



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**VOL. II NO. 110**

## THE HANSARD

Tuesday, 21<sup>st</sup> November 2023

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

**Hon. Speaker:** Ring the Bell.

*(The Quorum Bell was rung)*

Hon. Members, we now have quorum to transact business. Leader of the Majority Party, what happened to our covenant on quorum? I do not see any of the Chief Whips from either side. You assured the House as an Office that at the beginning of every sitting, all chairpersons of committees must be in the House because their numbers alone constitute quorum. We have more than enough Members when you add the vice-chairpersons. What happened?

*(Loud consultations)*

Leader of the Majority Party, can you reassure the House of that commitment? It is very unkind to allow the Speaker to come and sit here helplessly as we continue ringing the Bell when we have enough Members to whip themselves to be in the House, even without being whipped.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Speaker, it is very unfortunate that this is happening. As you said, we have the numbers, especially chairpersons and vice-chairpersons of committees. I want to be very categorical that they lack a sense of responsibility.

**Hon. Speaker:** It is not that you do not have choices because you do.

**Hon. Owen Baya** (Kilifi North, UDA): Yes, we have choices. Hon. Speaker, I assure you that as we approach the next session of Parliament, we will crack the whip on our chairpersons and vice-chairpersons. We will ensure that we do not have this problem after we come back from recess. It also embarrasses us as leadership.

*(Hon. Joseph Makilap stood in the gangways)*

**Hon. Speaker:** Hon. Makilap, the Speaker does not need any help with this. Take your seat.

*(Laughter)*

PETITION

DISMISSAL OF MR GERALD MULI KIILU BY ABSA BANK

**Hon. Speaker:** Hon. Moses Kirima, you may present your Petition.

**Hon. Moses Kirima** (Central Imenti, UDA): Hon. Speaker, I rise to present a Public Petition on behalf of Mr Gerald Muli Kiilu.

I, the undersigned, on behalf of Gerald Muli Kiilu residing in Central Imenti Constituency, draw the attention of the House to the following:

THAT, through a letter dated 31<sup>st</sup> January 2005, Mr Gerald Muli Kiilu was wrongly terminated by Absa Bank (formerly, the Barclays Bank of Kenya Ltd);

THAT, Absa Bank claimed that in the course of duty, Mr Gerald Muli Kiilu incurred a loss of Ksh149,000, which was borrowed from him by the then retail manager;

THAT, on-the-spot investigations done on 30<sup>th</sup> November 2004 by the senior retail manager revealed that Mr Gerald Muli Kiilu had a shortage of only Ksh366.10;

THAT, Mr Gerald Muli Kiilu lodged a trade dispute with the Ministry of Labour and Social Protection, which recommended that he be reinstated without loss of benefits or break in years of service, be paid 10 months gross salary as compensation for wrongful and/or unfair termination, and any other relief the management would deem fit in a judgement dated 7<sup>th</sup> February 2008;

THAT, the Petitioner is a victim of a witch-hunt, discrimination, intimidation, nepotism and malice;

THAT, the matter presented in this Petition is not pending before any court of law or any constitutional or legal body;

Therefore, your humble Petitioner prays that the National Assembly, through the Public Petitions Committee:

1. Inquire into the dismissal of Mr Gerald Muli Kiilu by Absa Bank (formerly, the Barclays Bank of Kenya Ltd);
2. Recommend that Absa Bank consider reinstating the Petitioner without loss or break in years of service; and,
3. Make any other recommendation or action it deems fit in addressing the plight of the Petitioner.

And your Petitioner will ever pray.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Kirima. Hon. Dawood.

**Hon. Rahim Dawood** (North Imenti, Independent): Thank you, Hon. Speaker. I support the Petition by Hon. Kirima regarding Mr Gerald. The amount of money involved is so petty that somebody can make a mistake in the daily accounts received in a bank. M/s Absa Bank should have been more considerate to Mr Gerald. It should unequivocally reinstate him with his benefits. A Ksh360 difference in the takings should not be a reason for dismissal.

I support Hon. Kirima on this Petition.

**Hon. Speaker:** Hon. Atandi, do you want to speak to this?

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you, Hon. Speaker. First, I would like to thank Mr Gerald for being courageous enough to bring this matter to the House. Many Kenyans working in the private sector, especially in banks, suffer a lot under humiliating conditions yet they are unable to raise these matters because they fear that they will never get jobs elsewhere if the matters come to light. Once you have been fired from one bank, you cannot get a job in another one in the financial sector. This is very courageous of him.

The Committee that will look into this matter must conduct thorough investigations. It is only in Kenya where international companies can easily fire locals without any action taken against them. This happens every day. It is time for this House to look at another aspect that we do not take seriously where international staff working in international banks do jobs that can be done by Kenyans. You find an expatriate coming here to do a job which can be done by

a Kenyan, yet we do not take these matters seriously. The Committee should go deeper into this matter and investigate other cases of this nature.

Thank you, Hon. Speaker.

**Hon. Speaker:** Next Order. Sorry, I have not committed the Petition. The Petition is committed to the Public Petitions Committee to report back in 60 days as is required under the Standing Orders. Is the Chairperson here? Hon. Owen Baya, I am not asking you to say anything, but you can see that chairpersons are not present.

*(Hon. Owen Baya spoke off the record)*

The Order Paper is normally circulated before a sitting, therefore, chairpersons know that matters under their jurisdiction will be considered yet they are not here. Please, inform the Chairperson of the Public Petitions Committee and encourage Members to be in the House. Hon. Members, we are not being hard on you, but it is your duty to be in the House. You are elected to be in this House. I can tell you that in all my years in Parliament, the Speaker always found me in the House and I would leave when the Speaker left every single day. That never affected my re-election back home. Do not say that you are in the constituency when you are supposed to be in the House. You must be here.

Next Order.

## PAPERS

**Hon. Speaker:** Leader of the Majority Party.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Legal Notice No.186 of 2023 relating to Revision of the Laws (Rectification) Order, 2023 and the Explanatory Memorandum from the Office of the Attorney-General.
2. Annual Report of the Victim Protection Board for the Financial Year 2022/2023 from the Office of the Attorney-General.
3. Quarterly Economic and Budgetary Review Report for the Financial Year 2023/2024 from the National Treasury.
4. Annual Report of the National Land Commission for the Financial Year 2022/2023 from the National Land Commission.
5. Annual Audited Report of the Kenya Industrial Property Institute for the Financial Year 2021/2022 from the Ministry of Trade, Investment and Industry.
6. The Bi-Annual Report on the Status of Alcohol and Drug Abuse Control in Kenya, 17<sup>th</sup> Edition covering the period from July to December 2022 from the Ministry of Interior and National Administration.
7. Reports of the Auditor-General and Financial Statements for the year ended 30<sup>th</sup> June 2023 and certificates therein in respect of—
  - (a) De-Risking, Inclusion and Value Enhancement of Pastoral Economies (Drive) Project (Credit No.7139-KE) for the year;
  - (b) Enable Youth Kenya Programme (ADF Loan No.2100150038895);
  - (c) Samatar-Wajir Road Project (Loan No.13/779 and 995);
  - (d) Merille-Marsabit Road Rehabilitation Project (KE/001/09) Loan Agreement No.KE/FED/2009/021-655;
  - (e) East Africa Skills Transformation and Regional Integration Project IDA Credit No. IDA 6334-KE – State Department for Roads; and

(f) Africa Environmental Health and Pollution Management Project (EHPMP).

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Deputy Leader of the Majority Party.

Hon. Members, before we call the next Order, allow me to introduce to you a delegation of six staff from the Department of Official Reports from the Parliament of Uganda seated in the Speaker's Gallery. They are on a visit to the National Assembly to learn about the production of timely and accurate verbatim reports of the proceedings in the Directorate of Hansard and Audio Services. On my behalf and that of the National Assembly, I welcome them and wish them a fruitful engagement during their stay in the country.

*(Applause)*

Thank you.

In the Public Gallery, we have the University of Nairobi Students' Association – Nyanza Chapter – from various constituencies and counties. Again, on your behalf and my own behalf, I welcome them to the House of Parliament.

Thank you.

*(Applause)*

Next Order.

### **NOTICE OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE**

**Hon. Speaker:** Member for Mandera South, Hon. Abdul Haro?

#### **EFFECTS OF *EL NINO* IN MANDERA COUNTY AND THE COUNTRY**

**Hon. Abdul Haro** (Mandera South, UDM): Hon. Speaker, I beg to give notice of the following Motion:

Hon. Speaker, pursuant to Standing Order 33(1), I seek leave for the adjournment of the House for purposes of discussing a definite matter of urgent national importance regarding the current severe *El Nino* crisis and its devastating effects particularly in Mandera County.

Hon. Speaker, the adverse effects of the *El Nino* crisis are significantly impacting a lot of critical facets of our country. The rains are disrupting the ongoing national exams for students, with potential long-term consequences on the education and future prospects of students. In Mandera County, numerous schools are also being utilized as refugee shelters posing challenges to both the displaced individuals and the educational institutions involved. Some vital healthcare facilities, including hospitals, are submerged rendering them inaccessible. This has unfortunately left the affected population without access to medical assistance in the wake of dangerous outbreak of diseases.

Hon. Speaker, it is disheartening to note that private individuals have had to step in actively to engage in rescue and relief efforts, underlining the urgency and the gravity of the situation. The current death toll stands at 46, with over 14 reported injuries and the potential for further casualties is imminent if immediate action is not taken.

Hon. Speaker, it is against this background that I seek leave for adjournment of the House to discuss this matter of great national concern with a view to exploring possible and long-lasting solutions.

---

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

Thank you, Hon. Speaker.

**Hon. Speaker:** Do you have the requisite support?

*(Several Members stood up in their places)*

The support is overwhelming. Hon. Members, you may now take your seats. Member for Mandera Central?

*(Loud consultations)*

Order, Hon. Members.

*(Hon. Kangogo Bowen and several Members consulted loudly)*

Order, Hon. Bowen and your group.

Hon. Members, having garnered the requisite support numbers, I direct that this Motion of Adjournment be moved at the end of the business at Order No.12 or at 5.30 p.m., whichever comes earlier. Are we together, Hon. Member?

**Hon. Abdul Haro** (Mandera South, UDM): Yes.

Next Order.

## PROCEDURAL MOTION

### REDUCTION OF PUBLICATION PERIOD OF A SPECIFIED BILL

**Hon. Speaker:** Chairperson of the Budget and Appropriations Committee.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Speaker, I beg to move the following Procedural Motion:

THAT, pursuant to the provisions of Standing Order 120, this House resolves to reduce the publication period of the Supplementary Appropriation (No. 3) Bill (National Assembly Bill No.71 of 2023) from seven days to four days.

As Members are aware, there is nothing much happening with regard to Government. And that is affecting this House just like any other agency of Government because when we undertake the process of Supplementary Estimates, as Members are aware, the Government system famously known as the Integrated Financial Management Information System (IFMIS) does not usually operate. The reason for this is because we are making some effects on the budget and some Ministries, Departments and Agencies (MDAs) could proceed to expend monies which have probably been proposed for cuts. So, the essence of locking IFMIS is usually for tidiness of Government financials because the process we are undertaking now is to vary the budget. We cannot be expending the same monies that we are varying. Therefore, the essence of this Motion is for us to conclude the debate with regard to the Appropriations Bill today and henceforth finish the matter of Supplementary Estimates so that we can free up resources to go to our National Government-Constituencies Development Fund (NG-CDF), roads, water projects and for Parliament and other Government agency to operate.

Hon. Speaker, I request the very eloquent Member for Kirinyaga, Hon. Njeri, to second.

**Hon. Speaker:** Hon. Njeri, you do not need any eloquence here. Just second.

*(Laughter)*

**Hon. Njeri Maina** (Kirinyaga County, UDA): Hon. Speaker, I rise to second. I want to thank my very good friend and role model to many of the young politicians, Hon. Ndindi Nyoro, Member for Kiharu. Indeed, we need the country to operate and I am seeking that once this is done, the National Treasury releases the funds with immediate effect so that we can get back to work.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Njeri.

*(Question proposed)*

**Hon. Members:** Put the Question.

**Hon. Speaker:** Is that the mood of the House?

**Hon. Members:** Yes.

*(Question put and agreed to)*

*(Hon. Mark Mwenje spoke off the record)*

**Hon. Speaker:** Order, Hon. Mwenje. Before we declared you the Whip of the Minority Party, you were fighting to sit on the Front-bench.

*(Laughter)*

Now that we have done so, you have shifted to the Back-bench.

*(Hon. Mark Mwenje spoke off the record)*

Next Order.

## BILLS

### *First Reading*

THE SUPPLEMENTARY APPROPRIATION (NO. 3) BILL  
(National Assembly Bill No.71 of 2023)

*(The Bill was read a First Time and referred to the relevant Committee)*

**Hon. Speaker:** Next Order.

### *Second Reading*

THE SUPPLEMENTARY APPROPRIATION (NO.3) BILL  
(National Assembly Bill No.71 of 2023)

**Hon. Speaker:** Chairperson of the Budget and Appropriations Committee, Hon. Ndindi Nyoro.

*(Loud consultations)*

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Speaker, I beg to move that the Supplementary Appropriation (No.3) Bill (National Assembly Bill No.71 of 2023) be now read a Second Time.

Hon. Speaker, as Members are aware, last week we robustly debated the Report of the Budget and Appropriations Committee with regard to the Supplementary Estimates. Therefore, I will just highlight a few issues which appear in the Supplementary Appropriation Bill, that is Supplementary 1 of 2023.

Hon. Speaker, I was able to apprise Members of the fact that the essence of this Supplementary Budget that we are currently debating today and hopefully conclude by the end of this sitting is primarily edged on only three things.

One of the critical things that we are doing in rearranging Government financials in these Supplementary Estimates 1 is the repayment of interest rates of the obligations that we owe both domestically and externally. As Members are aware, we passed the main Budget in June but from June to date, there have been dynamics across the money markets which affect the cost of money. We have seen an increase in interest rates both locally and globally. Most of our foreign debt is dollar denominated.

On the global figure of our debt, Kenya will take us about Ksh10 trillion in debt, and 50 per cent of that debt is foreign. Most of the foreign debt is dollar denominated. From January to date, our local currency has lost over 21 per cent. Consequently, it means that about Ksh4.3 trillion that we owed at the beginning of this year has escalated to around Ksh5.3 trillion. The majority of this money is not borrowed but it is just the variations in our local currency with regard to the dollar, which is a denomination that is used in most of our borrowing. The essence of the monies that we are enhancing is basically to provide for that: Ksh145 billion in this Supplementary Budget is going to enhance the payment of our interest rates for both domestic and foreign debt.

It is important that I clarify why we, as a country, have to keep on raising our interest rates. Why do Treasury Bills have much more yield than they had in June? When we are looking at the economy and the balance of payment, it has two components. One is in the current account that records the net imports (X-M) and then there is another one that records capital inflows minus the capital outflows. When the other global interest rates are rising, if the current or domestic interest rates do not go in tandem, we make other economies more attractive for investment. That is why Kenya cannot be isolated. When the global interest rates are rising, Kenya also raises, so that we can attract capital inflows within the country. That is one of the reasons we had to increase our budget in this Supplementary Budget.

Secondly, when we are budgeting for a country, we use financial years, that is, from June to June. However, when the country is doing other arrangements, for example in education, we do that cognisant of the calendar year. Therefore, one of the other reasons that we added some money in this Supplementary Budget is that we needed to capacitate our education sector by capitalising on it more. We have added over Ksh70 billion into our education sector. It is important that I let Members know that our education sector currently is taking up Ksh700 billion of our Budget which is commendable. These are monies that are going into the tomorrow of our country. This is an investment. Out of the money that is going to education, Ksh5.4 billion will go into Junior Secondary School (JSS) capitation. We are adding more money to JSS so that parents do not have to cough money out of their pockets in January, especially those who will join in January.

Thirdly, we have added over Ksh20 billion into our higher education. We have capitalised more on the Higher Education Loans Board (HELB) to give loans and provide scholarships to higher education students, especially university students. We also added over



Ksh5 billion into our Technical and Vocational Education and Training (TVET) institutions. This money will pay scholarships for TVET students.

There is something I want Members to put a keen listening ear on. In education, we have added an extra Ksh3.4 billion into JSS infrastructure: laboratories and other infrastructure related to JSS. In this Supplementary Appropriation (No.3) Bill, we moved this money from the Ministry of Education and took it to the State Department for Economic Planning, so that it goes to the National Government Constituencies Development Fund (NG-CDF) for the Members of this House to manage the construction of JSS infrastructure.

*(Applause)*

We have also added Ksh1 billion to the education sector. Nairobi is our Capital City. Whether we come from other areas in this country like Murang'a, Taveta, Marsabit, Ileret in Marsabit or any other area, it is still our pride as the Capital City. It has the highest number of school-going children who have no access to education. We have added it Ksh1 billion that will go into enhancing infrastructure in our primary schools and secondary schools. Statistics in the Ministry of Education are very clear that Nairobi City County is much more disadvantaged in infrastructure. That is why many school-going children are unable to access education.

The other thing that made us have this Supplementary Budget is primarily the domain of our economy. Kenya is still agrarian in nature. Agriculture employs the bulk of the Kenyan citizens. In rural areas, 70 per cent of the residents are employed by the value chains in agriculture. We have added Ksh8.25 billion to the fertiliser subsidy for the next season. We have also added monies for the National Cereals and Produce Board (NCPB) to mop up maize. We have also added money for maize post-harvest management because we expect a bumper harvest.

Within agriculture, I have good news for Kenyans who do sugarcane farming. We added close to Ksh2 billion into sugar reforms which will help our factories to procure sugarcane using sucrose level. We have also input close to Ksh1.5 billion for payment of arrears of sugarcane farmers who are owed monies for sugarcane that they have already provided.

We also have good news for farmers of Kenya who are engaged in coffee production. We have added Ksh4 billion into coffee farming, and specifically into the Coffee Cherry Advance Revolving Fund, so that the farmers of Kenya who do a marvellous job, in terms of balancing our payments, are able to produce more coffee. That is why we have recapitalised the Coffee Cherry Advance Revolving Fund with Ksh4 billion.

There is much more that we have done in these Supplementary Estimates because we believe that a country that is run by people is dynamic. We made the Budget in June but a lot has happened. Therefore, we needed to align the government resources to go into areas that we deem are much more effective in turning inputs into outputs. Agriculture has been seen to be part of that.

