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REPUBLIC OF KENYA



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TWELFTH PARLIAMENT – SIXTH SESSION

THE NATIONAL ASSEMBLY

THE SELECT COMMITTEE ON NATIONAL COHESION AND EQUAL  
OPPORTUNITY

EXIT REPORT

FOR

12<sup>TH</sup> PARLIAMENT

(2017-2022)	
THE NATIONAL ASSEMBLY	
DATE: 08 JUN 2022	
TABLED BY:	Hon. Olu Keating, MP Member, National Cohesion & E.O.
CLERK AT THE TABLE:	Mainab. W. MM

Directorate of Audit, Appropriations  
and Other Select Committees  
National Assembly  
Parliament Buildings  
NAIROBI

June 2022



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## **ABBREVIATIONS /ACRONYMS**

- MP - Member of Parliament
- NCIC - National Cohesion and Integration Commission
- NCI - National Cohesion and Integration



## **CHAIRPERSON'S FOREWORD**

The Standing Orders in both Houses of the Kenyan Parliament are established pursuant to Article 124 of the Constitution of Kenya 2010 to guide the orderly conduct of House proceedings, including the proceedings of Committees as they oversight other arms of Government.

The Select Committee on National Cohesion and Equal Opportunity is established under the Standing Order 212 (C) of the National Assembly. The Committee is mandated among other things to monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion as well as to monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all persons,

Committee Exit report is a requirement of Standing Order 200 to document the activities of the Committee on National Cohesion and Equal Opportunity of the 12<sup>th</sup> Parliament. It is hoped that it will be helpful in the next Parliament's successor Committee as it considers its Work Programme.

The Report contains key activities undertaken by the Committee during the 12<sup>th</sup> Parliament and the unfinished business for record purposes. The Report also includes the challenges experienced during its conduct of business as well as key recommendations.

I wish to sincerely appreciate the efforts and sacrifices made by Members of the Committee who have worked tirelessly for the achievement of the Committee's objectives during the period under review. Their tireless efforts ensured that the Committee succeeded in delivering on its mandate.

The Committee is also grateful to the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate. It is out of their support that the Committee has not lacked resources to undertake its oversight function.

In conclusion, I wish to single out and specifically appreciate the officers attached to the Committee who worked diligently and sometimes beyond the call of duty to support the Committee deliver on its mandate.

It is now my pleasant duty and privilege, on behalf of the Select Committee on National Cohesion and Equal Opportunity to present this Report to the National Assembly pursuant to Standing Order 199.

**The Hon. Maina Kamanda, EGH, MP**

**Chairperson**

**Select Committee on National Cohesion and Equal Opportunity**

## 1.0 PREFACE

### 1.1 Establishment of Committee

1. The power of each House of Parliament to establish committees and to make Standing Orders for the orderly conduct of its proceedings, including the proceedings of its committees is provided under Article 124 of the Constitution of Kenya, 2010.
2. The National Assembly Standing Orders has established various committees of the House with distinct Mandates. These Committees under the Directorate of Audit, Appropriations and Other Select Committees play a pivotal role in facilitating the National Assembly to fulfil its constitutional mandate of allocation of national revenue, appropriation of funds and oversight over national revenue, expenditure and State organs.
3. The Committee on National Cohesion and Equal Opportunity is established under the Standing Order 212 (C) of the National Assembly.
4. The Committee is mandated to:
  - a. monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion;
  - b. investigate, inquire into and report on all matters relating to inter-community cohesion;
  - c. monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all persons, including persons who are marginalized on the basis of gender, age, disability, health status, ethnic, racial, cultural or religious background or affiliation or any other such ground;
  - d. investigate, inquire into and report on all matters relating to discrimination and or marginalization of persons referred to under sub-paragraph(c); and examine the activities and administration of all Ministries, departments and statutory bodies in so far as they relate to the rights and welfare of the groups referred to under paragraph (c).
  - e. make proposals to Parliament including legislative proposals for the protection, equalization of opportunities and promotion of the welfare of the groups referred to under sub-paragraph (c); and
  - f. examine the activities and administration of all state departments and statutory bodies in so far as they relate to the rights and welfare of the persons referred to under sub-paragraph (c).



