



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

**THE HANSARD**

**24<sup>th</sup> September 2025**

**Vol. IV No. 82**

## THE HANSARD

Tuesday, 24<sup>th</sup> September 2025

The House met at 2.30 p.m.

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

### PRAYERS

### QUORUM

**Hon. Speaker:** Serjeant-at-Arms, ring the Quorum Bell.

*(The Quorum Bell was rung)*

Members, we now have quorum to transact Business.

### PAPERS

**Hon. Speaker:** Chairperson of the Committee on Regional Integration. Who is the Chair? Is it Hon. Lochakapong? Hon. Makali Mulu, who is your Chair?

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Hon. Irene Mayaka.

**Hon. Speaker:** Okay. Go ahead.

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Hon. Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Select Committee on Regional Integration on its consideration of report of the East African Legislative Assembly at the Fourth Meeting of the Second Session of the Fifth Assembly, held from 23<sup>rd</sup> June to 4<sup>th</sup> July 2024 in Arusha, Tanzania.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Vice-Chairperson of the Departmental Committee on Tourism and Wildlife, Hon. Bedzimba.

**Hon. Rashid Bedzimba** (Kisauni, ODM): Hon. Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Departmental Committee on Tourism and Wildlife on its consideration of the President's Memorandum to the Wildlife Conservation and Management (Amendment) Bill (National Assembly Bill No.3 of 2023.)

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Next Order.

### NOTICE OF MOTION

ADOPTION OF REPORT ON 4<sup>TH</sup> MEETING OF THE 2<sup>ND</sup> SESSION  
OF THE 5<sup>TH</sup> EAST AFRICAN LEGISLATIVE ASSEMBLY

**Hon. (Dr) Makali Mulu** (Kitui Central, WDM): Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Select Committee on Regional Integration on its consideration of the report of the East African Legislative Assembly at the Fourth Meeting of the Second Session of the Fifth Assembly, laid on the Table of the House on Wednesday, 24<sup>th</sup> September 2025.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Before I call the Member for Rongo, allow me to acknowledge, in the Speaker's Gallery, Kigumo Mixed Secondary School from Kigumo Constituency, Murang'a County.

*(Applause)*

On my behalf and that of the House, I welcome the students, teachers and those accompanying them to Parliament. Thank you.

Member for Rongo.

## QUESTIONS AND STATEMENTS

### STATEMENT

#### DEMISE OF HON. DALMAS OTIENO

**Hon. Paul Abuor** (Rongo, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 259D(2)(a), I rise to pay tribute to the former Member of Parliament for Rongo, the late Hon. Dalmas Otieno, EGH, EBS, who passed away on 7<sup>th</sup> September 2025. The late Hon. Dalmas Otieno Anyango was born on 19<sup>th</sup> April 1945. He was an alumnus of Strathmore College, where he pursued his A-Level, before proceeding to Makerere University in Uganda for his undergraduate studies. He graduated in 1971 with a Bachelor of Science in Applied Economics.

He began his professional career in 1971 as an Accounts Manager for Insurance Agency Management, where he served until 1982. He thereafter, joined the Kenya Commercial Bank Board as the Chairman for three years before taking up senior roles, including Treasurer of the Kenyatta University Council and later, Chairman of Tasley Consultants.

The late Hon. Dalmas Otieno's political legacy spans over three decades of distinguished public service, having begun in 1988 when he was elected as the first Member of Parliament for Rongo. He served Four Terms: 6<sup>th</sup> Parliament (1988-1992), 7<sup>th</sup> Parliament (1992-1997), 10<sup>th</sup> Parliament (2007-2013) and the 11<sup>th</sup> Parliament (2013-2017).

In the 7<sup>th</sup> Parliament, he served as a Nominated Member, while in the 10<sup>th</sup> and 11<sup>th</sup> Parliaments, he successfully vied and was re-elected as the Member for Rongo. It is notable that across the 6<sup>th</sup>, 7<sup>th</sup> and 10<sup>th</sup> Parliaments, he was appointed to the Cabinet where he held several Ministerial portfolios including Minister for Industry, Labour, Transport and Public Service. In the 11<sup>th</sup> Parliament, he served in the Departmental Committee on Administration and National Security and the Select Committee on Implementation. Honourable Members who served alongside him, will recall his active participation in debates and his substantive contributions to matters relating to education and financial sectors. He was also appointed to the Salaries and Remuneration Commission where he served as the Vice-Chairperson from 2018 until his resignation in 2022.