The budget-making process affects the entire economy. It is important that I highlight one area that Members have been asking about. Why is our currency decimated? Why is it on the receiving end with regard to other global currencies? For the last eleven times that the Federal Reserve of the United States of America (USA) has met, they have consistently been raising interest rates. In January, 2022, the Federal Reserve rate in the USA was 0 per cent to 0.25 per cent. They have then raised interest rates for eleven consecutive times up to the now 5.25 per cent to 5.5 per cent. How is that related to the Kenyan shilling? When the USA raises interest rates, there is capital flight from all the other emerging economies like Kenya and the rest. We have seen a lot of capital outflows from emerging economies like Kenya. The investors going to the USA do not need to worry about currency devaluation.

The second thing is the regime of the Central Bank of Kenya (CBK). It has three critical areas that it needs to do other than the regulation of the financial institutions. Its critical role is to set prices. There are three categories of prices: prices of commodities which we call inflation, the price of money which we use interest rates and the price of the domestic currency which is forex or exchange rate.

The regime of the CBK affects the domestic currency or the direction it takes. It is known that Kenya has a floating exchange rate regime where it is a matter of demand and supply. There are two categories within it: the managed exchange rate regime which is floating and independent. For the last six years, Kenya adopted a managed floating regime. We could offload our dollars when our shilling was weakening so we were able to manage our local currency artificially. The current regime is independent so that the shilling gets its true value in relation to other global currencies. Some Members will ask why the Kenyan Shilling is losing against the Ugandan Shilling or the Tanzanian Shilling. If you check the economic data of the Ugandan Shilling versus the Kenyan Shilling and the Tanzanian Shilling versus the Kenyan Shilling, you realise we are at the same level we were during the late former President Kibaki's time around 2010. Why? When the Shilling finds its true value, it is able to relate with other currencies independently. That is the main reason that we have seen some devaluation in the Kenyan Shilling as it finds its ground in an independent floating regime.

With those many words, I thank all the Members of this House. The Budget and Appropriations Committee always benefits greatly by listening to all of them. The majority of them come to my office and give me a lot of guidance and counsel. Therefore, the work that we do, including the one for the Supplementary Budget, is the collective wisdom of this House. I thank Members of the Budget and Appropriations Committee, leadership of the House led by our Clerk and leadership of the Parliamentary Budget Office (PBO), especially Director Masinde.

There are very important people who have been by my side all through and they are here: Dr Abel, Ms Julie and Mr Dan. I went to Kenyatta University. By coincidence, almost all these economists went to Kenyatta University, including Deputy Leader of the Majority Party of this House and the Chairman of the Departmental Committee on Communication, Information and Innovation. Those who did not get an opportunity to go to Kenyatta University can still do a post-graduate course in that institution.

*(Applause)*

*(Laughter)*

With those many remarks, I call upon the Member for Ol Jorok, a very effective Member of the Budget and Appropriations Committee, to second this Bill.

**Hon. Speaker:** Proceed, Hon. Member. Give him a microphone.

**Hon. Michael Muchira** (Ol Jorok, UDA): Thank you, Hon. Speaker. I second the Bill.

**Hon. Speaker:** Thank you. That is Kenyatta University in action.

*(Laughter)*

*(Hon. Joseph Makilap consulted with other Members)*

Order, Hon. Members. Order, Hon. Makilap.

*(Question proposed)*

Hon. Members, I want to give you some direction. This is literally a replica of the Committee Report. I want us to agree on how much time we want to spend on this. Contrary to my earlier advice, the screen is full. It is now 3.15 p.m. If we will have some debate, I will allow a short debate up to 3.45 p.m. How much time do you want everybody to take?

**Hon. Members:** Three minutes.

**Hon. Speaker:** Three minutes. Hon. Irene Mayaka, I have called you to speak. I see you on the screen. You have three minutes. I will call the Mover to reply at 3.45 p.m.

**Hon. Irene Mayaka** (Nominated, ODM): Thank you, Hon. Speaker. I hear someone asking for my school. My school is the University of Nairobi. The only university with “the”. I stand here to make a few remarks regarding this Supplementary Appropriation Bill.

I will be very brief because, for me, the one area I really have a concern about is R1017 where we have sought to increase the amount allocated to State House to a whopping Ksh2 billion. I listened keenly to the Chair of the Budget and Appropriations Committee when he was giving us his remarks in support of Ksh2 billion. I remember him mentioning that the reason is that the Head of State would like to have more meetings in State House, including building a pavilion. However, we are experiencing extraordinary times. That means we need to make extraordinary decisions. If we must have meetings, then why do we not have online meetings? Why can the Head of State not have Zoom meetings so that we even save more money? I feel that this amount of money allocated is a bit too much.

The one area that I support is the diaspora. The diaspora has been allocated an approximate amount of Ksh1 million. This area needed to have a bit more money allocated to it. The reason for this is that we have many investments coming from people in the diaspora. We need to capacitate them and have the proper infrastructure to make sure that we have actual data on Kenyans in the diaspora. We need data on how much money they are making and the tax coming through. We are not going to get the possible results if we allocate very little money towards this infrastructure.

As I finish, there is also an allocation for the Office of the Deputy President. I listened very carefully when the Deputy President mentioned that he also wants to eat seafood and lobsters in his office. I am just wondering whether this additional allocation is for lobsters and seafood. We need to make proper sacrifices if we are all making sacrifices and reducing amounts allocated to every area. We are not making luxurious sacrifices.

With those few remarks, Hon. Speaker, we need to review the Estimates we have indicated here and have Estimates that speak to the current economic situation of this country. I thank you.

**Hon. Speaker:** Justice Kemei.

**Hon. Justice Kemei** (Sigowet/Soin, UDA): Thank you for the opportunity you have given me. I will be very brief.

First, I commend the Chairman of the Budget and Appropriations Committee for a job well done. When I was listening to him, I thought I was listening to the Cabinet Secretary of Finance. I tried to look around to see whether he was reading from something. He was speaking from his mind. That is the way to go. I have two points.

Number one is that the increase to the Ministry of Education is well-guided. We must have enough money for our junior secondary schools. We started the programme the other day. It must work.

Second is the increase of money to the agricultural sector particularly because I come from the cane-growing regions of Western Kenya. That money will be used to pay arrears to farmers and public-owned mills. I commend the Budget and Appropriations Committee for that decision. I am a little bit worried about cane-testing units. I want to find out whether cane-testing units put in various sugarcane factories in the country are really working. We must ask the question because we are giving about Ksh400 million for cane-testing units. I beseech the

Chairman of the Budget and Appropriations Committee and my Chairman in the Departmental Committee on Agriculture and Livestock to find out whether these cane-testing units are working.

Finally, Hon. Speaker, you spoke about Kenyatta University (KU). If that is where economists are produced, I am also an alumnus of the University of Wales, School of English Studies in Cardiff.

Thank you, Hon. Speaker.

*(Laughter)*

**Hon. Speaker:** Hon. Charles Onchoke.

**Hon. Charles Onchoke** (Bonchari, UPA): Yes, Hon. Speaker. Thank you for the opportunity to contribute to this debate.

We have a Supplementary Budget against the backdrop of a country not having a medium-term plan. One wonders how we can manage our economy without a medium-term plan. We are 11 months into the year without a medium-term plan, therefore, the numbers we talking about are probably flying all over the air. I have listened to the Chairman of the Budget and Appropriations Committee talk about our economy. It is good to compare ourselves with other economies but it only goes as far as to give direction on how we need to manage our economy. The fact that the Federal Reserve System has increased the interest rates of the USA a number of times is not a reason for Kenya not to manage its economy better.

We are in a situation where interest rates are high. The reason our shilling is depreciating against the international strong currencies is that our exports are falling short of imports. In other words, we are consuming more imports than we export. Why are exports falling short of imports? The reason is that our main exports from agriculture like tea, coffee, and horticulture, are falling. Why are they falling? It is because the Kenyan...

*(Hon. John Kiarie spoke off record)*

**Hon. Speaker:** Your time is up. Hon. KJ, you are not Nairobi. You are KJ, the Member for Dagoretti South.

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Speaker, you got that very right. I am the Member for Dagoretti South and an alumnus of the great KU from which I have great company in the Plenary.

*(Laughter)*

I am in the company of the greats like the honourable Chair of the Departmental Committee on Finance and National Planning, the honourable Chair of the Budget and Appropriations Committee, and many other greats.

I take this opportunity to first congratulate the Budget and Appropriations Committee for burning the midnight oil and delivering this Supplementary Budget on time. What needs to be spoken? We cannot go into the details in three minutes. It is the style and manner with which the Budget and Appropriations Committee approached budgeting this year. The involvement of Members of Parliament, especially the Chairs of Committees, was something unprecedented. We have to commend the new style and approach adopted by the Departmental Committee on Finance and National Planning. It is very inclusive and very considerate of the issues coming out from Members.

As a Member of Parliament representing a constituency in Nairobi, we appreciate that we have put in Ksh1 billion in this Budget. Those are monies being transferred to the Ministry

---

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

of National Treasury and Economic Planning so that they can be appropriated through the National Government Constituencies Development Fund (NG-CDF) to expand our primary schools in this city. The primary schools in Nairobi have come to a state where some of them have been condemned as unfit for human occupation. Some of those schools were last attended to in the era of the Nairobi City Commission. Some were attended to in the era of the Nairobi City Council. Some were attended in the era of Mayor Margaret Kenyatta. This is the time we get the opportunity to bring some of these schools up to standard.

The investment in the digital space is also commendable. The digital economy and the Information and Communications Technology (ICT) sector got a small boost with an improvement of the monies that have been appropriated to this sector. I call upon Members of Parliament to take the opportunity and honour the pledges they made at the *Kamukunji* you convened so that we can have digital innovation hubs in every single ward of this country. These digital innovation hubs are impressive. The few already put up are already converting learners to earners. These are the young people walking into our TVET centres to get digital literacy skills. They are being trained on how to work on online jobs and earn in dollars.

I want to end it here by associating myself with the words of the Chair, that KU produces brilliant minds. Dr Masinde and the lady who has been supporting this Committee are well-known to me as extremely brilliant minds. There is a case to be made for generational conversation—that the people running the economy of this country are of a certain average age when you look at the Chair of the Budget and Appropriations Committee. Look at the Chair of the Departmental Committee on Finance and National Planning. Look at *Dkt* Masinde and the people working with him. This generation needs to make its mark akin to the generation of the Mwai Kibakis, the Kenneth Matibas, and the Martin Shikukus. They were able to bring up a Kenya that was so brilliant in the 1960s and 1970s. It was recognised the world over. We are seeing a situation where we are bringing up leaders of a new generation that will make this country the envy of the people around this region, in the East African region, the envy of Africa and the envy of the world.

I appreciate this opportunity to contribute to this Motion. Thank you very much, Hon. Speaker.

**Hon. Speaker:** Thank you. Hon. Joseph Oyula.

**Hon. Maero Oyula** (Butula, ODM): Thank you for giving me the opportunity to support the Supplementary Budget.

I start by congratulating the Chair of the Budget and Appropriations Committee for being very eloquent in his presentation of this Supplementary Budget. As much as I support the increases and the adjustments made, I ask the Budget and Appropriations Committee to start thinking towards reducing the deficit. There is an increase in the deficit. We should start thinking about the reduction of the deficit. Let us now start looking at a balanced Budget. I know it is not something that can be done easily. However, let us put our minds on bringing the deficit down so that Kenya is also seen to be doing its operations in a more considerate manner.

With those few remarks, I thank the Chair of the Budget and Appropriations Committee. I encourage him to start looking at the reduction of the deficit in the future. Thank you.

**Hon. Speaker:** Hon. Beatrice Kemei, you are on the screen. I see you exclaiming. Are you ready for this?

**Hon. Beatrice Kemei** (Kericho County, UDA): Thank you, Hon. Speaker. First, I thank the Chairman and members of the Budget and Appropriations Committee for the work well done. I also appreciate the fact that the Chairman is an alumnus of Kenyatta University, a university that has produced great brains. I am also an alumnus of that university. I appreciate this Supplementary Budget.

On matters agriculture, I have looked at the allocation to the tea sector to ascertain how much has been added but I have been informed that the benefits to tea farmers will be on the allocation to fertilisers. In the coffee sector, Ksh4 billion is a good allocation that will support reforms and coffee farmers. We grow coffee in Kericho but farmers had abandoned coffee farming because of low income. With the increment in allocation, I am sure coffee farmers will smile all the way to the bank. I feel that more money should have been allocated to tea farming. On the milk sector, the New Kenya Co-operative Creameries (KCC) has been added Ksh1.5 billion. This is an important increment as many small and large-scale farmers will benefit.

The education sector has been allocated Ksh700 billion, which is a great achievement. We are investing for today and tomorrow. I appreciate the Committee for that. I will not forget the money allocated to affirmative action, which is more for sanitary towels. This will be a plus, especially now that distribution of sanitary towels is not domiciled in the Ministry of Education but in the Ministry of Gender, Culture, the Arts and Heritage. That is a good allocation. Finally, I believe that the implementation of this Supplementary Budget will be done to the letter.

Thank you very much, Hon. Speaker.

**Hon. Speaker:** Hon. Zamzam.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Asante sana, Mhe Spika, kwa kunipatia nafasi hii ili nitoe sauti yangu kwa Mswada wa kuidhinisha matumizi ya ziada ya fedha. Ninaunga mkono makadirio ambayo yameongezwa katika sekta ya elimu, usalama, afya na kilimo. Kilimo hasa ni muhimu kwa sababu ukulima ni uti wa mgongo wa taifa letu. Kwa sasa, hali ya taifa letu ni tata kwa sababu ya uchumi mbaya. Bajeti ya wakulima ikiongezewa itaongeza uzalishaji na uchumi utaboreka. Nina imani kuwa baadaye Rais wetu atapunguza zile kazi ambazo zimekuwa zikitujia sisi Wabunge kila wakati.

Kwa upande mwingine, ile bajeti ambayo imeongezewa Ikulu na Ofisi ya Naibu Rais sio sawa. Hiyo bajeti ingeachwa vile ilivyo kwa sababu hata makadirio ya hapo awali yaliibua utata. Ni vyema kama ingepunguzwa na fedha hizo kuongezewa sekta ya afya, kilimo, usalama na elimu. Hiyo ni ishara ambayo itaguza na kutuliza nyoyo za wananchi wengi ambao wanahangaika kwa wakati huu na kumpatia Rais umaarufu zaidi katika uongozi wake.

Kwa hivyo, ninaunga bajeti ya sehemu nne ambazo ni kilimo, usalama, elimu na afya. Lakini upande wa Ikulu, naomba radhi kwa sababu, kama Mama Kaunti, ninaona ni vyema ibaki ilivyo.

Asante sana, Mhe. Spika.

**Hon. Speaker:** Thank you. Hon. Ferdinand Wanyonyi.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Thank you very much, Hon. Speaker, for giving me the chance to add my voice to this Supplementary Appropriations Bill. First and foremost, I thank the Chairman of the Budget and Appropriations Committee for allocating resources to priority areas. I just had a discussion with the Chairman and he has confirmed to me that it is a shame that despite Kenya being a country on the tropics, it is a net importer of food. This is something that we must take seriously. I would like to know how much money has been allocated to agriculture because we are embarrassing ourselves. How do we import food, including maize, in this country? I believe it is because we have not taken agriculture with the seriousness it deserves. I hope that the Supplementary Budget will allocate more money to agriculture so that we can have irrigation schemes. This will ensure that during the dry season, we can irrigate farms so as to produce enough food for this country. I agree that the Committee has allocated some money, but we need to debate and agree whether that money is enough or not. I have just talked to my Chairman of the Departmental Committee on Agriculture and Livestock and agreed that we deliberate on the budgetary allocation to ensure

that we have enough money appropriated for agriculture. It is a shame that we import food. Currently, Kenya is a net importer of food, which is a very embarrassing situation.

With those few remarks, I support the Supplementary Appropriations Bill. I hope that the Chairman of the Budget and Appropriations Committee will critically look into the Budget Estimates so as to find solutions to the allocation to the agriculture sector.

**Hon. Speaker:** Thank you, Hon. Ferdinand. Hon. Bowen.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Thank you, Hon. Speaker, for giving me this opportunity to support the Supplementary Appropriations Bill. I congratulate my good friend, Hon. Ndindi Nyoro, for a job well done. Even though he brags about Kenyatta University, during our time the university was a college of Education and Arts.

*(Laughter)*

Jomo Kenyatta University of Agriculture and Technology (JKUAT) also has quite a number of alumni in this House.

I support this Bill and commend the Budget and Appropriations Committee for the good job. The only issue I have, as the Chairman of the Departmental Committee on Blue Economy and Irrigation, is that the northern and coastal regions of Kenya, which have been badly affected by the floods, have not been adequately factored in the Supplementary Budget. As we speak, those regions are struggling to access clean drinking water yet from the Supplementary Budget, there is very little money allocated to address the issues of *El Nino* and floods.

*(Applause)*

I appeared before the Budget and Appropriations Committee to present the case for these regions, but I do not know how much the Committee allocated to them. Currently, these people are not interested in coffee, maize or fertilisers. Their concern is basic needs like access to drinking water for them and their livestock.

I stand here to speak for the pastoralist communities. In this Supplementary Budget, we have seen significant amounts of money allocated to the coffee and tea sectors. Growing up, I thought that tea was more of a fruit because I had not seen a tea tree before; we do not grow tea in our area. I request that when considering budget allocations, it should be balanced for the entire country to make sure that every Kenyan is catered for because we are all taxpayers. The Budget should touch all sectors of the economy in our country, including the pastoralist communities.

On the issue of security, last week we approved deployment of officers of the National Police Service (NPS) to go to the Multinational Security Support Mission to Haiti yet there is no security in regions like Kerio Valley, where I come from, and Turkana County in northern Kenya. So, in this Budget, I seek that Hon. Ndindi Nyoro's Committee and the National Treasury allocates enough money to address the issue of insecurity in the northern Kenya and the Rift Valley.

Hon. Speaker, this is a good Budget, and I support it. I want to ask the Chairperson that the next time he is doing the Supplementary Appropriation Bill; he should remember some parts of Kenya which have been forgotten, and address their issues properly. As we proceed to approve this Bill, we have not seen the exchequer of the budget that was passed.

Many Government agencies advertised for projects and contractors were awarded tenders but, up to now, the exchequer has not been released. Yet, we are passing the Supplementary Appropriation Bill No.3. Hon. Ndindi Nyoro should go back to the National

Treasury and speak economics to them. I heard him saying minus X and minus this and that. We do not want to hear about minus X. We want to see the real money in Kenyans pockets.

