

NATIONAL ASSEMBLY

OFFICIAL REPORT

SPECIAL SITTING

Tuesday, 18th December 2018

The House met at 9.30 a.m.

[The Deputy Speaker (Hon. Moses Cheboi) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Order Members! We do not seem to have the required quorum. I, therefore, order the Bell to be rung.

(The Quorum Bell was rung)

Order Members! We have now attained the required quorum. Order Members, I have a Communication.

COMMUNICATION FROM THE CHAIR

CONVENING OF SPECIAL SITTINGS

Hon. Members, Standing Order No.29 provides for the procedure for convening special sittings of the House during recess, upon a request from the Leader of the Majority Party or the Leader of the Minority Party. I, therefore, wish to report that on 6th December 2018, the Speaker of the National Assembly received a request from the Leader of the Majority Party seeking to convene special sittings today morning and afternoon for purposes of considering three items, including the appointment of nominee to the Office of Secretary and Chief Executive Officer (CEO) of Ethics and Anti-Corruption Commission (EACC).

You may wish to note that Section 16(1) of the Ethics and Anti-Corruption Commission Act, 2011, Section 5(1) of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order No.61(2) require that a decision on this matter, being a Special Motion under Standing Order No.61(1)(a), be made by the National Assembly within 14 days. Given that the name of the nominee was submitted on 4th December 2018, which was just before the break for our long recess, it was necessary for the House to be recalled to conclude the process.

Pursuant to provisions of Standing Order No.29, the sittings this morning and afternoon were hereby communicated to Members and the public vide Gazette Notice No.12772 of 2018 and also the usual notifications in the dailies.

Accordingly, Hon. Members, today's Special Sittings are properly convened.

I thank you.

Hon. Members, noting that the Members had already began their Christmas holidays and this is the only opportunity to interact with their constituents, I must take this opportunity to thank the Members for making it here in large numbers. I thank you, Hon. Members.

The Leader of the Majority Party, I see you have a handful.

Hon. Aden Duale (Garissa Township, JP): Hon. Deputy Speaker, I beg to lay the following Papers on the Table of the House.

The National Government Budget Implementation Review Report for the first quarter of the Financial Year 2018/2019 from the Office of the Controller of Budget.

Annual Report of the Ethics and Anti-Corruption Commission (EACC) for the Financial Year 2018/2019.

Annual Report and financial statements on the Commission on Revenue Allocation for the Financial Year 2016/2017.

Annual Report and financial statements of the Kaimosi Friends University College for the year that ended 30th June 2017.

Annual Report and financial statements of the Kenya Tourism Board for the Financial Year that ended 30th June 2016.

Report of the Auditor-General on the financial statements in respect of the following constituencies for the year that ended 30th June 2017, and the certificates there in:

- a. Othaya Constituency;
- b. Kangema Constituency;
- c. Ol Jorok Constituency; and,
- d. Gatundu North Constituency.

Report of the Auditor-General on the financial statements of the Numerical Machining Complex Limited for the year that ended 30th June 2017 and the certificate therein.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Next is the Chairperson of the Departmental Committee on Justice and Legal Affairs.

Hon. William Cheptumo (Baringo North, JP): Thank you, Hon. Deputy Speaker. I beg to lay the following Paper on the Table of the House:

Report of the Departmental Committee on Justice and Legal Affairs on the vetting of the nominee for appointment as Secretary and Chief Executive Officer of the Ethics and Anti-Corruption Commission.

Hon. Deputy Speaker: Very well. Next Order.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON VETTING OF NOMINEE FOR APPOINTMENT AS CEO OF EACC

Hon. William Cheptumo (Baringo North, JP): Thank you, Hon. Deputy Speaker. I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the vetting of the nominee for appointment as Secretary and Chief Executive Officer of the Ethics and Anti-Corruption Commission, laid on the Table of the House on Tuesday December 18th 2018 and pursuant to the provisions of Section 16 (1) of the Ethics and Anti-Corruption Commission Act 2012, and Sections 3 and 8 of the

Public Appointments (Parliamentary Approval) Act of 2011, this House approves the appointment of Major Retired Twalib Abdallah Mbarak as the Secretary and Chief Executive Officer of the EACC.

Hon. Deputy Speaker, I appeal to my colleagues to secure copies of the Report of the Committee from the Table Office and go through it, so that we can enrich our debate on this Motion later in the day.

Thank you.

Hon. Deputy Speaker: Very well. Next Order

MOTIONS

ADOPTION OF FOURTH REPORT OF SFAC ON KRBF

THAT, this House adopts the Fourth Report of the Special Funds Accounts Committee on audited financial statements for the Kenya Roads Board Fund for the Year ended 30th June 2017, laid on the Table of the House on Tuesday, 4th December, 2018.

Hon. Deputy Speaker: Very well. As indicated, the matter had been transacted and what remained was the Question to be put. I can confirm that we have the required Quorum and therefore, I put the Question. Order, Hon. Member for Imenti.

(Question put and agreed to)

ADOPTION OF REPORT ON RATIFICATION OF BILATERAL AIR SERVICES AGREEMENTS AND PROTOCOL

Hon. David Pkosing (Pokot South, JP): Hon. Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Transport, Public Works and Housing on the Ratification of the Bilateral Air Services Agreements between Kenya and Jordan, Kenya and Jamaica, Kenya and Bahamas, and the Protocol Amending Air Services Agreement between Kenya and Turkey, laid on the Table of the House on Wednesday, 5th December 2018 and, pursuant to the provisions of Section 8 of the Treaty Making and Ratification Act, 2012, approves the ratification of the Bilateral Air Services Agreement between the Republic of Kenya and the Kingdom of Jordan; the Republic of Kenya and Jamaica and the Republic of Kenya and the Commonwealth of The Bahamas; and the Protocol amending Air Services Agreement between the Republic of Kenya and the Republic of Turkey.

Hon. Deputy Speaker, these protocols and the agreements I have just mentioned followed the normal legal procedures to be on the Floor of the House. This means the treaties were initiated by the national Government in line with Section 4 of the Treaty Making and Ratification Act 2012. Memoranda were attached in line with Section 7 of the Act, which requires that when the Executive wants to present memoranda to the House, they must be attached. That was done and submitted to our Committee.

These agreements were approved by the Cabinet on 15th May 2018 in line with Section 7 of the Act. The same agreements were committed to the Committee for consideration in line with Section 8(3) of the Act. The Committee further made an advert on 25th June 2018 on the Daily Nation and the Standard newspapers requesting the public for submission of memorandum in

line with Article 118(1)(b) of the Constitution that relates to public participation and Section 8(3) of the Treaty Making and Ratification Act, 2012.

Hon. Deputy Speaker, I would like to report to the House that no response from the public was received. However, the Committee received comprehensive briefs and presentations from the Ministry of Transport, Public Works and Housing and all the departments concerned with this Treaty. Having said that, I would like to delve into each protocol and what the agreements mean.

The Kenya Jordan Bilateral Air Service Agreement was signed and initiated on 23rd April 2008 in Jordan. It was operationalised by the signing of the Memorandum of Understanding (MoU). The agreement provided for multiple destinations of airlines, unlimited number of frequencies, no restriction on aircraft capacity and open and liberal route schedules.

Exercise of the fifth freedom traffic rights is subject to approval by the respective aeronautical authorities. In the agreement, it is good to note that currently, there is no Kenyan carrier that operates scheduled air services to and from the Hashemite Kingdom of Jordan. Similarly, there is no airline from Jordan operating scheduled air services between Jordan and Kenya. However, the Jordanian authorities have, on several occasions, requested, through diplomatic channels, for the agreement to be formalised and signed. That is why this agreement is on the Floor of the House. That is the agreement between us and Jordan.

