microphone next to you.

**Hon. Alice Wahome:** (Kandara, UDA): Thank you, Hon. Speaker. I will agree with your direction and maybe I will use 10 minutes.

**Hon. Speaker:** Go ahead.

**Hon Alice Wahome:** (Kandara, UDA): Thank you, Hon. Speaker. I have just come from my constituency to also say goodbye and do some last activities with the constituents as I seek their approval. I am told this House has approved my nomination as a Cabinet Secretary.

I take this opportunity to extremely thank my colleagues. I am grateful for their approval and favourable consideration from all Members across board. I love this job. I will miss my job as a Member of Parliament. Therefore, it is not surprising that I was in the constituency when the Clerk of this House told me to remember to come. I know that this 13<sup>th</sup> Parliament is just starting and while I exit, I am truly grateful to the people of Kandara Constituency for finding it fit to give me three terms. I will be surrendering the third term for purposes of a by-election. It is an unusual achievement for a woman to be elected for three terms. Therefore, I would like to commend women Members of Parliament who have been elected, even on their first terms. I hope that they can be able to retain their seats and continue serving constituencies in those capacities.

I have served, grown and trained through the women movement and it would be right, fair and proper for me to speak a bit about that. I am very proud of the women movement in this country and I know it is fairly down around this time. As women leaders, we need to support the women movement that has grown some of us. I also look forward to seeing more women in this Parliament because even as I exit, the numbers are not sufficient. 29 women



from constituencies are not sufficient. I also have a lot of respect for the 47 County Women Members of Parliament. They need more space and funding through affirmative action. Even as NG-CDF seems to be under threat, I think those particular funds should be allocated.

I have tremendous respect for the institution of Parliament and I will continue to support it even while outside. I will not join people who would not find it proper to continue to support Parliament. Parliament has many times lost good opportunities to stamp its authority and be able to check the Executive. As I join the Executive, I would still expect that Parliament will continue to do its work of putting the Executive in check so that we can deliver on the promises and plan that our Government talked about. I am speaking so, knowing that there is a place for Parliament in our Constitution in terms of governance. Parliament must continue to be supported; Members of Parliament must continue to be facilitated to be able to execute their representative mandate.

I, therefore, want to acknowledge my colleagues, both in the Minority Party and Majority Party. The time I have stayed in Parliament I have enjoyed cordial relationship with most of the Members in the 12<sup>th</sup> Parliament and look forward to continue working with them. I look forward for support in my docket and I had said earlier my office will be open to everybody, even those who are in the Minority Party because they are serving constitutional offices and the Office of the Cabinet Secretary is an office in the public service. Therefore, I want to assure Members of the National Assembly that they are welcome for a cup of tea and discussion about water and how you can give me more money so that you are able to reach your constituencies. I look forward to that kind of relationship.

Hon. Speaker, I want to thank His Excellency the President, Dr. William Samoei Ruto for finding it fit to give me this particular job among all those other qualified in equal measure in our coalition and in the country as well. I am truly grateful to His Excellency the President for nominating a woman and not just a woman, but the iron lady of Kandara, Murang'a. I am seeing that there are other iron ladies that are coming up and I want to encourage my sisters that the job is tough. The names that women have been called should stop. The country must embrace and appreciate women as leaders in equal size, weight and intelligence so that we can have equal treatment of people within and under the law in our society as equal human beings.

The boy-child is said to be under threat although there are no statistics. We must remember to bring a society that is balanced in both gender and therefore, more women need to take up positions. Hon. Esther Passaris, next time, we want to hear that you are the Governor of Nairobi because it is a powerful position. I think I have taken my 15 minutes. I am most grateful and I appreciate the support that my nomination received from this Parliament. I do not take it for granted. You had the opportunity and the privilege to reject, but you did not.

Thank you, my colleagues. Thank you very much.

**Hon. Speaker:** Thank you, Hon. Alice Wahome.

Hon. Wamuchomba, proceed.

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Thank you, Hon. Speaker. I rise to congratulate my seniors, the wonderful gentleman and the wonderful lady who have been honoured to serve the great country of Kenya in their respective capacities. I am very humbled to say a big thank you to Hon. Aden Bare Duale for having given us the opportunity to serve with him. He was our senior. He served as our Leader of the Majority Party in the 12<sup>th</sup> Parliament. That Parliament was particularly very hot, especially when we debated the two-thirds gender Bill. I remember the famous Duale Bill. I remember the tussles, the smiles and the fights in this House as he struggled to ensure that Bill was passed. Even if we never achieved the milestone that we expected through Duale Bill, I am very excited to register as a woman leader and the current Chairperson of Kenya Women Parliamentary Association (KEWOPA) that we have had a positive milestone out of the serious debates and engagements that we had as we debated the famous Duale Bill.

Hon. Duale, we met with you in many quarters, we negotiated and haggled out the position and the placement of women in this House. You listened to us and gave us your natural smile. We thank you. How I hope and pray that when you go there to serve as our Cabinet Secretary in charge of Defence, we shall see so many women around you as two-star generals, three-star generals, and so on and so forth. We want to see many women serving in the Navy and in the Army. We want to see many in the field marching beautifully like they have always done. I am proud of you, Hon. Duale.

To my senior sister, the iron lady of Murang'a, we are so proud of you. Personally, I started a journey with you before I became a Member of Parliament and before you also became a Member of Parliament. You have been our counsel and support. We have seen you struggle and fight for what you believe in. You have believed in the hustler movement and the hustler nation. How I pray and hope that you will be one of those that are going to defend the rights of women to access water and every right that is associated with water. Most specifically, Hon. Alice, through Hon. Speaker, I hope that you shall be the Cabinet Secretary that shall finally ensure that our counties get their share of water from the traditional dams that have been existing in some of our areas yet we do not have water. I speak on behalf of Githunguri Sub-county, the one that I represent. We are the wetland...

**Hon. Speaker:** Hon. Elachi

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Speaker. I join my colleagues in congratulating our leaders, Hon. Aden Duale and my leader, Hon. Alice Wahome

**Hon. Speaker:** There is a lot of interest in this, and so, I encourage you to take two minutes each.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Hon. Aden Duale, I would like to thank you for working with me when I was the Majority Whip in Senate. You encouraged us on one thing – that, we must be brave enough to stand for Government. At times, when things were not so good, you stood for Government. You also showed us faith. You once told the late Hon. Joyce Laboso, Hon. Cecily Mbarire and I, that when Hon. William Ruto becomes the President, you will resign as a Member of Parliament. I salute you on that faith and wisdom because we agreed with you.

I want to thank Hon. Alice Wahome for giving me a job as a Chief Administrative Secretary in this country and I never took it for granted. We also worked together in Kandara, and I know that you are going to do a fantastic job in the Ministry of Water, Sanitation and Irrigation. We will pray for all the nominated Cabinet Secretaries. You need wisdom. We pray that will guide you.

I also want to thank Hon. Kithure Kindiki and Hon. Murkomen who are people we served together. I know they will do a tremendous job for this Government.

Thank you so much; and as you go, we pray that you will find good civil servants who will understand, work with you and not sabotage the work that you want to do.

Thank you, Hon. Speaker.

**Hon. John Mbadia** (Nominated, ODM): Thank you, Hon. Speaker. I congratulate my friend, Hon. Aden Bare Duale. Many people have not understood the relationship I have had with him. Most of the time, apart from the time we came in as first term Members, we have been on opposite sides of the political divide, but our friendship has flourished. Just to mention a few things; even though Hon. Duale is six years older than me, we are political agemates. We came to Parliament the same day, and it did not take us a year before we became friends and, we have maintained our friendship to this level. The only thing is that whenever Hon. Duale's political star is rising, mine seems to be going down a bit and anytime my political star is rising, his goes down.

*(Laughter)*

I remember when he was an Assistant Minister in the 10<sup>th</sup> Parliament, I was a backbencher. When I became an Assistant Minister, he became a backbencher. When Jubilee won elections in 2013, Hon. Duale became the Leader of the Majority Party. My documents then, were literally thrown out of my office, the then Office of the Assistant Minister in the Office of the Prime Minister.

When the handshake came, I thought we were going to work together with him as the Leader of Majority Party and I, as the Leader of the Minority Party. Again, it did not take long before his star started going down while mine had risen. He is now becoming a Cabinet Secretary when I thought I was going to be the one while he remained in this House.

*(Laughter)*

Hon. Speaker, it is such a coincidence that I have just approved him as a Cabinet Secretary. In 2027, I am likely to have a rising political star; maybe, I need to pray for you to remain where you are or even go higher.

We have had a good working relationship, and have had an admirable work ethics. Hon. Duale, I want to ask you to continue with your consultative nature of leadership. I worked with you, and Hon. Kimunya as Leaders of the Majority Party and you were better than him in matters consultation, and that I can say without any fear or favour.

To Hon. Alice Wahome, we did not interact too closely, but we have both been Members of Parliament, and I have no doubt that you will make sure that the people of Kenya get access to water. You have been principled and I urge you to continue that way and as you have put it, you are going to be a Cabinet Secretary for the Republic of Kenya.

Thank you very much. I wish you all well including our colleagues who are not in this House like Sen. Murkomen. Let us not forget Hon. Soipan who is another strong lady. I congratulate all the nominees who have gone through the approval. My time is up.

Thank you, Hon. Speaker.

**Hon. Tim Wanyonyi** (Westlands, ODM): Thank you, Hon. Speaker for giving me a chance to say something about Hon. Duale and Hon. Alice.

When Hon. Duale was the Leader of the Majority Party, he served with distinction and when he was removed from this position, he honourably handed over to Hon. Kimunya. He did not throw tantrums or anything. That is a show of greatness in him. As a leader, he was humble enough to move back to where he is currently seated as he handed over to Hon. Kimunya to sit at the front.

In the 11<sup>th</sup> Parliament, Hon. Duale, the late Hon. Nyenze and the late Hon. Midiwo fairly distributed Committees to Members. Nobody complained and we all served in at least two or more Committees. However, in the 12<sup>th</sup> Parliament, it was disastrous because of the leadership of that time. They awarded themselves positions and denied us chances to serve in Committees.

I have served with Hon. Alice in two Committees, the Departmental Committee on Administration and National Security and the Committee on Delegated Legislation, and she was a great Member. I know she will be a great Minister. We wish you well in your next assignment. We hope your doors will remain open for us to work with you in your new assignment.

God bless you. *Asante sana*

**Hon. Speaker:** Hon. Kamket.

**Hon. Kassait Kamket** (Tiaty, KANU): Thank you, Hon. Speaker for this opportunity.

Hon. Aden Duale is a gentleman that can be described as a legislator (*inaudible*) or the ultimate legislator.

When I came to this Parliament, he used the same terms he gave us earlier to advise me. He pulled me aside and told me to be very careful with my constituents. I followed his advice carefully and that is why I am here for my second term and for that, I remain forever grateful to him.

As for the Pastoralists Parliamentary Group, we benefited a lot from his leadership. Now that he is the Cabinet Secretary for Defence, I urge him to think outside the box. Do not do things as have been done since Independence. We have youth in this country like the ones from my constituency and other neighbouring constituencies who are engaged in cattle rustling. I urge you to think outside the box. Think of creating a special regiment that will be our defence at the borders instead of demonising Kenyans who have not been so lucky.

I am grateful to have worked with Hon. Alice Wahome when I was the Chairperson. She was a Member of the Delegated Legislation when I was the Chairperson. As I sit down, I want to tell her that availability of water will reduce conflict among the warring communities in the north.

Congratulations.

**Hon. Speaker:** Adan Keynan.

**Hon. Adan Keynan** (Eldas, JP): Thank you, Hon. Speaker.

With nostalgia, I remember Hon. Duale during our days at Moi University. For those of you who have interacted with Hon. Duale the politician, and Hon. Duale the student, they have always been the same. For those who have gone to Moi University; if you go to Ngeria section and ask for the cottage where we used to occupy, you will be told that that particular street used to be called Keynan-Duale Street. I pride myself as a first Member to be elected to a public office as alumni of Moi University.

Hon. Duale has always been courageous. There are test-tube politicians and self-made politicians. Hon. Duale is a self-made politician. On behalf of the North Eastern Parliamentary Group, where he has been the chairman, I hope he will accept to be our patron now. He has also been the patron of the Pastoralists Parliamentary Group. I hope he will accept to continue in the role.

I want to thank His Excellency the President. In Northern Kenya, the military plays a very important role. I hope Hon. Duale will entrench both military diplomacy and parliamentary diplomacy. Transiting from the first arm of Government, the Legislature, to the second arm of Government, the Executive, I am sure you have a lot to share and you will be the best role model to your colleagues. I know other Moi University alumni like Hon. Kindiki Kithure, with their intelligence and experience, will emerge as the best Cabinet Secretaries in the Republic of Kenya. I have been Chairman of the Departmental Committee on Defence and Foreign Relations. I midwived the Military Act and I understand that particular docket. We wish you well.

**Hon. Speaker:** Your time is up. You will have one minute to wind up.

**Hon. Adan Keynan** (Eldas, JP): Interestingly, the docket you have been appointed to is a very important document to the people of Northern Kenya and particularly to pastoralists. We want you to be a go-getter in provision of water to the struggling pastoralist society. We wish you well. We will work with you. I hope both Hon. Alice Wahome and Hon. Duale, being Members of Parliament, will prove the tenet that politicians are the best public managers.

Thank you.

**Hon. Speaker:** The Member for Kirinyaga County.

**Hon. Njeri Maina** (Kirinyaga County, UDA): Hon. Speaker, it was really hard for Baba to climb the mountain, but it seems harder for new Members to address this House. To Hon. Aden Duale and Hon. Alice Wahome, congratulations. I looked up to Hon. Wahome when I was a young girl; I was interested in politics. She came to my county this year to solve an issue that had arisen out of nominations. I remember her telling me that she did not need to

know me; she just needed to do her job and her job was to ensure that the rightful winner had been declared. You are setting the pace for young women like me and others who are in this Parliament and in politics. We look forward to you delivering for the people of this nation. Often times, women are judged collectively, so remember the standards you set are very important for the rest of us waiting in line. I donate the rest of my time to new Members who have not addressed this House yet.

**Hon. Speaker:** You have no time to donate.

*(Laughter)*

**Hon. Speaker:** Hon. Charity Kathambi. After her, I will give opportunity to two Members from either side then we close the matter.

**Hon. Charity Kathambi** (Njoro, JP): Hon. Speaker, let me start by thanking you for giving me this opportunity. I also thank God for this day when we congratulate our great people who we have known in different capacities. Hon. Duale, you are a mentor to some of us. You encouraged us and you have fought for us women. I cannot forget a recent issue. When we went through nominations of United Democratic Alliance (UDA), all Members of Parliament for Gilgil, Naivasha and Njoro won, but we had a lot of challenges with the men we had defeated. Hon. Duale, I cannot forget the day you encouraged us and said you cannot accept impunity against women.