**Hon. Speaker:** Hon. Caroli Omondi.

**Hon. Caroli Omondi** (Suba South, ODM): Thank you very much, Hon. Speaker. I am waiting for the next Order when it is expedited.

**Hon. Speaker:** You are now falling victim of my direction. Hon. Members, if you are not speaking to the Order on the Floor, try as much as you can to get yourself off the screen so that we are able to... Hon. Atandi.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you, Hon. Speaker. I support the Bill as presented by my able Chairperson. In this Supplementary Budget, the House has allocated sufficient resources to the security agencies; the Department of Defence, the National Intelligence Service (NIS) and the general security of the country. My prayer is that after this Bill is passed, the relevant agencies will do their best to address the question of insecurity in the country. There are criminal gangs that are wreaking havoc in this country.

Yesterday in my constituency, criminal gangs attacked police officers who were guarding exams and killed one police officer, injured another one and went away with the guns. As we talk, two guns are in the hands of criminals in Siaya. This is something that this House needs to take note of. The security agencies will have no excuse from today after this budget is passed, not to address the insecurity challenges across the country.

Thank you, Hon. Speaker. I support.

**Hon. Speaker:** Thank you. Hon. Makilap.

**Hon. Joseph Makilap** (Baringo North, UDA): Thank you, Hon. Speaker. First of all, I rise to support the Chairperson of the Budget and Appropriations Committee on this Supplementary Appropriations Bill No.3. I have listened carefully, gone through it, and around Ksh1.8 billion is allocated as compensation or payment to farmers owed by State-owned sugar factories.

I support this payment because farmers are suffering and yet, they have been supplied with grains. The problem is that we have sanitised corruption. What about the people who stole that money which the Government is now paying? What has been done to them? That is because taxpayers are contributing for the mess that was done by some individuals who ran down factories and made away with the money. What action will be taken? Kenyans are contributing to sort out a mess that was done by individuals who are now going scot-free.

I support the payment to farmers. I can see Ksh4 billion has been allocated to coffee farmers. I have not seen something for tea farmers or restocking of pastoralists' livestock. This is because *El Nino* will enable pastoralists herds to grow after losing their livestock to drought. Is there something for them? Those of us who are coming from the pastoralist's economy want to restock because we lost many of our animals through drought and banditry.

We want equality and fairness in Kenya. As we support coffee and sugar-cane farmers, we should also support tea and livestock farmers so that they can survive in Kenya. I also want to congratulate the Chairperson for giving Ksh6.3 billion for the modernisation of the security apparatus. This amount should not just benefit the police, but also the National Police Reservists (NPRs) who guard the community interests and livestock. Modernisation of NPRs is required so they can have the right gear and weapons to combat crime.

Hon. Speaker, finally...

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

**Hon. Joseph Makilap** (Baringo North, UDA): Hon. Speaker, allow me one more minute. Going forward in this country, we need to make a balanced budget. During Hon. Nyachae's time - and I was not in Parliament - he brought a balanced budget where revenue was equal to expenditure. During Hon. Kibaki's time, we financed a budget with a deficit of only 5 per cent. Going forward, to avoid sorting out problems that are caused by the Bretton



Wood Institutions like the World Bank and International Monetary Fund (IMF), we need to make a balanced budget that will support us and avoid a crisis of debt repayment. We are having many supplementary budgets because of things which are out of our control.

Hon. Speaker, I support. Thank you.

**Hon. Speaker:** Mover.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Thank you very much, Hon. Speaker. I will take very little time in replying. I thank all the Members who have said something about this Supplementary Budget. It is important I mention them as I reply to their concerns. Hon. Irene asked about State House. As I explained earlier, State House had not been given enough money in the main Budget. We consciously did this because there were more pressing needs. So, we are reinstating the amount they never got in the main Budget.

On Diaspora affairs, the Ksh1 million is an increase. There was a budget to cut and so, they should be very happy to get an increase. This is because 90 per cent of the Government Ministries, Departments and Agencies (MDAs) got a decrease. On the issue of education that has been raised by Hon. Justice, we have increased the amount and education is the highest beneficiary after payment of interest rates. I agree with the issue of interest rates and forex as raised by Hon. Onchoke. They have a big effect because of the high interest rates. Regarding schools in Nairobi, as highlighted by the Chairperson of the Departmental Committee on Communication, Information and Innovation, Hon. KJ, this was necessary because land in Nairobi is very expensive. As we expend our National Government Constituencies Development (NG-CDF) money in the other parts of the country to build a school, land there is cheaper than in Nairobi. That is why Nairobi was considered so that we can have a semblance of equity in our city. In Nairobi City, we have good roads, but there are very many informal areas where Kenyans need our assistance.

I commend Hon. Beatrice Kemei for raising the milk issue. We have increased the allocation to New Kenya Creameries Co-operative (KCC) so they can mop up more milk. As you know during the rainy season, there is more production of milk and the prices fall. This money will mitigate that drastic fall in milk prices in as far as farmers are concerned.

Most Members were concerned whether monies were allocated for flood mitigation. The State Department for ASALs and Regional Development got around Ksh6 billion for emergencies. In fact, this is donor funded money. The Government of Kenya allocates Exchequer domestic monies, and we get reimbursement from the World Bank for every shilling we spend. For flood mitigation and assisting Kenyans who are victims of floods, there is sufficient money in this Supplementary Budget.

Thank you very much, Hon. Zamzam; there is money for security. Hon. Ferdinand Wanyonyi, the Chairman for the Departmental Committee on Agriculture and Livestock, Hon. Mutunga, is here and he can confirm that in this Supplementary Budget, the third gainer is agriculture in all respects. In terms of input, Hon. Mutunga has been a very good Chairman of that Committee...

**Hon. Ibrahim Saney** (Wajir North, UDA): On a point of order, Hon. Speaker.

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

**Hon. Ibrahim Saney** (Wajir North, UDA): Thank you, Hon. Speaker. Is the Chairman of the Budget and Appropriations Committee in order to mislead the House by telling us that money has been allocated for El Niño and other disasters, when in the book, we can only see money for capital expenditure? There is nothing for disaster. Where is he reading whatever he is saying from? We know that 22 counties are affected by disasters and so, he should not speak to himself. He should speak to the House based on what he has tabled on the Floor.

Thank you.

**Hon. Speaker:** Hon. Chairman, wind up.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Speaker, with due respect because my brother, Hon. Saney, is a very important Member of this House, I request that I pinpoint to him where the money is after this. There is Ksh6 billion for emergencies. Such a matter is not a matter to talk about before this House and Hon. Members on issues that are not there. It is so important a matter that no one should play politics with. There is money that the Government of Kenya has already provided for disaster management. As I said before, there is money expressly to be spent from domestic sources, and there is also money from donors. That money is there and it is intact.

I agree with Hon. Ferdinand that agriculture is very important. Hon. Mutunga, who is a very good Chair of that Committee, can confirm that he was actually smiling all the way in our Committee. When the other Chairpersons came wailing because of the cuts, Hon. Mutunga was one of the gainers in the Departmental Committee on Agriculture and Livestock. That money is allocated into inputs and value chains, all the way into post-harvest management.

I also agree with Hon. Bowen Kangogo on equity. There is money for coffee farmers and tea farmers because fertiliser money also incorporates tea farmers. There is money for cashewnuts, for the New Kenya Co-operative Creameries (KCC) majorly taking care of the pastoralists and the dairy farmers. The entire Kenyan map is actually in this Supplementary Budget.

In terms of security, we have added Ksh6.3 billion into police modernisation. That money will go a long way into assisting areas facing challenges. I also agree with my brother, Hon. Atandi, who is a very committed member of the Budget and Appropriations Committee. He is also doing very well in Alego Usonga Constituency. He is among the best performing Members of Parliament in Kenya. We have already allocated money to all the issues he spoke about around security, so that our country can be secure.

Hon. Makilap, I think I have answered most of it in terms of emergency and restocking...

**Hon. Julius Rutto** (Kesses, UDA): On a point of order, Hon. Speaker.

**Hon. Speaker:** Member for Kesses Constituency, what is the problem?

**Hon. Julius Rutto** (Kesses, UDA): Thank you so much, Hon. Speaker. With due respect to my brother, the Chairman of Budget and Appropriations Committee, he has enlisted money meant for agriculture and listed critical areas; that is, coffee, tea and milk. But this being the House of records, it would be very important that the maize farmers get to know what the provision for maize is. This is because we are at the harvesting period and this should be mentioned.

Thank you, Hon. Speaker.

*(Loud consultations)*

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Speaker, I had already mentioned about maize farmers, but because the Hon. Member for Kesses Constituency shares the same name with the President of Kenya, I will repeat.

*(Laughter)*

We have Ksh8.25 billion for fertiliser subsidy. Most of this money is for maize farmers. Secondly, there is money for post-harvest management. In fact, part of the items that were already passed under Article 223 is money that went into the purchase of dryers. Thirdly, we have put some money for arrears for farmers who never got paid by National Cereals and Produce Board (NCPB) in previous years. I hope that Hon. Rutto is now satisfied. We have also put money for NCPB to...

**Hon. Speaker:** He is cheering and so, you can end there. He is cheering to what you are saying. He is satisfied. Wind up.

**Hon. Ndindi Nyoro** (Kiharu, UDA): I am winding up, Hon. Speaker. We have also put money into the NCPB for them to buy excess maize from our farmers so that, as a nation, we can have a granary that is full.

With those many remarks, I wish to reply.

*(Question put and agreed to)*

*(The Bill was read a Second Time and  
Committed to Committee of the whole House)*

**Hon. Speaker:** Order, Hon. Members. May you be upstanding.

### COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

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

#### IN THE COMMITTEE

*[The Chairlady (Hon. Gladys Boss) in the Chair]*

#### THE SUPPLEMENTARY APPROPRIATION (NO.3) BILL (National Assembly Bill No.71 of 2023)

**The Chairlady:** Hon. Members, you may be seated. We can begin.

**Hon. Kangogo Bowen** (Marakwet East, UDA): On a point of order, Hon. Chairlady.

**The Chairlady:** Hon. Kangogo, what is your point of order even before we begin?

**Hon. Kangogo Bowen** (Marakwet East, UDA): Thank you, Hon. Chairlady. When the substantive Speaker and other Members of this House were upstanding, the two Hon. Members — Hon. Naisula Lesuuda and Hon. Sarah Korere — were just seated. Were the two Hon. Members in order to be seated while the all of us together with the substantive Speaker were on our feet?

**The Chairlady:** Hon. Lesuuda.

**Hon. Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Chairlady, we actually stood and I think it is about time Hon. Kangongo checked the prescription of his glasses. Honestly, we stood. He needs to go and get his glasses checked.

*(Laughter)*

**Hon. Chairlady:** Hon. Kemei.

**Hon. Beatrice Kemei** (Kericho County, UDA): Hon. Chairlady, I must confess that Hon. Kangongo was just appreciating the way the Hon. Member who has just stood is looking very beautiful and smart. He just wanted to have that attention. Thank you.

*(Laughter)*

**Hon. Chairlady:** I see that was said in jest. Let us proceed.

We are now in the Committee of the Whole House to consider The Supplementary Appropriation (No. 3) Bill (National Assembly Bill No. 71 of 2023). I now call the House to Order.

*(Clause 3, 4, 5 and 6 agreed to)*

*First Schedule*

**Hon. Chairlady:** Mover to move the amendment.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Thank you very much, Hon. Chairlady. I beg to move:

THAT, the First Schedule to the Bill be amended by inserting the following new votes and their corresponding details after vote R2031. I will just read the votes and Members can interact with the content in the circulated amendment sheets.

VOTE R2031-PARLIAMENTARY SERVICE COMMISSION

R2041- That a sum not exceeding Ksh6,000,000 be issued to meet the current expenses of the Parliamentary Service Commission for Administration Planning and Support Services during the year ending 30th June, 2024 in respect to vote R 2041

*(Program 0765000 agreed to)*

R2042 - That a sum not exceeding Ksh160,000,000 be issued to meet the current expenses of the National Assembly for National Legislation, Representation and Oversight, during the year ending 30th June, 2024 in respect to vote R 2042

*(Program 0721000 agreed to)*

R2043 - That a sum not exceeding Ksh60,000,000 be issued to meet the current expenses of the Parliamentary Joint Services for General Administration, Planning and Support Services during the year ending 30th June, 2024 in respect to vote R 2043

*(Program 0723000 agreed to)*

R2044 - That a sum not exceeding Ksh44,000,000 be issued to meet the current expenses of the Senate for General Administration, Planning and Support Services during the year ending 30th June, 2024 in respect to vote R 2044

*(Program 0769000 agreed to)*

**Hon. Chairlady:** Hon Chair, stick to Schedule One first. Let us finish with the First Schedule. Have you finished the First Schedule? The proposed amendments to the First Schedule. Once we have dispensed with that, you can move to the Second Schedule. Have you completed the First Schedule?

**Hon. Ndindi Nyoro** (Kiharu, UDA): Not yet. There are two types. Hon. Chair I am actually on it. There are two sheets of amendments for First Schedule.

**Hon. Chairlady**: Aaah! Okay, proceed.

**Hon. Ndindi Nyoro** (Kiharu, UDA): That is the reason. There is one pager and there are the two pagers. So, I was reading the one pager then I go to the second pager.

**Hon. Chairlady**: Okay. Thank you for that. Proceed.

**Hon. Ndindi Nyoro** (Kiharu, UDA): In continuation, there is another amendment to the First Schedule, I beg to move:

THAT, the First Schedule of the Bill be amended;

(a) In vote D1017, by deleting the figure Ksh481,000,000 in column 3 (supply), under the Programme 0704000 State House Affairs, and substituting therefor the figure, Ksh381,000,000.

(b) In vote D1024, by deleting the figure (Kshs190,000,000) in column 3 (supply), under the Programme 0626000 Population Management Services, and substitute therefor the figure Ksh (330,000,000).

(c) In vote D1026, by deleting the figure Ksh6,100,000,000 in Column 3 (Supply), under the Programme 0629000 General Administration and Support Services and substituting therefor the figure, Ksh6,300,000,000.

(d) In vote D1066 by—

(i) Deleting the figure Ksh4,874,045,528 in column 3 (Supply), under the Programme 0501000 Primary Education and substituting therefor the figure Ksh4,374,045,528.

(ii) Deleting the figure (Ksh. 1,969,000,000) in column 3 (Supply), under the Programme 0502000 Secondary Education, and substituting therefor the figure, (Ksh2,469,000,000)

(e) In vote D1072, by deleting the figure Ksh3,400,000,000 in column 3 (supply), under the Programme 0706000 Economic Policy and National Planning and substituting therefor the figure Ksh4,400,000,000.

(f) In vote D1134, by deleting the figure Ksh35,000,000 in column 3 (Supply), under the Programme 0902000 Culture/Heritage and substituting therefor the figure Ksh60,000,000.

(g) By effecting the consequential amendments thereof.

**Hon. (Dr.) Makali Mulu** (Kitui Central, WDM): On a point of order.

**Hon. Chairlady**: Okay, I will let you answer. You can move all of them, the D1017 and D1024 because they are similar. Okay, let me get your point of order Hon. Makali.

**Hon. (Dr.) Makali Mulu** (Kitui Central, WDM): Thank you, Hon. Chairlady. We hear the Chair referring to some sheets being circulated. We have not seen them. I do not know whether he is the only one who has them or they need to be given to Members.

**Hon. Chairlady**: Serjeant-At-Arms, I had seen you distributing them. Could you distribute them? Yes, you can proceed. It is coming to you Hon. Makali.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Thank you, Members. I actually thought they were already distributed, but they will be coming. Just to say, majority of these amendments are actually clean ups, but they are as read.

Just to explain to Members Hon. Chairlady, what we are trying to do here, there were some amendments under the security docket. They are rearranging monies under their own areas, the first part 1, 2 and 3.

On the other areas, it is the money meant for Nairobi infrastructure which was not well captured during the report time. What we are doing is clean up, so that we can have this money instituted under the Department of Planning which now are votes in the National Government Constituency Development Fund (NG-CDF).

On the last part it was just pure clean up.

**Hon. Chairlady:** Let me repeat that.

*(Question of the amendment proposed)*

*(Question, that the words to be left out be left out, put and agreed to)*

*(Question, that the words to be inserted in place thereof be inserted, put and agreed to)*

*(First Schedule as amended agreed to)*

#### *Second Schedule*

**Hon. Chairlady:** Mover

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Chairlady, the same is on two sheets of papers and I will start with the first one.

Hon. Chairlady, I beg to move:

THAT, the Second Schedule be amended in Vote R2051, by deleting the expression “(150,000,000)” appearing in the third column under Programme 0619000 (General Administration, Planning and Support Services);

#### *Second Schedule*

**Hon. Chairlady:** Mover

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Chairlady, I beg to move:

THAT, the Second Schedule to the Bill be amended—

- (a) in Vote R1032 by deleting the figure Ksh113,575,395 in column 3 (Supply) under Programme 0712000 Devolution Services and substituting therefor the figure Ksh66,424,605.
- (b) in Vote R1071 by deleting the figure Ksh465,691,323 in column 3 (Supply) under Programme 0718000 Public Financial Management and substituting therefor the figure Ksh785,691,323.
- (c) in Vote R1193 by deleting the figure Ksh4,506,077,429 in column 4 (Appropriation in Aid) under Programme 0215000 Exploration and Distribution of Oil and Gas and substituting therefor the figure Ksh29,306,077,429.
- (d) in Vote D1071, by—
  - (i) deleting the figure (Ksh1,960,792,818) in column 3 (Supply) under Programme 0718000 Public Financial Management and substituting therefor the figure (Ksh2,750,792,818).
  - (ii) deleting the figure Ksh861,700,000 in column 3 (Supply) under Programme 0719000 Economic and Financial Policy Formulation and Management and substituting therefor the figure Ksh1,233,700,000.

- (e) in Vote D1091 by deleting the figure (Ksh15,507,000,000) in column 3 (Supply) under Programme 0202000 Road Transport and substituting therefor the figure (Ksh15,107,000,000).
- (f) in Vote D1135 by deleting the figure Kshs144,000,000 in column 3 (Supply) under Programme 0903000 The Arts and substituting therefor the figure Kshs169,000,000.
- (g) by effecting the consequential amendments thereof.

These are corresponding amendments to the amendments to the First Schedule. The State Department for Economic Planning is speaking to the State Department for Devolution, from where we are getting the money for Nairobi County. The other amendments are general clean-ups because when we engage in an exercise like the one we did last week, human beings cannot be 100 per cent perfect. There may be situations where maybe a Vote was placed in the wrong place and it is at this stage that we clean it up.