Hon. Speaker, allow me to briefly explain the Kenya-Jamaica Bilateral Air Services Agreement. This agreement was negotiated and initiated on 28th November, 2014 in Bali, Indonesia. The agreement provides multiple destinations of airlines, unlimited number of frequencies, no restriction on aircraft capacity and an open liberal route schedule. Exercise of the fifth freedom traffic rights is subject to approval by the respective aeronautical authorities. Jamaica authorities have requested for the agreement to be formally signed.

The Kenya-Bahamas Bilateral Air Services Agreement was negotiated and initiated on 8th December, 2016 in Nassau, Bahamas. The agreement has been operationalised. The memorandum of understanding signed administratively allowed the application of the principles of the agreement within the scope of national regulations, pending the formal signing of the agreement after completion of internal procedures by the parties for it to be in force. That is why it is before this House. Also, the agreement provides multiple destinations of airlines, unlimited number of frequencies, no restriction on aircraft capacity and an open liberal route schedule. Exercise of the fifth freedom traffic rights is subject to approval by the respective aeronautical authorities.

(Hon. (Ms.) Cecily Mbarire consulted loudly)

The Deputy Speaker (Hon. Moses Cheboi): Order! Hon. Mbarire. Proceed, Hon. Pkosing.

Hon. David Pkosing (Pokot South, JP): Thank you, Deputy Speaker. On the Kenya-Bahamas Bilateral Air Service Agreement, currently, no carrier from either States operates scheduled air services on the routes between the two States. However, Bahamas have completed their internal legal procedures and are ready to formally sign the agreement for it to be in force.

The forth agreement that is before the House is the protocol amending the Kenya-Turkey Air Services Agreement. The existing air services agreement between Kenya and Turkey was formally signed on 20th February, 2009 in Nairobi, Kenya. The protocol amending the agreement was further negotiated and initiated on 21st October, 2015 in Ankara, Turkey. The

amendment was to replace Article 13 that relates to the establishment of tariffs. That is what it is requesting to amend in the agreement that has been submitted to this House for approval. Establishment of tariffs of the agreement is replaced by a new text outlined in Article 1 of the protocol. This is done to make it more liberal. That is the reason we have this amendment. It will allow for a more liberal negotiation of tariffs between Turkey and our country. The Turkish authorities have requested for the protocol to be formally signed for it to be in force.

That is the brief about the service agreements that I have talked about. I have given a flow from when they were initiated up to how they come to this House. These agreements will open business opportunities between our country and the four countries that are seeking air services agreement with us. When this Motion was before the Departmental Committee on Transport, Public Works and Housing, we consulted the relevant ministry and listened to concerned departments. The concerned departments requested that we pass these agreements. As I had stated, one of the agreements was negotiated in 2008 and yet, up to now, it has not been ratified. That is not out of our making, but the negotiation procedures. I want to inform the House that when the agreements were brought before the Committee, after it listened to the ministry and the departments concerned like the Kenya Civil Aviation Authority, the Committee agreed that there is nothing in the agreements that injure the Constitution or any other provisions of the law. What it can only do is to increase market.

Now that this county is moving towards being a mid-level economy, these agreements are vital. It is particularly coming during the December holidays and that makes it important. Countries will have foreign exchange and tourists. Therefore, the recommendation of the Committee is that the four agreements are in order. They were properly initiated and procedurally submitted before the House. They are in the interest of Kenya. The Committee therefore, recommends that the House approves the four agreements that are before this House to increase our communication and transport across those countries.

I, therefore, request my colleague, Hon. (Ms.) Jaldesa from Isiolo County, to second the Motion.

Thank you.

The Deputy Speaker (Hon. Moses Cheboi): Hon. Jaldesa Dida.

Hon. (Ms.) Rehema Jaldesa (Isiolo CWR, JP): Thank you, Deputy Speaker. I rise to support the Report of the Departmental Committee on Transport, Public Works and Housing on the ratification of bilateral air services agreements between Kenya and Jordan, Jamaica, Bahamas and the Protocol amending air services agreement between Kenya and Turkey, as tabled by the Chairperson of the Committee. I, therefore, request the House to adopt the Report.

Thank you.

Hon. John Mbadi (Suba East, ODM): On a point of order, Hon. Deputy Speaker.

The Deputy Speaker (Hon. Moses Cheboi): What is your point of order, Leader of the Minority Party?

Hon. John Mbadi (Suba East, ODM): Thank you, Deputy Speaker. For record purposes, the Member needs to clearly indicate that she has seconded. She has said that she is supporting. The Motion needs to be properly seconded.

The Deputy Speaker (Hon. Moses Cheboi): Very well. Hon. Jaldesa, can you second the Motion for record purposes?

Hon. (Ms.) Rehema Jaldesa (Isiolo CWR, JP): Thank you, Deputy Speaker. I second the Motion.

Thank you.

(Hon. Daniel Rono stood along the isle)

The Deputy Speaker (Hon. Moses Cheboi): Order! Member for Keiyo South, even greetings are to be frozen.

(Question proposed)

Hon. Deputy Speaker: I will give the first shot to Hon. Wakhungu Wamalwa. I believe that is Hon. (Dr.) Wamalwa of Kiminini.

Hon. (Dr.) Chris Wamalwa (Kiminini, FORD-K): Thank you, Hon. Deputy Speaker, for giving me the opportunity. I rise to support the ratification of the bilateral air services agreements between Kenya, Jordan, Jamaica and Bahamas as presented by the Committee. I thank the Committee for the good work. Article 2(6) of the Constitution is very clear. It says that for any treaty or convention to be part and parcel of our Kenyan laws, it must be ratified by Parliament. The law is very clear. The Treaty Making and Ratification Act say that it is the National Assembly that ratifies them.

When I was listening to the Chair of the Departmental Committee on Transport, Public Works and Housing moving the Motion, I was wondering about the jurisdiction. In the last Parliament, I served in the Departmental Committee on Defence and Foreign Relations with Hon. Pkosing and I do not know how this matter changed. I thought it should have been handled by the Departmental Committee on Defence and Foreign Relations, but today, we see the Departmental Committee on Transport, Public Works and Housing dealing with the issue. So, we do not even know. In future, this needs to be clarified because previously, it is the Departmental Committee on Defence and Foreign Relations that dealt with this issue. It is the Departmental Committee on Defence and Foreign Relations that is supposed to be in line with all the ratifications.

Anyway, now that it is already on the Floor of the House, we are here to support it. When you look at the foreign policy of this country, it is commercially-based. For a commercially-based foreign policy to be effected, obviously, we must look at issues of air transport. To transact business, air transport is very critical. This convention is going to be very critical as far as improving business between the said countries is concerned. The last time I was in Turkey with His Excellency President Uhuru Kenyatta, when I was a Member of the Departmental Committee on Defence and Foreign Relations, I remember issues of tea came up. Our tea is exported to Turkey. Once these bilateral agreements are ratified, they are going to add value as far as business between Kenya and Turkey is concerned in terms of tea. Tea plays an important role in contributing to the GDP of this country. I have also seen other agreements like that between Kenya and Jordan. Of course, this is going to open the Middle East. Jordan plays a vital role in the Christian history because River Jordan is where Jesus was baptised. We have seen many pilgrims from this country going to Jordan. I was there three weeks ago with the Catholic Members of Parliament and we went to Israel and Jordan. This is going to enhance exchange of Christian values. This discussion is, indeed, critical. It is going to add a lot of value.