Hon Alice Wahome, thank you so much. You are a big sister who has brought us together. We cannot forget when you united all women in the Senate and National Assembly to make sure that we did something in our respective constituencies and counties. Our blessings are with all of you. You are taking up very sensitive dockets in this country. Hon. Alice Wahome, I am excited that you are going to be the Cabinet Secretary for Water, Sanitation and Irrigation. Lack of water is a big threat in this country. Children and women have really suffered. Pastoralists are suffering. We are all suffering in relation to availability of water.

I congratulate every nominee to the Cabinet and thank the President for giving us the best combination of Cabinet Secretaries.

**Hon. Speaker:** Hon. Atandi.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you, Hon. Speaker, for giving me this opportunity. There is no doubt that this Parliament is releasing some of the best Members to the Executive. When I joined the 12<sup>th</sup> Parliament, Hon. Duale was one leader who easily mingled with us and would have breakfast with us. He would educate and teach us how to operate in this House and in politics. He raised the profile of this House. When he was the Leader of the Majority Party, this House was respected. Members of the Executive came here limping. They respected and feared this House. I thank him for that and for his dedication to public service. When I was a member of the Departmental Committee on Finance and National Planning, he would take his time to discuss with us details of the Finance Bill despite the fact that he was not a member of the Committee. I congratulate him for this feat and I know that he is going to perform.

This country has the best investments in military hardware and software. Every year, we appropriate resources to recruit military personnel yet this country is one of the most disrespected. I want to urge him to ensure that this country is respected. I think it is time Kenya went to war so that our neighbours can respect us. I know Hon. Duale as a bold leader who will make sure that this country is respected. We do not want to see Uganda harassing our people on Migingo Island when he is the Cabinet Secretary for Defence.

Hon. Alice Wahome, is a bold leader. If you look at the positions she took during the last regime, then you will know she is bold.

**Hon. Speaker:** Member for Turbo.

**Hon. Janet Sitienei** (Turbo, UDA): Thank you, Hon. Speaker, for giving me this opportunity to congratulate all Members that were nominated as Cabinet Secretaries and who we have approved today. I want to particularly congratulate Hon. Duale on being appointed as a Cabinet Secretary. He has done a sterling job in this House. I still remember my lowest moment when we were at Kenyatta International Convention Centre and Hon. Aden Duale was being removed as the Leader of the Majority Party. I remember sitting there and asking myself: Does the President know who he is losing? He is a person who fights for government like it is his property. Hon. Duale, I wish you the best in your new position.

Hon. Alice Wahome, you are the pillar of women in this House. You led 'Inua Mama' programme and made us who we are today. You steered Kenya Kwanza through the 'Inua Mama' brigade and we raised the bar. Congratulations. I wish you well in your new position. As Members of this House, we know we shall benefit as you will have an ear for each one of us. Thank you so much and may God bless all of you.

Thank you, Hon. Speaker, for giving me that chance.

**Hon. Speaker:** Member for Mwingi Central.

**Hon. Gideon Mulyungi** (Mwingi Central, WDM): Thank you, Hon. Speaker, for giving me this opportunity. I congratulate our colleagues who have succeeded to join the Executive. I want to start with Hon. Duale. If Hon. Duale does not speak in this House, there is no House that day; I have known him that way. I call him my neighbour. Remember us when you go up there. You know the conflict we have down there. Please help us.

Hon. Alice Wahome, we were in the same Committee with you – the Committee on Delegated Legislation. I know your capacity, and I congratulate you. When you walk out there, keep in mind that the climate is so harsh because of climate change. That is your docket. Remember us, especially us the people of Arid and Semi-Arid Lands (ASALs) and Ukambani, where we are in dire need of water and irrigation.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Members, there is still tremendous interest in this matter. I advise that we finish this at 4 p.m., and we have 20 minutes. I, therefore, reduce the time for each Member to one-and-a-half minutes. I give this opportunity to the Women Representative for Mombasa.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Asante sana, Mhe. Spika. Nampongeza ndugu yangu na kipenzi, Mhe. Duale. Pongezi sana, maanake likija kwetu lazima tutaskia raha. Nina imani kuwa mipaka yetu itakuwa salama katika mikono yako. Nina imani kuwa wanajeshi wataskia raha katika mikono yako. Nina imani kuwa ulinzi katika taifa hili utaimarika.

Kwa dada yangu kipenzi, Mhe. Alice Wahome, maji ni donda sugu katika taifa hili. Tumeona ndugu zetu wa *North Eastern* wakilia. Nina imani, kama mama, kuwa utaweka vizingiti na maji yaeneo sehemu zile watu na wanyama wanakufa kwa ajili ya njaa. Hii ni ili Kenya iwe kijani kibichi sehemu zote za Kenya ambazo ni kavu. Nawashukuru sana na nawaomba dua. Ndugu yangu Duale, shika kazi, shika kasi. Nitaubisha mlango wako hivi karibuni.

Asante sana, Mhe. Spika. Kwa niaba ya Mombasa, nawaambia nyote kongole.

**Hon. Speaker:** Member for Kamukunji. Give him the microphone.

**Hon. Yusuf Hassan** (Kamukunji, JP): Thank you, Hon. Speaker, for the opportunity. Let me start by congratulating my brother and friend, Hon. Aden Bare Duale, for his appointment. It is a big loss for our House. I never thought that I would be the one to say farewell to him in the National Assembly. I know him as consummate, passionate and intense politician. I kept telling him that politics is just one part in my life. For him, politics is in his blood. He sleeps and wakes up politics. I think there has never been a better Leader of the

Majority Party in this House than him. It is quite a big loss. I wish him well in his new appointment.

I also want to say that he has played an important part in my political life. In 2011, he was ahead of me by several months. There was a by-election in Kamukunji, and I was not very keen in vying at that moment. I got a call from my brother, Hon. Duale, and our current President, William Ruto. I went to see them at the Transnational Bank building, and they convinced me that I should vie in Kamukunji. To a certain extent, I accepted that challenge of leaving my job at the UN to come and vie for the Kamukunji seat. I thank him for his continuous support to me. I wish him the best as the new CS of Defence.

I also wish my sister, Alice – the lioness from Kandara Constituency – well in her new appointment. You are a formidable woman, and a very good parliamentarian. I always admired you because you really raised the name of the late Bildad Kaggia, who was the first Member for Kandara.

**Hon. Speaker:** Thank you. Member for Embakasi North.

**Hon. James Gakuya** (Embakasi North, UDA): Thank you, Hon. Speaker. I take this opportunity to congratulate my brother, Hon. Aden Duale, for being appointed to represent the nation as far as the security of this country and the Kenya Defence Forces (KDF) in general is concerned. I am aware that he is very able, and he will represent the country in his capacity very well.

On my sister, Hon. Alice Wahome, she is my neighbour at home. You know very well that I congratulated you on your appointment to the Ministry of Water, Sanitation and Irrigation, because water is life. You know very well that Nairobi needs extraordinary cubic metres of water, as we are moving to high-rise buildings. The agenda of the President is housing. I am sure that you will take care of that. Do not forget that we do not have enough water for irrigating back home. Thank you very much both of you. I wish you well.

**Hon. Speaker:** Hon. Wambilianga.

**Hon. Catherine Wambilianga** (Bungoma County, FORD-K): Thank you, Hon. Speaker, for this golden chance to congratulate my seniors and colleagues at the same time. I begin by congratulating you for being elected as Speaker of this House. On behalf of the people of Bungoma, I thank all the Members in this House for electing you as my Speaker. I next want to congratulate the Hon. Duale. Hon. Duale has been a role model to most of us, especially in the 12<sup>th</sup> Parliament. All I would say, Hon. Duale, is that you were the best Leader of the Majority Party I ever witnessed. I hope that Hon. Ichung'wah will take up the role, because I know he is equal to the task.

To my sister, Hon. Alice Wahome, you are our role model. You made us proud, especially the times we struggled to begin Kenya Kwanza – the time you began the Inua Mama Programme as its Chairperson. You led us well. I remember the last time you came to Webuye for our Inua Mama project; you made the women of Bungoma proud. You introduced *meko*, and up to today, the women remember you for that. The women remember you in your speech. It is like you read ahead. It is as if you knew that you would be the CS for Water, Sanitation and Irrigation. Stand up to that task, and I know you will deliver, as a woman. I also congratulate the other ladies who were nominated to different CS positions, including my sister Hon. Nakhumicha. I know you will lead her and help her perform. That girl will look up to you as her role model.

Finally, I congratulate every Member who was nominated. Using this House, we made them pass as CSs, including my sister, whom everybody knew was not known.

**Hon. Speaker:** Your time is up.

The Women Representative of Nairobi.

**Hon. Esther Passaris** (Nairobi City County, ODM): Thank you, Hon. Speaker, for giving me this opportunity to contribute. Hon. Aden Duale, you will be truly missed. You

mentored me through my first term in Parliament. You opened your office for me to get notes from your secretary so that I could improve my contributions. You created a lot of humour about me coming with my thermos and my backpack. All in all, you stood for forgiveness. I remember there is a time that you and I had a bit of a tiff. Then you met me in court and said, “Esther, I ask you to forgive me if I did something wrong. I am sorry”. You have a lot of humility in you. I really pray that God continues to favour you.

For the youth of this country, I request that we make some kind of a mandatory military training. Other countries do that, and the youth get disciplined to do so much better for their countries. Hon. Alice Wahome; my sister, mentor, my mother, I am so proud of you. I am so happy that you got this docket. I just want you to know that there is a study that has been done by the Kenya Water and Sanitation Civil Society Network (KEWASNET) which says that women are trading their bodies for water. We have a big crisis. The water coming from our taps should be healthy and clean for us to drink. We should not buy water. I really wish you well.

Hon. Duale said that he ran four times from four different parties. Hon. Alice Wahome just wished me well in my future. Let us not think of party politics all the time. It is time for us to unite for the good of this country. Let us stand and work together. Let us serve the people who are in dire need. I know that Kenya will be better because we chose to unite for the good of this country. We do not always have to oppose each other. Politics is over. It is time to work and serve Kenyans. I wish Hon. Aisha Jumwa, Hon. Soipan, and all the women who have been approved, including Penina Malonza, all the best. I was very disturbed when a man who does not have menstrual periods decided to actually...

**Hon. Speaker:** Hon. Kiarie.

**Hon. John Kiarie** (Dagoretti South, UDA): Thank you very much, Hon. Speaker. This is a bitter-sweet goodbye to the Hon. Members who are leaving this House. But we are comforted knowing that they are being upwardly displaced.

To Hon. Wahome, I know the blood of the late Bildad Kaggia runs in her veins; but I implore her to emulate more the late Hon. Wangari Maathai. There must be a reason why we are able to pipe oil all the way from Mombasa and distribute it around the entire country. We should be able to distribute water from the aquifer in Turkana and the water towers in the Rift Valley and Central Kenya to every part of Kenya.

To Hon. Duale, you are amazing. You might be remembered for your great speeches in this House; and the great book that you are just about to release; *The Room where it Happened*. We look forward to hearing the secrets in the high rooms where things were happening. You might be remembered as the first Leader of the Majority Party because even now, they call you Leader when you are a ranking Member. I will remember you for one piece of advice that you gave to me. You told me that even at the toughest times and with all my duties, I should make sure that in my time in Parliament, I am always home by the time my children are doing homework. I took that up when I was a young Member, and I made sure that regardless of whatever politics will throw at me every day, I am home to do homework with my children.

Thank you very much, Hon. Speaker, for giving me this opportunity. I congratulate all the MPs who have been approved. Remember that this is the House that passed your nominations. Do not lock the doors on us.

**Hon. Speaker:** Women Representative for Murang’a.

**Hon. Betty Maina** (Murang’a County, UDA): Hon. Speaker, I rise to congratulate Hon. Alice Wahome. I am so proud to hear everybody refer to her as a sister. Being the *Mama* County for Murang’a County, I refer to her as a daughter. In social stratification, it is the wish of every parent to see their daughters and sons outgrow their status. I am so proud of you, Hon. Alice Wahome. I know you will accelerate the access to clean water for all and help us to manage wastewater.



I also wish to congratulate Hon. Aden Duale in his new role. The Murang'a County women are so proud of our beautiful, brilliant CS. Asante.

**Hon. Speaker:** Member for Mandera North.

**Hon. (Major Rtd.) Abdullahi Sheikh** (Mandera North, UDM): Thank you, Hon. Speaker. First and foremost, I formally congratulate Hon. Aden Duale and Hon. Alice Wahome for their initial nomination and approval this morning. I also congratulate all other nominees who have been in Parliament, both in the Senate and the National Assembly.

Hon. Duale, you have done a good job. I call you Leader of the Majority Party Emeritus, because you were the first Leader of the Majority Party under the new Constitution, and you served us very well. I am sure the current Leader of the Majority Party will find your shoes too big to fill, but I am sure he will try.

Hon. Duale, the people of Garissa elected you for four terms, and I am sure they will miss you; but, please, ensure that you still continue serving them as well as the entire Republic of Kenya. To the people of Garissa Township, please ensure that you bring someone capable of filling the shoes of Hon. Aden Barre Duale. As our patron of the Pastoralists Parliamentary Group, I wish you well as you proceed to your new docket.

Congratulations as well to Hon. Alice Wahome. You have done your bit. You have served the people of your county and constituency, and now you are going to serve in a bigger capacity. They call you the Iron Lady. I want to see the 'iron' in you in terms of water delivery. Remember that many parts of this country, especially pastoralist counties, still lack water. Please, make it a priority to ensure that Kenyans, more so pastoralist counties, receive this precious 'gold' in the name of water. We wish you well. As you undertake your duties, remember this House and accommodate each and every one of us.

Thank you.

**Hon. Speaker:** Hon. Wamboka.

**Hon. Wanami Wamboka** (Bumula, DAP-K): Thank you so much, Hon. Speaker. I congratulate Hon. Aden Duale. You are an inspiration to many young leaders. I have been in your constituency when I was serving in the Ministry of Devolution and Arid and Semi-Arid Lands, and I can attest that you have done great things for your people of Garissa. May God bless you as you build on what your predecessors have done and emerge the best leader.

For Madam Alice Wahome, this country needs a lot of water. I just pray to God that He gives you all that it takes so that at the end of your term in the Ministry, we will have water everywhere in this country. I admire you because normally, men frustrate women. I admire you because of an incident that involved the Independent Electoral and Boundaries Commission (IEBC), where some men tried to frustrate you and you said no. God bless both of you.

To the other nominees who are not Members of this House, and I have in mind Ms. Susan, who is also my kinswoman, may God bless you all as you serve Kenyans.

**Hon. Speaker:** Hon. Member for Garissa County. Women Representative, Garissa.

**Hon. Amina Siyad** (Garissa County, JP): Thank you, Hon. Speaker. I am Hon. Duale's Women Representative. On behalf of Garissa County, I would like to thank His Excellency President William Ruto, the Select Committee on Appointments, and this House. Hon. Duale is loved, and the people of Garissa are sad, especially Garissa Township, because no one can fill his shoes. I am among the people he moulded and brought into politics. I am here because of his mentorship. I am sad that he is leaving, but happy that he is climbing the ladder. As his Women Representative, I would like to thank this House. We will slaughter some camels on behalf of Hon. Duale to celebrate this achievement.