**Hon. Chairlady:** Is there any Member who wants to contribute? Let me propose the Question and then I will give you a chance.

*(Question of the amendment proposed)*

Proceed, Hon. Makali.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Thank you, Hon. Chairlady. I thank the Chairperson for this amendment. I want to go on record that despite the fact that we are moving amounts of money from one Vote to another, some amounts seem to be too huge to be amended at this level. For example, in (c), we are deleting Ksh4,506,077,429 and substituting it with Kshs29,306,077,429. I wanted to raise this matter when we were debating the Bill but I did not get a chance. We have to be very careful as a House. I am a budget expert. We are being taken for granted as a House and found to be ill-prepared for oversight because of programme budgeting. This House is not being given a chance to review the itemised budget because of that shift and we end up being unprepared. The Controller of Budget recently said that we budgeted for our salaries thrice and approved the allocation as a House.

I am a Member of the Budget and Appropriations Committee, but some of these sums are too huge to be passed at this level. I thought that the sums should first go to the Committee for debate, otherwise, we will, again, be caught unawares as a House if these figures go out to the public and we are asked what we are doing as a budget-making House. I have no problem with the amendment but I think these sums of money are too huge for that change.

**Hon. Chairlady:** Member for Tinderet, Hon. Melly, and then I will come to Hon. CPA Rutto.

**Hon. Julius Melly** (Tinderet, UDA): Thank you, Hon. Chairlady. I commend the Budget and Appropriations Committee for trying to do a proper clean-up. Members are quite keen on the budget-making process in the Committee of Supply, especially on the issue of taking money to the National Government Constituencies Development Fund (NG-CDF) in Nairobi County and various matching funds to schools.

I urge the Chairperson to ensure that the money is released on time. As we proceed for recess, the money should be released on time so that Members can go to the ground and patronise the construction of schools in readiness for the new school year.

As the Member put it, the clean-up is normal and good so that the document that the public consumes is balanced with figures adding up.

**Hon. Chairlady:** Member for Butere, Hon. Tindi Mwale.

**Hon. Nicholas Mwale** (Butere, ODM): Thank you, Hon. Chairlady.

**Hon. Chairlady:** Are you interested in contributing? Sorry, let Hon. CPA go first. Hon. Tindi, you will contribute after him. I forgot I had told him that he would have an opportunity to speak.

**Hon. Julius Rutto** (Kesses, UDA): Thank you very much, Hon. Chairlady. I commend the Chairperson of the Budget and Appropriations Committee for the good work done. I also want to speak on the clean-up exercise after the budget-making process. Something needs to be done by the National Treasury, which mainly guides on the budget-making process. Since most of the systems that we use are automated, we should ensure that we have well-trained officers to manage the clean-up of the budget. This clean-up exercise might facilitate other hidden agendas where people end up misusing the Budget and then wait for the Supplementary Budget to clean-up their mistakes.

We must ensure that there are proper guidelines and strict measures put in place for officers doing the clean-up. The budget-making process is long and by the time the main Budget was concluded, there were distinct programmes with existing codes only for a clean-up exercise to be later undertaken. Something sinister could also come with that. We have to be very stern on this.

**Hon. Chairlady:** Hon. Mwale.

**Mhe. Nicholas Mwale** (Butere, ODM): Ahsante, Mhe. Mwenyekiti. Ninasimama kumpongeza Mwenyekiti wa Kamati kwa kuleta marekebisho haya. Alisisitiza umuhimu wa kufanya haya marekebisho alipoanzisha mjadala huu mara ya kwanza. Ninawaunga mkono Mwenyekiti wa Kamati na Mhe. wa Tinderet. Mwenyekiti wa Kamati ahakikishe kuwa pesa hizo zije kwa haraka mno ili Wabunge na Serikali kwa jumla waanze kuzingatia jinsi Wakenya wataishi maisha mema.

Serikali ya Mheshimiwa William Ruto iliomba kura kwa kuongea kuhusu maneno ya mama mboga na vijana wa boda boda. Mwenyekiti wa Kamati ya Bajeti na Uidhinishaji wa Matumizi ambaye majina yetu yanafanana, Mhe. Ndindi, hajafafanua vizuri mbinu ambazo Serikali itatumia kuimarisha maisha ya mama mboga na vijana wa boda boda. Kwa hivyo, ndugu yangu Mwenyekiti, ninaomba uzingatie mama mboga na vijana wa boda boda katika bajeti ambayo itakuja huko mbeleni ili Serikali ifanye kazi jinsi ilivyoeleza wananchi.

**Hon. Chairlady:** Member for Nyeri County, Hon. Rahab Mukami. Please, give her the microphone.

**Hon. Rahab Mukami** (Nyeri County, UDA): Thank you, Hon. Chairlady. I rise to support the amendment by the Chairperson of the Budget and Appropriations Committee. I am a Member of the Committee and I appreciate the good work that my colleagues and I have done. Considering the amount of work we had, I feel honoured that we only have a few things to clean up. I support the Chairperson. I support the clean-up in the allocations to the Ministry of Sports, Culture and Heritage because we need to build our culture.

**Hon. Chairlady:** Member for Garissa Township, Hon. Dekow Barrow.

**Hon. Dekow Mohamed** (Garissa Township, UDA): Hon. Chairlady, I did not want to contribute to this issue.

**Hon. Chairlady:** You had pressed the intervention button. Member for Mombasa County, Zamzam Chimba.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Mheshimiwa Mwenyekiti, licha ya kuwa nampigia upato katika bajeti yake kwa mambo ya ukulima na mengine, nimeangalia nikapata katika Ukanda wa Pwani, mimea yetu ambayo ni korosho, nazi na kisha ile Dongo Kundu ambayo makadirio yake yalikuwa watupe 20 per cent, haijaandikwa pale. Tulipewa only 1 per cent. Korosho, nazi na miwa ni mimea inayohitajika sehemu nyingi lakini haijawekwa popote. Hivi juzi niliona America wanatamani sana kuchukua miwa kutoka Pwani na kule *Western*. Kwa hivyo namuomba *Chairman* wa *Budget and Appropriations Committee* ambaye amesomea Kenyatta University, kwa hisani yako, Pwani mlikuwa mkaomba kura,



tunawapenda sana, najua mtakuja tena, lakini tuwekeeni nasi pia ukulima wetu katika bajeti yenu.

Ahsante sana, Mheshimiwa Mwenyekiti.

**Hon. Chairlady:** Member of Parliament for Dagoretti North, Hon. Beatrice Elachi. You are the last one.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Chairlady. I rise to support our Chairman for the work he has done for this country, but also to put a caution as my leader has just questioned the movement of Ksh4 to Ksh29 billion. As a House, we will approve, but it is very important for us to follow up to get to know the exploration and distribution of oil that we are getting to. If it is exploration of gas, is that the reason we are allocating all this money? We need something to let the House be comfortable with the justification of moving from Ksh4 billion to Ksh29 billion. That will be very critical.

**Hon. Chairlady:** Hon. Members, I call upon the mover to reply.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Thank you very much, Hon. Chairlady. I wish to reply to those issues because they are very important. Hon. Makali Mulu and Hon. Beatrice Elachi have raised the same issues. Movement of Ksh4 to Ksh29 billion is in respect to monies we anticipate to have as surplus from Railways Development Levy (RDL). These monies, we can call it advanced, from the Fuel Stabilisation Fund. This money is going back to its rightful place, because when you fuel your vehicle, the money that goes into that kitty had been previously borrowed. All that we are doing is to have this money go back to where it should be and that is around the Railways Development Levy and Fuel Levy.

Secondly, Hon. Melly and Hon. Tindi Mwale raised the issue of the Exchequer. I agree with all Members here that the new budgeting in Kenya is not the one we are doing today, but the Exchequer. You could come here and pass everything, but then the release of the real money is dependent on its availability. The issue of liquidity has been a huge handicap in the budget implementation process. We are pushing the Kenya Revenue Authority (KRA) to have revenue raising measures, not just punitive ones, but the ones that increase money. That is the revenue maximising tax rate and area. They are already doing that. We have seen a lot of improvement in terms of the taxes for the last month and we hope Kenya will be liquid enough to implement the budget in time. I agree on that issue.

On Hon. Tindi Mwale's issue about the hustler, I agree and commend him because he is now speaking the good language of hustlers. When you talk about agriculture, this money is going to the hustlers of Butere and the entire Kenya in terms of giving them subsidised fertiliser. When you talk about capacitating Junior Secondary Schools (JSS), it is monies for the children of the hustlers. When you talk about monies for higher education, it is majorly going to the children of hustlers, 45,000 of whom will be getting full scholarships from the Government of Kenya. They will not be paying any school fees.

The issue by Hon. Rutto on clean-up does not necessarily come from the National Treasury. What I am calling clean-up is not any mistake; it means a Ministry, Department or Agency (MDA) or a SAGA being given money by the Government realising that probably the monies for Recurrent can be substituted with the monies for Development. Within the same MDA, they may realise after the budget cuts or increment that they need to rearrange resources within their Vote. Clean-up does not mean there is a mistake that has been made. There has never been a mistake made for the entire budget cycles that we have had. For instance, this was a request on the MDA Immigration; they are moving money within themselves.

Lastly, Hon. Zamzam, if you check the main budget, you realise that all the six counties in the Coast have been taken care of massively. However, what we read here being the Supplementary are only the variations. When you do not see your county here, you should celebrate because it means we are not deducting money from the programmes within your county. The reason this book is very small is because it only shows variations from the main

budget. The main budget is still in force. This is only coming to amend a few things. When you look at infrastructure, cashew nuts and everything else around the Coast, including the Coast Development Authority, Coast Water, Dogo Kundu, Bura Irrigation Scheme, have been taken very good care of. We value what they do, being the corridor that brings a lot of commodities into our country. I have answered the issue of Ksh4 to Ksh29 billion. It was majorly around RDL and fee stabilisation.

Thank you very much.

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Second Schedule as amended agreed to)*

### Clause 2

**Hon. Chairlady:** Mover.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Thank you very much, Hon. Chairlady. This is the last amendment there is. I beg to move:

THAT, the Bill be amended by deleting Clause 2 and substituting therefor the following new Clause—

Issue of 115,874,418,343 out of the Consolidated Fund and apply it towards the supply granted for the service of the year ending on the 30th June, 2024.

2. The Treasury may issue out of the sum of one hundred fifteen billion, eight hundred seventy-four million, four hundred eighteen thousand, three hundred forty-three shillings out of the Consolidated Fund and apply it towards the supply granted for the service of the year ending on the 30<sup>th</sup> June 2024.

This is now just consolidating all the other amendments. This is basically the new figure.

*(Question of the amendment proposed)*

*(Question, that the words to be left out  
be left out, put and agreed to)*

*(Question, that the words to be inserted in place  
thereof be inserted, put and agreed to)*

*(Clause 2 as amended agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

**Hon. Chairlady:** Hon. Chairperson, Budget and Appropriations Committee, you can move the report now.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Chairlady, I beg to move that the Committee do report its consideration of the Supplementary Appropriation (No. 3) Bill (National Assembly Bill No. 71 of 2023) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

IN THE HOUSE

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

### MOTION

#### CONSIDERATION OF REPORT ON THE SUPPLEMENTARY APPROPRIATION (NO. 3) BILL

**The Temporary Speaker** (Hon. Martha Wangari): Take your seats, Hon. Members. Hon. Chairlady.

**Hon. Gladys Boss** (Uasin Gishu County, UDA): Hon. Temporary Speaker, I beg to report that the Committee of the whole House has considered the Supplementary Appropriation (No. 3) (National Assembly Bill No. 71 of 2023), and approved the same with amendments.

**The Temporary Speaker** (Hon. Martha Wangari): Mover.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Temporary Speaker, I beg to move that the House do agree with the Committee in the said report. I request the Chairman of the Departmental Committee on Agriculture and Livestock, Hon. (Dr.) Mutunga Kanyuithia, to second the Motion for agreement with the report of the Committee of the whole House.

**Hon. (Dr.) John K. Mutunga** (Tigania West, UDA): Hon. Temporary Speaker, I rise to second the Motion.

We have realised that Kenya is finally moving in the right direction. We are focusing on agriculture which is our main stay and where the greater population is anchored. The more we allocate money in agriculture, the more we support the common man and greater percentage of Kenyans in this country.

Hon. Temporary Speaker, I second.

*(Question proposed)*

*(Question put and agreed to)*

### BILL

*Third Reading*

#### THE SUPPLEMENTARY APPROPRIATION (NO. 3) BILL (National Assembly Bill No. 71 of 2023)

**The Temporary Speaker** (Hon. Martha Wangari): Mover to move Third Reading.

**Hon. Ndindi Nyoro** (Kiharu, UDA): Hon. Temporary Speaker, I beg to move that the Supplementary Appropriation (No. 3) Bill, (National Assembly Bill No. 71 of 2023), be now read a Third Time.

Before I request to be seconded, I thank all Members who have taken part in the debate in this Bill. I also thank the Budget and Appropriations Committee and our technical team led by the Parliamentary Budget Office (PBO), most of who are seated here: Ms Julie, Dr Abel, Mr Dan, Dr. Masinde, the Clerk of the National Assembly - Mr. Njoroge - and the Speaker of National Assembly for making sure that we have the right facilities to discharge our duties.

I also thank the Chairpersons of all Departmental Committees. They can attest that the Budget and Appropriations Committee passes whatever they discuss in their Committees almost entirely. We ride on the wisdom of all the Members of this House.

*(Applause)*

As the Budget and Appropriations, we cannot be the ones who know most on defence issues more than Hon. Major (Rtd) Bashir. We do not know more about agriculture than Dr. Mutunga who is a professional and Doctor of Philosophy (PhD) holder within that domain and all the other Members. We do not know education issues more than the Committee led by the Member for Tinderet, Hon. Melly. Therefore, I thank all the Chairpersons of the Departmental Committees. They have been very helpful to us. I wish to request that we continue with the same collaboration, so that we can discharge our roles in a collaborative manner. I also thank all the Members of this House because we always benefit from their wisdom, as I had said before.

I now wish to request the Member for Runyenjes who was my schoolmate during the same year and time in the university to second. He was the treasurer of our students' union and the current Chairman of the Departmental Committee on Labour. He is one of the best youthful leaders in this country, Hon. Eric Muchangi Karemba.

**The Temporary Speaker** (Hon. Martha Wangari): Before Hon. Eric seconds, Hon. Chairman must be careful when he uses the article 'the'. You can only use that on one university. Hon. Eric.

*(Laughter)*

**Hon. Muchangi Karemba** (Runyenjes, UDA): Thank you, Hon. Temporary Speaker. I wish to thank and commend the work that has been done by the Budget and Appropriations Committee led by the Chairman and alumnae of Kenyatta University, Hon. Ndindi Nyoro. I wish to attest to the fact that the Committee gave us very good time as the Chairpersons of committees, when we went to discuss the Budget. I thank them for a job well done. This Supplementary Appropriation Bill will ensure that we get money to execute various projects. We see they have tried to do a good job of covering all interests across the country. That was a job very well done.

I support.

**Hon. Members:** Put the question.

**The Temporary Speaker** (Hon. Martha Wangari): I will allow a few people to contribute. Hon. Melly, proceed.

**Hon. Julius Melly** (Tinderet, UDA): Hon. Temporary Speaker, I rise to support this Report by the Budget and Appropriations Committee. More specifically, the Committee has respected the decisions of various departments. Previously, I remember the Budget and Appropriations Committee arrogated itself the position of knowing every department and allocating resources. It did so in a very bad manner. In the last Parliament, I remember we did

a Supplementary Budget for the Departmental Committee on Education. As Members of the Committee, we allocated resources knowing very well what the sub-sectors wanted. All that was disregarded when it reached the Budget and Appropriations Committee of the last Parliament. That Committee decided to turn itself into a Budget Sub-committee of every Departmental Committee in the House! It is good that this House disbanded them. I laud the Chairman and Members of the current Committee. You have done a good job. We, as Chairs and Members of other Committees, shall support you and make sure that this process goes through.

I thank you. I support.

*(Applause)*

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Members, it is good to note that we have exhausted the debate. Take a maximum of two minutes. Just make short comments. Hon. Junet, go ahead.

**Hon. Junet Mohamed** (Suna East, ODM): This is the Third Reading and I want also to commend the Chairman of the Budget and Appropriations Committee.

Having said that, it is good to put the record straight now that we have passed the Appropriation Bill. We have just appropriated Ksh24 billion in the name of stabilising oil. The Stabilisation Fund is supposed to come from the Petroleum Development Levy. It is not supposed to come from taxes or the Consolidated Fund. It is not an exchequer vote. Let us call a spade a spade. What we are doing is creating a subsidy. We are subsidising petroleum products with Ksh24 billion. Otherwise, we should not have appropriated it in the Appropriation Bill. We should have taken it from the Petroleum Development Levy.

If we have exhausted the levy, let us tell Kenyans that Parliament has passed a subsidy of Ksh24 billion to subsidise diesel, petrol, kerosene, and all manner of petroleum products. It is very good. Let us not run away from it. All countries in the world subsidise for their citizens. Let us not shy away from that fact. If Uhuru did it, it was for the benefit of the people of Kenya. He was not doing it for his wife, mother or children. Let us agree today as a country. Let us say that the new Government has seen the light of day. The new Government has seen that subsidies are the right way to go.

**The Temporary Speaker** (Hon. Martha Wangari): What is out of order, Hon. Melly? Order, Hon. Junet.

**Hon. Julius Melly** (Tinderet, UDA): Hon. Temporary Speaker, I think it is not in order for Hon. Junet to misinform the House about a subsidy for which there is no line. The Chair of the Budget and Appropriations Committee is here. Why is he insinuating that there is a subsidy when it is not there? Can you read the statement where the subsidy is included, instead of misinforming the House?

**Hon. Junet Mohamed** (Suna East, ODM): Hon. Temporary Speaker, the line reads “stabilisation”. As I said, very well, the Stabilisation Fund is supposed to come from the Petroleum Development Fund. It is not supposed to come from the money we are appropriating here. We have appropriated Ksh24 billion in the wrong line. We have subsidised fuel with Ksh24 billion. It is good. Do not be shy. Do not run away from it. It is going to help the people. It is going to make the cost of living come down. Just see the light. The glory is back. Uhuru Kenyatta is back in Kenya.

Thank you very much.

*(Laughter)*

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Bashir.