Again, when it comes to public participation, the Committee has done a wonderful job. Article 118 of the Constitution is very clear that before any legislation is passed, it must be subjected to public participation. I do not have much to say. I request other Members to support this straight-forward ratification.

I support the Motion. Thank you.

Hon. Deputy Speaker: I also see there is not so much interest, but I am beginning to see some improvement.

Hon. Vincent Kemosi (West Mugirango, FORD-K): Thank you, Hon. Deputy Speaker. I also rise to support the air services agreements. By Kenya ratifying these agreements, we stand to gain a lot. By signing the air services agreements, we are going to boost business both locally and internationally. Airlines, which have not been operating from Kenya to other countries like the Bahamas, Jamaica and Jordan, will, indeed, have opportunity to fly to those countries. Once they fly there, they will definitely establish offices in those countries. By so doing, we are going to see increased job creation in this country and that is what our people really require.

These air services agreements are very important. We will boost investments because there will be free movement of people across the countries. This will definitely earn Kenya more income. In the last four or five years, this country has experienced a lot of decline in terms of tourism. Kenya has some of the best tourist destinations in the world. By signing the air services agreements, more airlines will fly into our country and we will boost tourism locally and internationally.

Finally, we are going to see more networks being opened across the world and our people will have an opportunity to traverse the world.

I support the Motion.

Hon. Deputy Speaker: Next is Hon. Koyi Waluke, Member for Sirisia.

Hon. John Waluke (Sirisia, JP): Thank you, Hon. Deputy Speaker. I rise to support the Motion. The Kenya Airways needs to be connected to many countries. The bilateral agreements are going to add value to our country with Jamaica and the other countries that have been mentioned.

I support the Motion. Thank you.

Hon. Deputy Speaker: We go to Hon. Kivai Ogesi of Vihiga.

Hon. Ernest Kivai (Vihiga, ANC): Thank you, Hon. Deputy Speaker, for giving me this opportunity. I support these agreements. I also take this opportunity to thank the Committee for the output they have given us in this Report.

However, I think this process is long overdue. If you look at the various agreements that are before us, a lot of time has lapsed. We do not know why. The only reservations I want to make in the process is that whenever we enter into these agreements, they should be bilateral. In other words, the two countries must share the benefits accruing from the agreements. When you look at the rest of the world, starting with Africa, you will find that we have very few bilateral air agreements with various African countries.

I notice that these agreements are with Jordan, Jamaica, Bahamas and Turkey. We do a lot of business with Turkey and, therefore, one would understand why it is important to have this bilateral agreement. When we enter into these agreements, we must ensure that Kenya stands to benefit. We might sign an agreement with an island somewhere in a corner of the world where we do not stand to benefit a lot. As much as I support the agreements that are currently before us, I encourage the Ministry to make sure that we enter into many more agreements that are bilaterally benefiting to Kenya.

In terms of public participation, I notice that when the Committee was finalising its Report, they only met the Ministry of Transport, Infrastructure, Housing and Urban Development officials. I would have thought that this being something touching on foreign matters, this Committee should also have brought on board the Ministry of Foreign Affairs and

International Trade and the Attorney General, during their deliberations so that what we have here is accorded the diplomacy that is required.

I support these Agreements. I urge that we have more agreements especially where we have mutual interests. I take this opportunity to applaud the Turkish one because we do a lot of business with Turkey. I also encourage more agreements within Africa, Asia and China.

I would like to touch slightly on the airline arrangements. Recently, I was on the inaugural flight to New York. One thing I noticed is that whenever we enter into these agreements, enough should be done in terms of awareness so that Kenya Airways or any other airlines stand to benefit from these agreements. We might find that we do not have enough customers going to the Bahamas and vice-versa. This agreement should be mutually beneficial.

Lastly, some of these countries tend to treat third-world countries as such. You find that in an airport, Kenya is slotted a very far outmost part of the airport. When finalising these agreements, as much as we give prominence to their airlines, the same reciprocal arrangement should exist with regard to our airlines in those countries so that we are not put at the back banners of their airports.

Hon. Deputy Speaker: Let us have Hon. Chepkut.

Hon. William Chepkut (Ainabkoi, Independent): Hon. Deputy Speaker, I support in totality the ratification of the bilateral air services agreements between Kenya and Jordan, Jamaica and Bahamas. They will benefit Kenya. It is just the other day that Kenya Airways flew directly to the United States of America. These bilateral air services agreements will support business people. This protocol will mutually benefit our country. I encourage business people, especially those who grow cash crops such as flowers, to engage in these businesses so that they can transport their cash crops to Bahamas, Jordan and Jamaica.

I have travelled all over the world and I do not want Kenya to be a third-world country. We should now be a second-world country as we are doing great in business. Kenya has been ranked as the most developing country in terms of air services. I support in totality and may God bless you.

Hon. Deputy Speaker: Let us have Hon. Passaris Rosanna, Member for Nairobi County.

Hon. (Ms.) Esther Passaris (Nairobi CWR, ODM): Thank you, Hon. Deputy Speaker. I stand to support the ratification of bilateral air services agreements between Kenya, Jordan, Jamaica, Bahamas and the protocol amending air services agreements between Kenya and Turkey.

I happened to transit last night in Istanbul and the amount of traffic that was in that airport showed me that Kenya can only benefit if it has agreements with countries that are transit points and, if we marketed ourselves properly. Those bilateral agreements should be enhanced with desks in various airports that have a lot of passengers transiting. That way, we can market our country. There is a need to go a further step because we always market Kenya in world tourism events. But for airports like Dubai, Hong Kong and Istanbul, if our country was progressive, we would have duty free items from Kenya there to show people that Kenya exists and that they do not just have to transit, but also look at Kenya as their destination.

Another thing is that Kenya Airways should look at its competitiveness. It is always very difficult for me when I think of travelling, looking at the prices of all the airlines and finding that Kenya Airways is always the most expensive airline in terms of pricing. While we have those agreements, Kenya Airways should ensure that they bring down the prices they offer to the citizens so that they are also not taken out of the market in terms of competitiveness.

Bahamas and Jamaica are tourist destinations. The tourism industry in this country has held strong in its harshest times by Kenyans. Kenyans decide to go on holiday but, unfortunately, they are charged the most. I once went to stay in a Mombasa hotel which I booked locally. I ended up paying three times the amount that my sister who was coming from the United Kingdom (UK) did in the same hotel. These bilateral agreements are an opportunity to enhance the industry, bring the prices down, increase competitiveness and allow Kenyans look at alternatives. If the hotel industry in Kenya penalises Kenyans for wanting to enjoy their own facilities, this will open up other areas for Kenyans to go, not only to enjoy themselves, but also to look at opportunities in terms of trade and exchanges.

Bilateral agreements are about improving the country, enhancing our economy and creating opportunities for employment and trade. I support the bilateral agreements between the various countries and ask Kenyans to pull up our socks and ensure we are competitive and embrace Kenyans in terms of travel and enjoying the facilities in our various tourist destinations.

Hon. Deputy Speaker: Let us have Hon. Omulele Christopher.

Hon. Christopher Omulele (Luanda, ODM): Thank you, Hon. Deputy Speaker for giving me an opportunity to support this Motion by the Departmental Committee on Transport, Public Works and Housing.