Hon. Wahome, as a young woman who is new to this Parliament, I am motivated. I know that one day, we will all climb that ladder and be great women like you. In the desert where I come from, it is very hard for a woman to be where we are today. Some of us are here thanks to Hon. Duale. We are motivated because a fellow woman will be up the ladder serving

this great nation. We thank this nation and the people who helped women to climb such heights in politics. As the MP for Garissa Township leaves, I thank him. My time is up.

Thank you, Hon. Speaker.

**Hon. Speaker:** Member for Mbeere North.

**Hon. Ruku GK** (Mbeere North, DP): Thank you, Hon. Speaker. I congratulate Hon. Aden Duale for the great leadership he has shown over the years. I started out with Hon. Duale when we were members of the United Republican Party (URP) almost 10 years ago. He has mentored many people in this House, I being one of them. Mheshimiwa Duale, please, as you serve as the CS for Defence, this country looks forward to your leadership and the strategies which you will implement as far as security and defence of this nation is concerned.

As a student of international relations, we are in a region where defence is seriously needed. We are in the Democratic Republic of Congo, in South Sudan, and in many other nations. We are getting some threats from the Republic of Uganda, and I know you are up to the task as far as issues of defence are concerned.

To my sister, Hon. Alice Wahome, who is now the CS for Water, Sanitation and Irrigation, I come from Mbeere North, and there is Kamumu Dam, which we have been talking about since 2016. As you sit as the CS for Water, Sanitation and Irrigation, remember that the people of Mbeere North need water. To my party leader, Hon. Justin Bedan Muturi, the Attorney-General of the Republic of Kenya; I say, congratulations for the unanimous support and approval by the House.

**Hon. Speaker:** Time up.

Hon. Members, I know we all want to congratulate our two colleagues. Those who have spoken for us, we associate with what you have said. On behalf of those who have not spoken, we want to congratulate, Hon. Duale, Hon. Alice Wahome and all other Parliamentarians from the sister House who have been nominated to the Cabinet and approved by this House.

Indeed, all Members whom we have approved today to the Cabinet should go and serve the Government of the Republic of Kenya. We wish them well. We hope they will take a non-partisan approach in the service to the people of Kenya, and serve all Kenyans without fear, favour or prejudice. May God give them wisdom to do so.

I want us to end here, and go to the next Order.

## MOTION

### REVIEW OF TEACHERS DEPLOYMENT POLICY

That, aware that education is a key enabler of national development and realization of Kenya's Vision 2030 and the Sustainable Development Goals; appreciating the invaluable role that teachers play in actualising the national goals of education; noting that a conducive working environment for teachers enhances performance; recalling that, the delocalization of teachers commenced in 2018 by the Teachers Service Commission immensely disrupted teachers' lives, lowered teacher morale and caused untold trauma to many teachers countrywide; concerned that, the exercise was not supported with a clear policy framework and was initiated without the participation of teachers or their unions, contrary to Articles 118 and 132 of the Constitution on public participation and involvement of the people in the process of policy making; cognisant of the fact that, delocalization of teachers is inconsistent with the United Nations Educational, Scientific and Cultural Organization (UNESCO) teacher deployment practice, which treats education as a culture process conducted within a people's cultural context at the local level; this House resolves that the

Teachers Service Commission immediately reverses the ongoing delocalization of teachers and initiates a comprehensive review of the teacher deployment policy with the involvement of teachers in order to make the policy consistent with International Labour Organization (ILO) and UNESCO laws and practices on teacher management and deployment.

*(Moved by Hon. Titus Khamala on 25.10.2022)*

*(Resumption of debate interrupted on 26.10.202 - Morning Sitting)*

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

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

**The Temporary Speaker** (Hon. Omboko Milemba): Thank you. We now get back to resumption of debate on teachers' deployment. We have one hour 40 minutes remaining time to debate this. Let us now move to the next speaker on the list, Hon. Caroline Ng'elechei of Elgeyo Marakwet. I will have to do away with the remainder of my minutes and go to the next person. If she is not in, we directly, move to Hon. Augustine Mwafrika.

*(Loud consultations)*

We shall follow the list. In the absence of Hon. Mwafrika, we shall have Hon. Eckomas Mutuse. In his absence and in following the list, could we have Hon. Hussein Bare? Is he in the House?

*(Loud consultations)*

Please, you are next.

Order, next time you have to use your intervention so that I am able to see you. That is how to raise a point of order. That is a matter that had been spoken on. When you want to reduce the time or to make sure that Members speak for a shorter time, you have to do that at the beginning of the Motion. It, therefore, cannot work now.

Hon. Members who will be speaking, beginning with Hon. Mutuse, kindly be magnanimous enough to spare some time for other Members. Proceed.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCC): Hon. Temporary Speaker, before I contribute, I want to seek clarification from the Chair. I am meant to move the Motion on Order 9. Is it the time to move it, or I am contributing to delocalisation?

**The Temporary Speaker** (Hon. Omboko Milemba): Speak to delocalisation of teachers.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCC): Thank you, Hon. Temporary Speaker. On the issue on delocalisation, many families have been affected as a result of being separated from their loved ones. I know specific cases in my constituency where teachers who are about to retire are posted to counties that are far away, while their wives, who are also teachers, are posted far. The family is recognised under the Constitution as a basic foundation of our society. Delocalisation, therefore, separates families. It separates husbands and their wives by working in different areas, making them unable to take care of their children. That policy needs to be reviewed.

Two, even if it is not possible to review the policy on delocalisation wholesomely, teachers should be posted to counties that are far from their areas during the time of recruitment

while they are still new. When you are recruited, you can be posted far because we recognise that we have a country that we need to build. Police Officers and civil servants are posted far away, but it is unfair to post teachers who are about to retire and those with families which separate them from their kin.

Hon. Temporary Speaker, I support the Motion that the Ministry of Education, Science and Technology needs to review the delocalisation policy so that it conforms to the Constitution in terms of bringing up families together.

I support the Motion.

**The Temporary Speaker** (Hon. Omboko Milemba): Order, Hon. Members. Let me acknowledge the presence of the following schools in the Public Gallery.

*(Members spoke off-record)*

It seems like they have already left. We had a number of schools there. Let us move on with the debate. Next to speak is Hon. Hussein Bare. I am following the list. Let us not do a lot mobilising; this will help everyone.

Next, is Hon. Amina Mnyazi of Malindi. Is she in the House? If not, we proceed.

*(Loud consultations)*

She seems to be in. Please, give her the microphone. Hon. Members, follow the queue, this will be fair for everyone.

**Hon. Amina Mnyazi** (Malindi, ODM): Asante Naibu Spika wa Muda. Kwa majina natambulika kama Amina Laura Mnyazi, Mbunge wa Eneo Bunge la Malindi. Jambo la kwanza ni kumshukuru Mwenyezi Mungu kwa kunifikisha hapa. Vile vile, nashukuru watu wa Malindi kwa kuwa na imani nami kwa kunitewa kama Mbunge wao. Najua hili jukumu ambalo liko mbele yangu ni jukumu kubwa. Namuomba Mwenyezi Mungu aweze kunisimamia ili niweze kutekeleza yale yaliyoko mbele yangu.

Ningependa kuwapongeza Mawaziri wote waliopitishwa leo. Pongezi sana. Jukumu kubwa liko mbele yenu. Pongezi zangu haswa zimfikie dada yangu, Mheshimiwa Aisha Jumwa, ambaye nimekalia kiti chake kwa sasa. Kumekuwa na mambo mengi, lakini namuunga mkono. Anatoka Eneo Bunge langu, na namuomba kila la kheri ili aweze kuzidi kufungulia milango wanawake wote wa Kaunti za Malindi na Kilifi.

Mhe. Spika wa Muda, lingine ni kuhusu yale matatizo ambayo yanakumba Eneo Bunge la Malindi kama baa la njaa. Kama munavyoona, matatizo ya chakula na baa la njaa yamefika kila mahali katika Kenya hii. Sisi pale Malindi, kuna Mswada tulipendekeza ambao unafahamika kama Kavunyalalo Irrigation Scheme. Mpaka kwa dakika hii, hatujaelewa ni kwa nini pesa zile hazijafika mashinani ili watu waweze kujisaidia. Nataka nieleze wazi hapa ya kwamba tunahitaji mradi kama huu ndani ya Eneo Bunge la Malindi ili tuweze kujiendeleza kupata pato la chakula na kuondoa baa la njaa.

La pili ni masuala ya utalii. Leo niko na raha kwa sababu tunaona dada yetu, msomi, ambaye amefanya kazi katika sekta tofauti. Jina lake limepitishwa kama Waziri wa Utalii. Ninataka nimpongeze dada yangu huyu na nimwambie awe macho na makini. Zile sheria ambazo zinapitishwa hapa Nakuru ama Nairobi, haziwezi kuwa sawasawa zipitishwe pia kule Malindi. Huu ni mji ambao tumetegemea utalii kwa muda mrefu. Tunataka tufanye kazi na kupitisha miswada ambayo itapendekeza na itapendelea ile hali ya watu wa Malindi wanapofanya kazi pale.

Usalama ni jambo ambalo lazima niliangazie kama mwakilishi wa watu wa Malindi. Tunashukuru kwa mambo machache ya usalama ambayo utawala umefanya ndani ya Eneo Bunge la Malindi. Watu wa Malindi wanategemea utalii zaidi. Inanisikitisha mimi kama

Mjumbe wao kila masaa tukiona Eneo Bunge la Malindi tumeekewa *Red Notice*. Watu wa nchi za kigeni wanaambiwa wasifike kwetu kwa sababu ya masuala ya usalama.

Nashukuru pia vile tumepata Waziri ambaye anaelewa maneno haya. Nataka kumuambia Mhe. Aden Duale wa ulinzi kwamba tunataka tufanye kazi zaidi na pamoja kuhakikisha kwamba tumerudisha usalama ili wageni warudi ndani ya Eneo Bunge la Malindi, ili watu waweze kujitegemea.

Donda sugu ambalo limeathiri Eneo Bunge la Malindi mpaka kwa sasa ni masuala ya ardhi. Hivi ninavyozungumza, uskwota umekithiri ndani ya Malindi. Ndio maana nataka nifanye kazi na wenzangu kuhakikisha kwamba watu wameweza kupata hati miliki zao. Wiki mbili zilizopita, kuna watu wangu zaidi ya 200 ambao nyumba zao zilivunjwa sehemu ambayo inaitwa Pendukiani ndani ya wodi ya Ganda. Jambo kama hilo hatupaswi kuwa nalo katika karne hii na muda huu wa sasa. Hayo ni mambo ambao tunataka tuyaweke sawasawa, ili kuhakikisha tumeweka vitu vyetu sawa na watu wa Malindi wameweza kupata huduma.

Kuna wale ambao wamezungumza kuhusu Hoja ya walimu ambao wanahamishwa na kupelekwa kaunti zingine. Naunga mkono Hoja hiyo. Walimu wa Malindi wamezungumza kwa sauti moja na kusema niunge mkono Hoja hiyo. *Delocalisation* imeleta *more harm than good to the teachers*. Walimu wamewacha na kuvunja familia zao. Kuna athari nyingi ambazo zinakuja juu ya haya matatizo. Sisi tunataka tupitishie Miswada ambayo itawezesha Teachers Service Commission (TSC) kufanya kazi na Kenya National Union of Teachers (KNUT), Kenya Union of Post-Primary Education Teachers (KUPPET) na wadau katika sekta ya elimu, ili kuhakikisha walimu wanahamishwa na mpangilio barabara ambao unafuatiliwa, ili watu wasisumbuke katika mahitaji yao ya hapa na pale.

Kwa hayo machache, asante, Mhe. Spika wa Muda. Kabla niketi, ningependa kumtakia Rais mstaafu, Uhuru Muigai Kenyatta, Mhe. Gertrude Mbeyu na mimi furaha ya kuzaliwa. Asanteni.

**The Temporary Speaker** (Hon. Omboko Milemba): Asante sana. Anayefuata ni Mbunge wa Mogotio, Mhe. Reuben Kiborek.

**Hon. Kiborek Reuben** (Mogotio, UDA): Thank you, Hon. Speaker. First and foremost, I want to congratulate the Cabinet Secretary nominees who have been approved by this House. As they serve this nation, I wish them well. They are competent men and women. We are sure and certain that they will serve this nation with distinction.

I want to support the Motion on Review of the Teacher Deployment Policy. Delocalisation causes more harm than good. Many teachers are forced to relocate in old age to different parts of this country, when they are almost retiring. They are inconvenienced. They have more challenges because some of them are sickly at that age, and they want to go to serve near home.

The young people who are my agemates in the career have just married. Some have been married. They are forced to work far away from their spouses. The moral fabric of the society is being broken because a teacher is married to another teacher. The lady is delocalised to Mandera and the gentleman to Busia. These are young people who should work closely for the society to be morally upright. They are really suffering because of such things.

Another thing is housing. Many teachers are delocalised to rural areas where there is no provision of housing. They get to a place where they do not have anywhere to sleep. The conditions are not very friendly to someone who comes from urban area or more advanced place in the society. The Government should put up places for accommodation for these teachers, so that when they are delocalised, they have staff quarters where they can live a decent life. They should work where they are comfortable and serve the country from their comfort.

Delocalisation is also used as a tool to punish those teachers who have issues with their employer. They end up being delocalised because they have administrative differences with the employers. They are deployed to areas which are not friendly to the kind of environment

they lived before. Many teachers in my constituency have been delocalised to Mandera. The cost of transport from my constituency to Mandera is more than their salary. We contribute to have them to report to their jobs because it is too expensive to travel to Mandera. If they are delocalised, they must be compensated both in transport, housing allowances and hardship allowances which are peanuts sometimes.

We must do away with this delocalisation. We get a teacher who does not care about the performance of the school because he is not attached to the society. He has no personal interest. The performance of the school drops but the teacher does not care because that is not his place. The teacher who comes from the local area has interest in the performance of the school and the improvement of the children. For these and many other issues, I support the Motion. Delocalisation should be done away with immediately.

I also want to wish the Cabinet Secretary for Education well. We hope he will work with Parliament to improve the standards of education in this country. Thank you, Hon. Temporary Speaker. Let me donate my time to Johana Ng'eno who is my senior. I am a bit generous today.

*(Laughter)*

**The Temporary Speaker** (Hon. Omboko Milemba): Well, you really do not have that *loci standi* to contribute time. Hon. Members, I am following the list. So, it is very fair. Next to speak on this Motion is Hon. Agnes Pareyio, Member for Narok North, please.

**Hon. Agnes Mantaine** (Narok North, JP): Thank you, Hon. Temporary Speaker for giving me time to contribute to this Motion on Review of Teachers Deployment Policy. I want to speak on this delocalisation because it affects our teachers and schools.