## 1.2 Committee Membership

5. The Committee comprises of the following members:-

### First Session

1. The Hon. Maina Kamanda, EGH, M.P. - Chairperson
2. The Hon. Ekomwa Lomenen, M.P - Vice-chairperson
3. The Hon. Adan Keynan Wehliye, CBS, M.P.
4. The Hon. Joyce Korir Chepkoech, M.P.
5. The Hon. Daniel Wanyama Sitati, M.P.
6. The Hon. Prof. Zadock Abel Ogutu, M.P.
7. The Hon. Mohamed Hire Garane, M.P.
8. The Hon. Benjamin Gathiru Mwangi, M.P.
9. The Hon. Jayne Njeri Wanjiru Kihara, M.P.
10. The Hon. Wilson Kipngetch Kogo, M.P.
11. The Hon. Jerusha Mongina Momanyi, M.P.
12. The Hon. Rahab Mukami Wachira, M.P.
13. The Hon. Maison Leshoomo, M.P
14. The Hon. Jane Jepkorir Chebaibai, M.P..
15. The Hon. Prof. Jacqueline Oduol, MP
16. The Hon. Julius Musili Mawathe, MP
17. The Hon. Charles Ong'ondo Were, MP
18. The Hon. Mohamed Ali Lekiro, MP
19. The Hon. Rose Museo, MP
20. The Hon. Stephen Mule, MP
21. The Hon. Edward Oku Kaunya, MP
22. The Hon. Enoch Kibunguchy, M.P

### Second Session

1. The Hon. Maina Kamanda, EGH, M.P. - Chairperson
2. The Hon. Ekomwa Lomenen, M.P - Vice-chairperson
3. The Hon. Adan Keynan Wehliye, CBS, M.P.
4. The Hon. Joyce Korir Chepkoech, M.P.
5. The Hon. Daniel Wanyama Sitati, M.P.
6. The Hon. Prof. Zadock Abel Ogutu, M.P.
7. The Hon. Mohamed Hire Garane, M.P.
8. The Hon. Benjamin Gathiru Mwangi, M.P.

9. The Hon. Jayne Njeri Wanjiru Kihara, M.P.
10. The Hon. Wilson Kipngetich Kogo, M.P.
11. The Hon. Jerusha Mongina Momanyi, M.P.
12. The Hon. Rahab Mukami Wachira, M.P.
13. The Hon. Maison Leshoomo, M.P
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16. The Hon. Julius Musili Mawathe, MP
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18. The Hon. Mohamed Ali Lekiro, MP
19. The Hon. Rose Museo, MP
20. The Hon. Stephen Mule, MP
21. The Hon. Edward Oku Kaunya, MP
22. The Hon. Enoch Kibunguchy, M.P

### Third Session

1. The Hon. Maina Kamanda, EGH, M.P. - Chairperson
2. The Hon. Ekomwa Lomenen, M.P - Vice-chairperson
3. The Hon. Adan Keynan Wehliye, CBS, M.P.
4. The Hon. Joyce Korir Chepkoech, M.P.
5. The Hon. Daniel Wanyama Sitati, M.P.
6. The Hon. Prof. Zadock Abel Ogutu, M.P.
7. The Hon. Mohamed Hire Garane, M.P.
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19. The Hon. Rose Museo, MP
20. The Hon. Stephen Mule, MP
21. The Hon. Edward Oku Kaunya, MP
22. The Hon. Enoch Kibunguchy, M.P