I heard my brother Hon. Wamalwa positing that this is an agreement that should probably emanate from the foreign affairs and defence departments. This is the correct place for it to emanate from considering that these kinds of agreements are supervised and entered into under the mandate of the Kenya Civil Aviation Authority which is domiciled under the transport docket. Therefore, this Agreement is proper and should be supported.

Hon. Deputy Speaker, the purpose of these kinds of agreements is that air transport has become the real way of people to communicate and meet because the world has become a global village. It is heavily regulated. One cannot visit another country without formal agreements between those two countries. People from one country can visit another country under a regulated and formal agreement such as this one. It is proper that Kenyans can now visit Bahamas, Jamaica, Jordan and Turkey under these protocols that we have entered into. This is the way of the world. They will expand the latitude within which Kenyans can operate in the world.

I urge the Kenya Civil Aviation Authority and the Ministry of Transport, Infrastructure, Housing and Urban Development and the Government of Kenya to look into a way to entice the entire Africa. That will enable us open the African air space to all Africans to fly without necessarily going into these kinds of protocols. A perfect example is the existing situation between Kenya and Tanzania where Kenya Airways feels limited in terms of the number of times it can access the Tanzanian airspace. The Tanzanian air operators are also limited in accessing the Rwandese airspace. Kenya Airways is limited in the way that it can operate in the Equatorial Guinea and access the Lesotho airspace and yet Africa is such a small continent. That is the reason the structure that the Kenya Airways runs is set up for failure. It cannot make profit because of the limited spaces that it can operate in. If all the air spaces in Africa were available for the operators to operate in without limitations, then these operators would make profit.

The operators in Europe are able to offer very competitive prices for tickets today. If you go to Europe, you will note that flying anywhere within Europe, for example, from Italy to Ukraine or London, you would hardly spend more than USD200 or USD300. However, when you fly from Jomo Kenyatta International Airport (JKIA) to Bujumbura, you spend USD1000 which is a distance that is hardly a quarter of the distance between Italy and Ukraine, and yet

from Ukraine to Italy, you will have an economy ticket at about USD200. Some of our African countries have entered into agreements with these European air operators where they enjoy those kinds of waivers on charges. People who fly from Ukraine all the way to Cairo in Egypt pay fares as low as USD200, which is a distance almost a continent away. However, when you fly from JKIA to Cairo, you would be lucky to pay Kshs100,000 which is equivalent to USD1,000.

It is a question of Africans first. We must come together as Africans and find a way to open the skies by putting in place an open sky policy. This is what we must have. We must urge our Departmental Committee on Transport, Public Works and Housing to put together the players in this field, so that this agenda must be pursued, if Kenya Airways and African air operators will revive. Otherwise, the field is tilting. The European operators will always have an advantage where they operate in Europe which is open for them. Africans put themselves in steel jackets where we say our Kenya airspace cannot be approached by operators from Tanzania. Today, we have questions about the Burundi Government questioning why our budget airline will access its airspace. If we want to build Africa, our economies and airlines, this should not be the case. We must open our skies in an open sky policy.

This is a challenge to the Chair of the Departmental Committee on Transport, Public Works and Housing and his Committee, but it is a good thing.

I support the Motion.

Hon. Deputy Speaker: Very well. Hon. Jeremiah Kioni.

Hon. Jeremiah Kioni (Ndaragwa, JP): Thank you, Hon. Deputy Speaker for giving me this opportunity to contribute to this Motion.

Hon. Deputy Speaker: Hon. Nyikal, prepare to contribute.

Hon. Jeremiah Kioni (Ndaragwa, JP): I am getting help from my neighbour, but he is giving me the wrong Order Paper. I want to thank the Committee for the good work it has done in tabling this Motion on Ratification of the Bilateral Air Services Agreements between Kenya and Jordan, Kenya and Jamaica, Kenya and Bahamas, and the one amending the air services agreement between Kenya and Turkey.

Before the Constitution 2010, these agreements or protocols would have been entered into by the civil servants and Kenyans would not know what had been done and why it had been done. We want to thank the Committee for the work it has done. As we debate the Agreements on the Floor of this House, we are able to let Kenyans know that we have those protocol agreements between our country and the countries we have mentioned. This is one of the reasons why all treaties ratified must be brought to this House, so that Kenyans can know where they have agreements or where they can move with ease. The countries that we have mentioned like Jamaica, Bahamas, Turkey and Jordan have their own unique qualities that Kenyans will start benefitting from by signing these agreements. We know that we are an athletic country and we do the long distances while the Jamaicans do the short distances. This Agreement will help us benefit from each other. Once the air travel becomes easy, it means that our people can move from one country to the other. Jamaica is also a tourist hub. This means that tourists who go to Jamaica can also find their way with ease to our country. I am sure, and I hope, that this Protocol also addresses the issues of visas. Other colleagues have mentioned the cost of visa and the ease of getting them. We need to make sure that our people can move with ease.

*[Hon. Deputy Speaker (Hon. Moses Cheboi)
left the Chair]*

*[The Temporary Deputy Speaker
(Hon. Patrick Mariru) took the Chair]*

Bahamas and Kenya are tourist hubs. This Agreement will link the two countries that have a lot in common. This means that we will benefit from that country a lot. For those of us who are Christians, they know that Jordan is a place where those who confess some form of faith can visit. We know that Turkey is growing fast as an economic hub. I know our Committee has looked at the legal background to ensure that all these agreements have been entered into properly and all the relevant statutes have been adhered to. We are standing on a good ground. It is interesting to note that the Protocol between Kenya and Jordan was entered into back in 2008.

It has taken over eight years to get it tabled in the House. The one for Turkey was done in 2014 and the one with Bahamas in 2016. While 2016 does not look far off, we could ask ourselves why it has taken two years to get the Protocol signed between our countries brought to this Parliament. That kind of delay does not help us and it does not serve the country well. It shows that those responsible or in charge of the process do not treat this exercise with the seriousness it deserves. It is important to be more prudent and ensure that the documents are brought on time.

Hon. Temporary Deputy Speaker, we have Brand Kenya and at times...

(Hon. Silvanus Onyiego consulted Hon. Cecily Mbarire)

I wish the Members consulting in front of me would give me some peace by choosing to relocate. They have chosen to come and speak in front of me. Why can they not relocate if they cannot listen to me? They are the ones who summoned us to come for this Sitting. You cannot call us and make noise to us instead of listening to what we are saying. I have had enough of Hon. Mbarire. I can now move on.

We have Brand Kenya and we wonder what they do for our country. On DSTV - and I hope it is on other channels - there is a channel on lifestyle. I took some time last week to watch it. They have documented tourism in this country. I did not know that one can have breakfast with giraffes in Kenya. It happens at the Giraffe Centre. It is a very unique thing in the country. If Brand Kenya would take time to market us across the country and across the world, I am certain that this country will do wonders. We will grow tourism sector by big bounds.

This Protocol, without doubt, guarantees job opportunities for young people. We hope that it becomes a reality.

On the quality of our flights, I would like to talk to Kenya Airways (KQ), because some of its aircraft are wanting. We would want them to improve the quality of flights in terms of facilities and services. They should also improve in keeping time. They are referred to as *Matatus* because you may book a flight but not leave on time.

As we laud the Committee for the good work they have done, it is important that all that is required to be done be done to benefit fully when this Protocol is done. Relevant agencies in ministries should play their role so that we can benefit to the maximum as a country. Again, I thank the Committee led by Hon. Pkosing for the good work they have done.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Nyikal, Member for Seme.