Education is an important aspect in the development of our country. Teachers play an important role in our education sector and in the handling of our children. I support the Motion on Review of Teachers Deployment Policy. I emphasise that delocalisation impacts negatively on the performance of our teachers. It affects teachers because it removes them from their comfort zone and takes them to where they are looked at like newcomers. Some of them are almost retiring. This means that it breaks their families. Teachers cannot afford two houses. They will have one at home with their children and the other one where they will be posted. In the areas they go to, they are viewed as intruders because they do not belong to that place, and it is not the community that requests them to go to that school. I come from Narok North. We have a history of 10 teachers who committed suicide just because of delocalisation. They are affected. They are stressed but they cannot discuss that issue with anybody. The TSC and the Ministry of Education do not read from the same script. We are eagerly waiting for the new Cabinet Secretary for Education to come and solve some of these issues that affect education in our constituencies.

The TSC does not want to listen to the teachers. They want to make sure that once you have been delocalised and received your letter, yours is to go. You cannot even talk about your illness, even if the place you are going to is not conducive for your health. Therefore, I support this Motion and ask the TSC to make sure that they consult the Ministry of Education and make their decisions together. This is because the delocalisation policy was not brought to other stakeholders so that they could discuss and agree on what was good for the teachers. It was done in isolation, and I do not think it was for our good.

With those few remarks, I want to support the Motion. Thank you.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. Hon. Bisau Kakai. Give him the microphone. Proceed.

**Hon. Bisau Kakai** (Kiminini, DAP-K): Hon. Temporary Speaker, I would like to support the Motion because delocalisation has been very negative in the sense that apart from

family separations, there have been the issues of incurred cost because of commuting. Teachers live far apart, and some of them have to operate between their homes and schools. For instance, a teacher has to leave home for school on Monday morning, and come back maybe on Friday evening. That is an extra cost. There has also been an exposure to accidents because of frequent commuting. I really sympathise with communities, especially in ASALs because of the shortage of teachers. However, by and large, even as we support the Motion with an amendment, we know very well that this issue had been passed to the TSC before. During Ms Amina's tenure as the CS for Education, we tried to have an amendment on the recruitment of teachers in ASALs. We suggested to have some flexibility in terms of recruiting teachers based on their mean grade, within some ASALs where they have had challenges when it comes to teachers. By and large, we would like to ensure that we keep teachers within their home areas so that we can improve on the quality of education.

Thank you.

*(An Hon. Member spoke off record)*

**The Temporary Speaker** (Hon. Omboko Milemba): Thank you. I think your point of order may not be relevant now. The speaker who was on the Floor is already down, so we move to our next speaker. You may bring it later.

The next Member is Hon. Parashina of Kajiado South.

**Hon. Parashina Sakimba** (Kajiado South, ODM): Thank you, Hon. Temporary Speaker. I would also like to make my contribution to the Motion on Teacher Deployment Policy/Delocalisation. The Motion was brought to the House by Hon. Titus Khamala, and an amendment brought by Hon. Victor Koech. The idea of delocalisation of teachers, where teachers are being transferred from their local areas of operation, might have been good in the beginning, but the implementation is wrong. I am aware that in this country, transfer of civil servants is allowed across the board, but for the teachers, they have special interest sometimes in the places they work. Many of them start their families there, and set their livelihoods. Transferring them from where they are operating just because they were born in that area sometimes makes them not able to deliver well.

I have a principal from my place who was teaching in a school called Enkii Secondary School. The school was performing well, but because of the policy of delocalisation by the TSC, he was transferred to Meru. He went and encountered another lifestyle there. He had a condition that he is facing now, having travelled for 500 kilometres to a new school. I tried to establish whether he was being transferred because he was not doing well. The school was doing well, but he was taken to a school where the population of the students is 180. He told me that he felt like he has been demoted.

I want to say that even if you are looking at the issue of policy on employment of teachers, the TSC has acted as a cartel in this country. They come up with policies and do not involve and check their impact on the people, teachers and students. Students sometimes perform well based on their teachers, and teachers also are able to serve well based on the areas they are serving.

Hon. Temporary Speaker, I want to bring to your attention and that of the House to the fact that many schools in this country do not have staff quarters. You find that teachers are sometimes forced to rent houses. However, if you allow teachers to work in their local areas, where they have their own homes, they will be able to deliver.

In terms of harsh conditions and allowances, you are aware that teachers are among the most poorly paid civil servants in this country. By giving them another challenge of being shifted and taken to other places of operation, you will find that they will not do well. I am

aware that many teachers that are facing this problem are happy that the Hon. Members of the Thirteenth Parliament are able to debate and check on their issues on the Floor.

Besides the issue of salaries and other allowances, there is also another arising matter that the TSC is given power to transfer them. I think this, to some extent, affects the way teachers perform. I also support that this policy needs to be relooked at. Let teachers be involved. The TSC should not just sit in its office in Nairobi; they should go to the ground and see what teachers are going through. Last week, I was in a tour in one of the wards in my constituency and I visited three schools, and I can tell you that no school has a staff quarter. Teachers are forced to travel four to five kilometres to attend school. Having suffered this way, and then you take them to other places. In order for education to be what it is, and in order for us to have the best, let us allow teachers to stay where they are. Let them be given a peace of mind so that they can be able to deliver.

With those remarks, I support the Motion.

**The Temporary Speaker** (Hon. Omboko Milemba): There are a number of interventions which are not relevant. Could Hon. Irene Mayaka, Hon. Hussein Weytan of Mandera East and Hon. Moses Injendi remove their intervention requests? I am talking about interventions because we are on the main Motion. You can do exactly that, so that I see if there are any new interventions.

Next is Hon. Njeri Maina of Kirinyaga. Hon. Members, I am following the list. I was here during the previous session, and Members were very agitated about fairness. I will be fair. Give her the microphone.

**Hon. Njeri Maina** (Kirinyaga County, UDA): Thank you, Hon. Temporary Speaker. I want to note that teachers play a very important role in this nation. Therefore, we must agree that it is very pertinent for their issues to be looked into and conclusively dealt with. We have had these discussions from time to time. Matters to do with teachers are sensitive because of the competing parties involved.

In that regard, I want to support the Motion to do away with compulsory delocalisation of teachers. The keyword here is “compulsory.” It does not mean that this House is against teachers being transferred but procedures and processes undertaken by the key stakeholders must be looked into thoroughly. I have heard several complaints from teachers in my home county. They have told me how families have been torn apart due to the compulsory delocalisation. Therefore, I want to urge Members to ensure that their voices are heard. It should come out clearly that guidelines and procedures must be put in place, so that transfer of teachers in future can be consultative.

This process must have guidelines and teachers should be consulted so as to raise issues on why they are unable to move and work in another county. I believe their work is mostly a calling. Teachers should also understand that it is important that the right to education as guaranteed by the Constitution is executed. It should not be an intention on their part to deny their service to communities that need them.

The family dynamics, health and other issues raised by teachers must be considered before they are transferred. Compulsory delocalisation was weaponised before by people in power to ensure that teachers purported to be anti their interests are transferred to areas where – for want of a better word – is not suitable for their career development.

Teachers are like other employees. So, their needs must be looked into. This House must be intentional and ensure that this is seen to the very completion so that we do away with delocalisation with immediate effect. We should put in procedures and measures for teachers to have consultative-basis of transfer.

Hon. Temporary Speaker, I wish to donate the remainder part of my time to my new colleagues in the House. Thank you, for the time.



**The Temporary Speaker** (Hon. Omboko Milemba): Thank you very much for donating some time to the other colleagues. Hon. Adams Kipsanai, Keiyo North, you are the next on the line. Not being there...

*(Hon. Dan Wanyama consulted the Clerk-at-the-Table)*

Order, Dan Wanyama! Order! Take your seat please.

Next is Hon. Julius Rutto, Member for Kesses.

**Hon. Julius Rutto** (Kesses, UDA): Thank you very much, Hon. Temporary Speaker for the moment you have accorded me to make my contribution to this enormous discussion. Indeed, as my counterparts have said, delocalisation is a new term that came in recently when the Ministry of Education decided to absurdly move teachers from the local area they have been for some time to new areas.

Of course, it could have been driven by a good motive as change is as good as a rest. However, the way it was done, to some extent, was not procedural. We want to appreciate the fact that Kenya is good because we have diverse cultures and people. Allowing new teachers to start teaching in a different area away from where they come is good practice to put in place. Then as time goes by, our teachers who have made us who we are today will age. We understand age comes with challenges like diseases and tiring of the mind. So, some teachers want to prepare for retirement. The best place for them to retire is no other than their homes.

So, we want to allow delocalisation for better performance, good integration and for teachers to understand and appreciate how Kenya is diverse. Even as they give knowledge to the children, it should be on the background of knowing our country. We implore upon the policy makers, as they formulate policy, to let it be within some limits or boundaries.

Let us allow a teacher at the age of 45 or above 50 to go back to their home area of residence. This will allow them to prepare for retirement. This is because after retirement, teachers may not be privileged like other civil servants who earn better salaries than them. Teachers' earnings are way low to the extent that even their savings and pensions at the time of retirement are not enough to give them a better life. Let us allow them time to go back to their homes and prepare to do agriculture, farming or start a business.

Nowadays our teachers encounter a lot of psychological challenges like stress and depression. This is because of the loans they have taken and delocalisation to places with no housing and new environment. What does this lead to? The next thing they do is to indulge in alcohol abuse leading to poor performance. At the end of the day some associated diseases come about. So, I stand in this House to support this Motion on delocalisation of teachers. Let us relook into this because we may not do away with it completely. We need to reframe from it so that we can achieve the objective of improving performance and encourage unity and cohesion amongst Kenyans.

Hon. Temporary Speaker, thank you very much for the moment you have accorded to me. I want to donate my remaining minutes to my colleagues – of course, the new ones. As I conclude, the cry by my colleague, Hon. Yegon this morning, needs to be discussed. New Members feel that the only time they get to speak is when the House is almost empty. That is not fair. We want you to allow a few ranking Members then accord us time when all of us are here. Some of the senior Members have never known we can make contributions equivalent to theirs. If we make errors, let us do so when they are here so that they can assist us to improve.

Thank you, very much.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. I want to also indicate that there will be more time, space and opportunities to speak in this House during the prime time. Now that you have passed the Motion on nominees to the Cabinet, we shall have time for

Questions, Petitions and many other opportunities. Let us be in the House on time so as to get a chance to participate in the proceedings.

Next is Hon. Kibet Komingoi. Please proceed.

**Hon. Kibet Komingoi** (Bureti, UDA): Thank you very much, Hon. Temporary Speaker. I rise in support of the Motion.

First, I commend the mover. Second, I want to reiterate the fact that delocalisation in itself is not a bad idea. However, it has been misused and abused. In some cases, it has been used to force teachers out of service. In my constituency, there are two teachers who, because of the position they took at the height of campaigns, were transferred to Lamu. When they reported to that school, they found that it had been closed because of insecurity. When they came back, they were told they had deserted duty and were, therefore, removed from service.

In implementing delocalisation, having a clear policy is the way to go. We will also have to deal with sister issues that arise out of delocalisation. We may be delocalising because there are inadequate teachers in some areas in the country. The question is, why do we not employ new teachers in those areas given the fact that very many teachers have graduated from school but are out of employment?

To ensure delocalisation has a human face, we must look at the totality of the welfare of the teacher. Because of this programme, some schools are understaffed. Communities around these schools are forced to employ Board of Management (BOM) teachers, thus burdening the schools in a bid to meet the cost of hiring those teachers. Our idea is that with the development of a proper policy on delocalisation, we will be able to map out areas that need more teachers, employ those teachers and ensure that teachers' welfare is taken care of. If, for example, a teacher is transferred from one constituency to another, we should see to it that their welfare, especially medical welfare, is taken care of. The teachers' medical cover is limited to certain hospitals. While it is true that teachers have two medical covers—National Health Insurance Fund (NHIF) and AON-Minet—we are aware of the issues surrounding those two insurances.

I want to reiterate the point that the Member for Kesses made. If you are delocalising a 58-year old teacher and hoping that he will still go back home on retirement, when will such a member of the society prepare for his retirement? All we are asking for, in support of this Motion, is for the government and the Ministry of Education to develop a clear policy that will determine when, how and to what extent this will be practised. In its practice, a human face needs to be fixed on it.

Attendant to the issue is the question of recruitment. From the statistics that have been provided to us, there is a huge deficit of teachers in our schools. Further, there are too many qualified teachers. Let us look at this issue so that we may absorb this population of teachers in classrooms to effectively teach the children.

With those remarks, I support the Motion.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Hussein Weytan, Member for Mandera East. If he is not in, the next person is Hon. Abraham Kirwa, Member for Mosop.

**Hon. Abraham Kirwa** (Mosop, UDA): Hon. Temporary Speaker, allow me to thank you for the opportunity that you have given me to comment on this Motion of delocalisation of teachers. Before I do so, I want to thank the people of Mosop for this opportunity as well.

Delocalisation has become a very sensitive issue in the country. As most of my colleagues have said, delocalisation was done without the consent of most teachers. The Kenya National Union of Teachers (KNUT), the Kenya Union of Post Primary Education Teachers (KUPPET) and many other organisations were against it. The compensation given to teachers is too minimal. The moment you transfer a teacher employed in their locality, who stays at home and has their own garden and food, to a different location, the cost of living is going to be higher. This means the compensation teachers receive is not sufficient to support them.

Once you move a teacher from his family, for instance from the Rift Valley region to the Western Kenya region, he has to look for a place to live in, look for food and figure out a way to take care of his family when he is away. This issue has caused a lot of anxiety and discomfort amongst teachers. The policy has to be reviewed. I think it was hurriedly implemented. I do not think teachers were consulted. I do not think there was public participation. The TSC needs to review this policy. They need to look at what helps teachers. It is easy to move a teacher from Kericho or Eldoret to Nairobi without thinking of how to support that teacher. This policy needs to be reversed to allow such teachers to go back to their home areas. Every time I am home, most teachers come and ask me to organise so that they can come back. The policy has caused a lot of issues in families. Teachers ask me to talk to TSC to allow them to come back home to be closer to their families.

Education is local. The people who understand their communities better are teachers. If you bring in someone who does not understand a community, they have to understand the community to be effective as teachers. They may not understand the needs of the villagers or the issues that affect the village. A teacher who grew up and lives in the village understands a lot of things that students go through. It is better for teachers to go back to where they grew up. Delocalisation in itself may not be a bad thing, but the way it was done has truly caused a lot of problems to teachers. Teachers are not happy about it and, therefore, they cannot be productive in teaching. My suggestion is that we reverse this policy or come up with one that will address education issues better.

Allow me to donate the remainder of my time to some of the new Members who have not had a chance to say anything. We wanted to contribute to Motions, but we have not been given a chance.

With those remarks, I support.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well. If you are in the House on time and you key in your card, you will get a chance.

Next is Hon. Joseph Cherorot, Member for Kipkelion East.

**Hon. Joseph Cherorot** (Kipkelion East, UDA): Thank you, Hon. Temporary Speaker, for the time you have granted me, and congratulation for standing in for the Speaker.

Delocalisation was started without public participation. That is why some teachers have really suffered. It was done as if it was a punishment to some teachers. It was a way of settling scores. Some teachers were transferred out of their home areas because they were not getting along with their seniors. The delocalisation policy has been misused.