#### Fourth Session

1. The Hon. Maina Kamanda, EGH, M.P.-**Chairperson**
2. The Hon. Gideon Mulyungi M.P-**Vice Chairperson**
3. The Hon. Benjamin Gathiru Mwangi, M.P.
4. The Hon. Maison Leshoomo, M.P
5. The Hon. Rose Museo, MP
6. The Hon. Daniel Wanyama Sitati, M.P.
7. The Hon. David Ochieng, M.P.
8. The Hon. George Ndungu Koimburi, M.P
9. The Hon. Liza Chelule, M.P.
10. The Hon. Janet Nangabo M.P.
11. The Hon. George Sunkuya, M.P.
12. The Hon. Jane Jepkorir Chebaibai, M.P
13. The Hon. Prof. Jacqueline Oduol, MP
14. The Hon. Peter Nabulindo MP
15. The Hon. Joyce Korir Chepkoech, M.P.
16. The Hon. Stephen Mule, MP
17. The Hon. Edward Oku Kanya, MP
18. The Hon. Charles Ong'ondo Were, MP
19. The Hon. Prof. Zadoc Abel Ogutu, M.P.
20. The Hon. Wilson Kipngetich Kogo, M.P.
21. The Hon. Musili Mawathe, MP
22. The Hon. Patrick Munene,MP
23. The Hon. Abdi Tepo, MP

#### Fifth Session

1. The Hon. Maina Kamanda, EGH, M.P.-**Chairperson**
2. The Hon. Gideon Mulyungi M.P-**Vice Chairperson**
3. The Hon. Benjamin Gathiru Mwangi, M.P.
4. The Hon. Maison Leshoomo, M.P
5. The Hon. Rose Museo, MP
6. The Hon. Daniel Wanyama Sitati, M.P.
7. The Hon. David Ochieng, M.P.
8. The Hon. George Ndungu Koimburi, M.P
9. The Hon. Liza Chelule, M.P.
10. The Hon. Janet Nangabo M.P.
11. The Hon. George Sunkuya, M.P.
12. The Hon. Jane Jepkorir Chebaibai, M.P
13. The Hon. Prof. Jacqueline Oduol, MP

14. The Hon. Peter Nabolindo MP
15. The Hon. Joyce Korir Chepkoech, M.P.
16. The Hon. Stephen Mule, MP
17. The Hon. Edward Oku Kanya, MP
18. The Hon. Charles Ong'ondo Were, MP
19. The Hon. Prof. Zadoc Abel Ogutu, M.P.
20. The Hon. Wilson Kipngetich Kogo, M.P.
21. The Hon. Musili Mawathe, MP
22. The Hon. Patrick Munene,MP
23. The Hon. Abdi Tepo, MP

Sixth Session

1. The Hon. Maina Kamanda, EGH, M.P.-**Chairperson**
2. The Hon. Gideon Mulyungi M.P-**Vice Chairperson**
3. The Hon. Benjamin Gathiru Mwangi, M.P.
4. The Hon. Maison Leshoomo, M.P
5. The Hon. Rose Museo, MP
6. The Hon. Daniel Wanyama Sitati, M.P.
7. The Hon. David Ochieng, M.P.
8. The Hon. George Ndungu Koimburi, M.P
9. The Hon. Liza Chelule, M.P.
10. The Hon. Janet Nangabo M.P.
11. The Hon. George Sunkuya, M.P.
12. The Hon. Jane Jepkorir Chebaibai, M.P
13. The Hon. Prof. Jacqueline Oduol, MP
14. The Hon. Peter Nabolindo MP
15. The Hon. Joyce Korir Chepkoech, M.P.
16. The Hon. Stephen Mule, MP
17. The Hon. Edward Oku Kanya, MP
18. The Hon. Charles Ong'ondo Were, MP
19. The Hon. Prof. Zadoc Abel Ogutu, M.P.
20. The Hon. Wilson Kipngetich Kogo, M.P.
21. The Hon. Musili Mawathe, MP
22. The Hon. Patrick Munene,MP
23. The Hon. Abdi Tepo, MP