**Hon. Major (Rtd.) Abdullahi Sheikh** (Mandera North, UDM): Thank you very much, Hon. Temporary Speaker.

I first want to commend the Chair and Members of the Budget and Appropriations Committee. I am fully aware that the Chair and his team respect the views and concerns of Departmental Committees. This Budget is supposed to help Kenyans. I know this is the Supplementary Estimates I. The Supplementary Estimates I will be coming shortly. Most important, going forward, is to ask the Chair and his team to ensure they respect Chairs and Members of the other Committees that bring the concerns of their line Ministries, Departments and Agencies (MDAs). I commend the Chair. That is very good.

On monies appropriated, I am sure there will be a debate on *El Nino* that is coming up. What is the amount allocated? I do not see a line that specifically talks about the response to *El Nino*. Chair of the Budget and Appropriations Committee, the rains are causing havoc. I do not see any specific line or statement that talks about the response of the Government of Kenya to the matter of *El Nino* and flooding. This is a matter of life and death to many Kenyans. I want you to address this matter.

**The Temporary Speaker** (Hon. Martha Wangari): Order, Members. Hon. Members, remember we have an Adjournment Motion. Also, remember we have discussed these issues in Second Reading. This is the Third Reading.

Hon. Naisula.

**Hon. Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Temporary Speaker. I also rise to thank the Chair of the Budget and Appropriations Committee, the very youthful and dedicated young man, Hon. Ndindi Nyoro, for how he has led the Committee when we were looking at the Supplementary Budget. I also sit in that Committee.

Once we pass the Supplementary Budget this afternoon, it is important that the National Treasury releases funds on time for the purpose of doing work that the money is supposed to do. We are going on recess. We want money for the National NG-CDF and the National Government Affirmation Action Fund (NGAAF) so that we can go and work during this holiday. That is all I wanted to say: that they release the money on time so that we can pay school fees and serve our constituents during the long recess.

Thank you. I support.

**The Temporary Speaker** (Hon. Martha Wangari): Order, Hon. Members. I have confirmed that the House is properly constituted for making this decision.

*(Question put and agreed to)*

*(The Bill was accordingly read  
a Third Time and passed)*

The next Order is by the Chairperson of the Departmental Committee on Sports and Culture. Give the microphone to Hon. Wanyama.

## MOTION

ADOPTION OF REPORT ON THE 1970 UNESCO CONVENTION ON  
THE MEANS OF PROHIBITING AND PREVENTING ILLICIT IIMPORT,  
EXPORT AND TRANSFER OF OWNERSHIP OF CULTURAL PROPERTY

**Hon. Daniel Wanyama** (Webuye West, UDA): Hon. Temporary Speaker, I beg to move:

THAT, this House adopts the Report of the Departmental Committee on Sports and Culture on its consideration of the 1970 United Nations Educational, Scientific and Cultural Organisation (UNESCO) Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property, laid on the Table of the House on Thursday, 12<sup>th</sup> October 2023, and pursuant to the provisions of Section 8(4) of the Treaty Making and Ratification Act, 2012, approves the ratification of the 1970 UNESCO Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property.

By way of introduction, the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property arises from the need to safeguard State parties from the continued loss and illegal transfer of their cultural artefacts. The Convention, therefore, emphasises prevention and international co-operation in cultural property ownership, promoting awareness, and protecting cross-border traffic. The Convention establishes a framework of international co-operation and mutual assistance and obligates State parties to identify, protect, and restitute cultural property that is stolen or exported illegally. It further creates awareness on the need to protect cultural objects against cross-border trafficking. Indeed, repatriation of illegally acquired cultural property will address historical injustices and restore the dignity of the country after having suffered under colonial rule. At present, 144 States have acceded to and are party to the Convention, making Kenya the 155<sup>th</sup> State.

The Convention recommends enforcement of protection of cultural property in three main pillars, namely:

1. Preventive measures, by providing that signatory States to the Convention shall enforce the security and safety of cultural property, such as taking inventory, exportation certifications, monitoring of trade and imposition of penal sanctions.
2. Restitution provisions, whereby State parties are obligated to assist each other in the retrieval of stolen cultural property.
3. International co-operation, by which the Convention seeks to strengthen international ties between signatories and provide assistance and co-operation with one another.

The Departmental Committee on Sports and Culture facilitated the consideration of the ratification of the Convention by Parliament. In its consideration, the Committee conducted public participation where it received submissions from various stakeholders, all of whom were in support of Kenya's accession to the Convention. The Committee also extensively engaged various key stakeholders in the consideration of the Convention. It received submissions from the Ministry of Tourism and Wildlife, the Ministry of Defence and the Ministry of Interior and National Administration. The Committee also received submissions from the Registrar of Treaties as well as the Council of Governors. It also held public hearings in consideration of the Convention and received submissions from the Law Society of Kenya (LSK) and the Creative Economy Working Group.

In its memorandum to the Convention, the then Ministry of Tourism, Wildlife and Heritage noted that although the objectives of the Convention are aligned with the Constitution, there is need to domesticate the Convention by amending the National Museums and Heritage Act, the Environmental Management and Coordination Act as well as the Copyright Act to give effect to the provisions of the Convention.

The clarion call by the stakeholders was that the accession of the Convention was paramount as it will lead to the protection of Kenya's natural and cultural heritage, including archaeological sites, wildlife, landscapes and folklore which are currently facing vulnerability due to antique global market openings.

It is worth noting that Article 11 of the Constitution recognises culture as the foundation of the nation and obligates the State to promote all forms of cultural expression through our cultural heritage. The accession of the Convention will therefore promote the safeguard of our cultural heritage. There are no immediate direct financial implications imposed by the Convention on the Government of Kenya. This is because the financial obligations would only arise on a need basis or in the event that a State party requests for the repatriation of a cultural object from another State party.

The Committee observed that some of our current pieces of legislation already give effect to the provisions of the Convention. An example of this is the obligation under the Convention that each State party undertake to develop an export certificate which shall authorise and accompany the export of any cultural property. The Committee notes that Section 52 of the National Museums and Heritage Act (No. 6 of 2006) provides that no monument shall be removed from Kenya unless such removal is authorised by an export permit that is issued by the Cabinet Secretary.

The Committee notes that there is an urgent need to review laws relating to the protection of our cultural heritage to align them to the Constitution, as well as to domesticate the provisions of the Convention. To this end, the Committee is alive to the fact that the Cabinet recently considered and approved the Culture Bill, 2023, which seeks to advance our unique culture as a spur for our well-being and development. The Committee, therefore, looks forward to facilitating the consideration and subsequent passing of the law by the National Assembly.

Permit me to conclude by saying that, indeed, time is ripe for Kenya's accession of the Convention. This will lead to the advancement of international co-operation and collaboration between member States as well as information sharing and technical support from UNESCO with regard to cultural preservation. Further, the accession of the Convention will lead to the promotion of the respect for cultural heritage within our territories.

Hon. Temporary Speaker, I beg to move and request the Member for Nambale to second.

I thank you.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Nambale.

**Hon. Geoffrey Mulanya** (Nambale, Independent): Thank you, Hon. Temporary Speaker. I rise to second this Motion. Cultural heritage has connected the past to history, while creating a sense of place and community. Perhaps, this is the reason why in Article 11 of the Constitution, drafters found it necessary to refer to it as the foundation of a nation. We have heard complaints about exportation of our artefacts like the *Kiondo* and the *Kikoi*. They have been patented in other countries and yet, they were developed in our country. We have no platform in the international forum where we can claim those artefacts. The UNESCO Convention is clearly in tandem with Article 2(6) of the Constitution, which provides that any treaty or convention ratified by Kenya shall form part of the laws of Kenya under the Constitution. The 1970 UNESCO Convention urges State parties to come up with measures to prohibit and prevent illicit trafficking of cultural property. Unless we ratify this Convention, we will not be able to claim our lost cultural artefacts. So, I am very happy that the Committee, under the leadership of Hon. Dan Wanyama, found it necessary to come up with a very good Report – which I have gone through – and which is going to help us to safeguard cultural artefacts in this country. I second the Motion.

*(Question proposed)*

**The Temporary Speaker** (Hon. Martha Wangari): Member for Samburu East, Hon. Jackson Lekumontare.



**Hon. Jackson Lekumontare** (Samburu East, KANU): Thank you, Hon. Temporary Speaker. That is a very easy name: “Lekumontare.” I rise to support this very important Motion. When things from Kenya are taken away, ideas of Kenyans are taken away. If this Report will be adopted, it will help the country. Cultural artefacts should not be taken away without the knowledge of the owner or the mother country. So, this is a very important Motion. If you look at the history of Kenya, too many things have been taken away. The 1970 UNESCO Convention will help to cure that problem. The country will have a right to claim back things that were taken away. Even if they were taken away many years ago, the country should have a right to claim them back. They are too many and we really need them because they are our heritage. So, this is a very good Motion. We must work hard to prevent the illicit import, export and transfer of ownership of our cultural property.

I support.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Kilgoris, Hon. Julius ole Sunkuli.

**Hon. Julius Sunkuli** (Kilgoris, JP): Hon. Temporary Speaker, I am happy to speak after my friend from Samburu. Actually, his name means, “he has a lot of goats”, and that is why he said it is a very easy name.

I support the Motion on the ratification of the 1970 UNESCO Convention. The subject matter is on the artefacts belonging to each country in the world and in our context, belonging to Kenya. During the days of the British empire, many things that were valuable to countries were taken to Britain and other capitals in the world, especially of the countries that colonised Africa. The country that suffered most was Egypt because there was Egyptomania where everybody was taking something from Egypt and putting it in their museums so that they can get the bragging rights. They took items from Egypt and sold them to wealthy collectors in their countries. They kept them in their museums and made money from them because they were valuable items. You can talk about the Kingdom of Benin and its bronze; the artefacts from Eswatini; and, the archaeological artefacts of Kenya. Therefore, UNESCO decided that it is better to have a convention that will protect those artefacts from being stolen. You know, many artefacts have been returned to Kenya as a result of mutual negotiations. However, the UNESCO Convention requires each country to participate in the protection of those artefacts. One of the measures that is required by the UNESCO Convention is that each country should have an inventory of its artefacts. Those inventories should form an international inventory so that people do not claim that what was not stolen from them was actually stolen. Once each country has an inventory, it is going to be very protective.

In our country, we have a number of museums. They are not as many as we would have wished to have. We have the Murumbi Heritage, which is next to Nyayo House. We have national museums in Nairobi and Kisumu and, of course, we have Fort Jesus in Mombasa. However, we need to have an inventory of the country’s museums to know what we actually own so that we protect the artefacts. We must also establish export certificates. Indeed, that is what the Convention requires of us.

The 1970 UNESCO Convention requires each country to have a way of controlling the export of its artefacts from their countries. We must also establish border controls so that people do not go out of the country with what is valuable to us. Once we ratify the 1970 UNESCO Convention, we will be committing ourselves to doing those things. We will have to put in our Penal Code or in our criminal system, offences so that we punish the people who are found guilty of committing such offences. For example, taking away artefacts from the country should be a punishable offence. We are also supposed to do public education to our people. That is one thing that is more difficult for us. We must educate people on what is valuable and what is not. Kenyans are not good at going to museums. The only people who go to the Kenya National Museum are children from schools. They leave their schools to go and view two things:

---

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

National Museum and the Kenyan Parliament, which is not a museum. However, they consider Parliament as a place to visit.

The last thing that I want to say is that apart from what the 1970 UNESCO Convention says, our universities should be at the forefront in protecting our artefacts. For example, we, as the Maasai community, should have the university which is in our name, the Maasai Mara University, being at the forefront in the protection of our culture.

I support the Motion.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Marakwet West, Hon. Timothy Toroitich.

**Hon. Timothy Kipchumba** (Marakwet West, Independent): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this very important Motion. At the outset, I wish to thank the Member of Parliament for Webuye West, Hon. Dan Wanyama, for bringing this very substantive subject that he has brought before this House for debate. The 1970 UNESCO Convention is a very important convention that we have no choice as a House and as a country but to ratify.

Under Article 11 of the Constitution, culture has been given a constitutional anchorage. Culture has been anchored in the Constitution. The Article provides in very clear terms that culture is the foundation of the nation and the cumulative civilization of our country. Therefore, we have no choice but to ratify the convention. It is already provided for in the Constitution and we must protect it.

In Kenya, we are losing our culture at a very alarming rate. We have lost our indigenous languages. Today, our children cannot speak the indigenous languages. This is something we need to work on as a country. I have read this Convention. It basically talks about repatriation of artefacts that were illegally taken away from this country.

During the colonisation of this country and after the Berlin Conference, our culture was desecrated. Some artefacts from various communities were taken to Europe and other countries in the world. As a House, it is high time we acceded to this Convention and ratified it. As we speak, 144 countries have already ratified and acceded to it.

As a Commonwealth country that believes in international law, it is high time we ratified and gave effect to Article 2(6) of the Constitution. It provides very clearly that any treaty or international law that is ratified becomes part of the laws of Kenya. That way, artefacts that were taken away during the colonial regime will be returned to this country. So, we shall have our sanctity and integrity returned to where it was before colonialism.

We must also be aware, as we ratify, that we still have our indigenous laws that are provided for by the National Museum and Heritage Act. Once we pass this Convention, we must align our laws with this international law which we are adopting. We have no choice as a House, but to ratify this Convention and accede to it. That way, we will become part of the community of nations – the 144 countries that have ratified. Also, we will be in a position to restore our culture to its default settings.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Githunguri, Hon. Gathoni.

**Hon. Gathoni Wamuchomba** (Githunguri, UDA): Thank you, Hon. Temporary Speaker. I am excited to contribute to this Motion which touches on ratification and empowerment of our people by making sure we prohibit and prevent the illicit import, export, and transfer of ownership of cultural property.

I am so excited to hear this kind of debate get room in this Parliament. There are too many people in this country who have worked very hard to create what we define as artefacts and fossils. Unfortunately, they lose out on revenues in terms of ownership, usage and exploitation therein. This is because of issues of who owns what and who copyrighted what.

As I listened to other Members contribute to this Motion, I was reading to get a clear definition of 'artefact' so that I can limit myself to the debate. Unfortunately, my eyesight is failing me.

Hon. Temporary Speaker, with your permission, allow me to quote the definition. It reads as follows: Cultural artefacts are tangible objects, tools or items that hold significance with a particular culture or society, representing its values, beliefs and historical experiences. They range from ancient relics, artworks, manuscripts of modern-day items such as photographs, clothing, technological devices and others.

Allow me to concentrate on photographs. Whenever we talk about artefacts, most of the time, we think about traditional signs, symbols and items that depict certain imagery. For example, if you look at the walls of this Chamber, including where the Temporary Speaker is seated, there are images that are engraved all around, including at the exit. According to the definition I have read, all these images we have and many others in the background, are part of what we are debating.

If you go to a shop in London and want to procure a photograph depicting a traditional house like the one on the wall, you will not be allowed to buy it. That is because of certain rights people hold simply because the photograph rests in their country. Maybe, the photograph or image is a definition of a certain community somewhere in Kenya or Ethiopia. If only we could concentrate on what we are debating today so as to make it a law.

Right now, many super talented young people in this country are struggling and yet, they can revive the spirit of artefacts and culture and earn a lot of revenue out of it. Every time I am in the village, I meet young boys who tell me they are artists and can draw or craft something. The other day, a small boy presented to me an image of an elephant he had made and was animated to talk like me, their Member of Parliament.

How I wish we can empower ourselves using opportunities like what we are debating today so that we can allow our young people to invest in what they have, preserve it and be socialised in our culture. That way, we will create a lot of opportunities for them.

I rise to support this Motion. This is the right time for us to start thinking of what is ours and what to exploit.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Tigana West.

**Hon. (Dr) John K. Mutunga** (Tigania West, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to also contribute on the adoption of this Report by the Departmental Committee on Sports and Culture.

It has taken us more than 50 years to consider the UNESCO Convention Report on Cultural Property. Culture cuts across every community. In other words, every community had its own culture on how to communicate. So, people were nurtured, organised and obedient to the norms more than they are today. We have been introduced to a mixture of what we call the global world. It has a multiplicity of issues to deal with, interact, and sort out in order to find our space. This has created total confusion.

The adoption of this Report is important so that Kenyans can join the global world in stamping their authority and taking their place in the adoption of cultural heritage. Today, if you travel anywhere in the world and say you are from Kenya, you will be asked whether you are a Maasai. The reason being that Maasai culture, in terms of dressing and way of life, has been expounded and is, therefore, known across the globe.

As I said at the beginning, every community has its own culture. The question we should pose today is: What are we doing as a people to promote and revive our culture? When we lose our culture, we lose everything. The world is confused today because our young people have indulged in almost anything. In the cultural set-up, there were defined duties, stages and formations. The mode of dressing for various occasions was defined and there was no need to communicate a lot. You would know what was happening on a certain day through the mode

of dressing or how people appeared in public. We have lost all that. What we have today in the global world is a multi-cultural or inter-cultural community. It is a community that has lost most of what human beings were probably supposed to gain. It is a community of young people who are indulging in issues that could wait and be done at the right time. They are, therefore, losing out their lives. It is also a community where we have even lost the basic meaning of life.

Today, we talk of Lesbians, Gay, Bisexual, Transgender and Queer (LGBTQ), and I pause to wonder where it came from. Which culture is that? There is no culture like that. It is lack of adherence to cultural norms and heritage issues that has led us to such confusion. It is, therefore, important for us to enjoy the global world in order to protect our culture and the development of what we used to have.

I wonder what we are supposed to do as a people. I want to give an example of my own constituency. In our strategic plan, we have a strategic aim which dwells on culture and heritage. We have set aside a day for each ward to have a cultural and heritage competition, where people bring artefacts and all they used to utilise in the past like the traditional regalia. They present songs and dances and engage in competitions.

That competition finally ends up at the constituency level where we have the best performances in terms of the cultural presentations. The artefacts are also defined and we intend to set up a museum that will have our cultural heritage where people will be coming to see the kind of things that used to happen based on the definitions and descriptions that have been made. In other words, it can also help us create employment in a country that needs too many jobs. It can help us open the horizons of job creation in many other ways. As we talk about this issue today, let us think about how much documentation we have. The older generation is dying with the knowledge and institutional memory and yet, we do not have documentation of it. Let us think about it before everyone goes away. Let us document it and then try to practise it as we interpret in our own way.

I support the adoption of the Report.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. (Dr.) Christine Ombaka, Member for Siaya County.

**Hon. (Dr) Christine Ombaka** (Siaya County, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. Culture is a powerful identity that each person has and we have to protect it.

Since we lost our culture during colonial time and slave trade, we lost so much. We not only lost human beings as the people of Africa and Kenya, but we also lost the artefacts that we are talking about here, which is our identity. We need to bring them back and we must be proud of them.