Hon. Temporary Speaker, teachers are also human beings like us. They have families and some of them are vulnerable to diseases. Some of the teachers who were transferred or delocalised to various places have aged or they are almost retiring. Therefore, going to settle in those places is a problem. For that reason, it is good to have a proper policy which will help to effect, in a proper way, the policy of delocalisation.

Public participation needs to be undertaken so that those teachers who are willing to take up the transfers can be delocalised. The delocalisation policy has also affected the communities because some teachers are from different communities and localities and when they are transferred to other places, gelling with others becomes a problem.

With those remarks, I support the Motion so that the current policy of delocalisation should be considered in a proper manner.

**The Temporary Speaker** (Omboko Milemba): Yes, Hon. Gideon Ochanda. Thank you for following the queue.

Proceed.

**Hon. Gideon Ochanda** (Bondo, ODM): Thank very much, Hon. Temporary Speaker. Some of the concerns I wanted to raise would have been very interesting if you were not in the Chair because you are teachers' leader. I am convinced that we are addressing and glorifying

an anomaly that TSC carried out administratively yet we are trying to look at it in terms of a policy that needs to be there and perhaps corrected. In my view, this was an anomaly that we should not have at all. We have to look at these things in terms of the processes involved all through from recruitment to deployment. After serving for 30 to 40 years, another redeployment is done in the name of delocalisation, which in actual sense is supposed to be looked at as transfers. The manner in which these transfers that we are calling delocalisation was done is the problem. The problem is so gross. You cannot recruit and deploy locally then wait for 30 years to move that person from the station in the name of another process of redeployment that you are calling delocalisation. This is where the problem is.

We must correct this thing from the very beginning. We should correct it from the recruitment and deployment stages such that the rest of the things are looked at as transfers, and not another administrative process where we collect a big number of elderly teachers – people who are almost retiring – and put them in buses and haul them from their local areas to far away districts and counties. I think this is where the problem is. The whole idea of delocalisation, in my view, should not be there. If we look at this thing from the root, let us recruit a teacher as any other civil servant who can be placed and work anywhere in this country and he gets used to that arrangement from the very beginning such that when he is deployed in Garissa or Turkana, they will go and work there. That way, if a teacher is transferred, we look at it as transfer like it happens to any other civil servant. The idea that you could recruit them and post them locally and then all of a sudden you haul them out of the local environment after serving for a period of time in the name of an administrative exercise called delocalisation, in my view, is wrong. It is totally wrong.

Hon. Temporary Speaker, as a leader of teachers, you need to pick this matter from there. In my view, we do not need to do a policy for now. Let us correct the process of recruitment and deployment. Immediately those things are corrected, then there will be no need for something called “delocalisation.” People and teachers will be transferred. If we do not look into this matter now, the idea of delocalising people who are almost retiring, as a permanent solution, should not be there. In my view, we should not be having a policy called “delocalisation.” Where there was a mess from 2018 to-date in the name of delocalisation, let us handle it administratively through proper process, and we do not need to transfer people en-mass. It should be carried out in a manner where there are notices.

It was not the mistake of the teachers who are getting delocalised. They did not recruit or post themselves to those schools. This issue of delocalisation needs to be relooked at such that we look at transfers in a manner similar to that of a civil servant. When looking at it in that manner, we need to consider very many other things. You cannot allow someone to serve in one station for very many years then you later on move them to strange places they do not know. Recruitment of both primary and secondary schools teachers was being done at the county and subcounty levels by school BoMs. The process has been moved, in the last one year or so, to Nairobi but the process of identifying who is supposed to be recruited is still based on the sub-county where somebody comes from. So, applications are done in a place like Bondo, they are picked and brought to Nairobi and when postings are being done, this same TSC posts teachers to their local areas. Once you have posted them there, why harass them later when they have settled in those areas for such a long period of time.

The TSC must just look at its processes of recruitment and redeployment afresh. There should be nothing like redeployment but transfers. There should be no more transfers like the way civil servants are transferred. Sometimes transfers could be requested. Teachers could be requesting for transfers, just like many other civil servants do. When you are transferred to a place where you cannot fit, there are always reasons why one can seek to be transferred. This process needs to be looked at the way we look at other civil servants. There are a lot of advantages when you work elsewhere other than your area. However, when this thing is

brought in an abrupt manner, like it happened in 2018 where teachers were moved out of their local areas, that is a problem and it is wrong.

There are lots of advantages in one working outside their local areas. From experience, we gave much respect to those teachers who were from far off places than our local teachers from our local areas. We cannot look at that in the direction where we remove teachers where they have been for years, en masse. I think this is something that should be looked at, Hon. Temporary Speaker. As a leader of teachers, I want to believe this thing should be revisited. We do not need delocalisation. We need to rectify our processes of recruitment and deployment.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Thank you. Next is Hon. Sirat Ali, nominated Member. Give him any microphone around him.

**Hon. Abdisirat Khalif** (Nominated, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to address this House. May I take this chance to thank my UDA party and the President for nominating me to this House.

Hon. Temporary Speaker, this is my maiden speech and I would like to support the policy of delocalisation of teachers. Teachers, like other civil servants, should not be saturated in one area when we have shortages in other parts of the country. We have historical challenges of teachers in Northern Kenya region, where I come from. Unless affirmative action is taken to lower the teacher training college entry points for people from that region, we will never produce enough local teachers. Therefore, as a country, we cannot afford to concentrate teachers in some areas and leave other areas with shortages.

Hon. Temporary Speaker, I would also like to highlight some real challenges that we undergo in the Northern Region counties. One of them is drought. We currently have a ravaging drought which has completely wiped-out livelihoods. You are aware that those communities depend on livestock. Due to this cyclic and punishing drought, livestock have been lost.

As we speak, we are almost losing human lives because of drought. Our President flagged off relief food almost 40 days ago, and no tangible relief food has reached those destinations of Northern Kenya, particularly Mandera, Wajir, Garissa, Tana River and Turkana. We cannot change the pattern of drought. It is a natural disaster but we can change the effect of drought by mitigating and having proper plans.

As we undergo the ravaging drought, we have a twin challenge of insecurity. The few community-based organisations, NGOs and well-wishers attempting to help are not able to reach the final destinations of the food rations due to terror attacks that take place within our borders. Our security teams are becoming helpless. To add insult to our problem, our security teams are not solving the problem. They are part of the insecurity themselves. Human lives have been lost in unclear circumstances. There are alleged kidnapping and killings of people by our own security agencies. We have seen human lives lost in the hands of our security agencies. People have been killed and their bodies dumped in rivers for becoming mere suspects. A person is suspected and no judicial process that follows after he is arrested. Human lives have been lost as easily as becoming suspects.

I am glad that our President has disbanded the Directorate of Criminal Investigation (DCI) killer squad but we should not leave the matter at that point. Those involved must be accountable for what they have done. Action is needed and must be taken now.

Decent health is a human right aspect. As much as we make some attempts to improve the situations, people still have to walk long distances to seek medical attention. I support the President in increasing the contributions to the National Hospital Insurance Fund because it is the only organisation doing something tangible. We need to restructure the NHIF and increase the current monthly contribution of Ksh1,700 to at least Ksh10,000 or Ksh8,000, depending on

the income of an individual Kenyan. We must make the rich pay more so that they support the poor. That way, we will cover the 50 million Kenyans who are in need.

Hon. Temporary Speaker, another problem we have in the marginalised areas of Northern Kenya is housing. The Kenya Kwanza Government has started to put up some houses. We urge the Government to start from those needy counties when the time comes. Let us have the bottom-up approach, which will help those who are already marginalised to access housing.

The other issue is Identity Cards. We still have challenges in acquiring the Kenyan Identification Card in the marginalised counties. I do not know why a person from Northern Kenya cannot acquire an Identity Card as easily as a person from Busia. We have members of the Luhya community in Uganda and Ugandans in Kenya and yet they do not experience such a problem. However, if you are from Mandera, you are told you are bordering Somalia and, therefore, you are subjected to unnecessary processes. We cannot have Identity Cards from two countries. Let us only have the Kenyan Identity Card. We want uniform application of rules.

Our youths are frustrated because they cannot get Identity Cards as quickly as possible. Consequently, they cannot get employed or access higher education. Many of our area Members of Parliament have spoken about this but nothing has come out. We will move very first and demand our rights.

With those few remarks, I support the policy of delocalisation of teachers and donate the remainder of my time to other Members.

**The Temporary Speaker** (Hon. Omboko Milemba): Thank you. That was a maiden speech. Next is Hon. Mangale Chiforomodo, Member for Lungalunga.

**Hon. Chiforomodo Mangale** (Lungalunga, UDM): Thank you, Hon. Temporary Speaker.

I rise to support the Motion by Hon. Titus Khamala, together with the amendments proposed by Hon. Koech from Chepalungu.

The TSC is frustrating the teachers of this country. Delocalisation was brought about when the TSC wanted to punish the unionists. After they were done with the union, they turned to teachers.

Hon. Temporary Speaker, history is very clear. In 1967, the teachers of this country, in their own wisdom, decided to form the TSC so that they could have an employer who would take care of their interests but in turn, the TSC has turned out to be a nightmare for teachers. Delocalisation is frustrating teachers. It is killing them. It is making them look useless. I have an example of a teacher who had leukemia. This animal called “delocalisation” was forced on him. He was taken far away – 500 kilometres – from his home area. As we speak he is blind. There are many other teachers who have been suffering. My colleagues have said that there are teachers who have been separated from their spouses. Some have been transferred at the age of 58. Really, this is too much to bear. The TSC needs to employ more teachers.

Again, we know that there is the issue of transfers. Let teachers be allowed to apply for transfers. We know that many teachers who applied for transfers have not been given. They are just there. Instead, the TSC is just taking other teachers away from their homes. I stand with my colleagues that this delocalisation menace should be stopped forthwith so that our teachers can settle down where they are comfortable. They are human beings. You cannot compare the teaching profession with other professions. For example, primary school teachers handle small children who may be from the same culture. The TSC needs to stop this animal called “delocalisation.” Teacher management has generally been poorly handled since the time the current Chief Executive Officer took charge at TSC. All the programmes that have been introduced during her reign are punitive.

Hon. Temporary Speaker, this thing they call “teacher appraisal”, and many other things they have introduced, all of them are punitive. Head teachers and school principals are always online trying to fill, I do not know what, so that they are appraised and nothing happens. Again,

it has become very difficult for teachers to be promoted in this country. I think time has come for this House to protect the teachers of Kenya so that they are also considered human beings and professionals. I want to mention that school heads have been detached from fellow teachers. They are considered managers. New ranks have been introduced just to make sure that they dictate terms to their colleagues—let me not say other teachers but classroom teachers. We need to address this issue so that we bring it to rest in order for the teachers of this country to enjoy their work like any other professional in this country.

We cannot allow the TSC to arm-twist all other stakeholders. Just imagine, the TSC cannot even work with Ministry officials. We are always in sub-county offices sitting together and bringing peace and harmony. For what? I think the TSC needs to respect the Ministry officials within the sub-counties and even within the country level. Nationally, too, they need to do something. The new Cabinet Secretary has a responsibility to bring this mess to an end and make sure that he instils discipline and order at TSC in total.

Recruitment of teachers should be considered a very serious exercise, and it should be undertaken at the sub-county level. Bringing all processes to TSC headquarters sometimes depresses other teachers. The TSC has now turned to eating its own initiators. We need to save teachers through this House.

Hon. Temporary Speaker, delocalisation of teachers should stop forthwith. Teachers must be treated with decorum and respect so that they can enjoy life as human beings.

With those remarks, I support.

**The Temporary Speaker** (Hon. Omboko Milemba): Next on the list is Hon. Moses Injendi. Thank you for following the queue despite being a ranking Member. Please, proceed.

**Hon. Malulu Injendi** (Malava, ANC): Thank you, Hon. Temporary Speaker. I rise to support the Motion as amended.

I would imagine that TSC had a very good idea when it came up with the teacher delocalisation programme. I think the challenge has to do with how they managed the whole process. I imagine that one schooled in a particular school from class one to class six or seven or eight. He then proceeded to secondary school in the same school, if the primary school had a secondary school; and subsequently went to college. When it came to posting, the teacher was posted to the same school in his home village. We know how the villages are. We come from particular clans and particular tribes. This teacher, coming from the same community, will not grow. He will not expand his knowledge. We have to share. Even when a village is exposed to some foreign culture and different kind of behaviour, it can self-reflect on how it goes about its life and may be change. However, the whole process of delocalisation of teachers by TSC was implemented in a way to punish teachers. If you look at other cadres of employment, for example, when it comes to posting of nurses or police officers or veterinary officers, there are no complaints as is the case with teachers.

Hon. Temporary Speaker, TSC must reconsider the plight of teachers. I am supporting this Motion with amendment. I know that the academic calendar for schools is ending in November. I urge that the TSC immediately reverses all the transfers it effected by December so that the affected teachers return to their initial stations and then we relook the whole policy and programme of posting teachers.

The connotation of the term “delocalisation” is in itself negative. Who are you delocalising, to where? All of us are Kenyans. Where are you delocalizing one from, where to, and to which kind of region? If you are delocalising someone and you take him to another region, it becomes very negative to this person in that area. They really have to reconsider this issue of delocalisation.

The Basic Education Act says that pupils in primary section, like our pre-units to class four, must be taught their mother tongues. When it comes to delocalisation, you delocalize a headteacher. In my case, the teachers who have come to my area of Malava are from Bondo.

Delocalising a person from Bondo to manage a school in Western Kenya, which is a Luhya region, is improper. How will such headteacher supervise the teaching of pupils in class one and class two to ensure that the language being taught is the language of their culture?

Hon. Temporary Speaker, we must reverse the whole programme. That is what we must start with. After that, the training policy should be that teachers could be posted anywhere, particularly secondary school teachers. I recall that the teachers who taught me in high school were not from my village, and there was no complaint. The TSC or the CEO must reconsider. How come teachers are crying this time round? Everyone is crying yet there is no noise when it comes to posting and deployment of staff in other sectors of the public service? In this area, I ask the CEO to listen to the voice of the people's representatives. It looks like the CEO has killed KNUT and KUPPET, where you sit, such that your voices are not being heard. Now that you are speaking, Hon. Temporary Speaker, she should listen to the voices of Kenyans who are crying because of her treatment of teachers when it comes to delocalisation.

In my area, I have seen teachers from other areas who are completely sick. Some of them are suffering from stroke-related complications. Some of them are always going to hospital for treatment. I was asking myself why this kind of teacher would be delocalised, leave behind his family where maybe his wife was taking care of him, and come to a far-flung school to teach. How will this person even concentrate in school?

I do not know why the TSC does not have the sensitivity to see or notice this. There are teachers who are just newly married. You understand what it means to be newly married in terms of where we come from. You want to be close to your wife, and then the TSC transfers you to a different school. The TSC is breaking up the family.

In the morning, there was a Member who said that after most male teachers are transferred, they end up marrying another woman or having a concubine. We also know of female teachers who because the husband is far away, maybe at the Coast or Western, they now have another man living with them. This is a fact of life that we have to bear. We ask the TSC to reconsider the whole...

**The Temporary Speaker** (Hon. Omboko Milemba): What is your point of order? Give her the microphone. Order, Member. You now have the microphone.

