



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FIFTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 6, 2021

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Hon. Speaker
4. **PETITION**

The Hon. Speaker conveyed the following petition to the House–

**REGARDING URGENT RESOLUTION OF HISTORICAL AND EMERGING
INJUSTICES IN LAIKIPIA**

Honourable Members, Standing Order 225(2)(b) requires the Speaker to report to the House any petition, other than those presented by a Member. Further, Article 119 of the Constitution provides for the right of any person to petition Parliament to consider any matter within its authority, including petitioning the House to enact, amend or repeal any legislation.

In this regard, **Honourable Members**, I wish to report to the House that my office has received a petition from Mr. Tema Saaya Karmushu acting on behalf of Laikipia residents calling for “*urgent resolution of recurrent land disputes in Laikipia occasioned by historical and emerging acts of injustice.*”

The Petitioner avers that the ongoing clashes and banditry attacks in Laikipia stem from historical land injustices that have been aggravated by the following factors:-

gross violations of human rights;

- a) retrogressive colonial and post-independence policies and practices on relating to land and resource governance;
- b) limited access to pasture and water for livestock;
- c) grabbing of public land including Agricultural Development Corporation farms;
- d) privatization and closure of public roads, stock routes and holding grounds thereby creating illegal movement restrictions;
- e) human-wildlife conflicts occasioned by competition for natural resources;
- f) absentee landowners who possess huge tracts of unutilized land that would otherwise benefit local landless communities;
- g) a growing population vis-a-vis an increasingly dispossessed community;
- h) opaque land deals and lack of a County Land Registry that undermines openness on land ownership status;
- i) failure by the Ministry of Lands and the National Land Commission to act on expired land leases;
- j) privatization of community land into Conservancies;
- k) arbitrary arrests and persecution of those who act in the communities' interest;
- l) discriminative vetting of certain people and groups during issuance of National Identity Cards;
- m) selective arming of particular sections of local communities,
- n) and many other manifestations of maladministration and lawlessness.

Honourable Members, the Petitioners therefore call for urgent resolution of recurrent land disputes in Laikipia occasioned by historical and emerging acts of injustice in a bid to address the aforementioned manifestations of impunity and disorder.

Honourable Members, having determined that the matters raised by the Petitioner are well within the authority of this House, I order that, pursuant to the provisions of Standing Order 227(1), this petition be committed to the Departmental Committee on Administration and National Security. The Committee is required to consider the petition and report its findings to the House and the petitioner in accordance with Standing Order 227(2).

I thank you!

5. PAPERS LAID

The following Papers were laid on the Table –

1. Annual Report and Financial Statements of the Power of Mercy Advisory Committee for the Financial year 2020/2021 from the Office of the Attorney-General & Department of Justice;
2. The Annual Report for the Financial Year 2020/2021 from the Public Service Commission;
3. Reports of the Auditor-General and Financial Statements in respect of the following Constituencies for the year ended 30th June, 2019 and the certificates therein: -
 - a) Msambweni;
 - b) Kisauni;
 - c) Mbeere North;
 - d) Igembe Central;
 - e) Mwea;
 - f) Isiolo South; and
 - g) Likoni

(The Leader Of the Majority Party)

6. QUESTIONS

- (i) Question by Private Notice No.006/2021 by the Member for Starehe (Hon. Charles Njagua) regarding circumstances leading to the fatal shooting of Rabin Patel Ogeto;

(Question to be replied to by the Cabinet Secretary for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security)

- (ii) Question No.379/2021 by the Member for Nyaribari Masaba (Hon. Ezekiel Machogu) regarding construction of Riatirima Technical Institute;

(To be replied to by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

- (iii) Question No.403/2021 by the Member for Embakasi West (Hon. George Theuri) regarding measures in place to cushion parents against the effects of Covid-19);

(To be replied to by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

- (iv) Question No.404/2021 by the Member for Meru County (Hon. Kawira Mwangaza) regarding provision of list of all government funded technical and vocational training institutes in Meru county;

(To be replied to by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

- (v) Question No.406/2021 by the Member for Garsen (Hon. Ali Waario) regarding participation in acquiring parcels of land in Tana River and Lamu counties;

(To be replied to by the Cabinet Secretary for Defence before the Departmental Committee on Defence and Foreign Relations)

7. REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PRESIDENT'S RESERVATIONS TO THE REFUGEES BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2019)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the President's Reservations to the Refugees Bill (National Assembly Bill No. 62 of 2019).

(The Leader of the Majority Party)

Question put and agreed to;

8. MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE TAX APPEALS TRIBUNAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 19 OF 2021)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Tax Appeals Tribunal (Amendment) Bill (National Assembly Bill No. 19 of 2021).

Question put and agreed to;

Motion made and Question proposed –

THAT, the Tax Appeals Tribunal (Amendment) Bill (National Assembly Bill No.19 of 2021) be now read a Third Time

Question put and agreed to;

Bill read a Third Time and **passed.**

9. THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2021)

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a first time and referred to the relevant departmental committee pursuant to Standing Order 127

10. THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2021)

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Landlord and Tenant Bill (National Assembly Bill No.3 of 2021) be now read a Second Time

(The Leader of the Majority Party)

Debate interrupted on Tuesday, October 5, 2021 resumed;

Mover replied;

Question deferred.

11. MOTION - RATIFICATION OF THE AGREEMENT AMENDING THE AIR TRANSPORT AGREEMENT BETWEEN KENYA AND THE UNITED STATES OF AMERICA

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on its consideration for ratification of the Agreement amending the Air Transport Agreement between Kenya and the United States of America, laid on the Table of the House on Wednesday, August 18, 2021, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** the Ratification of the Agreement amending the Air Transport Agreement between Kenya and the *United States of America*.

(Chairperson, Departmental Committee on Transport, Public Works & Housing)

Debate arising;

(Change of Chair from the Speaker to theChairperson)

Mover replied;

Question deferred.

12. **MOTION – RATIFICATION OF PROTOCOLS TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE’S RIGHTS ON THE RIGHTS OF OLDER PERSONS AND THE RIGHTS OF PERSONS WITH DISABILITIES**

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on the Ratification of Protocols to the African Charter on Human and People’s Rights on the Rights of Older Persons and the Rights of Persons with Disabilities, *laid on the Table of the House on Wednesday, September 22, 2021*, and pursuant to the provisions of section 8(4) of the Treaty Making and Ratification Act, 2012, **approves** –

- (i) *the Ratification of the Protocol to the African Charter on Human and People’s Rights on the Rights of Older Persons in Africa; and,*
- (ii) *the Ratification of the Protocol to the African Charter on Human and People’s Rights on the Rights of Persons with Disabilities in Africa.*

(Chairperson, Departmental Committee on Defence and Foreign Relations)

Debate arising;

And the time being Two minutes past Seven O’clock, the Third Chairperson adjourned the House without Question put pursuant to the Standing Orders.

13. **HOUSE ROSE** - at Two minutes past Seven O’clock.

MEMORANDUM

The Speaker will take the Chair on Thursday, October 7, 2021 at 2.30 p.m.

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