We do not need to think about them as old-fashioned things of traditional life and that they are past our history. We need to remember that a people must survive by knowing what their past is. Our artefacts that were there since time immemorial were taken away and that is how things fell apart in Africa. We have lost so much in terms of our culture and identity.

If we import back our artefacts, clothes, photographs and even music, we will be back again to being Africans. Our young people today do not even know their homes, culture or language. They do not even speak it because they are not even proud of it. It is time we became proud of our past and culture because that is what makes us Africans and human beings.

In other African cultures, like in South Africa, they have tried their best to maintain their culture. You see a lot of artefacts, admire their photographs, see their past and the suffering that they went through during apartheid.

We do not have anything to call ours or to show. I support this by saying that it is a very good Convention in the sense that it is helping us restore what we lost in the past.

Thank you for giving me this opportunity.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Tharaka.

**Hon. George Murugara** (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. I rise to support the proposed ratification. I begin by pointing out that this is a 1970 Convention. What makes us go back to the year 1970 is the fact that our Constitution demands that unless we ratify these conventions, then they do not become part and parcel of our laws.

It is, therefore, important that we look at all that we ratified since Independence, up to today, and bring all of them to this House so that they are ratified and given the status of law. It is only a parliament that can make laws and, therefore, we have to be alive to the fact that some of those conventions have to be domesticated so that they can apply as laws. It is also important to note that we are trying to protect cultural property, or artefacts, as they are well known.

We do not know what has happened since 1970, but as soon as we ratify this Convention, it becomes a criminal offense to transfer, in a manner that is illicit, or import or export, what belongs to a cultural group as cultural property. Questions abound as to what cultural property is, and as Africans, we may not have kept our artefacts so well. Most of them were stolen and are now in museums in Europe, Asia and America.

We need to go further than this and get a law that is going to allow us to claim back part of the stolen property. Nobody has a right to keep stolen property because no rights are conferred by stealing. I say stealing because the whites who came over took away our artefacts and other cultural valuables to their museums because they were very good. What they are holding is stolen property and we need to claim them back.

Other issues arise as regards injustices that are done to us. The colonialists would kill an African king or chief, cut off the head, ship it to some European country and put it in a museum. It then became an artefact. What happens to such actions and property? Is that not cultural property?

To date, we do not know where the bodies of our late chiefs like Koitalel arap Samoei, Waiyaki wa Hinga and Lenana are. Maybe, their heads are lying somewhere in certain museums in England. Whose property is that? Maybe, we go by the case of the South African Government through the late Nelson Mandela. If this House could recall what happened quite early during the colonisation of South Africa, the British found the Khoisan and the Khoikhoi — the bushmen. They used a derogatory term “Hottentots”. They used to have a lady by the name Sarah Baartman who was endowed in various aspects. They took her away as a human animation in Europe. Eventually, she died and they preserved her body or parts of her body to be exhibited in certain museums. Nelson Mandela was able to persuade the British to return those parts and the body of that lady to South Africa, and she was given a decent burial. Was that an artefact or property? What was it? To me, these are the claims we should be making, especially to the Government of Great Britain and the United Kingdom, so that whatever they stole from this country is returned to us with appropriate compensation.

I propose the ratification of this Convention. Thank you.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Tetu.

**Hon. Geoffrey Wandeto** (Tetu, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this chance to also lend my voice in support of the ratification of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Hon. Temporary Speaker, like my colleague has said, we are about 13 years late because after passing our Constitution in 2010, this is something that we should have done almost immediately. However, it is never too late to do the right thing. At the outset, Africa and, indeed, Kenya, is coming from a history of exploitation not only of natural resources, but also of our culture and of what we possessed as artefacts. If you read the history of the missionaries or the explorers who came to Africa, they were always interested in picking bits

and pieces of our artefacts and cultures from all over the world; to which a few of my colleagues here have alluded to that fact.

However, it is important to note that this is a trade that continues up to today. In this country, we still find ourselves loosing items that are of interest, going to foreign museums. This especially happened after we gained Independence. We have, for example, Koitalel arap Samoei. It is very well documented that his head is held somewhere in a foreign museum. It is important that I mention that this Convention provides for what we call restitution, where it states thus:

“For objects, inventory and other items stolen from a museum, public or a religious monument or a similar institution, Article 7 provides the State parties should undertake appropriate measures to seize and return any cultural property that is stolen or imported”.

It is, therefore, very important that the Government of the Republic of Kenya through the National Museums of Kenya and the relevant ministries begin appropriate action to get our known artefacts back, like the head of Koitalel. We are also told of the Turkana boy who is no longer in our museum. What we have here in our museum is a replica. How do we get some of those things back? Going forward, we have a lot of things that were associated with our liberation movement. Future generations of 50 to 100 years from today will need to know about it and also see the artefacts.

I propose that the National Museums of Kenya, which I believe should be at the forefront of the enforcement after we ratify this treaty, should consider the artefacts that are associated with the *Mau Mau* movement. The *Mau Mau* movement is close to my heart because my constituency Tetu, was the epicentre and the home of Dedan Kimathi. We have the guns, knives, skins and all those things that were used in the liberation struggle. Many of those things, even the letters they used to exchange in the forest through a post office that they had in the forest, are things that need to be preserved.

Hon. Temporary Speaker, how do we, as a country, move to put together all our artefacts? I am requesting that the National Museums of Kenya after this considers putting together the Dedan Kimathi Museum which we have been asking for at a place called Karunini in Tetu, which can become the collection point of all the *Mau Mau* artefacts and items so that we can preserve them for future generations to come.

I support this ratification.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Members, we are three minutes from the appointed time by the Hon. Speaker for the Adjournment Motion by Hon. Abdul Haro. For the convenience of the House, you will be guided by Standing Order 33. The Mover will have 10 minutes and every other Member shall have a maximum of five minutes. We will begin and this debate will continue in the next sitting.

*(Debate on the Motion deferred)*

Hon. Member for Mandera South, you can move your Motion.

## MOTION OF ADJOURNMENT ON A MATTER OF URGENT NATIONAL IMPORTANCE

EFFECTS OF *EL NINO* IN MANDERA COUNTY AND THE COUNTRY

**Hon. Abdul Haro** (Mandera South, UDM): Thank you, Hon. Temporary Speaker. Pursuant to Standing Order 33(1)...

*(Hon. Yusuf Adan spoke off record)*

**The Temporary Speaker** (Hon. Martha Wangari): Continue Hon. Member. Do not listen to Hon. Haji. Until I tell you that you are out of track. Continue.

**Hon. Abdul Haro** (Mandera South, UDM): I beg to seek leave for the Adjournment of the House for purposes of discussing a definite matter of urgent national importance regarding the current severe *El Nino* crisis and its devastating effects particularly in Mandera County.

Hon. Temporary Speaker, the adverse effects of the *El Nino* crisis are significantly impacting a lot of critical facets of our country. The rains are disrupting the ongoing national exams for students with potential long-term consequences on the education and future prospects of students.

In Mandera County, numerous schools are also being utilized as refugee shelters, thus causing challenges to both the displaced individuals and educational institutions involved. Some vital healthcare facilities, including hospitals, are submerged, thus rendering them inaccessible. This has unfortunately left the affected population without access to medical assistance in the wake of dangerous outbreak of diseases.

It is disheartening to note that private individuals have had to step in actively to engage in rescue and relief efforts, thus underlying the urgency and the gravity of the situation. The current death toll stands at 46 with over 14 reported injuries and the potential for further casualties is imminent if immediate action is not taken. It is against this background that I seek leave for the adjournment of the House to discuss this matter of great national concern with a view to exploring possible and lasting solutions.

We have been receiving heavy *El Nino* rains since the end of October. This has come at a time when the country has just come out of the worst drought in its history. The drought has been said to be the worst in 40 years. When the country was recovering from the drought effects, especially pastoralists, other Kenyans were rejoicing that the rains have finally come. Those rains have now come as *El Nino*. It has been said to be the super *El Nino* and not the normal *El Nino*. It is predicted by the weather men that it will be worse than the *El Nino* of 1997/1998.

Already, over 15,000 families have been uprooted from their families. Hundreds of acres of farmlands have been decimated and over 1,000 livestock have been swept away. Whole counties have been cut away from the rest of the country. For example, where I come from, Mandera County is completely cut off from all other places in the country, and also from the neighbouring countries. It means, therefore, in the next few weeks, if the rains continue pounding as has been said it will until March next year, then we are facing serious starvation due to lack of food. There is scarcity of fuel in that county already and many other counties. In Mandera Referral Hospital, for example, critical hospital facilities like oxygen that require electricity are not accessible.

Food is running out in many parts of the country. Fuel has run out and there is serious danger of outbreak of Cholera and Malaria. In some parts of the country, especially Central and Rift Valley, there is danger of mud slides which could be a danger to the lives of many of our people.

As we speak, the rains continue to pound most parts of the country. I had already indicated the 46 deaths which had been reported, but the number is rising. As late as yesterday, we lost a Form II boy who was a student at Takaba Boys Secondary School in Mandera West. He was swept away by waters of River Lagsure which has its source in the Ethiopian Highlands. The boy was swept away and his body has not been retrieved from the river. My heart goes to all those Kenyans who have lost their lives and those still missing. I pass my condolences to the families. Floods should be declared a national disaster since they are now turning into a super *El Nino*. Once we declare them a national disaster, we can mobilise our

resources as a country, and resources from our friends and well-wishers. We will also concentrate our efforts on this disaster, which is threatening to wreak havoc.

I beg to move.

**The Temporary Speaker** (Hon. Martha Wangari): Thank you, Member for Mandera South. Members who do not intend to speak on this Motion should withdraw their cards. I will consider all those Members who are logged in to be intending to speak on this Motion.

Member for Mandera North.

**Hon. Major (Rtd) Abdullahi Sheikh** (Mandera North, UDM): Thank you very much, Hon. Temporary Speaker. I thank Hon. Haro for this timely Adjournment Motion.

We now know that what we are experiencing is not a normal *El Nino*, but a super *El Nino*. We have just come out of a severe drought which has not been witnessed in the last 40 years. We are now dealing with the super *El Nino*. Communities are at pain. The situation is very critical such that citizens are fighting for their lives and searching for things that might mitigate the disaster. Food is one of them. The road infrastructure has been cut off to the extent that no vehicle can pass. We are looking at a situation whereby the vehicles that are leaving Nairobi to supply food to parts of Wajir, Mandera, Isiolo, and other areas cannot reach their destinations. Thereafter, there will be extreme food insecurity in those places.

Prices of commodities in shops have been hiked. The borders of Mandera County with both Ethiopia and Somalia are closed and food from Nairobi cannot reach there. Commodities that can be bought from across the border cannot reach the population because the borders are officially closed. What are we supposed to do? Should we watch as those communities starve? It is very critical. We ask the Government to declare the floods a national disaster so that donor countries and agencies can come in. That should be a whole Government approach.

Power stations have been submerged and some towns do not have power. In other towns, power may soon go out because there is no fuel. We will watch from Nairobi, unable to offer help or support, if there is no whole Government approach to attend to this matter. What plans does the Ministry of Energy and Petroleum and the Kenya Power have to ensure that there is power in those stations? What plans does the Ministry of Health have to ensure that essential drugs reach those populations? That is critical.

Relief food is currently the most essential commodity. We do not know who is most or least deserving. Every single person in those areas is deserving because there is nowhere to buy food. I ask the Government and donors to move with speed in order to save Kenyans from the super *El Nino*.

Some infrastructure has been swept away by the floods. An example is the road from Garissa to Modogashe, which was constructed in 2019 at a whopping cost of several billion shillings. Part of it was swept away because it was not properly constructed. It is high time that people started paying for those kinds of crimes. Engineers who were supposed to monitor and maintain the roads; contractors who constructed the roads; and, the Director of the Kenya National Highways Authority (KeNHA) then should answer some of these questions.

Poor infrastructure in parts of North Eastern Kenya has contributed to the situation we are currently in. We could mitigate some of the effects of the super *El Nino* if we had good roads. Unfortunately, we do not have good roads and infrastructure. The population is dying.

We want a whole Government approach to salvage the situation in northern Kenya, especially in North Eastern Kenya. The population is living in pain. We are watching from Nairobi and asking ourselves what we can do.

As I conclude, I urge the President to declare *El Nino* a national disaster so that every part of this country can receive help. The situation is dire and people will starve. *El Nino* rains will continue until March 2024. What will we do? We sympathise with those who were submerged and lost their lives.



**The Temporary Speaker** (Hon. Martha Wangari): Your time is up, Hon. Sheikh. Member for Ganze. Hon. Charo.

**Hon. Kenneth Tungule** (Ganze, PAA): Thank you very much, Hon. Temporary Speaker, for allowing me to contribute to this Motion.

First, I thank the Member for Mandera South for bringing this Motion to the House. I send my condolences to the people of Ganze for losing two people due to the *El Nino* floods. We have, once again, failed as a country because we were caught flat-footed by the *El Nino*. Warnings were given on time, but respective Government departments did not take the necessary precautions to ensure that such calamities are averted.

There are currently many people in Ganze, especially those who live near river banks and swampy areas, who cannot get out of their houses because they are surrounded by water. We have not received any help from the national Government or county government. Over 1,000 people in Ganze are living in dire conditions and need to be evacuated. No support has been forthcoming so far.

Those currently administering examinations have experienced many problems. A case in point is that yesterday, examinations in a school in Mitangani Location, Ganze, that were supposed to start at 8.00 a.m. started at 8.00 p.m. because roads are impassable and bridges have been swept away. There was no way the examination papers could get to the school on time. Help could not come in time because we were told that there were contingency plans to ensure that if roads are cut off, there would be helicopters that are hired by the Kenya National Examinations Council (KNEC) to take examination papers to those schools. That did not happen. Imagine a student waiting for an examination that was supposed to start at 8.00 a.m., which ends up starting at 8.00 p.m. Teachers told me that they returned the completed examination papers to the containers at 1.00 a.m., which is very sad.

We never learn from past experiences as a country. I remember that I was a student during the last *El Nino* in 1997. I sat for my Form IV Examinations at Godoma Secondary School. We used to start our examinations at 4.00 p.m. We are still facing the same problem almost 27 years later. We need to wake up as a country and take disaster preparedness seriously. In the last three weeks, we have suffered because of heavy rains and there has been no help. I support the sentiments by my colleagues that the Government should declare *El Nino* a national disaster. The forecast for this week shows that we should expect even more rain. If people are suffering like this, what will happen if these rains continue for the next two to four days? I urge all the concerned State departments to wake up from their slumber and help the people on the ground.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Lamu East, Hon. Ruweida Mohamed.

**Hon. Ruweida Mohamed** (Lamu East, JP): Asante Bi Spika wa Muda kwa kunipatia nafasi ili nchangie Mswada huu.

Mafuriko yametuaithiri sana. Inasikitisha kuwa kila wakati tunapatikana ghafla. Ni muhimu tujitayarisha ili mafuriko haya yakija tena yapate tukiwa tayari. Siku nenda, siku rudi jambo ni lilelile. Pia, ningeomba kuwa isiwe ni lazima kila Mbunge aulize sawali kibinafsi, bali kila kinachonukuliwa hapa kigusie nchi nzima. Sio tu Lamu, Tana River na Garissa kwa sababu jambo hili linaathiri sehemu nyingine pia. Tujadili tu Mswada huu kwa ujumla maanake maswali yatakuja mengi. Ni vyema tupate msaada kwa pamoja sote tulioathirika na mafuriko.

Kwetu Lamu Mashariki kunasikitisha sana. Eneo lililoathirika sana ni Wadi ya Basuba. Kwa mfano, Shule ya Mangai iko upande wa pili wa mto. Sasa hivi, wanafunzi hawawezi kwenda Shule ya Mangai kwa sababu ya mafuriko. Watu wa Mararani wamefungiwa kabisa. Hawawezi kwenda Kiunga kwa sababu ya usalama na pia hawawezi kuvuka kwenda Mangai. Wamefungika kabisa na hawana pa kwenda. Kutoka Basuba hadi Milimani hakupitiki. Hata

piki piki hazipiti. Bodaboda tu ndio zimekuwa mbinu ya usafiri pekee eneo hilo kwa sababu ya kuwekwa kwa *improvised explosive device (IEDs)* barabarani.

Alhamdulillah, tunashukuru kuwa mambo ya kuwekwa vilipuzi barabarani hayasikiki tena kwa sababu ya mvua. Lakini sasa hatuna mbinu za usafiri. Sasa hivi, hakuna usafiri wa aina yoyote kutoka Basuba kwenda Milimani. Upande wa Kiangwi kwenda Basuba pia barabara imekatika. Watu wanaoweza kufikiwa sasa ni wale wa Kiangwi tu. Sehemu nyingine zote ni lazima jeshi liende lisaidie.

Tunaomba Kenya Defence Forces (KDF) wasichoke kusaidia wakaazi hawa. Cha kusikitisha mno ni kuwa Lamu Mashariki haipo katika orodha. Ukipigia *National Drought Management Authority (NDMA)* wanasema tu Lamu Mashariki kuna mafuriko. Hawashughuliki kamwe. Hawana hata data. Red Cross wanashughulika tu sehemu zilizo na watu wengi. Kwa kuwa Lamu Mashariki watu ni wachache, hawashughulikiwi. Jambo hili linanisikitisha sana kama Mbunge wa kule.

*The NG-CDF* ingeruhusiwa kutumika, basi ingetusaidia kwa kuwa hatujapata hata msaada wa kaunti. Katika Wadi ya Kiunga, mashamba yote yameingia maji. Watu hawatapata chakula msimu huu. Kaunti inashughulikia sehemu ambazo zina kura nyingi.

Wadi ya Basuba haiathiriki tu na mafuriko, siku zote wanalia maswala ya usalama. Kule ni matatizo zaidi. Nyumba za Basuba tunazijua. Wakaaji ni maskini na hata sijui kama wataweza kujenga tena bila msaada. Mafuriko yametuathiri. Ninaomba hatua za dharura zichukuliwe na Rais atangaze kuwa hili ni janga la kitaifa ili watu wapate msaada. Serikali ya kaunti inasaidia Lamu Magharibi tu. Haijafika Lamu Mashariki. Sijui mbona NDMA hawajafika pia. Nimewapigia simu na wanadai kuwa ni barabara tu imekatika na hakuna chochote wamefanya kusaidia. Sijui tukimbilie wapi sisi? Watu wanatutegemea na hatuna msaada wa kuwapatia. Sina mahali popote pa kutoa chakula cha msaada. Ninaomba sauti zetu zisikizwe. *Donors* pia wakumbuke watu wa Basuba na wasizingatie tu Lamu Magharibi. Lamu Magharibi imeathirika vilevile lakini Lamu Mashariki watu ni wanyonge zaidi.