**Hon. Catherine Omany** (Busia County, ODM): Thank you, Hon. Temporary Speaker. The Member is talking about ladies who are left behind and they start getting other men. It is not in order because he is not a woman.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Malulu Injendi, you have been advised to use parliamentary language as much as possible. You may proceed. Give Hon. Malulu Injendi the microphone.

**Hon. Malulu Injendi** (Malava, ANC): Thank you, Hon. Temporary Speaker. There was a Member from Kericho who also said that men get married. We are all human beings. When a man gets married to another lady, then gets into a relationship with another lady, she could also be someone else's wife. That is how it is, *Mheshimiwa*.

I finish by urging the TSC to reconsider this particular position. This has served the TSC politically because I know teachers who were not speaking the language of Azimio la Umoja-One Kenya Alliance were victims of these transfers. It has served them well politically. Now that we have a new Government, the TSC should reconsider and get teachers back to their stations.

I am aware that there is a circular stating that teachers who would like to revert to their local schools should identify teachers who also want to change. It should not be the business of the teacher to identify who is willing to transfer or go back to their local schools because the teachers may not know. Let the TSC just redeploy these teachers back to their local sub-counties.

Thank you, Hon. Temporary Speaker.



**The Temporary Speaker** (Hon. Omboko Milemba): Very well. Let us have Hon. Khamala Mukwana of Lurambi Constituency.

**Hon. Titus Khamala** (Lurambi, ODM): I am the Mover.

**The Temporary Speaker** (Hon. Omboko Milemba): No. Please, key out. Let us have Hon. Marianne Kitany of Aldai. Next, let us have Hon. Ali.

**Hon. Mohamed Ali** (Nyali, UDA): Ahsante sana, Mhe. Naibu Spika wa Muda. Ningependa kuiunga mkono Hoja hii na kusema kuwa mikakati maalumu inapaswa iwekwe katika tume hii ya TSC kulingana na vilio vya walimu wengi kote nchini.

Kwanza, nitazungumzia Eneo Bunge langu la Nyali. Sisi Wabunge wa Taifa tuna majukumu makubwa sana ya kuwekeza katika elimu. Kadri tunavyozidi kusonga mbele na kujenga shule hapa na pale katika wadi mbalimbali, tumekuwa na changamoto sana ya uhaba wa walimu. Vile vile, wakati walimu wanaandikwa kazi, hawaandikwi kutoka maeneo yetu. Ni kana kwamba njia ambayo TSC inatumia inafaa kupigwa msasa na kuhakikisha kwamba maswala yote yanayohusu walimu wa Jamhuri ya Kenya yanaangaliwa kwa undani na umakini kabisa.

Tukizungumzia kazi zao, watu kuondolewa katika maeneo yao na kupelekwa katika maeneo mengine bila sababu... Wakati wa kuajiri, unashukia kuwa ni watu kutoka sehemu zingine wanaoletwa katika sehemu zile na kuwacha walimu ambao wako pale. Jambo hilo linafanya shule ambazo sisi tumejenga kama Wabunge kuwa na uhaba wa walimu na kutegemea wale wa *Board of Management (BOM)*.

Vile vile, ningependa kuzungumzia TSC yenyewe. Kama Mbunge katika Bunge la 12 lililopita, nilikuwa na wakati mgumu sana, hususan nikienda katika afisi zao kutafuta usaidizi, sanasana tunapojenga shule na kuhakikisha kwamba tunataka walimu wa kutosha. Ukienda katika majengo yao, Tume hiyo inaendeshwa kama gari la wizi. Ni Tume ambayo haitaki kusikiliza. Haiwaheshimu Wabunge, na haitaki kusikia vilio vya watoto wa maeneo bunge kwa sababu vilio vyao ni vya uhaba wa walimu. Ni vilio vya walimu kulipwa mishahara duni. Ni vilio vya walimu ambao hawana hata bima ya afya inayoweza kuwasaidia vizuri. Ni vilio vinavyosababisha watoto kupata alama za chini katika maeneo bunge ama kaunti mbalimbali humu nchini.

Uhaba wa walimu unasababisha alama mbaya. Kutumia walimu wa BOM na kukataa kuajiri walimu bado inazidi kuleta mzigo. Walimu wakubaliwe kuchukuliwa katika sehemu zao. Wao pia ni binadamu. Najua kuna ule mpangilio wa asasi za Serikali ya kwamba mtu akifanya kazi katika kipindi fulani katika kituo fulani, kwa muda fulani, ni sharti aondolewe apelekwe sehemu nyingine. Lakini utapata katika hii TSC, sio hivyo. Wao wataendesha vile wanavyotaka. Sisi kama Wabunge tuna majukumu makubwa sana. Kwa mfano, katika kipindi cha miaka mitano cha Bunge la 12 lililopita, niliweza kujenga shule takribani saba kule Nyali. Mpaka wa leo katika Bunge la 13, hizi shule saba zinaendeshwa na walimu watatu wa BOM.

**The Temporary Speaker** (Hon. Omboko Milemba): Order, Member. You may proceed to conclude because the time allocated for this Motion is running out.

**Hon. Mohamed Ali** (Nyali, UDA): Ahsante, Mhe. Naibu Spika wa Muda. Labda kwa kumalizia tu, nitaelezea matatizo yanayotukumba sisi na mabadiliko tunayotaka. Ni lazima na ni sharti kuwe na mikakati maalum na mageuzi ndani ya TSC. Haiwezi kuwa ikiendeshwa na mtu mmoja miaka nenda, miaka rudi. Vijana chapakazi, damu moto, waingie katika afisi hizi ili waweze kusikiliza vilio vya walimu, wazazi na watoto.

Ahsante sana, Mhe. Naibu Spika wa Muda.

**The Temporary Speaker** (Hon. Omboko Milemba): Thank you very much, Hon. Members. The time being 5.28 p.m., the time allocated for this Motion is actually over. I now call upon the Mover to reply.

**Hon Titus Khamala** (Lurambi, ODM): Hon. Speaker, thank you so much. I want to appreciate Members for their immense contribution and their support for this Motion. Hon.

Temporary Speaker, I also want to thank you immensely because, being an educationist, you understand where we are coming from. You have a history of our education system and I am proud that I replying to this Motion with you as the Chair.

We have heard so much from Members on the issue of delocalisation. One Member spoke immensely about us just running with an issue. You know we have become a society that is reactive as opposed to being proactive. We would not be here today debating on this Motion on delocalisation if the TSC was handling teachers professionally with stipulated rules.

Hon. Temporary Speaker, we have heard Members give their contributions and about 99.99 per cent have had an experience from their constituencies including the suffering and the challenges teachers are going through as we play our representative role. As Members of Parliament, when our people face challenges and problems, they look to us as leaders to offer solutions. It will be very important that going forward, we look at this issue holistically so that we fix this anomaly once and for all.

Members of Parliament cannot be aliens in the offices of TSC. I am so happy to report that I had a very fruitful meeting with the regional director of TSC for Western Region in Kakamega together with the County Director for the first time. I was able to sit with these two wonderful ladies. We spoke on issues concerning our teachers staffing where I even lamented. I reported to the office that my constituency, Lurambi, which has Kakamega Town, has become a dumping ground. You find teachers who have medical conditions being dumped in Kakamega. God forbid and I pray that everybody is in good health; we do not want to have a situation where ailing teachers are put in one area. We want to support our teachers but we also want the employer to be alive to the fact that you cannot have teachers with medical conditions just put in one place. In the process it will make that place a dumping ground for teachers.

We have work to do in this 13<sup>th</sup> Parliament to support our teachers, to make sure that the employer is not a bully. We must also look at the elephant in the room. Since we, as Members of Parliament, represent Kenyans we must also look at the elephant in the room, these teachers who are also our voters. Where is the problem within the TSC? We should perhaps go for the leadership of the TSC. If the CEO of TSC was not running that Commission as a personal property, we would not be here today discussing issues of teachers. So we shall not be afraid. Remember Joseph was in Egypt and there was a Pharaoh who knew him and favoured him. However, there came a time when that Pharaoh died and there was a new one and the new one did not know anything about Joseph and the story of the Israelites.

Hon. Temporary Speaker we are the representatives of the people and the TSC cannot have one person bullying teachers left, right and centre as we sit comfortably when our teachers are suffering and are being mistreated. Those days are gone. We are in a new dispensation and the rule of law has to be supreme.

Hon. Melly was the Chairman of the Departmental Committee on Education in the 12<sup>th</sup> Parliament. He was such a great guy; he was very approachable. We want our committees in Parliament to be strong so that we can call these civil servants to be responsible and accountable. I am grateful and I want to donate a little time that is remaining if you allow me. I want to donate to Hon. Zamzam, Hon. Wambilianga and...

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Member, you have only four minutes, so you have called out Hon. Wambilianga.

**Hon. Titus Khamala** (Lurambi, ODM): Hon. Zamzam, Hon. Wamboka, Hon. Catherine and Hon. Hussein.

**The Temporary Speaker** (Hon. Omboko Milemba): The faster you go the better as they will have their time. You may proceed. Please give Hon. Zamzam the microphone. There is a microphone that is now on your left side. Please.

**Hon Zamzam Mohammed** (Mombasa CWR, ODM): Asante sana Bwana Spika wa Muda. Nashukuru sana kwa Hoja ambayo imeletwa na ndugu yangu Mhe. Khamala kuhusu kuhamishwa kwa walimu kiholelaholela.

Ni dhairi kwamba walimu wamepitia mitihani mikubwa. Wengine wameshikwa na msongo wa mawazo kwa sababu kila wakihamishwa na kupelekwa sehemu za mbali wakati wamejidhibiti katika sehemu moja, inakuwa matatizo kwao kwa sababu hata mapeni pia wakati wanapata dharura nyumbani inakuwa ni mtihani kusafiri. Kwa hivyo, ningependa kumuunga mkono ndugu yangu Mhe. Khamala kwa Hoja hii na kusema walimu wana haki na TSC isiwapanye kama mpira wa kona kuchengwa huku na huku na kuwasumbulia maisha yao. Kwa hivyo naunga Hoja hii kuwa walimu waweze kupewa nafasi ya kufanya kazi popote wanapotaka wao wenyewe.

Asante sana.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well time has run out, or do we still have time Hon. Wambilianga.

**Hon. Members:** Yes.

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Wambilianga.

**Hon Catherine Wambilianga** (Bungoma County, FORD-K): Thank you, Hon. Temporary Speaker. As I rise to support Hon. Khamala's Motion, I just want to add a new point. I am a teacher and I have the experience. I know what teachers go through. I want to advice TSC to look at their deployment policy. Instead of remunerating teachers who have qualified, they transfer them and they do not even replace. Instead of transferring teachers from primary schools to high schools or transferring teachers from high schools to colleges, they should employ fresh teachers because we have enough teachers seeking employment. Another point is on young families. I want to repeat again that we have lost so many teachers in the Western Province because of delocalisation.

**The Temporary Speaker** (Hon. Omboko Milemba): I think having exhausted the time for this Motion and looking at the House, we shall defer putting of the Question on this Motion to the next Sitting of the House.

Next Order!

*(Putting of the Question deferred)*

## MOTION

### RECOGNITION AND REMUNERATION OF VILLAGE ELDERS

**The Temporary Speaker** (Hon. Omboko Milemba): Mover. You may proceed.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCP): Hon. Temporary Speaker, yesterday I gave notice of this Motion. We have village elders in every village in this county who have been providing services to the people of Kenya. They have also been assisting chiefs and assistant chiefs therefore working for the Government. Despite them offering those services, they are not remunerated.

Therefore, I gave notice of Motion that we intend to recognise village elders through laws so that they can be paid for the services they render. I am happy we are moving this Motion this afternoon because in the morning we passed the nominees appointed as Cabinet Secretaries by the President. As you know, the President was elected on the platform of bottom-up policies. As we pass the top echelon of Government, it is also important for this House to consider a bottom-up approach. We have passed the topmost which is the Cabinet, therefore, the House needs to resolve that the bottom most, which is village elders, equally need to be recognised.

You will also realise the Motion I am presenting is in public interest. We are elected in this House, not for ourselves but for the people we represent. Village elders are ordinary

Kenyans who are spread across the entire country. They are wallowing in poverty. They solve and resolve disputes in many parts of the country. They help the national Government execute its mandate as given under the Constitution including security matters. Therefore, they need to be recognised and paid for the services they offer.

In terms of the historical basis, this country right from the days of colonialism and through successive Governments had a system of administration popularly called the Provincial Administration. Initially, it comprised of sub-chiefs, chiefs, District Officers, District Commissioners, Provincial Commissioners all the way to the President.

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

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

During the clamour for multi-party democracy and constitutional changes, there were mixed debates. Many Kenyans felt the system needed to be restructured. Indeed, in Article 262 and the Sixth Schedule of the Constitution, transitional and consequential provisions were made on how to transit from the former Central Government to the new Government. The Sixth Schedule, Part 4(17) of the Constitution provides that within five years, Parliament was to enact a law to define how that system of Provincial Administration was going to be implemented.

The law came earlier than five years, in 2013, pursuant to provisions of Articles 131 and 132 of the Constitution basically on the roles of the President and the National Executive. Parliament enacted a law popularly known as the National Government Coordination Act No. 1 of 2013. This Act has defined several service delivery coordination systems for the national Government.

Hon. Temporary Speaker, you realise that the system of administration existed before the 2010 Constitution and still continues to exist. It has been almost 10 years since 2013. Despite the system existing for these years, it is only the big bosses who are being paid, but the rest of the officers who do the real work of where the rubber meets the road, the village elders, are not paid.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Mwengi Mutuse, you have started debating the Motion but you have not read it properly as per the Order Paper. I would like to ask you to move the Motion as it is on the Order Paper.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCP): I stand guided, Hon. Temporary Speaker. I thought we just allude to the Motion without reading it. But now that I am guided, I will read through the Motion.

Thank you very much for the guidance. The Motion is on recognition and remuneration of village elders.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Order, Hon. Mutuse. You will start this way: I beg to move that the Motion...then you proceed. You should read as it is on the Order paper. We appreciate that most of the new Members are learning so, just take it slowly.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCP): We will do that. Thank you very much. Hon. Temporary Speaker, I beg to move the following Motion:

THAT, aware that there have been village elders in every village in the Republic of Kenya; cognizant that the village is not formally recognized as an administrative unit in accordance with Section 14 of the National Government Coordination Act No. 1 of 2013; noting that despite the said village elders offering services to the public and the Government they are not remunerated

contrary to Article 41 of the Constitution on fair labour practices; further noting that in accordance with Section 14 and 15 of the National Government Co-ordination Act No. 1 of 2013 the Cabinet Secretary in charge of Interior and Coordination of National Administration in consultation with the President and the Public Service Commission have the power to establish national government administrative units and appoint administrative officers to serve under those units; recalling that Article 10(2) (b) of the Constitution binds state organs and state officers to uphold human dignity which includes remuneration for work done; noting that village elders have existed for many years and interact with *wananchi* at the lowest level, hence their recognition is in public interest and their remuneration has been long overdue; this House therefore urges the national Government, through the Ministry of Interior and Coordination of National Administration, to –

- (i) establish all existing villages as administrative units in accordance with Section 14 of the National Government Co-ordination Act No. 1 of 2013; and
- (ii) recruit and remunerate the existing village elders as administrative officers.