6. Changes within the Committee membership during the term
  1. The Hon. Ekomwa Lomenen, M.P - Vice-chairperson 2017-2020
  2. The Hon. Adan Keynan Wehliye, CBS, M.P. 2017-2022
  3. The Hon. Mohamed Hire Garane, M.P. 2017-2020
  4. The Hon. Benjamin Gathiru Mwangi, M.P. 2017-2021
  5. The Hon. Jayne Njeri Wanjiru Kihara, M.P. 2017-2020
  6. The Hon. Jerusha Mongina Momanyi, M.P. 2017-2020
  7. The Hon. Rahab Mukami Wachira, M.P. 2017-2020
  8. The Hon. Mohamed Ali Lekiro, MP 2017-2020
  9. The Hon. Enoch Kibunguchy, M.P 2017-2020
  10. The Hon. Mukwe James Lusweti, MP 2017-2020 (deceased)
  11. The Hon. David Ole Sankok, MP 2020

### 1.3 Committee Secretariat

7. The Secretariat supporting the Committee comprises the following staff:

1. Mr. Abdifatah Bule	Clerk Assistant II - Lead Clerk 2017-2022
2. Mr. James Ginono	Principal Clerk Assistant: Lead Clerk 2019
3. Ms. Tracy Chebet Koskei	Senior Clerk Assistant: Lead Clerk 2017-2019
4. Ms. Clara Kimeli	Principal Legal Counsel II - 2021-2022
5. Ms. Emma Essendi Otiende	Legal Counsel I 2017-2020
6. Mr. Vitus Owino	Research Officer II: 2021-2022
7. Ms. Winnie Kulei	Research Officer II: 2020-2021
8. Ms. Annceta Gacheri	Research Officer II: 2017-2019
9. Mr. Samuel Nyambe	Serjeant-at-Arms 2017-2022
10. Ms. Mercylyn Kerubo	Audio Officer 2017-2022

## 2.0 BACKGROUND INFORMATION

### 2.1 Legal framework

8. Article 93 (1) of the Constitution of Kenya establishes Parliament of Kenya which consists of the National Assembly and the Senate. Further, Article 95 provides for the role of the National Assembly amongst others to:
  - (i) deliberate on and resolve issues of concern to the people;
  - (ii) enact legislations
  - (iii) determine allocation of national revenue between the two levels of governments the National government and County governments;
  - (iv) appropriate funds for expenditure by the national government and national State organs;
  - (v) exercise oversight over national revenue and its expenditure;
  - (vi) exercise oversight over State organs; and
  - (vii) review the conduct in the office of the President, Deputy President and other State officers and initiate the process of removal from office.
9. In addition, Article 124 of the Constitution empowers Parliament to establish Committees and to make Standing Orders for orderly conduct of its proceedings including the proceedings of its Committee.
10. The National Assembly Standing Orders has established various Committees of the House with distinct mandates
11. The Committee on National Cohesion and Equal Opportunity is established under the Standing Order 212 (C) of the National Assembly.
12. The mandate of the Committee includes *inter alia*:
  - a) monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion;
  - b) investigate, inquire into and report on all matters relating to inter community cohesion;
  - c) monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all persons, including persons who are marginalized on the basis of gender, age, disability, health status, ethnic, racial, cultural or religious background or affiliation or any other such ground;

- d) investigate, inquire into and report on all matters relating to discrimination and or marginalization of persons referred to under sub-paragraph(c); and examine the activities and administration of all Ministries, departments and statutory bodies in so far as they relate to the rights and welfare of the groups referred to under paragraph (c).
- e) make proposals to Parliament including legislative proposals for the protection, equalization of opportunities and promotion of the welfare of the groups referred to under sub-paragraph (c); and
- f) examine the activities and administration of all state departments and statutory bodies in so far as they relate to the rights and welfare of the persons referred to under sub-paragraph (c).