Hon. (Dr.) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to support the adoption of the Report of the Departmental Committee on Transport, Public Works and Housing on the ratification of Bilateral Air Services Agreements between Kenya and Jordan, Jamaica, Bahamas and the Protocol amending Air Services Agreement between Kenya and Turkey. I stand to support it. I accept that it is important enough to be discussed in a Special Sitting. The Air Services Agreement between Kenya and Jordan was done in 2008, Kenya and Jamaica one in 2014, Kenya and Bahamas one was done in 2016. The one between Kenya and Turkey was first done in 2009 and there is now an amendment which was proposed in 2015. What has been happening all this time? We realise that as soon as they were initialed, Memoranda of Understanding (MoUs) were entered into. Basically, we have been operating all these agreements through MoUs which should not be the case. According to our Constitution, they should have been brought to this House much earlier than this.

Therefore, I support.

Further, I support their adopting because it is in principle and in line with our Integrated National Transport Policy (INTP) which seeks to liberalise air transport and improve our safety. That is something that should have been done a long time ago. These Agreements are in line with our laws and Constitution. On a broader sense, they are in line with the Yamoussoukro Agreement done in 1999 and endorsed by African Heads of State in 2002. It seeks to ease transport in Africa, improve safety and lower fares. The fares we are charged in this country are high. The Kenya Airways fares between Kisumu and Nairobi and between Nairobi and Mombasa are high. At one time, I used the same amount to travel from New York to Seattle in Washington State, a journey of six hours. In Kenya, it is a journey of just 30 minutes. The fares are out of this world.

We should not only look at the countries mentioned, but also look at countries within Africa. The Yamoussoukro Agreement should be looked into. We need to look at intra-African movement. Many times when we want to move from one African State to another; we may have even to go through Europe. We need to increase intra-African movement so that we can enhance movement of people, goods, trade and even jobs. Some of the airlines in Africa are very small because they were started on the basis of nationalism and not on capacity to do business as big serious airlines. Therefore, they were limited in scope and capacity. The Yamoussoukro Agreement encourages African countries to link small airlines and strengthen the big airlines like Kenya Airways, Ethiopian Airlines and South African Airlines. We need to go in that direction.

These Agreements are in line with the International Civil Aviation Organisation, a United Nations Organisation that regulates air transport. We cannot live in an island. When we get treaties that are in line with international organisations and treaties we are part of, we must bring them quickly into our law.

They are also in line with International Air Transport Association (IATA). Our airline is a member of IATA. We must get these Agreements in line with that.

Let me talk more about open skies for Africa. It is a pity in Africa that we do not have the movement that is needed within Africa to facilitate, improve and develop African trade, yet we have the Yamoussoukro Agreement of 1999. African Union (AU) has now put it as an agenda for 2063. Sometimes, you look at the way things happen in Africa and wonder why we cannot improve infrastructure and transport in Africa.

In fact, this Agreement was supposed to be put into place and to start this year. I am not sure if it has started. As we sign these Agreements, we must look at the bigger African picture

and as a Continent, if we have to bring our things together. We will make a lot more impact for the people of Africa. We have agreements we have signed, but we delay to ratify them. Even after we have done that, we do not implement them.

With those remarks, I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Cecily.

Hon. (Ms.) Cecily Mbarire (Nominated, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion on ratification of the Bilateral Air Services Agreement (BASA) between Kenya, Jordan, Jamaica and Bahamas.

This is a matter of great interest to me having had the privilege of being an Assistant Minister in charge of civil aviation in the last regime. I served as an Assistant Minister in the Ministry of Transport and later, for another five years as an Assistant Minister for Tourism. So, I fully appreciate the amount of work that goes on in terms of negotiations around BASA and even the time it takes. I remember in particular that I was deeply involved in the one between the US Government and the Kenyan Government. That was over 10 years ago, when I was in the Ministry of Tourism. You can see that it came to fruition only this year. I would like to inform colleagues, especially Hon. Nyikal, who was wondering what has been happening all those years that, the negotiations around BASA take a very long time. There is a lot of back-and-forth. Sometimes, you sign agreements and the following year, something new happens.

Also, because of change of business and trade interests, you find countries changing overnight on a particular matter. Of course, with consideration of security of certain countries, you find that it takes a while. All the same, this is the route. I know that as a country, we hold the open skies policy as very dear and very important for us in order to bring into our country Foreign Direct Investment (FDI) and create employment opportunities.

I am happy to see that we now have a BASA with Jamaica. It is one country I have a very keen interest in. As you are aware, the other day, reggae music was taken up as one of the cultural treasures by UNESCO. That is a huge fete for that music that all of us across the age groups in this House are aware of. This also gives Kenyans a chance to visit that country. I also know that Jamaicans love to visit Kenya. They have a strong attachment to our country. This will give us a chance to visit and to know those countries.

Again, if you look at the various countries we have entered into BASA agreements with, you will see that they are countries that we certainly have very keen interest in, in terms of opening up new markets for our products and opening up our country for them to come and invest. We will have many tourists visiting our country.

I also support the protocol amending the air services agreement between Kenya and Turkey. Kenya and Turkey have been long-term trading partners. Many products that we sell locally, especially ladies' clothes, come from Turkey. I hope trade between the two countries will be balanced because what we export to that country is not as much as what we import from it. I know coffee is a big thing in Turkey. I hope as we open the skies between our country and these countries, we will improve on trade imbalance between Kenya and these countries. We may make Kenyans realise that the world is becoming a small global village.

Let me also add to the issue of the cost of travel. We need to ensure that our national carrier, Kenya Airways, works towards more affordable travel costs for Kenyans so that more people can travel. We also need to encourage other nationalities to travel to Kenya. By so doing, we will be encouraging more people to travel out of the country for trade. That way, I believe, Kenya will grow. I thank the Committee for a job-well-done and hope that they will continue to do even better in the coming year.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Shall we now have Hon. Tong'i Nyagaka, Member for Nyaribari Chache.

Hon. Richard Tong'i (Nyaribari Chache, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to support this agreement. I support it because I believe it is the way to go. The world is becoming a global village. All of us must be prepared to partake and have a share of it. The way to do it is by reducing the amount of time people spend on travel and, more so, the time spend on transit. The agreement between Kenya and Jordan, Kenya and Jamaica, Kenya and Bahamas, and Kenya and Turkey will ensure provision of faster air transport services that will no doubt open up new opportunities for our country, even as our youth get employment.

We all know that competition creates quality services. It ensures that all of us compete at international level and also creates an opportunity for KQ to improve on their services. When you run on your own course without a competitor around you, you sometimes think you are the fastest, when actually you are not. When you have competition around you preparing to take up your market share and you are not upping your game, you lose a lot. Therefore, this will be an opportunity for all of us as a country and even for KQ, which is a form of air travel diplomacy. When KQ improves its services, and is seen to be doing a good job, Kenya is also respected. It improves the image of the country and the entire world gets to know that we are serious people who can afford to give first class services.

Having said this, we also have a duty. As the Departmental Committee on Defence and Foreign Affairs, where I am the Vice-Chairman, we need to be involved in some of these agreements because that is our domain. We understand some of the intricacies involved in bilateral issues.

In future, we need to have all the stakeholders concerned involved in making these critical decisions. That will go a long way in ensuring that we have sealed all the loopholes that may be existing by way of having many people looking into what is going on or what is being signed into law. We have seen some agreements which have been signed. You look at them and wonder what the people who were involved were thinking, because the agreements are so skewed to the disadvantage of Kenya.