The late Hon. Dalmas Otieno played a pivotal role in the establishment of Rongo University, Siala Technical Institute and Miyare Agricultural Training College, and further extended his support to society by financing the education of hundreds of students, including orphaned children. He was equally devoted to fostering peace and promoting community

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development through dialogue, economic empowerment and support for sustainable livelihoods.

The late Hon. Dalmas Otieno leaves behind a rich legacy as a pragmatic leader, valued for his insight in governance and in his steadfast service to the people, which will forever be cherished. On my behalf and that of my Constituency, I wish to take this opportunity to condole with his family, relatives, friends, and Kenyans at large.

May his soul rest in eternal peace. Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Junet.

**Hon. Junet Mohamed** (Suna East, ODM): Thank you, Hon. Speaker.

I want to join the Member for Rongo in condoling with the family of the late Hon. Dalmas Otieno Anyango. Hon. Dalmas and I came from the same county. We served together for one Term in the 11<sup>th</sup> Parliament. He had a very distinguished career in the public service, and was one of the most astute politicians that this country has ever produced. He was the Member for Rongo for three or four Terms.

Hon. Speaker, I am sure you served with him in Parliament as a friend. He was a very friendly person. I remember one famous speech that he made in this House in 2014 or 2015. I cannot remember the exact date. He spoke about being an insider and an outsider, and about being in and out of power. It was very hilarious. I remember that the House was very happy to listen to his wisdom on what it is to be in and out of power.

Hon. Dalmas initiated many development projects in our County. He initiated Rongo University in Migori County, which we currently enjoy. He built many schools, hospitals, and tarmac roads. The people of Migori used to look up to him all the time until he stopped representing them.

Lastly, he was the Vice-Chairperson of the Salaries and Remuneration Commission (SRC) until he felt like serving the people of Migori as a governor in the last election. Unfortunately, he ran for the seat on the wrong party, and did not succeed.

His legacy and history will remain behind. I urge my colleagues to join us for his burial on 2<sup>nd</sup> October 2025. There is also a function this evening being presided over by the Speaker, if I am not wrong, to help the family give him a decent send-off. If you can join us today and on 2<sup>nd</sup> October 2025 when his burial will take place in Kangeso Village in Rongo Constituency, we will be very happy because he was our colleague. He served this country and did a lot of good things for this nation. He was a national asset.

With those few remarks, I condole with the family. May God help them during this trying moment.

Thank you very much, Hon. Speaker.

**Hon. Speaker:** Hon. Owen Baya.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Speaker.

I want to join my colleagues, the Member for Rongo and the Leader of the Minority Party, in condoling with the family of the late Hon. Dalmas Otieno Anyango.

Hon. Dalmas worked tirelessly for this nation in different capacities. He served this country with distinction and never shied away from his responsibilities. He did his best for this country. I hope that the Lord God will rest his soul in peace.

I want to draw your attention to an incident involving Hon. Dalmas and me. I was then a young university student who decided to pursue my Master's degree. At that time, if as a teacher you got study leave to pursue further studies, you would be paid 80 per cent of your salary, while being deducted 20 per cent of your salary. There soon came a circular which stated that a student would be paid the 20 per cent and receive a full salary.

I was studying very hard at the Kenyatta University when I became broke and had no money at all. I chased for that 20 per cent for five months and nobody at the then Ministry of Education and the Department of Personnel Management (DPM) wanted to listen to me. One

day, I walked to the DPM Office and met a tall man who asked me what I was doing there so early in the morning. I said my name was Owen Baya, from the university and was trying to get my money, which the people there, had refused to give me. All the secretaries present were trying to pull me away so that I do not talk to him, but the late Hon. Dalmas just came and held my hand, took me into his office and asked me what I wanted.

I explained my dilemma and he called everybody. I walked away from his office that day with my cheque because Hon. Dalmas said so. That event will forever remain etched in my memory of good things that the late Hon. Dalmas did. He asked me where I was from and I told him I was a Giriama. He said that he wanted everybody in our country to have an equal opportunity to prosper.

I can assure you that after that, I was able to finish my Master's degree and thereafter, graduated. I thank the late Hon. Dalmas Otieno for helping me to get that accolade.

Thank you, Hon. Speaker.