### **3.0 ACHIEVEMENTS**

13 In the discharge of its mandate, the Committee held a total of one hundred and eighty-three (183) sittings as follows:-

- 1) First session 2017 - 1 sitting
- 2) Second Session 2018 -50 sittings
- 3) Third Session 2019 -47 sittings
- 4) Fourth Session 2020 - 25 sittings
- 5) Fifth Session 2021 - 48 sittings
- 6) Sixth Session 2022 - 12 sittings

### **3.1 Legislation**

The Committee considered the following Bills and legislative proposals:-

#### **3.1.1 Bills**

#### **The National Cohesion and Integration (Amendment) Bill, 2019 sponsored by the Committee**

- 14 The Committee sponsored the National Cohesion and Integration (Amendment) Bill, 2019 to amend the National Cohesion and Integration Act of 2008. This followed the judgment by the High Court to the effect that Section 17 of the Act was unconstitutional. The Bill proposed to change the procedure for appointment of Commissioners to the National Cohesion and Integration Commission whereby a recruitment panel would be responsible for recruiting the Commissioners and thereafter proposes names to H.E the President who in turns forward the names to the National Assembly for vetting and subsequent appointment by the President.
- 15 Lack of Commissioners in office affected the smooth operations of the Commission especially, as the secretariat alone cannot make policy decisions as well as processing of cases to court. This has directly affected service delivery in that processing of hate speech cases to courts delayed and peace programmes remained unimplemented.

#### **The National Cohesion and Peace Building Bill, Senate Bill no. 35 of 2018**

- 16 The Committee considered the National Cohesion and Peace Building Bill, Senate Bill no. 35 of 2018 and tabled its report recommending the House to reject the Bill as it's similar to the existing National Cohesion and Integration Act of 2008 and the minor differences do not warrant an overhaul of the NCI Act, 2008.



### 3.1.2 Legislative Proposals

#### **The National Cohesion and Integration (Amendment) Bill 2020, a legislative proposal by the Hon. Anthony Oluoch, MP**

- 17 The Committee considered the National Cohesion and Integration (Amendment) Bill 2020, a legislative proposal by the Hon. Anthony Oluoch, MP. The proposed Bill was to amend section 25 of the National Cohesion and Integration Act, 2008 by increasing the functions of the National Cohesion and Integration Commission to include reviewing all appointments by the President, the Public Service Commission, Constitutional Commissions, Independent Offices, the Parliamentary Service Commission and the Judiciary. The National Cohesion and Integration Commission is also required to forward bi-annual reports on the status of compliance with Article 10 and Article 232 of the Constitution to the Attorney-General who shall submit the reports to Parliament.
- 18 The Committee observed that Article 234 (2) of the Constitution bestows on the Public Service Commission the mandate to promote the values and principles referred to in Articles 10 and 232 throughout the public service and evaluate and report to the President and Parliament on the extent to which the values and principles referred to in Articles 10 and 232 are complied with in the public service except for the offices excluded under Article 234 (3) of the Constitution. It is worth noting that despite this exclusion, the National Assembly under Article 95 (5) of the Constitution has given the mandate to review the conduct in office of the President, the Deputy President and other State officers and initiate the process of removing them from office and exercises oversight of State organs.
- 19 Further, the National Gender and Equality Act, 2011 establishes the National Gender and Equality Commission. The functions of this Commission include promoting gender equality and freedom from discrimination in accordance with Article 27 of the Constitution. The functions to be added to the National Cohesion and Integration Commission have thus already been bestowed on the National Gender and Equality Commission.
- 20 Based on the above observations, the Committee recommended that the proposed Bill not to be published.

#### **The National Cohesion and Integration (Amendment) Bill 2018, a legislative proposal by the Hon. Captain Ruweida Mohamed Obo, MP**

- 21 The Committee considered the National Cohesion and Integration (Amendment) Bill 2018, a legislative proposal by the Hon. Captain Ruweida Mohamed Obo, MP. The main object of this Bill was to amend the National Cohesion and Integration Act, 2008 to provide for the use of the official languages, English and Kiswahili, by any person addressing a public gathering.