Asante Bi Spika wa Muda.

**The Temporary Speaker** (Hon. Martha Wangari): Asante Mhe. Ruweida. Ningependa kukujulisha kuwa, ndio idhini itolewe na Spika, ni lazima Mswada huu uwe ni wadhara na wakitaifa. Kwa hivyo, jambo hili si la Mandra Kusini peke yake bali ni jambo la kitaifa.

Mhe. wa Kisauni, wakati ni wako.

**Hon. Rashid Bedzimba** (Kisauni, ODM): Asante sana, Bi Spika wa Muda kwa kunipa nafasi nami niweze kuchangia Mswada huu unaohusu janga la mafuriko.

Ninaunga mkono kuwa mafuriko yatangazwe kuwa janga la kitaifa kwa sababu yameathiri wananchi pakubwa. La kusikitisha ni kuwa wananchi hawakutayarishwa sawasawa. Kulitangazwa kuwa *El Nino* ingekuja lakini baadaye tangazo hilo likakanushwa kufikia viongozi kuomba msahama kwenye runinga. Wananchi walitulia wakijua kuwa hali ni shwari. Ghafila bin vu, mvua ikanyesha usiku kucha na kusomba mifugo na vyakula. Watu wameathirika pakubwa.

Eneo Bunge la Kisauni limeathirika pakubwa na mafuriko haya. Wadi saba ninazowakilisha zimekumbwa na mafuriko. Vyakula vimesombwa na maji na nguo zimebebwa. Watoto hawana makazi. Hali imekuwa ngumu. Watu hawa wanahitaji msaada mkubwa. Serikali inapaswa kuwapatia chakula cha kutosha. Sio tu watu kupangishwa foleni na kupewa kilo mbili. Kilo mbili zitasaidia nini? Watu hawa wanahitaji chakula kwa wingi. Kila wadi inapaswa kupata chakula cha wiki au zaidi wanapojipanga. Magodoro yote yalibebwa na maji. Watu wamebakia bila makazi. Hata shule ambazo wao hukimbilia zimekumbwa na maji na kuta zote kuanguka. Tunahitaji msaada wa Serikali kwa dharura, na sio tu kwa kuwapatia waathiriwa kilo mbili mbili.

Ni masikitiko makubwa sana kila wananchi wanapohitaji Serikali kuwasaidia inawacheza shere. Katika Kaunti ya Mombasa, Gavana alisema hajapata hata shilingi moja ya

kukabiliana na *El Nino*. Hatujui anayesema ukweli ni nani. Serikali kuu imesema kuwa imetoa pesa za kukabiliana na mafuriko lakini Gavana anasema hajapokea chochote. Labda wanamwambia atumie fedha za kaunti lakini pesa zimepangiwa na huwezi kutumia pesa zilizopangiwa na kuzitumia zisivyo. Hii itamletea taabu wakati wa *audit*.

Tunaomba Serikali ilichukule jambo hili kuwa muhimu sana na kulitilia maanani. Watu wanateseka sana, na haswa katika eneo Bunge la Kisauni linahitaji msaada. Tumehangaika sana. Maji yanafika hadi magotini. Sisi huko ni maskini sana. Vyoo vyetu vingi huwa ndani ya nyumba. Kwa hivyo, maji yakijaa vyooni yanaingia vyumbani. Hali hii ni hatari sana. Kuna uwezekano wa mkurupuko wa maradhi. Tunataka Serikali kulenga eneo Bunge hili kwa kuleta dawa katika hospitali na iruhusu watu kutibiwa bure kwa sababu ya hali hii. Shule nyingi zimetumbukia majini na tunaomba misaada kutoka mashirika mbalimbali.

Hata sehemu ya Mandera South, nimeona mifugo wakisombwa na maji. Wao pia wanahitaji msaada. Isiwe tu tunazungumza hapa bali Serikali itilie maanani jambo hili kwa kuwa wananchi wanapata taabu. Hali ya uchumi ni mbaya. Bei za vyakula ziko juu, hakuna mtu anaenda kazini na watoto ni wagonjwa. Tunaomba msaada kutoka kwa Serikali. Ni haki ya wananchi kusaidiwa wakati dhiki inapoingia. Kisauni tumeumia zaidi. Tunaomba Serikali itilie maanani maneno haya na kujua jinsi ya kusaidia wananchi wake.

Ahsante sana.

**The Temporary Speaker** (Hon. Martha Wangari): Thank you. Member for Thika Town.

**Hon. Alice Ng'ang'a** (Thika, UDA): Thank you very much, Hon. Temporary Speaker. I also rise to support this Motion now that it has rained like never before. I think the whole country is experiencing *El Nino*. We were warned by the Meteorological Department and we knew that *El Nino* was coming. The 22 per cent and the 10 per cent allocations should have been released early enough to help in road maintenance. We do not have to wait for damages.

As we speak, there are children in these areas who are sitting for exams. How can they be compared with children who live in comfortable places and wake up very early in the morning to go and sit their exams? There are children who do not even know whether they will make it to school to sit their exams. From where I stand, in the National Assembly, where I oversee the Ministry of Social Protection, where children belong, I want to state that children are suffering. If you watch news every evening, you will see that children are suffering – those who are sitting exams and the young children who cannot stay in the houses or go outside. From a bird's eye view, you will see counties that are so flooded you may think they are lakes or oceans but these are supposed to be dry land. Because of poor drainage, people are suffering everywhere.

In my constituency, there is a place called 'Gicikii' where people have had to move to other places because of floods. They were woken up at night when their beds got wet because water had already penetrated their houses. Those people are suffering. We should not wait any longer because we do not know when the rains will stop. Yesterday, it rained the entire night until morning. It still rained the entire morning. Our water drainage system is blocked everywhere. An urban town like Thika is still in problem because there is water all over. With these rains, a lot of water on our roads will definitely damage them. Why do we have to wait until this happens? If at all we were not warned, that could have been something else. We were, however, told that it was going to rain heavily. Our nation came from COVID-19 to drought and now to *El Nino*. We are stuck here.

I want to request for food to be released. The National Treasury should treat this as a national disaster and release food to the families that are affected. We also need to fix the roads because coming to work is a problem, whether in the morning or evening. People sleep on the other side of their homes because they cannot access them. Let us not wait for damages. Let us act now. We can no longer handle the situation. We still have time. As a nation, we must come

out and help the affected people. They are many. As I have said, the heavy rain is being experienced across the country. Everybody is suffering. There is no shelter, food, beddings or even medication. It is also difficult to get medication to the affected families. Let us do what we are supposed to as a nation. Let us not be seen to be crying all the time. We should solve these problems at the right time. We should not wait until when things are no longer working. They should not wait until we come here to debate so that they can start releasing money. It is wrong. As a nation, we are supposed to come out strongly to protect our families, children, mothers and the elderly who are suffering waiting for the Government to come and rescue them.

As for the 22 per cent and 10 per cent allocations, they should not be released when El Nino is gone, and when you cannot be called to go and fix a road.

**The Temporary Speaker** (Hon. Martha Wangari): Your time is up. Member for Mandera East.

**Hon. Hussein Weytan** (Mandera East, ODM): Thank you, Hon. Temporary Speaker. First, I want to take this opportunity to thank the Member who brought this critical Motion to this House. The issue we are discussing here is extremely timely. As we speak, people have been moved from their houses and are now Internally Displaced Persons (IDPs) in their own country. Roads are impassable.

In the 21<sup>st</sup> century, vehicles from Nairobi cannot reach Mandera, Wajir, Dadaab and Ijara. It is extremely unfortunate. That is why we have been saying that the north eastern region is marginalised. We thought we would be out of this problem once a leader like His Excellency William Samoei arap Ruto takes over the leadership of this country. We expected inclusivity to start immediately after a pastoralist takes over power. It is unfortunate that our people may now starve to death because vehicles are stuck. As I speak, a bag of sugar is going for Ksh10,000 in Mandera Town for the very few shops that have stocks. Most shops are out of stock and some are even closing down. Those few who come from the other side of Ethiopia and Somalia are also suffering the same predicament. There are no roads.

Students who are sitting for examinations are facing problems. We want to call upon the Government to declare *El Nino* a national disaster so that we can get help. Planes cannot land in Mandera because of the magnitude of the rain. For almost five days now, no plane has landed in Mandera. The situation is dire. We do not want the Government to move in and bury people when deaths occur. It is high time the leadership of this country moved fast and got planes that can carry tonnes of foodstuffs. I think the United Nations and other well-wishers have those kind of cargo planes that can drop food all over because ordinary planes cannot land. It is unfortunate that we are debating this kind of thing in the 21<sup>st</sup> Century.

Once the President declares the *El Nino* a national disaster, donors from all over the world will move in and our people will get help. The Government should evacuate people out of risky places which flood during the night when they are asleep and take them to higher ground and treat them as IDPs. Once we do that, we will be better off.

In Mandera Town, the Headquarters of Mandera County, for the past five days, there has been no power at all. No patient can be taken to the Intensive Care Unit (ICU) because there is no oxygen. You can understand the risk once that happens. As we speak, there is no power at Mandera General Hospital. The whole town is in darkness. The problem is not the way our leadership is handling it, but the situation is extremely big and dire. We need our leadership to move fast, and the President to come out and clearly declare the *El Nino* a national disaster before it is too late.

**The Temporary Speaker** (Hon. Martha Wangari): Thank you. Let us have the Member for Garissa Township.

**Hon. Dekow Mohamed** (Garissa Township, UDA): Thank you, Hon. Temporary Speaker. Firstly, I thank you for giving me the opportunity to contribute. I also thank the Mover of the Motion of Adjournment on a Matter of Urgent National Importance.

As my colleagues have said, the region is in dire situation. We have more than *El Nino*. We have not experienced what we are experiencing for a very long time. In our lifetime, we have never seen the situation we are in. We have reached a situation where we are inheriting those very funny names of big disasters like hurricane or cyclones in our region. It is completely submerged. The Government was forewarned. We knew all these things would come but they took them for granted. We have been talking about this situation at press conferences and public rallies, urging the Government to declare this *El Nino* a national disaster. There seems to be some laxity or fear. They think that it will be shameful to declare it a national disaster. Whichever name they use, they must know that we have a problem that needs urgent Government interventions.

The county governments are unable to sufficiently intervene in emergencies of this magnitude. We need the national Government to come in. It looks like they wake up every morning to tell us that we are not yet suffering; that we are not yet there. We need to suffer more so that they can come in. We need the Government's intervention. I am speaking from the Floor of this House directly to the President of this country, wherever he is. When he comes back from outside the country, we need him to land at Wajir International Airport and establish a command centre to coordinate the disaster mitigation measures in that area. We no longer trust any other Government official to tell us anything. We have met many cabinet secretaries and principal secretaries on the same issue. They cannot move or airlift even one truck of food from here to the affected areas. People are suffering. Homes are flooded. There is no one who is living in his house today in the whole region. I have a 30-km river line along my constituency and all the farms are destroyed. People are watching the destruction of their lifetime investment, but there is no Government to talk about it. Displaced people are living in schools in the county. Students are unable to do examinations because schools are occupied by displaced people.

Nothing is coming from the national Government or the county government to help those people. We have said many things on the Floor of this House. It is unfortunate because the leaders of this House do not take these issues seriously. They were here before this Motion came before the House, but they left us. Their only intention is to whip us to come and support Government Bills and other business. However, when we have a problem in our regions and we need them most to speak on our behalf, they disappear from the House.

**Hon. Members:** We are here!

**Hon. Dekow Mohamed** (Garissa Township, UDA): There is nobody here. You are not a leader of this House. We are talking about the Leader of the Majority Party, the Deputy Leader of the Majority Party, the Whip of the Majority Party and the Whip of the Minority Party. These are the people I am talking about, and not ordinary Members like me. Please, do not intervene in this issue since you have nothing to offer to us. We are talking to the leadership of the House that needs to be here to speak on behalf of the country on the challenges we are facing.

We need serious interventions from the national Government. We have talked about this issue. We have a problem but nothing is forthcoming. All the roads have been destroyed. Our livestock can no longer graze because water has clogged everywhere and there are no pastures.

With those many remarks, Government intervention is needed out there.

Thank you, Hon. Temporary Speaker.

*(Several Hon. Members raised their hands)*

**The Temporary Speaker** (Hon. Martha Wangari): Kindly, Members, do not raise your hands. I have your names. If you have logged in, I can see you.

Next is the Member for Taveta, Hon. John Bwire.

*(Hon. Raphael Wanjala spoke off the record)*

Hon. Wanjala, you do not have the *locus standi* to shout. You have just come in. There are Members who have been seated here waiting.

Proceed, Member for Taveta.

**Hon. John Bwire** (Taveta, WDM): Thank you, Hon. Temporary Speaker. When I was in Sunday school, my teacher used to remind me of the scripture in the Book of Matthew 19:24. The Bible says:

‘I will say it again. It is easier for a camel to go through the eye of a needle than a rich person to enter the kingdom of heaven.’

If I had a second to amend the Bible, I would amend this verse. I would say it is easier for a camel to go through the eye of a needle than Government officers and politicians in Kenya to enter the kingdom of heaven. I say so because the many times I have been in Parliament, we have always had a discussion of how we came from very humble backgrounds to the positions we are in today. One thing that surprises me is that the moment we get here, we forget about the many poor people who are languishing in the villages. I had the privilege of going to Kimorigo, Njukini, Saramsom, Irrigation, Marodo and Ngaa villages in Taveta Constituency, and the people there are really suffering.

I want you to take a moment, close your eyes and imagine your two or three children in your completely flooded house, and you only have a *mkeka* and you cannot sleep. It is painful. I agree with the speaker who has just spoken before me that sometimes we forget the moment we get into these positions.

When we were passing the Finance Bill and increasing the Value Added Tax (VAT) from 8 per cent to 16 per cent, we were assured that we would have a lot of dams constructed everywhere in the country. When we were passing the Housing Levy, we were assured of houses. When we were increasing the National Hospital Insurance Fund (NHIF), the National Social Security Fund (NSSF) and other things, including the cost of an identity card, we were told that things would change. When foreign travel for Members of Parliament and other Government officials was cancelled, we were told that we were doing so in the best interest of the country. In fact, I was in one of the meetings where we were told that we had saved close to Ksh5 billion as a result of the cancellation of foreign travel for Members and other public officers. Where is this money?

We are not asking for too many things. Repair the roads so that they can be motorable. For instance, the Taveta-Illasit Road in my constituency is the connection between farmers so that they can take their produce to the market. We have women who have sacrificed all their savings to cultivate tomatoes. However, they cannot take them to the market because the roads are impassable.

We have bigger problems. This is a House of records. The Cabinet Secretary for Water, Sanitation and Irrigation, Hon. Alice Wahome, was here on 26<sup>th</sup> July 2023. I asked her a Question. I told her that Kimorigo Village had a problem of perennial floods and asked what she was doing about it. She told us too many good things. However, people in Kimorigo and Ngaa villages are suffering right now. My colleagues have said that we should declare this *El Nino* a national disaster. We saw a Committee led by the Deputy President on this emergency. We also have the Cabinet Secretary for Water, Sanitation and Irrigation. We want them to come

here next week to explain to us the immediate intervention measures that they have taken to protect our people.

Thank you very much, Hon Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Eve Obara. Give her the microphone.

**Hon. Eve Obara** (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to contribute to this very important Motion.

I thank our colleague from Mandera for bringing the Motion to the House. This matter should have been addressed as early as yesterday because of the effects of El Nino. Yes, I know we have been told that we were warned. Again, we were told that it was not going to be there. However, that is water under the bridge. We should move on as a House and see how best this matter can be solved.

Hon. Temporary Speaker, we have seen desperate families displaced from their homes. We have seen crops destroyed. We have seen sick children and old people living in very unfriendly environments because of the storm or the *El Nino*. As much as the Member for Mandera South brought this Motion, *El Nino* has affected almost all parts of this country. Last week, I was in Mombasa for a four-day conference and it rained for four days and nights non-stop. The Bamburi area in Mombasa was completely flooded to the extent that we did not see the sun for four full days. We have seen floods in areas we never expected floods. For instance, we have seen what is happening in Dubai. It is flooded. *El Nino* has destroyed homes and houses. Yes, it is *El Nino* and it is serious.

Hon. Temporary Speaker, what is our plan? What is our disaster preparedness? What are we doing as a country? From what we are seeing, and from the projections, the situation can only be worse. Even as we look at this phenomenon from the global perspective, what the weather authorities are saying is that the situation is going to be worse in days to come. What is our level of preparedness as a country? What are we doing for the people who are already affected and are out of their homes? What are we doing about the schools that have been destroyed? What about relief food?

I saw many affected people on TV yesterday, even in the Oluch-Kimira area of my Homa Bay County. I saw affected people in the Ahero area of Kisumu County. They are also living in school compounds. They have no food, medicines or water. They have nothing. We are yet to see the relevant arm of Government reaching out to them. Relief food must get to these people. We must stand together as a country and speak with one voice so that our people can be taken care of in terms of provision of food, medicines, clean water and mosquito nets. This should happen not in two weeks' time or three weeks' time but tomorrow. I believe there are food stocks for distribution, through the relevant Ministry. We must start seeing this food going out. I do not know what happened to the Kenya Red Cross Society. They used to be very fast in responding to such matters but somehow, we are not seeing any action from them this time round. Our condolences go to the families that have lost their loved ones and cannot bury their dead because of the floods.

Once again, I support the Motion. Our colleague, thank you very much for bringing it to the House.

**The Temporary Speaker** (Hon. Martha Wangari): Thank you. Member for Rabai, check the next microphone.

**Hon. Kenga Mupe** (Rabai, PAA): Ahsante sana, Mhe. Spika wa Muda. Nimesimama nikiwa Mbunge wa Rabai kuunga mkono Hoja hii ambayo imeletwa na mheshimiwa kutoka Mandera Kusini. Ninampongeza kwa sababu ameleta Hoja hii wakati mwafaka.