Thank you, Hon. Temporary Speaker. I hope we can now continue with the debate. Thank you for the guidance.

Our intention is to highlight so that Members can understand. You may call the seconder to second the Motion. I had explained where we have come from. I had clarified why this is important and I was at a point where I was reminding members that in the constituencies where all of us have been elected, there are village elders with different names like *Wazee wa Kijiji*. Part of the promises many of us made in our campaigns was to urge the Government of the day to remunerate them. We know the hustles they go through every day without pay. We do this on the basis that the existing law gives the Cabinet Secretary for Interior and National Administration a leeway to recognise administrative units, gazette them and, in consultation with the President and the Public Service Commission, recruit officers to work under those administrative roles.

Hon. Temporary Speaker, under the law, the Ministry of Interior and Coordination of National Administration created counties and appointed County Commissioners as administrative officers under those units. They also created sub-counties and appointed Deputy County Commissioners to work under those units. Under Section 15 of the National Government Coordination Act, they created divisions and appointed Assistant County Commissioners to work under those units. There are locations and chiefs who coordinate national Government functions at that service delivery level. There are also sub-locations where we have sub-chiefs who coordinate national Government functions at that level. Therefore, it is imprudent that it has taken long for the national Government to gazette, using the powers under Section 14 of the National Government Coordination Act, the village as an administrative unit and, therefore, pave way for the recruitment of village elders and their remuneration.

Our Motion is also premised on the provisions of our Constitution. Under Article 41 of our Constitution, every citizen of this country is entitled to be remunerated for the work that he does. Article 10 of the Constitution is on national values which are binding to all state officers. The Cabinet Secretary for Interior and Coordination of National Administration is a state officer. It is a mandatory requirement that citizens are accorded their necessary dignity. Village elders are citizens of this country. The Cabinet Secretary is a state officer. Therefore, he is obligated under Article 41 of the Constitution to cause the remuneration of village elders, so that they are accorded the dignity that the Constitution demands for them.

Hon. Temporary Speaker, this country has 47 counties, 369 sub-counties, 978 divisions, 3,960 locations and 9,000 sub-locations. Because there is no data available on the number of villages because they are not recognised as administrative units, let us assume that each sub-location has about six to 10 villages. We can talk of a maximum of about 90,000 villages. If we recruit one officer in each village who is a real hustler, the real bottom-up, it is my submission that this country can afford. Money that is wasted in public offices and lost through corruption can be used to pay these officers, so that Government services reach the people and those who provide them are paid.

As I conclude, I urge Members that it is in the best interest of Kenyans, this House and country, that village elders are paid. I have checked the practice in neighbouring countries. In Tanzania, the equivalent of village elders are being remunerated through allowances. The same is also happening in other weaker economies than ours.

As a fundamental rights issue, it is entirely wrong for somebody to work without being paid. Some village elders are called upon to resolve all manner of grievances in the community even in the middle of the night. When someone's home is invaded by thieves, it is the village elder who calls the Officer Commanding Police Station and yet they do not have airtime. Because they are not remunerated, they have devised a system where people who report cases and seek their services are asked to pay something. That is corruption at the lowest level. The way to arrest the corruption is to resolve that these people be formally recognised and paid.

I am aware that in the last Parliament this matter was debated by both Houses. To date, because of impunity, the national Government has never implemented resolutions of the Houses. I have presented to the Speaker a legislative proposal to amend Sections 14 and 15 of the National Government Coordination Act to anchor village elders in the law, so that it is no longer a matter of the benevolence of the ruling regime. It should be a matter of the dictates of the law. For those reasons, I urge Members to support this Motion. This House cannot legislate in vain. We believe that the regime in power, being a regime that campaigned on a platform of bottom-up, will realise that the most bottom-up civil servant is a village elder. Therefore, the village elder should be remunerated in accordance with labour laws and regulations set out by the Public Service Commission.

With those remarks, I call upon the Member for Bumula, my friend Hon. Jack Wanami Wamboka, to second the Motion. Before he does so, there has been a lot of interest in this Motion; I recognise the Member for Keiyo South, Hon. Kimaiyo; the Member for Aldai, Hon. Marianne Kitany; the Member for Manyatta, Hon. Mukunji, former Provincial Commissioner the Member for Sotik.

**The Temporary Speaker** (Hon. (Dr.) Racheal Nyamai): Order, Hon. Mutuse. You do not have authority to give a list of those who are going to speak.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCC): No, they are not going to speak. Their contribution helped in shaping the Motion. It is important to recognise people you have worked with. I do not think that is against the rules. I worked with them in developing this Motion.

**The Temporary Speaker** (Hon. (Dr.) Racheal Nyamai): Hon Mwengi Mutuse, you will have a chance to do all that when replying. You will be able to mention all the colleagues you have been working with. Now, move the Motion then call upon the seconder to second.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCC): Thank you very much. I call upon Hon. Jack Wanami Wamboka, Member for Bumula, to second.

I beg to move.

**The Temporary Speaker** (Hon. (Dr.) Racheal Nyamai): Hon. Mutuse, this being a House of record, I request you to say, "I beg to move" then call upon the person you have identified to second.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCC): Yes, I have said that. I beg to move and call upon the Member for Bumula to second. And I can say it again if you so wish.

**The Temporary Speaker** (Hon. (Dr.) Racheal Nyamai): Thank you.

**Hon. Wanami Wamboka** (Bumula, DAP-K): Hon. Temporary Speaker, thank you so much for this opportunity. I think the good Clerks-at-the-Table kept the Temporary Speaker busy that she did not hear what Hon. Mwangi Mutuse was saying.

I beg to second this Motion on recognition and remuneration of village elders. Village elders are salaried officials of national administration who, though serving voluntarily, command significant influence within their territories and sit on most public boards.

They are the lowest unit of administration. They suffer most. These are the people who work without offices. They promote peace and good co-existence among neighbours in the villages for free. These people solve domestic rows and conflicts. A husband and a wife fighting in the village will call upon a village elder to go and solve their issues. These people are the main teachers of the society. We are aware that with all they do, they are the most vulnerable. They do not even have medical schemes. These are some of the people who played very crucial roles for all of us as Members of this House. In my case, it was easy for me to be a Member of Parliament because I had a very good rapport with village elders. They are the people who know every corner of every village of every region. I appeal to Members of this House to come together and support this Motion and ensure that at the end of the day these people have a smile on their face.

I applaud the Cabinet Secretary nominee for the Ministry of Interior and Coordination of National Administration. We have approved his name and he will be sworn in. When he faced vetting and was asked about some of these pertinent issues that start from the bottom of their administration, he recognised the *Nyumba Kumi* fellows. He said that they will be earning an allowance of Kshs500. These are the children of village elders. We want to convince and propose to the incoming Cabinet Secretary that before he reaches to *Nyumba Kumi*, he must start by addressing these issues. It is there in law. The National Government Coordination Act of 2013, Section 14 bestows power to the Cabinet Secretary, with the approval of Parliament, as my good friend Hon. Wakili Mwangi Mutuse said, to establish any government delivery unit. As such, we will be expecting that from the good Cabinet Secretary. Let us support these people. Let us stand with them.

I raise my reservations because I am aware that Hon. Wamalwa, the then Sabaoti MP, raised this Motion in 2008. He wanted to introduce amendments to the then Chiefs' Act to create offices of the village elders and provide for requirements for appointment and remuneration. Up to now nothing has been done. I do not want to grow into the list of fears. We are debating this beautiful Motion here but it is going to rot and gather dust on the shelves of this Parliament or I do not know where in Government. We must as a House enforce and have mechanisms of having the Government do things that this House passes.

It is incumbent on the Chair of this House to give direction of how this will happen. We cannot continue debating very good Motions and Bills but nothing happens at the end of the day. I am optimistic that, at the end of this, we are going to have our village elders have something for their families and something to care for their families' medication, have food on the table for their families, and pay fees for their children. It is very discouraging that you have someone who works for you for very long hours, yet you do not remunerate them. In the spirit of the clarion call of this Government of 'bottom-up', today we passed the topmost officials. The 'bottom' in this scenario are the village elders. So, we expect our President, Hon. William Ruto, to put these people into his policy, so that they get down to the grassroots.

If the Kenya Kwanza Government wants to deliver and they are talking about hustlers, who will help them identify hustlers? It is the village elders. Who will help them identify *mama mbogas*? It is the village elders. On that note, we beseech the President to look into the welfare of these people because he also needs the support of this House, which we have no problem giving.

I am the Member of Parliament for Bumula because of people such as Chenjuli of Talitia and Alfred Wekesa, my own village elder. It is such hardworking people who told me that if I go in this direction, I will make it. If I use this person, I will make it, but this one “is a *mkora*, do not use him. This one hosted your opponent yesterday and the other day.” I am sure that is the case with all the Members of the House.

Let us support these guys. I ask all of you to support these guys, so that at the end of the day, we are all happy. I do not have much to say. Perhaps, I need to seek guidance. I want to donate some of my minutes. How many minutes have I remained with?

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Member, just conclude by saying that you second the Motion.

**Hon. Wanami Wamboka** (Bumula, DAP-K): I know many Members have a lot of interest in this. We are only dealing with one Speaker so do not shout; you are honourable Members. On that note, Hon. Temporary Speaker, I beg to second this beautiful Motion by Hon. Mwengi Mutuse, OGW, Kibwezi West Constituency. *Asante, wakili.*

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, proposer and seconder.

*(Question proposed)*

Hon. Members, I intend to follow the list and the first Member on the list is Hon. Moses Kirima, Member for Imenti Central.

**Hon. Moses Kirima** (Central Imenti, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this very important Motion. I support it.

First, let me give thanks to the Almighty God for giving me a chance to be in this Parliament for a second time. I have never had a chance to speak despite attending and placing requests now and then. Second, I thank the people of Central Imenti for electing me and breaking a record of 30 years by electing a Member of Parliament for two consecutive terms. I congratulate you, Hon. Temporary Speaker, on being elected to the Speaker’s Panel, which was a wish of many of us.

As it has been said by the Mover, village elders are very important to their administrative units. They offer services which cannot be compared with anything. We should support what the Mover has pleaded with this House to pass so that we can appreciate the work they do. Village elders work even more than police officers. They are the ones who inform chiefs and assistant chiefs of happenings in villages. They restore order. They leave their daily personal work to serve the public.

Even though there are no marked village boundaries or job descriptions, village elders are jacks of all trade. They do everything. They mediate cases among villagers. They handle civil and criminal cases. They make sure villages are at peace. They are very important people. When we pass this Motion, we must define the work they are going to do. It is the policy of the hustler government not to involve administrators in politics. I heard the Secunder of the Motion say that village elders campaigned for him and gave him tips on how to win. That should not be the case. If that is what they are going to do, then this Motion cannot succeed. Let them be neutral so that they can serve everybody without favour. That way, I believe they are going to be of value to this nation. That will guarantee more unity in villages.

Village elders serve a small unit in the village. If you come across these people, you will realize that they leave their homes very early in the morning. Sometimes, they are even called at night to go and resolve disputes. It could be a dispute between a husband and his wife. Sincerely, even their security is not guaranteed. When they go to solve these problems, some are cut with *pangas* or trapped on the road and beaten by criminals.



The village elders are very important to us. They should not be dismissed. We should not demean their work. They have been rendering their services since 1963 when Kenya attained Independence. They contribute and do this work without compensation. It is high time we remembered them.

I, therefore, believe that the moment this Motion is passed, we will pursue it and see that the Committee on Delegated Legislation implements it to the letter. We will not do all these things in vain. We take into account that there are a number of Motions which we passed in this Parliament but they have never seen the light of the day.

I, therefore, support the Motion. Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much. The next Member on the list is Hon. Marianne Kitany.

**Hon. Marianne Kitany** (Aldai, UDA): Thank you very much, Hon. Temporary Speaker. I stand to support this Motion on Recognition and Remuneration of Village Elders. Since their appointment in 2014, they have never been remunerated and yet any Government official who is appointed to serve in Government needs to be remunerated. The kind of work and services they render in our communities are numerous.

For example, we have heard that they deal with any matter from domestic issues about a husband, wife, and children to whatever issues that happen in our community. The whole system of administration from the chiefs upwards, depends on information given to them by the village elders. They are the ones who know what happens in the village. For example, if I have 568 village elders in my constituency, they will all tell me and the administration the issues that happen in the constituency or in that particular village where they serve. It is important for them to be remunerated for the work they do.

Currently, their remuneration is based on payments from warring parties that they deal with. Whoever pays the piper calls the tune. So, if we have two warring parties and one of them pays and the other does not, the village elder will assist the person who has paid. We need an independent person who is Government to pay for these services.

They also need to be given uniforms. They need to be recognised by being given uniform. We know from our public service that anybody who is uniformed is given the respect that they deserve. For example, a policeman is given that respect because he wears the police uniform over and above his position. The chiefs are respected because they wear uniforms. As much as we remunerate them, let us give them uniforms and a place where they can practice or do their work. They currently do work from the comfort of their homes. Many of them come from humble backgrounds. So, calling two people to come to a humble background where there are no chairs is also not fair. It is nice that they be given offices where they can operate from.

Almost all the functions that they perform are about keeping law and order. We know that the Judiciary has created the Small Claims courts which deal with cases concerning amounts not exceeding Ksh1million. These people save a lot of Government time and resources because the courts do not handle a lot of issues that the village elders handle within their villages. So, I support this Motion. I recommend that the National Government Coordination Act recognises village elders. The Government should ensure that it entrenches this service by recognising villages as administrative units.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Peter Kihungi, Member for Kangema.

**Hon. Peter Kihungi** (Kangema, UDA): Thank you, Hon. Temporary Speaker. I want to support the Motion on consideration of village elders. The village elders are an asset to our society. Mostly, when chiefs are on leave, even though there are assistant chiefs who act on their behalf, the village elders are the ones who take up major responsibilities on issues to do with service. They also deal with crises that may occur in the village.

I visited Rwanda and learnt that they borrowed our method of performance contracting, which was introduced by the former President, the late Mwai Kibaki. The person who was in charge of performance contracts in Rwanda was a Kenyan. He was telling us that whenever the President of Rwanda signs a performance contract from the administrative section, the lowest section that signs is the village level. The village elders will then sign a performance contract on issues to do with cleanliness and management of the public security. That is why Kigali is one of the cleanest cities.

Therefore, we should introduce this level under the National Government Coordination Act to recognise the village elders and remunerate them. These people will be responsible. They will not be forced to ask our old mothers and fathers to cater for their sitting whenever they have issues they want them to adjudicate. This is a very good Motion and something that the Government should look into. I think we are behind the county government because if you look at the County Government Act, Section 55, you will find it has clearly provided structures up to the village council. It also states that the county assembly will come up with remuneration for the village councils. Therefore, at the level of national Government, whereby devolution goes up to the sub-location level, it will not be too expensive to have elders who live with our people daily being remunerated. They can even sign a code of conduct on how they should perform their duties and how they should relate with our people.