- 22 The Committee rejected the publication of the legislative proposal on the grounds that section 13 of the National Cohesion and Integration Act, 2008 comprehensively addresses the issue of hate speech and recommends strict adherence to the said provisions. The use of a common language is one of the factors that can encourage national cohesion and Integration. Further, the Committee opposed the amendment because most of the minority and marginalised groups as well as the elderly communicate well in their native language and it would be unfair to subject them to stringent requirements of communicating in English or Kiswahili.

## **3.2 OVERSIGHT**

Oversight of State organs is amongst the roles assigned to the National Assembly under Article 95 of the Constitution. In fulfilment of this role, the Committee considered the following business.

### **3.2.1 Public Vetting**

#### **Vetting of the Commissioners to the National Cohesion and Integration Commission (NCIC)**

- 23 Pursuant to Section 6 of the Public Appointment (Parliamentary Approval) Act 2011 and the First Schedule to the National Cohesion and Integration Act, 2019 the Committee vetted successfully the nominees to the NCIC.

#### **Background**

- 24 The term for the second Commissioners of the NCIC expired in August 2018 and the Committee on National Cohesion and Equal Opportunities had begun the process of recruiting Commissioners to NCIC until the process was suspended by orders of the court issued on 9<sup>th</sup> November 2018, pending the determination of the Petition. In its final disposition, the Court found section 17(1) (a) and (b) and the First Schedule of the NCI Act which provides for the procedure of appointing Commissioners to the NCIC was contrary to the provisions of the Constitution. As such, the National Assembly cannot proceed with the process since the Judge found that the appointment of Commissioners to the NCIC is within the purview of the Executive, and the said sections of the NCI Act stand suspended.
- 25 Lack of Commissioners in place affected the smooth operations of the Commission, as the secretariat alone cannot make policy decisions as well as processing of cases to court. This has directly affected service delivery in that processing of hate speech cases to courts delayed and peace programmes remained unimplemented.

- 26 Following this judgment the Committee embarked on the journey of amending the NCI act section 17(1) (a) and (b) and the First Schedule of the NCI Act which provides for the procedure of appointing Commissioners to the NCIC. The Act was amended on July 2019 to give way the Executive to do the recruitment process and forward nominees to the National Assembly for vetting.
- 27 In October 2019, the House received the following names of the eight (8) nominees and was referred to the Committee for vetting:-

1) Rev. (Dr.) Samuel Kobia	- Chairperson
2) Mr. Samuel E. Kona	- Member
3) Hon. (Eng.) Phillip Okundi	- Member
4) Ms. Peris W. Nyutu	- Member
5) Hon. Abdulaziz Ali Farah	- Member
6) Mr. Danvas O. Makori	- Member
7) Ms. Fatuma S. Tabwara	- Member
8) Hon. Dorcas L. Kedogo	- Member

#### **4.0 Committee's Uncompleted, Pending and Lapsed Business**

1. The Committee inquiry into the adherence of the 30% reservation of public procurement for the disadvantaged groups such as youth, Women and PWDs
2. The Committee inquiry into the employment diversity in Public Institutions
3. The National Cohesion and Integration (Amendment) Bill 2022

## **5.0 Challenges and Opportunities**

The Committee met the following challenges in serving its mandates,

- i. The twenty-one (21) days allocated for scrutiny of Bills may not be sufficient as it fails to factor in the size and content of each respective Bill.
- ii. Cabinet Secretaries and Head of Parastatals invited to attend Committee meetings failed to honour the invitations. This interfered with the Committee's programme of activities thus slowing down its work.
- iii. Inadequate resources and delayed exchequer releases challenging implementation of Committee's work plans.
- iv. Slow or inadequate implementation of Committees recommendations by government agencies.
- v. COVID-19 Pandemic continued to impact negatively on the performance of the Committee.
- vi. Legal challenges on the oversight role of the Committee. The courts stopped the recruitment exercise for the NCIC Commissioners, a matter that was seized by the Committee.
- vii. The slow processing of the National Cohesion and Integration (Amendment) Bill, National Assembly Bill No. 1 of 2022.