Kipindi hiki mvua hii ya *El Nino* imehangaisha wakaazi wa Pwani na Kenya nzima. Ndio maana ninasimama kama Mbunge wa Rabai kuunga mkono na kusema kwamba inafaa serikali itangaze rasmi mvua hii ya *El Nino* kuwa janga la kitaifa. Kama Mbunge wa Rabai,

nyumba za wakaazi wengi wa Rabai zimeanguka kwa sababu ya mvua nyingi. Mvua imenyeshwa mfululizo kwa zaidi ya siku nne. Hata chakula chote walichovuna kutoka mashambani hivi majuzi kilitekwa na mvua pamoja na maji. Ninapoongea, wakaazi wa Rabai hawana chakula. Ndio maana ninauliza Serikali ibuni mbinu itakayohakikisha wote ambao wameathirika wamepewa ufadhili wa kutosha ili wasaidike katika kipindi hiki.

Katika eneobunge la Rabai, kuna wodi nne. Tuko na Mwawesa, Ruruma, Kambe-Ribe na Kisurutuni. Barabara zote zilizorekebishwa hivi majuzi na Kenya Rural Roads Authority (KeRRA) zimeoshwa na mafuriko. Pia, kuna madaraja kama yale ya Jimba, Chitswa cha Mkamba, na daraja la Ngwenzeni, ambayo yamefagiliwa na mvua hii ya *El Nino* kiasi cha kwamba wananchi kutoka Rabai wanapata shida kubwa saa hii. Hawawezi kutembelea maeneo mengine kwa sababu daraja zote zimesafishwa na mvua ya *El Nino*.

Tuko na mto mkubwa unaoitwa River Kombeni unaopitia Rabai. Mto huo una maji mengi sana. Kufikia wakati huu, maji haya yanaenda Bahari Hindi. Nimesimama hapa kama Mbunge wa Rabai na ningependa kusema kwamba Eneobunge la Rabai limekuwa na shida ya maji kwa zaidi ya miaka kumi. Ndio maana ninauliza Serikali ibuni mikakati katika sehemu kama hizi ambapo maji mengi yanapitia kwenda baharini. Nimeuliza serikali, ninanyenyekea. Serikali ibuni mikakati ya kujenga bwawa pale Mto Kombeni ili maji yanayopitia Mto Kombeni yatumiwe na wakaazi wa Rabai ili shida ya maji iishe.

Nikimalizia, ninamshukuru Naibu wa Rais kwa kuita viongozi wote wa Kenya ili kuzungumzia swala hili la janga la mafuriko. Ninasema kwamba nina imani kuwa serikali itatoa mwongozo ili Wakenya wote ambao wamepata shida kwa sababu ya mvua ya *El Nino* wapate suluhu.

Ahsante sana, Mhe. Spika wa Muda. Nimesimama kuunga mkono.

**The Temporary Speaker** (Hon. Martha Wangari): Ahsante sana. Nafasi hii inamwendea Mbunge wa Lungalunga, Mhe. Mangale Chiforomodo.

**Hon. Chiforomodo Mangale** (Lungalunga, UDM): Thank you, Hon. Temporary Speaker, for giving me this chance.

We are in a crisis as Kenyans. I concur with my colleagues that *El Nino* should be declared a national disaster because it has caused havoc. Too many people are in camps as we speak. In my constituency, for example, 700 people have camped at Kidomaya Primary School. Another 200 people have been camping at Mwamose Primary School and many other places. Generally, the loss which Kenyans have experienced due to *El Nino* is enormous. I want to thank my friend, for coming up with this Motion so that we can all reflect, discuss and advise the Government on the way forward.

The road network in Lungalunga Constituency is in tatters. We cannot access the headquarters because all the bridges have been brought down. One thing I want to mention is that these rains have shown us the shoddy jobs that some of our contractors are doing. I want to mention the road from Vitsangalaweni to Mwena and Maledi. Its construction was completed two months ago and marked but in two places, it has been washed-off. I think the contractor did a bad job. Notwithstanding this, the Government has a chance to put mechanisms in place to ensure that our people get support. Just imagine the psychological torture to young children staying in camps or schools without toilets, mosquito nets and clean water, and who cannot access health facilities. They are suffering.

The Government should assist by providing them with clean water and enough food. It should not only assist Lungalunga, but the whole country. This is because we do not want to be biased. Every Member of Parliament who stands here talks about their constituency like Lungalunga or Mandera. For heaven's sake, the rains have caused havoc in the whole country. This House has premium powers to advise and give guidance to the Government to ensure that next time...



You know, we have been seeing this since we were young. When the rains come, people's houses are washed away and there are no plans. The Government needs to have a super plan for addressing floods and disaster issues once and for all. Giving warnings does not mean anything. We need to have plans which will solve these issues, so that our people, roads and schools can be safeguarded.

As I finish, I want to say that we have lost four souls during this time in Ramisi River. I take this opportunity to pray for their souls to rest in peace. They are Mohamed Rashid Mohamed from Kichaka Mkwaju; Abubakar Mwelu Nzoa from Kilimambogo; and Kenya Revenue Authority Manager, who was swept away by water while on duty, Mr Joram Maina, and his driver David Ng'ang'a. May they rest in peace.

Thank you very much.

**The Temporary Speaker** (Hon. Martha Wangari): Your time is up, Member for Tharaka.

**Hon. George Murugara** (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. This is a timely Motion of Adjournment so that we can discuss this important issue of the *El Nino* rains. The argument to the contrary is water under the bridge and we should be asking ourselves what next.

In this country, for many years, we have experienced a prolonged drought, possibly *La Nina*. When the warning that we would be experiencing *El Nino* came, many people did not believe it. The reason why the warning was not taken seriously was the fact that it was coupled with derogatory messages from all quarters to the effect that the rains may not be *El Nino* but just adequate rainfall.

We now have super *El Nino*, which means it is the worst *El Nino* ever experienced in the country since the 1960s, 1970s and 2000s. What preparations did we put in place to mitigate the effects of this phenomenon? Almost zero. We never did anything, but waited with bated breath and hoped that the rains would be sufficient. We prepared our farmlands, planted and hoped to have a bumper harvest. The pastoralists were happy they would have grazing fields with lots of grass for their livestock and life would continue as usual. That is not what we have now. We have a disaster in the making.

We are calling upon the Government to declare this *El Nino* phenomenon a national disaster, so that we are able to tackle it in the most appropriate manner that befits the country. If we require assistance from any other quarters, we have the platform to do so. A part from battling *El Nino*, we also need to put in place post *El Nino* measures. What will happen to the country when these rains subside? No doubt whatsoever; we will be left in a calamity. The roads have been washed away and our bridges have come down. People are living in IDP camps. We have seen people in Nyanza and the vast northern Kenya region suffering because those areas are totally flooded. Schools have been affected even as examinations go on.

We should be flagging, earmarking and possibly setting aside sufficient funds to deal with post *El Nino* effects in those areas. In my constituency of Tharaka, as they say, it is raining cats and dogs. It does not flood because the topography in that area is such that water drains into Tana River. We have numerous seasonal rivers which are dangerous to lives because when it rains upstream, the people in the lowlands experience flash floods. This is most dangerous to all citizens because people underestimate the amount of water in the rivers. As we speak, many lives have been lost to flash floods.

I want to encourage people to take care by doing due diligence before moving around. They should not attempt to cross swollen rivers or drive vehicles across rivers without proper bridges or culverts. It is vitally important that we put in place measures to tackle *El Nino* and the aftermath of it, in the country.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Thank you, Member for Fafi, Hon. Farah Yakub.

**Hon. Farah Yakub** (Fafi, UDA): Thank you, Hon. Temporary Speaker. I want to add my voice to the Motion moved by my colleague, the Member for Mandera. The main reason I support this Motion is not the *El Nino* phenomenon that we are experiencing, but the neglect we feel as a region. It is quite perturbing that a region of such magnitude, for the last 60 years of Independence of this country, is still crying for basic necessities like water and accessibility to health facilities. We are sickened as Members of this Government, and we are emotionally sad. We are sad that our constituencies today are water-logged. We cannot access them, we cannot get information from them and we cannot give them any information. The cry of the constituents is touching our hearts.

Hon. Temporary Speaker, I come from a constituency which is vast. It is the biggest constituency in Garissa County. It is so emotional and sad to say that a constituency of approximately 20,000 square kilometres has less than 70 kilometres of classified road network. The said classified road is just the KeRRA road. The rest of the constituency has no classified roads. As a State officer, for me to visit every part of the constituency during the dry spell, it takes seven days because the constituency has over 100 settlements. So, you can imagine how long it will take me to visit every part of the constituency during this time of floods?

Hon. Temporary Speaker, my constituency has been generous enough to host over 600,000 refugees. As I speak, 200,000 of those refugees are with me. Equally, there is an influx of refugees who are fleeing the floods in the lower parts of Somalia. It is sad that no assistance has been given to those refugees and the host community. We are sick enough. I add my voice to that of my colleague of Garissa North to say that, as Members of this Government, we expected much from the Government. We thought that the stories of neglect of roads, provision of water and health facilities are gone. We thought that this Government, which is appropriating its second budget, would provide substantial amounts of money to cater for the development of that region. I am sick to say that as I speak, the budget being passed had zero component other than the normal KeRRA allocation of Ksh62 million for my constituents and others. That is why today we speak with tears in our eyes, saying that we thought things would be different.

I support and give thumbs up to my friend and colleague from Garissa Town Constituency, who said that we needed a substantive and strong message from His Excellency the President. We request the President to set up a command centre so that the people of Wajir South, who risk being completely submerged in flood water, can be helped. As we speak, the national exams are going on. The number of choppers hovering the skies of the northern Kenya region, delivering exam papers, are more than the number of choppers trying to save lives in Wajir County. Were it not for a few choppers from the Kenya Defence Forces, the people of Wajir South could not have been reached. We request our Government, which we support and which we have helped pass a lot of Bills, to stand strong with us, give us a hand and make sure that the people of northern Kenya and the entire republic who have been marginalised are supported during times of need. We request, appeal and require more from this Government.

Otherwise, our cries will be a curse to them.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon Martha Wangari): Thank you. Let us have the Member for Isiolo South, Hon. Bidu Tubi

**Hon. Bidu Mohamed Tubi** (Isiolo South, JP): Thank you, Hon. Temporary Speaker for giving me the opportunity to air my views on this matter. This is a national disaster and everybody is seeing. The President, cabinet secretaries and whoever is in the country sees that this is a disaster. People have been submerged by flood water everywhere. Many people have lost their houses and dwellings. People are living in school compounds. They have been removed from their areas of residence.

That is what is happening in Kenya generally. It is not only one area, but everywhere. It is high time the Government took some of these matters seriously. I agree with my colleague from Garissa Central, who said that the Government side, and even the leadership of this country, are not very serious. Looking at what is happening in the House itself, we are not seeing the leaders, both of the Minority and Majority side, during the debate on this matter. This Motion was filed this morning and it was slated for debate from 5.30 p.m. If they were serious with us, they would be here, at least, to contribute and hear the cries from those of us who are here. My constituency borders Wajir South and Isiolo starting from the north. It is more or less submerged. There are areas where we have been using donkey carts to move people to safer grounds up to this morning.

The older people are being removed from where they are stranded to safer areas using carts. There is no food for them in those safer grounds. There is no accessibility because all the roads leading to that end have been washed off. Even the main road that is under construction, the highway towards Mandera-Somalia, the one going to Modogashe is impassable. Right now, vehicles are stuck in the mud. We have requested the Chinese undertaking the construction of the road to help remove those vehicles.

Hon. Temporary Speaker, the problem is that we seem to be not coordinative enough. The Red Cross Society was trying to do a lot in my area. They had meetings here and there, trying to bring people together to see what can be done. They are the only voice of reason we have in those areas. Otherwise, look at this situation. Isiolo has Isiolo North and Isiolo South; Isiolo North towards Merti/Wajir border. To the South of Isiolo, we have Wajir and Garissa borders. Those are all areas which are being submerged and there is no help from the Government. There is no accessibility except by air and yet we have not seen any choppers.

I would request our Government to be sensitive to what is happening in the country and declare the floods a national disaster so that we can rush here and there to get donors from outside and everywhere else. In areas like my county, although everywhere has floods, there are areas which are badly affected. Isiolo Town, for example, is a little bit better because the roads are good. You can go to Meru, Nanyuki and all those areas. Deep inside there is nowhere we can go. So, dropping food in Isiolo Town alone does not solve the problem of the ones who are suffering in the interior. I support my colleague who brought this Motion. Floods should be declared a national disaster by the President himself.

I thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Member for Samburu East.

**Hon. Jackson Lekumontare** (Samburu East, KANU): Thank you, Hon. Temporary Speaker. I support this Motion.

It is true that the country is affected by rains and floods. Very many places which were previously not flooded are now experiencing floods. In Samburu East, we have lost about four people and some livestock. In my constituency, a place called 'Ngelai' has been cut off the market. The residents cannot access the markets. All the wards in my constituency are affected. Recently, some people had to be rescued using choppers. Too many schools are also affected. This is a countrywide disaster. The Government should release the emergency funds from the NG-CDF so that we can help our constituents.

Last week, I did not make it to Parliament because our roads were cut off. As a result, I did not attend the sittings of the House. Just two days ago, I visited another place but I could not go back home. So, I decided to come to Nairobi. The situation is so serious that when schools resume in January, some students may not be in a position to start learning. Too many pit latrines have been submerged in water, and families have been affected. The Government should assist Kenyans. During debate on the Supplementary Appropriations Bill, the Chairman of the Budget and Appropriations Committee indicated that there was money set aside for emergencies. That is the money that the Government should disburse to the relevant offices to

assist *wananchi*. This is because it does not help to say that we have about Ksh6 billion yet people are suffering. We all need to act now. All the resources in the country should be directed towards helping Kenyans.

Yesterday, I watched a video where some people were swimming to access their flooded compounds. What happens to those people who do not know how to swim? I even saw children swimming to access their homesteads. The situation is very serious that the Government should release the funds to help Kenyans. Although we have the rains, we should not assume that Kenyans have enough food. Currently, food is scarce. Therefore, relief food is required in the affected areas, where people cannot buy food because they cannot access market centres.

With those remarks, I support.

**The Temporary Speaker** (Hon. Martha Wangari): Thank you. Next is the Member for Tarbaj, Hon. Hussein.

**Hon. Hussein Abdi** (Tarbaj, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity. I wish to thank Hon. Abdul Haro for bringing this Motion. This disaster has unveiled the underbelly of this country. Such disasters have happened in the past. They have even been predicted that they would happen, but unfortunately, we did not plan well. It is not limited to this disaster. The general planning in this country is poor. Even as we all acknowledge that this disaster affects all parts of the country, the magnitude differs from one place to another.

Allow me to speak for Wajir County, specifically my constituency. We cannot even access fuel that serves the off-grid power station in Wajir Town. Wajir County is in complete darkness because fuel cannot be taken to the generator sets that Kenya Power uses. Hospital theatres are not operational because there is no power. They all use diesel.

Moving from one point to another in Wajir is impossible. I cannot even go round my constituency. I cannot go anywhere. I can only land at Wajir Headquarters and just stay there. I cannot even help my people. I wish to add my voice to the voices of the Members who spoke before me and say that the President should declare this *El Nino* a national disaster so that resources can be mobilised from our friends, donors and well-wishers across the country. As some Members who spoke before me said, we have appropriated a certain amount of money for disasters like this one. There is money for emergencies. We want to see that money being rolled out to save the lives of our people.

We are now appropriating the second budget of the current regime. The unfortunate thing is that when this season of floods ends, we will still be crying about lack of water. We have presented a number of proposals and we have been promised a number of dams are going to be built in certain areas of this country so that water can be stored. Sadly, even with all the proposals we have given, we do not have anywhere to store this water. We will be crying again because of lack of water.

I shudder to say that sometimes when certain Bills, like the Conflict of Interest Bill, are brought here, certain people in strategic places like the Committee on Budget and Appropriations, or certain important committees, take most of the budget to certain areas thereby neglecting the areas some of us come from. I want to add that the leadership of this House has deserted the House. Probably, they feel that this Motion is not important. Let me repeat what my brother from Garissa Town, Hon. Dekow, has said, that it is not going to be business as usual. Where I come from, and the whole of Kenya, must be considered for our rightful share of development. This cannot continue anymore.

I also want to say that, just to help this emergency programme, there is the Northern Corridor Highway, which was supposed to be done in bits in my constituency from Wajir Town through Tarbaj to Kutulo. The tendering process has already ended. The concurrence from the funders has already gone through. Therefore, I am urging the Cabinet Secretary for Roads and

Transport and my President to speed up the tendering process to award the project to the companies that have the requisite qualifications so that they can begin the work alongside other emergency projects. We are requesting that the award is given so that they help in building our roads. If roads were there, my people would have accessed enough services.

We need tents, mosquito nets and some foodstuffs immediately. At the same time, I request the national Government administration officers on the ground like chiefs, assistant county commissioners, deputy county commissioners and nationally...

**The Temporary Speaker** (Hon. Martha Wangari): Member for Limuru.

**Hon (Eng) John Kiragu** (Limuru, UDA): Thank you, Hon. Temporary Speaker, for giving me a chance. I thank the Member for Mandera North for bringing this Motion. This is a very serious issue. It affects many of our people in the country. We know that the whole world is facing a very tough time with the climate change and here in Kenya we are seeing very serious issues of *El Niño*. When I hear my colleagues talk about the problems that are encountered in various parts of the country, I stand with them because it is really painful to hear that some kids could not do their exams when they were supposed to do them, and they could not access various services that they need.

The current *El Niño* weather phenomenon affects the whole country. Even in my area of Limuru, we are worried about landslides. I know that as a country, we need to have strategies for dealing with this problem. We know that the final solution is to harvest water and know how to control the flooding. We do not have a contract to fill the Indian Ocean. Our business should be how to build dams and control the floods. During this time, it is very hard to even repair the roads that have been damaged, but basic things can help. Here in Nairobi, there has been a change because of the mere fact that people have taken time to unblock the drainage system. It is important for us even in the rural areas to do the very basic things to ensure that that drainage system is open so that when the water comes, it does not cut the roads. We may not have enough funds, but we can attract public-private partnerships (PPP) in construction of dams.

At the same time, the county governments can map out the areas that are likely to be affected by flooding so that they can advise people in time on where to construct dams. In most cases, they are the ones who approve such projects. It is important for them to also take part in ensuring that they assist in this matter.

I stand with my colleagues when they say that the Government must act quickly, particularly to provide relief to the people who are already affected.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Members, be upstanding.

## ADJOURNMENT

**The Temporary Speaker** (Hon. Martha Wangari): Hon. Members, the time being 7.00 p.m., the House stands adjourned until tomorrow, Wednesday, 22<sup>nd</sup> November 2023 at 9.30 a.m.

The House rose at 7.00 p.m.

*Published by*  
Clerk of the National Assembly  
Parliament Buildings  
Nairobi