**Hon. Speaker:** You were able to prosper.

**Hon. Owen Baya** (Kilifi North, UDA): Yes.

**Hon. Speaker:** I will give the Members who want to contribute two minutes each. Chairperson of the Budget and Appropriations Committee.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you, Hon. Speaker.

I want to join the Member for Rongo and my colleagues who are sending their condolences to the family of the late Hon. Dalmas Otieno. I knew the late personally. He was a clean person who would dress sharply. I learned the spirit of dressing well from the late Hon. Dalmas. The late Hon. Dalmas maintained cleanliness in his home. His home was very clean and neat. He maintained that even in his home, you had to use a napkin to eat. Most of us are very careless in our homes. We just pick food and eat, but in the home of the late Hon. Dalmas, you had to eat using a napkin. You had to tuck in the napkin in your clothes.

Away from that, the late Hon. Dalmas was very wise. He was a politician who was blessed with wisdom. He was also very brainy. The late Hon. Dalmas was a development-focused leader. What Hon. Junet Mohamed has said is true. Many development projects in the larger Luo community are attributed to the late Hon. Dalmas. He was a man who loved peace. In my first Term, I sat in the Departmental Committee on Finance and National Planning and the late Hon. Dalmas was the Vice-Chairman of the Salaries and Remuneration Commission (SRC). Most of the time, he was the one who came to defend the budgets and any issues that touched on SRC before the Committee. We loved him because he was able to persuade us. During that time, we were protesting about giving SRC their full budget because they had interfered with our issues here in Parliament, but when Hon. Dalmas came, he convinced us and we responded positively. May the soul of Dalmas rest in eternal peace.

**Hon. Speaker:** Hon. Bedzimba.

**Hon. Rashid Bedzimba** (Kisauni, ODM): Asante sana, Mhe. Spika.

Kwa niaba ya Eneo Bunge la Kisauni, ninasimama kuomboleza na ndugu na familia ya mwenzake. Ningependa kusema poleni sana kwa msiba mkubwa ambao wameupata. Kikubwa kwetu ni kumwomba Mungu amsamehe dhambi zake na amueke katika watu wema.

Tunashukuru pia kwa wakati aliotumikia taifa hili. Alikuwa mtu aliyekaa siku nyingi akifikiria vile taifa itakavyosonga mbele. Ni vyema kila mmoja wetu amwombee katika safari anayoenda. Hili ni funzo kwamba kila mmoja wetu ataondoka ulimwenguni. Hakuna atakayebaki hapa. Kwa hivyo, kwa yale tunayotekeleza katika Jumba hili na katika uongozi wetu, tihakikishe kwamba tunafanya mazuri kwa sababu ndugu yetu ametangulia tu katika safari hii. Hata sisi safari ni hiyo hiyo. Tufanye mema na tupande mazuri ili tuvune yale tuliyowekeza hapa. Niliwahifanya kazi na Mhe. Dalmas katika Bunge la Kumi na Moja. Alikuwa mtu mpole na msikivu licha ya kuwa katika shughuli ya uongozi kwa muda mrefu.

Poleni familia. Namwomba Mungu aiweke roho yake mahali pema peponi. Asante.

**Hon. Speaker:** Hon. Jalang'o.

**Hon. Phelix Odiwuor** (Lang'ata, ODM): Thank you, Hon. Speaker, for giving me this opportunity to mourn one of the key pillars of the Luo community and its leadership.

Hon. Dalmas Otieno Anyango was one of the leaders who inspired many of us to join politics, be effective in legislation and champion leadership anchored in development. If you knew Hon. Dalmas Otieno, in every single meeting he held, even in his Constituency back at home, you would never hear him insult anyone on a personal level. He anchored his campaigns on a clean slate where people competed on agendas. That can be seen as has been testified by Members who have already spoken on his development track record.

I also mourn him with the family and his wife, Madam Dorothy Anyango, who was also my classmate in primary school. I am not only mourning a leader, but also, a family member.

May his soul rest in peace. I hope to see you guys in Kangeso on the 2<sup>nd</sup> October for his burial. Hon. Speaker, we will also join you today as you visit the family.