## 6.0 Recommendations

### The Committee Recommends that:

- 1) The twenty-one (21) days allocated for scrutiny of Bills should be reviewed.
- 2) Adequate resources be allocated and exchequer releases be made available on time to enable Committees implement their work plans effectively.
- 3) The 13<sup>th</sup> Parliament Committee on National Cohesion and Equal Opportunity should prioritize audit and streamlining of employment diversity in Public Institutions.
- 4) Fast tracking the process to repeal the National Cohesion and Integration Act of 2008 to align it with the Constitution.

Signature: .....

Date: .....

07/06/2022

The Hon. Maina Kamanda, EGH, MP

Chairperson, Select Committee on National Cohesion and Equal Opportunity






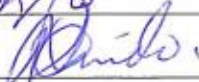




**COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY**

**Register for the adoption of the Committee's legacy report for the 12<sup>th</sup> Parliament  
(2017-2022)**

	NAME	SIGNATURE
1.	The Hon. Maina Kamanda, EGH, MP-Chairperson	
2.	The Hon. Gideon Mutemi Mulyungi, MP Vice Chairperson	
3.	The Hon. Dr. Adan W. Keynan, CBS, MP	
4.	The Hon. Maison Leshoomo, MP	
5.	The Hon. Rose Museo, MP	
6.	The Hon. Daniel Wanyama Sitati, MP	
7.	The Hon. David Ochieng, M.P	
8.	The Hon. George Kiomburi Ndungu MP	
9.	The Hon. Janet Nangabo Wanyama, M.P.	virtual
10.	The Hon. Wilson Kipngetch Kogo, MP	
11.	The Hon. George Sunkuyia, M.P	
12.	The Hon. Prof. Zadoc Abel Ogutu, MP	
13.	The Hon. Jane Jepkorir Chebaibai, M.P	
14.	The Hon. Prof. Jacqueline Oduol, MP	
15.	The Hon. Charles Ong'ondo Were, MP	
16.	The Hon. Joyce Korir Chepkoech, MP	
17.	The Hon. Stephen Mule, MP	
18.	The Hon. Edward Oku Kaunya, MP	
19.	The Hon. Patrick Munene Ntwiga, M.P	
20.	The Hon. Musili Mawathe, MP	

21.	The Hon. Liza Chepkorir Chelule, M.P	
22.	The Hon. Abdi Tepo Koropu, MP	
23.	The Hon. Oscar Nabulindo, MP	



**MINUTES OF THE 12<sup>TH</sup> SITTING OF THE COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY HELD ON SATURDAY, 4<sup>TH</sup> JUNE 2022 AT 2:30 PM IN THE SEAGULL HALL, FLAMINGO BEACH RESORT & SPA HOTEL, MOMBASA COUNTY**

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**PRESENT**

1. The Hon. (Prof.) Zadoc Abel Ogutu, M.P. - **Chairing**
2. The Hon. Oscar Nabulindo, M.P.
3. The Hon. George Ndung'u Koimhuri, M.P.
4. The Hon. Daniel Wanyama Sitati, M.P.
5. The Hon. Edward Oku Kaunya, M.P.
6. The Hon. (Prof.) Jacqueline Oduol, M.P.
7. The Hon. George Sunkuiya, M.P.
8. The Hon. Abdi Tepo Koropu, M.P.
9. The Hon. Janet Nangabo Wanyama, M.P.
10. The Hon. Patrick Munene Ntwiga, M.P.
11. The Hon. Joyce Korir Chepkoech, M.P.
12. The Hon. Charles Ong'ondo Were, M.P.
13. The Hon. Wilson Kipngetich Kogo, M.P.
14. The Hon. Musili Mawathe, M.P.