I am informed of one agreement which has been signed between Kenya and some international companies on power line. Some of them are unreasonably expensive, especially in instances where, as country, we are required to pay money for services which have not been rendered. This is because the people who were drafting the agreements only looked at one side without being the devil's advocate. When we involve many people, we are able to look at the same page, guide each other and enrich agreements in our favour.

On the face of it, this is a good agreement. It is a good direction for the country. We need to embrace and open up more opportunities. Even as we do that, we need to look at the business opportunities and the viability of that agreement we are signing. We might sometimes enter into agreements with some countries with a population which is smaller than Kisii County combined. The population of Kisii is about 4 million or thereabout. If you enter into an agreement with a country with a population of Kisii County, we honestly do not have a very good competitive advantage. We all know that the success of business is about numbers. The more the numbers, the more the population, hence the opportunity we have of making more business.

I encourage this. We need to embrace it. We need to look at some countries with bigger populations to open up opportunities for air services so that our people will have a chance to

travel and benchmark on what is going on in the world. Nowadays, what works elsewhere can be copy-pasted and work in Kenya. We do not need to re-invent the wheel by starting new projects or starting fresh ones. We need to copy what China and a few other countries have done. They simply copy-paste what is working elsewhere, localise it and made it work for them. We, as a country, have technology and manpower. We have sons and daughters who have gone to school well and have the capacity to do some of those things without having to start from scratch. That is because somebody has done it somewhere. All we need to do is copy, adopt, localise it and get it to work for us. That way, we will reduce the unemployment we have today. The biggest challenge that all of us have as Members of Parliament (MPs) and as a country is to create employment opportunities for the youth. How else do we create those employment opportunities if we do not get to those other countries and learn what is it that they are doing differently? In a country like China, with a huge population of 1.5 billion people, they have reduced unemployment to almost below 10 per cent. If they have been able to do that with that kind of population, we should be able to do a lot better than we have. Ours is only 45 million. I have no doubt in my mind that we have the capacity, people and the intention. The President, the Deputy President and all the stakeholders in the country mean well to ensure we have created employment opportunities for our youth.

As I wind up, I saw a very interesting article yesterday. The youth were saying that instead of the Government creating employment for the old people; people who have worked for more than 10 years, and have the experience and the money to open up businesses, it should consider the young people. So, the story of telling the youth to start businesses when they have no money and experience to manage anything needs to be re-thought through. The proposal was that we need to relook at the retirement age of people who have worked for a long time in very specialised areas. We need to rethink about the retirement age so that we can get employment opportunities for the people who have finished school so that we can minimise the burden we have. People go to school and camp home. Parents are whining. They have spent their last coins to take their sons and daughters to school and yet, they have nowhere to take them for employment. Even when we tell them to start entrepreneurship or businesses, they have no hands-on experience to run those businesses. They do not have capital. But people who have worked for long time have the money and experience. Therefore, we should encourage them to start businesses instead of recycling them in employment when we have so many youths who are unemployed.

With those many remarks, I support this agreement. I thank the Departmental Committee on Transport, Public Works and Housing for a job well done. We should incorporate all the relevant committees in future. That is so that we could have as many ideas as possible put into those agreements for the good of the country.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Sofia, Member for Ijara.

Hon. (Ms.) Sophia Noor (Ijara, PDR): Thank you Hon. Temporary Deputy Speaker for giving me this chance to add my voice to this very important Motion. I am supporting the Motion on ratification of bilateral air services agreements between Kenya and Jordan, Jamaica, Bahamas and the protocol amending air services between Kenya and Turkey.

I congratulate and thank the Committee for bringing this Report to the House. It is important for us as Members of this House and the country to know the agreements that our countries enter into. The purpose of the instrument is to approve bilateral air service agreements between Kenya and various countries to enable Kenya Airways to operate and provide scheduled air services and expand its existing routes. In addition, the agreements allow foreign carriers

access to the Kenyan market. What does this mean for the Kenyan Government? It means an opportunity of expanding relationships with various countries and getting opportunities of business amongst countries. It will create jobs for our youths who do not have opportunities. It will offer market for Kenyan products in the various countries that we are going to enter into agreements with. We will expand our tax base. The Kenyan Government will conduct a lot of activities as a result of these agreements.

The bilateral agreement regulates the rules of the airlines, ownership, routes, frequency and the capacity of the flights of national carriers. This may also include issues of provision of services, the ground handling services and others. This bilateral system is based on the Chicago Convention which has regulated the international air space since December 1944. It is as old as that. It is important that we adhere to regulations that have been signed and be proactive in getting access to other markets.

As we are debating this Motion, there are no carriers that operate scheduled flights and services to and from Jordan. Similarly, there are no airlines that have scheduled air services from Jordan to Kenya. The Jordan authority has, on several occasions, requested our Kenya Airports Authority to sign formal agreements so that it comes into force. Again, Bahamas has no scheduled flights to Kenya. Equally, Kenya does not have scheduled flights to Bahamas. But, Bahamas has finished its internal constitutional and legal regulations. They are ready to enter into a formal agreement with Kenya. So, we are asking our Kenyan Government to immediately take that opportunity and enter into agreements with countries that have finished their constitutional and legal procedures.

Kenya Airways is being overtaken by Ethiopian Airlines. Kenya Airways was the Pride of Africa. Unfortunately, if it continues the way it is... If you go to the Ethiopian International Airport and see the kind of traffic that is there and compare it with Kenya's Jomo Kenyatta International Airport, you will be shocked. So, it is high time the Kenyan Government takes a proactive role so that we are able to get opportunities of getting markets and agreements signed between our country and others that are ready to enter into business with us.

We, as a country need, to be very serious. We need to seize opportunities that exist. We, as a country, must also look for alternatives. We must not always think of the traditional way of doing business. We must proactively think outside the box, so that we can actively engage with all the other countries that we enter into agreements and partnerships with, so that they can come and do business with us. We need that business.

With those few remarks, I support this Motion. I congratulate the Committee on Transport, Public Works and Housing for bringing this very important Report to this House.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): The next one is Hon. Martin Owino, Member for Ndhiwa. .

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Temporary Deputy Speaker. At the outset, I want to support this Bilateral Air Services Agreement between Jordan, Jamaica, Bahamas and the protocol amending the Turkey Agreement. It is good to say that Kenya is ripe for business because peace has come back to our country. I want to say kudos to *Baba* and the President of this country. As evidenced in Kisumu, we are peaceful and many countries are now rushing to do business with Kenya. That is why I support this Motion. It is important that the Committee on Implementation, the Departmental Committee and the Ministry concerned, put structures that can allow our people to do business. The reason why those people have signed theirs and are ready to come is because they have put their houses in order and have come up

with mechanisms. When we sign this, they will be ready to go into business. We do not want to be caught in a situation where we are doing 30 per cent and Jordan is doing 70 per cent because of their preparedness.

So, I really want to challenge the implementers of these agreements that when the whistle is blown, how ready shall we be. I know you are a good runner Hon. Temporary Deputy Speaker. When that button goes off, how ready shall we be to do business? This is not just the business of transporting people here and there. What we are talking about here is the lowered fares of cargo movement in other areas. What we sell to other people. In Ndhiwa, we are ready. We have the best potatoes, and we would like to ship out potatoes chips. We also have the best peanut and we are ready to ship out peanut butter. This kind of arrangement must be in place for people to fit in. We are not only talking about Jordan in terms of business opening. We also know that we are ready to go to Canaan. History is rich in Jordan. They have the legends that we can also compare with our legends. In my constituency, we have a legend called Gor Mahia. We would also like to sell football to them. But this has to be made through enabling factors so that the Ministry of Sports and Youth Affairs and the Ministry of Tourism come together to see how we can fit-in in that trade arrangement.