**Hon. Speaker:** Hon. Martin.

**Hon. Martin Owino** (Ndhiwa, ODM): Thank you, Hon. Speaker.

We have lost a wonderful visionary leader, Hon. Dalmas Otieno Anyango. On behalf of Ndhiwa community and my family, I offer our condolences. I do so not only because he came from Rongo, but because he was a relative. Hon. Dalmas married his first wife from Kanyamwa, my village, in Ndhiwa. I want us to condole with his family and remember what Hon. Dalmas stood for. As young people, we really aspired to be like Hon. Dalmas because he went to Makerere University. During those days, getting a university degree was an achievement. He was a scholar, experienced and educated. One thing we can always celebrate as people, while still on Earth, is how to exercise power through humility. That is what he was. He practised clean politics and never insulted anybody.

I urge the family to stay strong. May God give them the strength. It is a difficult time, but through God's grace and power, they will see this through. Thank you.

**Hon. Speaker:** Hon. Keynan.

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

I interacted with Hon. Dalmas as a businessman under the BT group of companies, as a Minister, as a Member of Parliament and finally, as a Commissioner with the SRC. From the first interaction, you would notice that he was a genius. If you had a debate or an altercation with him, he would first humble you with his infectious laughter. Before the issue even commenced, you were already humbled. One of the things that I learnt from him in politics is that the political class is always second to your family members. Hon. Dalmas would always say that this is politics. Politics was sometimes hostile and he would always say that every politician is a member of his extended family.

Later on, when he became a Member of the SRC, he acted as a critical link between the institution of Parliament and the Commission. He finally helped us solve some of the problems that had been affecting the institution of Parliament. To the people of Rongo, the family and all friends, we say *pole*. I am sure God has a purpose for everything. *Poleni*.

**Hon. Speaker:** Hon. Milemba.

**Hon. Omboko Milemba** (Emuhaya, ANC): Thank you, Hon. Speaker.

I did not interact with Hon. Dalmas as a Member of Parliament but on the streets during the days when teachers would go on strike every December. When he was in the public service, he gave teachers study leave with pay, which the Deputy Leader of the Majority Party talked about. When he noticed that the Government was not able to pay pensioners at that time, and we still had the same challenge, he extended the retirement age from 55 to 60 years, saying that in those five years, people were still strong and could continue working.

He also founded what we now have as the Public Service Superannuation Scheme, the contributory pension scheme for the public service, teachers and the police. When we met him, we were a very hostile group of trade unionists, but he humbled us with his brilliance and we accepted that the scheme was working.

There was also a time when we had hidden some documents from the Government yet it had signed them. It was called Legal Notice No.116. Teachers would go on strike because of Legal Notice No.534. Hon. Dalmas, in one of the negotiation sessions, walked in with Legal Notice No.116 and we all left and called off the strike. We can never forget Hon. Dalmas. He was a genius and a truly serious public servant and we remember him for that. We send our condolences to the people of Rongo as they mourn Hon. Dalmas Otieno, a very brilliant son of Kenya.

**Hon. Speaker:** Member for Kamukunji.

**Hon. Yusuf Hassan** (Kamukunji, JP): Thank you, Hon. Speaker for giving me this opportunity to contribute to the obituary of our late colleague, Hon. Dalmas Otieno.

I had the opportunity to serve with him in the 10<sup>th</sup> and the 11<sup>th</sup> Parliament, and although he was senior, I had a very good relationship with him and had many conversations. He was a good listener. I learnt a lot from his experience as a former Minister in the Kenyan Government and from the reforms and ideas he brought to those Ministries, which changed their bureaucratic structure and improved service delivery to the Kenyan people. I also learnt that he had the gift of the gab. He was a great orator who could express himself fluently and clearly. It was wonderful to see how he used this Chamber to articulate his ideas, as well as serve his Constituency. He had a very high sense of professionalism and exceptional leadership qualities. I send my condolences to his family and friends, and may he rest in peace.

Thank you very much.

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

**Hon. Caroli Omondi** (Suba South, ODM): Thank you very much, Hon. Speaker.

You will recall that you and the dearly departed Hon. Dalmas Otieno employed me as the first General Counsel, and eventually the Chief Executive Officer of the Electricity Regulatory Board, now the Energy and Petroleum Regulatory Authority (EPRA). Hon. Dalmas was quite a phenomenon. When we worked together in the Grand Coalition, we initiated together with a gentleman called Sylvester Obongo, the Rapid Results Initiative, how to fast-track government delivery systems. He was also very helpful to our political movement in the run-up to the 2007 General Elections. He was part of our strategy team. He did quite a lot in development, as you have heard about Rongo University and many initiatives, educating quite a large number of students in Rongo and beyond. He was also a very strong businessman. He was the first member of the Luo nation to own a financial institution; Dhabiti.