**ABSENT WITH APOLOGY**

1. The Hon. Maina Kamanda, EGH, M.P. - **Chairperson**
2. The Hon. Gideon Mutemi Mulyungi, M.P. - **Vice Chairperson**
3. The Hon. Rose Museo, M.P.
4. The Hon. Liza Chepkorir Chelule, M.P
5. The Hon. Stephen Mule, M.P.
6. The Hon. Maison Leshoomo, M.P
7. The Hon. David Ochieng, M.P
8. The Hon. Jane Jepkorir Chebaibai, M.P
9. The Hon. Johana Ngeno, M.P.

**SECRETARIAT**

1. Mr. Abdifatah Bule - Clerk Assistant
2. Ms. Jane Ouko - Hansard reporter III
3. Ms. Merlene Ayiro - Legal Officer
4. Ms. Mercy Kerubo - Audio Officer
5. Mr. Vitus Owino - Research Officer
6. Ms. Manzura Ahmed - Secretary
7. Mr. Samuel Ole Nyabei - Sergeant -at- Arms

Pursuant to the Standing Order 188, the meeting unanimously elected the Hon. (Prof.) Zadoc Abel Ogutu, MP to be the session Chairperson.

The chair called the meeting to order at 2:30 pm with a word of prayer by the Hon. Edward Oku Kaunya MP.

**MIN.NO. NA/NC&EO/061/2022 CONSIDERATION AND ADOPTION OF THE OF  
THE COMMITTEE'S EXIT REPORT FOR THE 12<sup>TH</sup>  
PARLIAMENT**

The Committee considered and adopted the Committees' Exit Report for the 12<sup>th</sup> Parliament as proposed and Seconded by the Hon. Daniel Wanyama Sitati, M.P and the Hon. Oscar Nabulindo, MP respectively with following:-

**1. Committee's Uncompleted, Pending and Lapsed Business**

1. The Committee inquiry into the adherence of the 30% reservation of public procurement for the disadvantaged groups such as youth, Women and PWDs
2. The Committee inquiry into the employment diversity in Public Institutions
3. The National Cohesion and Integration (Amendment) Bill 2022

**2. Challenges and Opportunities**

The Committee met the following challenges in serving its mandates,

1. The twenty-one (21) days allocated for scrutiny of Bills may not be sufficient as it fails to factor in the size and content of each respective Bill.
2. Cabinet Secretaries and Head of Parastatals invited to attend Committee meetings failed to honour the invitations. This interfered with the Committee's programme of activities thus slowing down its work.
3. Inadequate resources and delayed exchequer releases challenging implementation of Committee's work plans.
4. Slow or inadequate implementation of Committees recommendations by government agencies.
5. COVID-19 Pandemic continued to impact negatively on the performance of the Committee.
6. Legal challenges on the oversight role of the Committee. The courts stopped the recruitment exercise for the NCIC Commissioners, a matter that was seized by the Committee.
7. The slow processing of the National Cohesion and Integration (Amendment) Bill, National Assembly Bill No. 1 of 2022.

### 3. Recommendations

The Committee Recommends that:

1. The twenty-one (21) days allocated for scrutiny of Bills should be reviewed.
2. Adequate resources be allocated and exchequer releases be made available on time to enable Committees implement their work plans effectively.
3. The 13<sup>th</sup> Parliament Committee on National Cohesion and Equal Opportunity should prioritize audit and streamlining of employment diversity in Public Institutions.
4. Fast tracking the process to repeal the National Cohesion and Integration Act of 2008 to align it with the Constitution.

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### ADJOURNMENT

There being no other business to deliberate on, the meeting adjourned at 4:30 pm. Members would be notified of date and venue of the next meeting.

Signature: 

Date: 07/06/2022

(HON. MAINA KAMANDA, EGH, M.P- CHAIRPERSON)