I support the Motion. How I wish it can be legislated to become a law so that we can consider them? That way, they will be effective in delivering services to our people.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you. Hon. Hussein Weytan, Mandera East.

**Hon. Hussein Weytan** (Mandera East, ODM): Thank you, Hon. Temporary Speaker, for giving me this golden opportunity. Village elders are a very important component of our society. They play a vital role in the society. Though not recognised before, they play very great roles in solving most of the problems that affect our society. But for them, I am sure our Judiciary would not handle the number of cases that are there. The Judiciary would be overwhelmed by the number of cases reported there. These people have been helping our administrative units; namely, Assistant Chiefs, Chiefs, Division Officers (DOs) and all the others, in solving problems especially in Mandera, where I come from. Most of the problems are solved by the village elders. Unfortunately, they have never been remunerated. We now want this great Parliament to pass this Motion so they can easily be remunerated like other leaders at the location and sub-location levels. Once this is done, I can assure you the workload and number of cases that have been lying in the Judiciary for several years will be minimised. We will have a quality Judiciary in this country.

If there are around 90,000 sub-locations in this country and we have around three village elders in every sub-location, this will total to 270,000 village elders. If you give them a remuneration of Ksh20,000 or Ksh25,000, that is not much. In fact, it is extremely minimal compared to the work they do. Therefore, I request Hon. Members to support this Motion so this can be entrenched in our Constitution and these people are given their rightful share.

Village elders solve very sensitive cases. Sometimes, they even risk their lives. When they solve a sensitive case, one party is happy and the other unhappy. As a result, they might have problems. Some of them are killed and others suffer. They have no pension, salaries or healthcare benefits. We need to change this situation and remunerate them. It will motivate them and they will play more vital roles in the society.

In the recent past, our villages have been increasing day in, day out. Unfortunately, the Government does not move very fast in turning them into sub-locations. These are the people who support the Government in handling cases at the village level. Unfortunately, they are not recognised. From now onwards, after we pass this Motion, we want the Government to

recognise these people, give them their rightful remuneration and make them part of our public administration.

Hon. Temporary Speaker, with those few remarks, I support the Motion.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Phylis Bartoo, Member for Moiben.

**Hon. Phylis Bartoo** (Moiben, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to contribute to this Motion on recognition and remuneration of village elders. I support it because they play a very critical role in society. Their pay should be anchored in the Constitution. According to Article 41 of the Constitution on labour laws, when you contract the services of anyone, you must pay for what you get. Village elders contribute a lot in the community as volunteers yet they are the most misused members of our society. They participate in all community activities in relation to governance.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): There is an intervention from Hon. Bisau Kakai. What is out of order?

#### QUORUM

**Hon. Bisau Kakai** (Kiminini, DAP-K): Thank you, Hon. Temporary Speaker. I request for your indulgence and guidance. Do we really have a quorum? This is a very important Motion, but looking around I do not think we have quorum. Kindly guide us.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Let the Clerk-at-the-Table and Serjeant-at-Arms confirm the number of Members in the House.

Hon. Members, we do not have the requisite quorum. I request that the Quorum Bell be rung for 10 minutes. It is important that you be informed that when the Quorum Bell is being rung, you are not allowed to go out.

*(The Quorum Bell was rung)*

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Hon. Members, we now have the requisite quorum. So, we will proceed. Hon. Bartoo, you may proceed.

**Hon. Phylis Bartoo** (Moiben, UDA): Thank you, Hon. Temporary Speaker. I was contributing on the remuneration of village elders. My name is Phylis Bartoo, the Member of Parliament for Moiben. I started by saying that the remuneration of village elders should be anchored in law. According to Article 41 of the Constitution on labour relations, if you contract the services of any person, you are supposed to compensate them for the services provided.

I also said that village elders are the most misused members of society. They volunteer their services to society and sit in many public committees to resolve disputes before they are taken to other administrative officers such as chiefs. They also enforce health interventions such as immunisations, as was the case with COVID-19, which ravaged the society. Village elders were very active in mobilising and sensitising members of communities to get immunised. They also register births and deaths in the community. They register deaths of newborns. They are a unit of analysis in the society. That is where everything begins. In a society, everything starts with the village elders and yet, they do not get any compensation. As one of the Hon. Member has said, he who pays the piper calls the tune. That means that they are at the mercy of those who give them something small.

When I was in my constituency, a few weeks ago, I met some village elders and they were requesting to, at least, be given uniforms so that they can get recognition in the society. They sit when bursaries are being given by the national Government and county governments yet they are not considered. If these members of the society are not recognised and paid, they

can get compromised. Remember they are vulnerable and are human too. They have to meet their needs like taking their children to school. They also have medical issues. They volunteer in all duties and assignments yet at the end of the day, they go home empty handed. As Members of Parliament, it is high time we considered legislating this issue.

**The Temporary Speaker** (Hon. Rachel Nyamai): Your time is up. Hon. Irene Mayaka, Nominated Member.

**Hon. Irene Mayaka** (Nominated, ODM): Thank you, Hon. Temporary Speaker. I also stand to support the Motion on remuneration of our village elders and their recognition, by my good friend Hon. Mutuse.

When it comes to recognition of these village elders... First of all, we know that most of the time they have acted as voluntary public servants. They are also the people at the tail end of the grassroot level thus able to reach out to our people. The reason I support this Motion is that as Africans, we know there is something called the black tax. It is something that most people who earn a living do not mind doing. They support the people back in the village or those who leave in an urban setting but are not able to sustain themselves. At the same time, we live in an environment that has a lot of issues in terms of cost of living and so this particular black tax cannot be consistent. It cannot help the people at home or enable them lead sustainable livelihoods. Most of our village elders have been beneficiaries of the black tax but if you are able to ensure they are properly remunerated, it will enable them to become independent.

There is a Member who mentioned that village elders have been known to be inclined to support the person who tends to support and give them handouts instead of being fair to everyone. If they will be remunerated and recognized, then, they will do their work in a much better way.

Another thing we are very cognisant of, is that our elders are the people who suffer the most from medical conditions because of their age. If they get remunerated and handed health insurance, it will be good. This is because most of the insurance facilities that we have do not support people who are above the age of 65 years. If they get all that, they will be productive. In the Transition to Devolved Government Act of 2013, there was an attempt by county governments to institutionalise village elders and create for them councils. The problem with the attempts by the various county assemblies to make that work, is budget constraints.

Hon. Temporary Speaker, I support this Motion. When we do this at the national level, it will trickle down in a proper manner and the remuneration will be done in a proper way. In addition, budgetary implications will be solved. I hope that they will be done in a proper way when they come to this House. Our village elders have been supportive in terms of dispute resolution. They have helped in mobilising local resources, especially where there is need for decision-making.

In line with Articles 118 and 132 of our Constitution on public participation, the other reason I support this is that we most of the time find ourselves in situations where policies are made without proper public participation. We just finished discussing a Motion on delocalisation of teachers. One of the issues raised was that there was no proper public participation. These are institutions that we can use to enhance public participation by villagers who understand the real issues affecting people at the grassroots level. Village elders are the people who will tell you what is happening in households.

Therefore, I submit my remarks and support the Motion. Thank you.

**The Temporary Speaker** (Dr. Rachael Nyamai): The Member for Baringo County, Hon. Florence Jematia. Is she absent? Okay. Hon. Catherine Omanyo.

**Hon. Catherine Omanyo** (Busia County, ODM): Thank you, Hon. Temporary Speaker. Hey! It has been a long day. Thank you for staying put and listening to some of us because sometimes we think our voices are not valid. I support this Motion strongly, a million times.

The village elders of where I come from are called *ligurus*. They know each household, each home. And if there can be any term that can be well defined as bottom-up, then we have to start with the village elders when it comes to governance. They exercise true servant leadership or stewardship. Anything that the Chief and the Assistant Chief know, they get it from village elders. The village elders have intelligence. Without the village elders, the government will not run properly. When there is insecurity or when we have a thief or a rapist in the community, village elders know whose son it is and so forth.

I just looked at this Motion and my heart was already beating. I hope the CS put in charge of that area will consider having a budget for the *ligurus* or village elders so that they are given their rights. One cannot be working 24 hours a day without time off and remuneration. Anything can happen in the village at midnight yet they are up to help out without any gadget, help or salary. It is difficult to run anything in such kind of environment. They are very influential yet they have limited education. Their word is very strong there. Actually, they are an example of somebody who can lead, influence, and give direction without papers. Now I understand why some people lead but they have no degrees. People have been suffocating buying papers and degrees and yet we have examples of good leaders in the village who do not have those papers. They shape communities. I beg that we do not eat our own people by using them and risking their lives. If a rapist or a murderer knows that it is so-and-so who reported me, those people will be at risk. It is good to also put something small in the budget for village elders across our nation.

It is also good to give them uniforms because I see them looking just like anybody. You can easily slap a village elder because he is not in proper uniform. A uniform symbolises authority, or simply tells somebody where they belong. They can give village elders the uniforms that were taken away from the Administration Police. I see the Administration Police in blue uniforms. Where did the other coloured uniforms go? They can give those ones to village elders.

Thank you.

**The Temporary Speaker** (Hon. (Dr) Rachel Nyamai): Let us have the Member for Mathioya, Hon. Edwin Gichuki.

**Hon. Edwin Gichuki** (Mathioya, UDA): Thank you, Hon. Temporary Speaker, for this opportunity. I rise to fully support this Motion for village elders to be given something.

Without repeating what most of my colleagues have said, I want to outline the role of village elders, especially in my constituency:

1. Help in arresting petty offenders.
2. Solving family disputes.
3. Sorting boundary issues.
4. Help in fighting illicit drugs and alcohol, especially in Mount Kenya, where illicit alcohol has really destroyed our families.
5. Help in promoting education.
6. Help in promoting health.
7. Help in security
8. Conflict resolution.

Village elders are very important, but it is vital to ensure that there is a salary scale to guide on what they will be paid. There should also be a proper job description for village elders before they are recruited. This will help in solving most issues.

My District County Commissioners (DCCs) and Assistant County Commissioners (ACCs) in Mathiyoa told me not to leave this House without supporting this Motion. What happens is that every time they have a meeting with village elders, since village elders have no allowances and salaries, the DCCs and ACCs are forced to chip in from their pockets to get something for those village elders.

Village elders play a very important role. We saw it during the campaigns, though they were misused. The former Jubilee Government, through the Office of the President, used to give money to try and influence the outcome of elections. If they are properly remunerated, it will be a job that will be desired by many, especially when our people get older. These small allowances that they will be getting will help them with mobility when responding to an issue in their area.

With those few remarks, I beg to support the Motion. Thank you very much.

**The Temporary Speaker** (Hon. (Dr) Rachel Nyamai): Hon. Zamzam, Member for Mombasa County.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Ahsante sana, Mhe. Spika wa Muda. Ningependa kuchukua fursa hii kwanza, kuwashukuru ndugu zangu wa Mombasa kwa fursa ambayo wamenipa kuwawakilisha katika Bunge hili. Nawahakikishia kuwa nitafanya kazi kwa uadilifu. Kuna tashwishi sana kule mashinani kuwa hatujafikisha pesa za National Government Affirmative Action Fund (NGAAF). Nawaambia kuwa bado NGAAF haijapitishwa kama vile National Government Constituencies Development Fund (NG-CDF) ilivyopitishwa. Kwa hivyo, mkiona Wabunge wenu, vumilieni. Msiwapige mawe Wabunge, kwa sababu bado hawajapata pesa. Natumai pia Wabunge walio hapa wana shida kama hizi.

Ningependa kuunga mkono Hoja hii ya wazee wa mitaa. Wazee wa mitaa wamejitolea sana katika maisha yao na wamepata changamoto sana. Ukiangalia kesi za watu wanaopigana kama mama na baba, ni wao huitwa. Ukiangalia kesi za watoto kupotea, ni wazee wa mitaa wanaozishughulikia. Ukiangalia kesi za wahalifu na majambazi, ni wazee wa mitaa ndio wanaweza kuwatambua. Wanafanya kazi hata zaidi ya polisi. Ningependa kueleza Serikali kuwa ni makosa kuwatumia hawa wazee kufanya kazi kule mitaani. Wao wanalipa ushuru na wananunua kila kitu, huku hawapati mishahara. Ningependa kuomba Serikali ichukue kilio cha wazee wa mitaa na kuweza kuwalipa kama machifu na mapolisi ili hao pia waweze kunufaika pamoja na familia zao.

Tunawahitaji sana wazee wa mitaa kwa habari tendeti, kusuluhisha matatizo mengi kule mitaani na mashinani. Najua mpaka sasa wao hawana malipo yoyote na wengi utapata hata hali zao za kiafya ziko pabaya. Maanake, mzee wa mitaa licha ya kuwa anafanyia Serikali kazi anashindwa hata kulipa pesa ya National Health Insurance Fund (NHIF) kuweza kujisaidia. Ni hatia na mimi naona ni aibu sana kwa Serikali kutumia wazee kama wale kupeana huduma kule mitaani ilhali wanaachwa bure. Wakati mwafaka umefika ili wazee wa mitaa wawekwe akilini na wapewe hata kama ni mishahara japo mdogo. Sharti mara hii wakumbukwe na Serikali.

Sina mengi ya kusema kwa sababu muda haunasi. Nasapoti Hoja hii. Naiunga mkono. Kutoka Mombasa Kaunti ni mama Zamzam Chimba Mohammed. Asante sana, Mhe. Naibu Spika wa Muda kwa kunipa nafasi hii.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you, Hon. Member. The Member for Samburu East, Jackson Lekumontare.

**Hon. Jackson Lekumontare** (Samburu East, KANU): Thank you. Hon. Temporary Speaker for giving me this chance. First of all, I want to thank the people of Samburu East for giving me a second chance to serve them in the 13<sup>th</sup> Parliament.

Concerning the Motion we are discussing on village elders, these are very important people because they help in administration of small units. I know in some counties, the county governments give some allowances to the village elders. I think the problem is the village elders working under Chiefs or Assistant Chiefs. This is because those under the village

administration are well taken care of in some counties. These people need to be given some allowance to motivate them to do the work they do.

When they render this service and are not paid, they are not motivated. I think the national Government has more finances than county governments. Sometimes, it is embarrassing when these people work but nobody takes care of them. Even when they have meetings they are not given something small for their lunches. I think the national Government should try to give them some allowances.

Nowadays, they are trying because Chiefs and Assistant Chiefs are paid something small like airtime. It is not good when they chair meetings together with the Chiefs who are paid something yet the village elders are not taken care of. We should pursue this issue until these elders are considered for the services they give our people.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Your time is up, Hon. Members.

### ADJOURNMENT

**The Temporary Speaker** (Hon. (Dr.) Rachel Nyamai): The Member who was speaking right now will have a balance of about five minutes. Hon. Members the time being 7.00 p.m., this House stands adjourned until Thursday, 27<sup>th</sup> October 2022 at 2:30 p.m.

The House rose at 7.00 p.m.

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