I was able to travel to Jamaica, driving over 50 miles of shores and of resorts areas only. Jamaica is rich in tourism attraction. We need to move fast so that we can also tap into that tourism attraction so that when they leave Bahamas and Jamaica, they can also come to our shores like Mombasa. Kisumu in Lake Victoria is also coming up as a tourist attraction. When it comes to Turkey, we are talking of Turkey suits and shoes overtaking the Italian suits. There are goods coming into our land. What are we selling to Turkey? I think that is where we have to challenge the implementers of these agreements to ensure that we have a balanced trade which can only be achieved by preparing ourselves as other players are doing. If we fail to do that, then we will be opening our airways for other people to come and do business and we will be losing our hard currency if we are not prepared.

I support this fully. But let us be prepared that when the whistles blows, we will be able to do those businesses. Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Kogo Kipng'etich, Member for Chesumei.

Hon. Wilson Kogo (Chesumei, JP): Thank you, Hon. Temporary Deputy Speaker. After listening to Members who have already contributed, I am really convinced that we need to support these bilateral agreements. As a country, we have a number of challenges and I believe that this is one way that we can move and ensure that we benefit our people. Trade and tourism are critical and important. They are one way of adding value to this country. This is the direction we need to take for the sake of improving the welfare of our people. I am convinced that research was done on these instruments so that they can benefit our country. I want to believe that the most important and critical issue here is our young people. We have quite a number of students who have graduated from our universities. I want to believe that this is one way in which we can solve the endemic problem of unemployment. So, I want to believe that by supporting these bilateral agreements, we are going to solve the perennial problems for our young people. I, therefore, support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): We shall now have Hon. Fabian Muli, Member for Kangundo.

Hon. Fabian Muli (Kangundo, Muungano): Thank you, Hon. Temporary Deputy Speaker for giving me a chance to support the adoption of Bilateral Air Services Agreements between Kenya and Jordan, Kenya and Jamaica, Kenya and Bahamas and the protocol amending the Turkey Agreement.

Article 39 of our Constitution provides for freedom of movement either locally or internationally for our citizens. But since different countries have different laws, especially laws that concern overflight, our people have attained the proper goals of movement.

Different countries have different laws. The cry of open skies is for nations to come together and agree on issues of overflight. We are a third world country and any time we can be second world. The international interaction, international trade and international social welfare meetings really bring a lot of trade and a good culture. As a country, we make laws which are internationally interactive. We should have an economy which the citizens have the knowledge of what other countries are doing. We should get to a point where we are not only talking about one nation, but one world in terms of freedom of movement. We shall have development which will be fast-tracked. Jamaica and Bahamas are destinations for tourism. Jordan has specialised in exporting professional services especially doctors and lawyers in different countries. Kenya Airways, which is our national carrier, needs to have the best aircrafts to move and market Kenya in countries like Jamaica and Bahamas. That will attract tourism. It will also give the people in those countries a touch of Kenya when they see Kenya Airways the Pride of Africa. The movement of people in terms of landing permits brings in the issue of visas. Kenya Airways management should look into how Kenyans will be getting visas easily for Bahamas, Jamaica and Jordan. It will also improve our services especially when we are travelling. We use long routes because we do not have bilateral agreements with other countries. So, I congratulate the Committee for bringing this Report so that we can adopt it. We should move faster to ensure that Kenya is the first country to have bilateral agreements with other countries of the world not only with regard to airspace, but also labour export.

Thank you and I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Maanzo.

Hon. Daniel Maanzo (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this very important Motion on the Ratification of Bilateral Air Services Agreement between Kenya and Jordan, Jamaica, Bahamas and the Protocol amending Air Services Agreement between Kenya and Turkey.

We are already in an agreement between Kenya and Turkey. Many Turkish and Kenyan businessmen have interacted. Our business people are getting a lot of supplies of clothes and other goods from Turkey because of the agreement we have been having with them, which we now want to improve. In fact, most of our Triple Sevens were leased to the Turkish Airline when we were not making good use of them. However, I believe with this new agreement, we can do more business with Turkey. In fact, there are many Turkish establishments here. You remember Turkey was one time the Ottoman Empire. It is a wealthy country which is interacting very well with us.

In the case of Jordan, the airline serving Israel used to fly to Kenya some years back. It no longer does so. Following this agreement, for any Kenyan to access Israel, which is a big destination, especially during Christmas when Christians go to Bethlehem, it will be easier now to fly to Jordan then crossover to Israel among other destinations in the Middle East.

So, it is a welcome move. Jordan has a number of professionals and tourists who could also visit our country, if there was a one-way flight to that destination. Just like it is happening

now with New York. The moment you fly directly to New York, you can make faster connections to the rest of the world. When those planes move, they move with our tea, flowers and coffee which are then marketed. So, it is a good thing to do. I believe the Committee has done its work well and has come up with very good recommendations.

Similarly, with Jamaica, which is a former British Colony, we have many similarities with that country. We have a number of co-operations and bilateral agreements with Jamaica. We need to have a direct flight to Jamaica the way we have one to the Democratic Republic of Congo and Brazzaville. The moment one lands in Jamaica, one can connect to the Caribbean and South America.

Therefore, this agreement is good and is going to make Kenya a very important destination connecting the tropics to the Caribbean and the Bahamas. I believe this will push tourism and trade. It is very important for our nation to participate in this. Looking at our current issues such as lack of employment, the moment Kenya Airways is in a position to land in all those destinations... I thank them because, currently, Kenya Airways is very punctual. In fact, it arrives ahead of time. It leaves exactly as scheduled and arrives as agreed. We still need to look for more other countries to co-operate within the region so that we can reach more destinations in the region such as Burundi, where our Members participated in the East African Legislative Assembly (EALA) games thus bringing the people of East Africa together. So, we should have more destinations as a result of bilateral agreements being signed in the region. That way, Kenya Airways will grow.

I laud Kenya Airways for making a very wise decision to buy the Embraer 190. This is a very efficient aircraft which can land in several destinations with sufficient fuel. It has smaller engines which consume less. It can land in all these new destinations within and outside Africa. It would only need to refuel in one of the countries we are already operating from. Therefore, it is a welcome move. We are now the real Pride of Africa and we have many more agreements with other airlines. If we go the way the Committee has proposed, it means we are going to be more active and our connections to many parts of the world will become popular. That will translate into more tourists coming to our country. We will have more business and more interactions culturally.

Jamaicans are of African origin. It is where slaves from Africa were freed. Very many of them would love to visit destinations in Africa, so that they can see their original land. They will have time to travel and share their culture. So, we would like to support this initiative.

The recommendations and observations are very good such that currently, no Kenyan carrier operates scheduled air services. Two are from the Kingdom of Jordan. Similarly, there is no airline from Jordan that is operating a schedule flight between the two States. This opens us to a new destination in the Middle East. For purposes of the Muslims, we will have an extra destination from Kenya to Jordan. This will enable them easily access the other destinations. Therefore, this is a welcome move. We support the Committee and congratulate it for a job well done. The Chairman and his team have done very well in many activities relating to travel and transport. On this particular one, they have even made an effort to ensure that this matter is discussed and passed in the afternoon of this Special Sitting.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have the Hon. Member for Sotik.