We have a lot to say about Dalmas, but I would like to invite all of us in the space of politics to reflect on his life and to ask ourselves, how do we treat those with whom we do not always agree? How do we engage with those who have different political opinions? Do we have the wisdom to pull together to save and serve the country or are we always on the extreme end of the divide? Other than praising him, I think it is important that we learn and draw some lessons from his life and his politics. May his soul rest in eternal peace and may perpetual light shine upon him.

Thank you, Hon. Speaker.

**Hon. Speaker:** I served with Hon. Dalmas Otieno in this House from the 7<sup>th</sup> Parliament. We were Members of the Inter-Parties Parliamentary Group (IPPG) that brought some political sanity to the country when it was spiralling towards a chaotic political election. We have been good friends. The Kangeso School that was mentioned by Hon. Junet and Hon. Abuor, the first harambee to start that secondary school was presided over by yours truly here, on his invitation. And we have maintained, up to his demise, a very cordial relationship. He visited me in my

Chambers up here three weeks before passing away, where we sat and he was very jovial. He was always talking about Kenya.

Those of you who are in the 2013 Parliament, you know he was one of the people who started and conceived Coalition for Reforms and Democracy (CORD) as a coalition and designed it to go to elections. We have lost a great man and we will be at Kangeso to see him off on 2<sup>nd</sup> October. I request you to be upstanding, to observe a minute of silence. Even those in the Galleries, be upstanding.

*(Hon. Members observed a moment of silence)*

**Hon. Speaker:** May his soul rest in eternal peace. Amen.

Next. Hon. Ken Chonga.

## REQUEST FOR STATEMENT

### DELAYED PAYMENT OF PENSIONS TO NWCPC STAFF

**Hon. Ken Chonga** (Kilifi South): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Finance and National Planning regarding delayed payment of pensions under the National Water Conservation and Pipeline Corporation Staff Superannuation Scheme.

Hon. Speaker, former employees of National Water Harvesting and Storage Authority who retired between 2018 and 2023 upon attaining the mandatory age of 60 years are yet to receive their full retirement benefits. The employees, who are members of the National Water Conservation and Public Corporation Staff Superannuation Scheme, which is administered by the Board of Trustees are affected.

Regrettably, the financial position of the scheme has deteriorated over time, resulting in a deficit that has severely constrained its ability to honour its obligations. As a result, retirees are only paid 40 per cent of their accrued retirement benefits, leaving 60 per cent as an outstanding balance.

Hon. Speaker, the affected retirees have made numerous efforts to seek redress by engaging both the Retirement Benefits Authority and The National Treasury, in the hope of compelling the scheme to release the outstanding balance of their benefits or to institute instalment payments and a remedial plan. But these efforts have been futile, as they remain unpaid to date.

These retirees, many of whom lack alternative sources of income and still have dependents to support, continue to face severe financial hardships and uncertainty.

Hon. Speaker, it is against this backdrop that I request for a statement from the Chairperson of the Departmental Committee on Finance and National Planning on the following:

1. The measures that the Retirement Benefits Authority has taken to cause the National Water Conservation and Pipeline Corporation Staff Superannuation Scheme to pay the remaining 60 per cent balance of the retirement benefits to those who retired between 2018 and 2023.
2. Clarification on whether funding requests by the National Water Harvesting and Storage Authority to bridge the deficit and facilitate full payment of retirees' dues were approved and disbursed by The National Treasury.
3. Specific timelines within which the retirees will be paid their full retirement benefits.

I, thank you, Hon. Speaker.



**Hon. Speaker:** Thank you. Hon. Chairman for the Departmental Committee on Finance and National Planning. Hon. Owen Baya, can you inform him to bring a response in two weeks?

**Hon. Owen Baya** (Kilifi North, UDA): Much obliged, Hon. Speaker.

**Hon. Speaker:** Hon. Members, before I call the next Order, I acknowledge in the Public Gallery, Kabiyo Secondary School from Dagoretti North Constituency, Nairobi County.

On my behalf and that of the House, we welcome the students, their teachers and those accompanying them to the House of Parliament.

Next Order.

Yes, Hon. Elachi, Member for Dagoretti North.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Speaker.