Hon. Dominic Koskei (Sotik, JP): Thank you Hon. Temporary Deputy Speaker. I support this Motion. I sit in the Departmental Committee of Transport, Public Works and Housing. We have looked at the two bilateral agreements in detail. It is a very important protocol

that all of us need to support. It opens up Kenya to the other parts of the world. Jordan has a rich history which we need to leverage on and learn a lot from. I have had an opportunity to travel to Turkey. We have much to learn from them as a country. It is moderately developed and this signing of an agreement will help in ensuring that this country moves forward. I urge the House to support this Motion. I thank the Committee Chairman for leading us to bring this Report to the House. Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Very well. Let us have Hon. (Prof.) Oduol Adhiambo.

Hon. (Prof.) Jacqueline Oduol (Nominated, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Motion. I support the Motion and congratulate the Departmental Committee on Transport, Public Works and Housing for coming up with this Report and enabling us get bilateral air service agreements between Kenya, Jordan, Jamaica and Bahamas. As I support, I am aware that this is in keeping with national development which is the ability to improve social welfare. This is in regard to not only social amenities and quality education, but also issues on transportation.

As I support this Motion, I want to agree with all the hon. Members that opening the air space will not only improve business, but will allow for more tourists to come in and, therefore, increase revenue. However, I must point out that, as we open the air waves and seek to improve, we want to serve, promote and protect the common interests of the Kenyan citizens in there different stages of development and need. I want to observe that, it is important that when we look at the policy framework and the implementation framework and see what we will benefit, we do not confine ourselves to economic costs and see the kind of trade and revenue the tourists will bring, but to also consider the impact that might not be positive if it is not properly mitigated when we have the open air space and more tourists.

In particular, I want – and I acknowledge that the Report is timely and relevant – to urge that we ensure that there is a policy action on protecting our vulnerable citizens, especially children, young girls and boys. As we have more room and more developed and advanced ways of exchange, we need to ensure that we have protective measures so that, as tourists come in and Kenyans travel to those countries, they are not exposed to harmful practices as we have seen sometimes that range from trafficking and child abuse. At times, the perception that young people have is that when you go to another country, you will definitely be advanced. At times, they end up in activities and ways that are not supportive of their welfare.

As a country, in terms of looking at our preparedness, we should not just think of the business framework. In our negotiations, we should not only talk about what we are going to get in terms of economic and monetary value. We must also think of our human capital, our children, our youth and our women. We must also seek to ensure that the policies that are in place to protect our nationals are implemented. Where they are not available or where there are insufficient infrastructural arrangements to keep our young people contented and aware of our values so that they do not get in to the habit of copying and imitating others, we ensure that, that does not happen.

I want to urge that we should remember, as a country, that it is important that a sense of identity and cultural values will enable us to compete in any front in any way with any other country, including on the business front. We, therefore, need to get back and look at our cultural framework particularly, our values and the way in which we teach our children to get a sense of national ethos - who they are and what it is that our country has. So, as they exchange and

interact with other nationals, they are also bringing to the fore what Kenya offers. They do not become vulnerable and lose their identity or in some cases lose their lives.

I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have, Hon. Onyango Oyoo, Member for Muhoroni Constituency.

Hon. Onyango Oyoo (Muhoroni, ODM): Thank you, Thank you, Hon. Temporary Deputy Speaker. I support this Bill. It is good in terms of enhancing relationships and business opportunities for our country. The countries that we are seeking to enter into bilateral air services agreements are good countries. Bahamas is good for tourism and Jordan for business. For Jamaica, I urge the authorities to ensure that we do objective business and we do not extend it to the other business that they like doing that corrupts the minds of young children.

My concern is that, in the past, Kenya has been friendly in opening up its air space and facilitating business opportunities with other countries. But when it comes to reciprocating, some of those countries have not done well. A country like South Africa which is friendly, gives Kenyans a hard time in procuring visas, including important persons like Members of Parliament (MPs) and other dignitaries. Yet, as a country, we give them good considerations when they are seeking our visa. I hope countries like Turkey, Jamaica and Bahamas will be friendly and our agreement with them will be a win-win situation where Kenyans who will wish to travel to those countries to do business or as tourist will not struggle. I am not implying that everyone should travel. However, there should not be a lot of rigorous attempts to deny people visas when they want to go for business, especially people of substance like MPs and senior Government officers as is the case with South Africa.

These agreements are welcome. I want to thank the Chairperson with his Committee for working round the clock to ensure that this concept comes to fruition by bringing it to this House.

With those few remarks, I support.

Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Very well, hon. Onyango. There being no further interest in this matter, I call upon the Mover to reply.

Hon. Chairperson.

Hon. David Pkosing (Pokot South, JP): Thank you, Temporary Deputy Speaker. I want to thank the Hon. Members who have made contributions to this Motion. I have sat through the debate and I appreciate the interest members have shown on this Motion. I also want to thank the Members of the Committee for burning the midnight oil particularly, to realise the debate of this Motion on this this day that we have a Special Sitting.

I have listened to the Members contributions. They have made great suggestions that I want to add my voice to before we submit them to the Executive. The issue of Kenya Airways (KQ) high flight charges has come out clearly. As a Committee, we will take this information to them, although I am sure they have also heard this. I want to assure the House that this has been a problem. The thinking on the measures of how to reduce the charges is on high gear. KQ is seeking models on how to reduce the charges and address competition from other players. Negotiations are ongoing and I am certain that there will be a positive conclusion on how to deal with the high charges. In due time in the next session, I will be able to share with the House the news. I am privy to the fact that KQ is seeking alternatives on how to reduce the charges.

On the issue of whether this Motion is in the right place in terms of Committees, hon. Members were suggesting that it ought to have been referred to the Departmental Committee of

Defense and Public Relations. This agreement lies squarely with the Departmental Committee on Transport, Public Works and Housing. It is domiciled in the Department of Transport. When you are dealing with transport issues, by extension, you are dealing with the Ministry of Transport. If you are dealing with Kenya Civil Aviation (KCA), it still falls within the Ministry of Transport. So, all the negotiations in these agreements are within the purview of the Departmental Committee on Transport, Public Works and Housing and not the Departmental Committee of Defense and Public Relations. So, I want to assure hon. Members that this matter is properly before our Committee.

Hon. Members were arguing that these negotiations should have taken a faster process like the one before us of 2008. I would like to assure the House that these treaties are not just pluck-in and pluck-out. They are serious. They have serious ramifications if they are not scrutinised properly. That is why it takes some time so that we really take these issues seriously and we do not end up approving or signing something that is contrary to our values as a country. Therefore, time is required for proper negotiations so that by the time it is reaching us, then it has been done properly. So, I assure the House that this was done properly. Maybe in future, it will be a little bit faster but this time was taken for negotiations.

Another issue that I have also taken note of is that this industry is properly and fairly regulated. Air transport is seriously regulated. That is why nothing can happen before the approval or signing of this ratification. I agree with the House and Members who have made positive contributions to these Agreements.

Finally, I ask your indulgence that you do not put the Question now and using Standing Order No. 53(3), you consider deferring the putting of the Question.

With those few remarks, I beg to reply.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Yes. I agree with you. We will put the Question in the subsequent time. Hon. Mohamed Sheikh, you have registered your interest to speak to this matter after the Chair has replied. So, we cannot open that again. It is now settled.

(Putting of the question deferred)

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Members, there being no other business and the time being 11.32 a.m., this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 11.32 a.m.