I request to be allowed to welcome Kabiyo Secondary School to the august House. As our children, our sons and daughters, the most important thing when you come to this House is to look at how many of us are from the different regions and learn a few lessons about our values. I know nowadays we have a big challenge with our children. We are good in academics, but today I pray to you that one thing you will remember for many years and one that will take you so far is remembering respect and simple words like thank you. You can hear how Hon. Members stand up and show appreciation before they speak to give honour to the Speaker who sits on the Chair.

You will also learn that all of us have come from far. Each of us here has a story. Your story will be told one day when you are seated in this House. I want you to claim in your heart that one day you will be the Member for Dagoretti North and you will come here to welcome others. You will confirm to them that you have a Hon. Member who is a mother, but very strict with discipline. I wish you well and wish your Form Fours well as they go to do their examinations.

God bless you all. Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Owen Baya.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Speaker for giving me this opportunity. I will give information that was sought by Hon. Clive Gisairo on the matter of the National Government – Constituencies Development Fund (NG-CDF).

I had an engagement with the Cabinet Secretary for The National Treasury and Economic Planning, Hon. John Mbadi, who said:

Ksh58.8 billion for NG-CDF will be disbursed before 30<sup>th</sup> June, notwithstanding the Court process.

**Hon. Speaker:** Will he do it on 30<sup>th</sup> June? We are in September.

**Hon. Owen Baya** (Kilifi North, UDA): The question was on whether the money would be disbursed before the Court deadline.

**Hon. Speaker:** Okay.

**Hon. Owen Baya** (Kilifi North, UDA): Before that, all the money would have been disbursed. From October, The National Treasury will be disbursing a minimum of Ksh7 billion per month.

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

From next month, we will be receiving the Ksh7 billion until he finishes disbursing the whole amount. He expressed willingness to appear before this House anytime he is required to give a full Statement on his plan on how to disburse the bursary, inspite of the court ruling and deadline of 30<sup>th</sup> June 2026.

He is committed to ensure that NG-CDF works as he subscribes to the fact that he was a Member of Parliament and he knows how NG-CDF helped his people. Therefore, he will continue to support and ensure it works.

Thank you.

**Hon. Speaker:** Thank you. Next Order.

### SPECIAL MOTIONS

**Hon. Speaker:** The Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations, Hon. Major Bashir.

#### APPROVAL OF NOMINEES FOR APPOINTMENT TO FOREIGN SERVICE

**Hon. Major (Rtd) Abdullahi Sheikh** (Mandera North, UDM): Hon. Speaker, I beg to move the following Motion:

THAT, taking into consideration the findings of the Departmental Committee on Defence, Intelligence and Foreign Relations in its Report on the Approval Hearings of Nine Nominees for Appointment as High Commissioner, Ambassadors and Consuls-General, laid on the Table of the House on Tuesday, 23<sup>rd</sup> September 2025, and pursuant to the provisions of Article 132(2)(e) of the Constitution, Section 20(2) of the Foreign Service Act, Cap. 185E and Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F, this House approves the appointment of the following persons as:

#### High Commissioner–

NAME	MISSION
Hon. Florence Chepngetich Bore	Windhoek, Namibia

#### Ambassadors and Consuls-General –

	NAME	MISSION
1.	Amb. Anthony Mwaniki Muchiri	Ankara, Turkey
2.		
3.	Amb. Lucy Kiruthu	Bangkok, Thailand
4.	Mr Henry Wambuma	Bujumbura, Burundi
5.	Mr. Abdirashid Salat Abdille	Jakarta, Indonesia
6.	Amb. Joseph Musyoka Masila	Riyadh, Saudi Arabia
7.	Amb. Edwin Afande	Vienna, Austria

#### Consuls-General –

	NAME	MISSION
	Ms Jayne Jepkorir Toroitich	Dubai, United Arab Emirates
	Ms Judy Kiaria Nkumiri	Goma, Democratic Republic of Congo

Hon. Speaker, the offices of the High Commissioners, Ambassadors and Consuls-General stand as Kenya's hotspots of sovereignty and service, as defined in Section 21 of the Foreign Service Act. The area of mission is not only the President's voice abroad but also the steward of Kenya's foreign policy, the custodian of our image, leaders of our diplomatic staff and the guardians of our public funds.

In this type of mandate, under Standing Order 216(5)(f), the Committee approached this task with urgency, fairness and unwavering fidelity to the Constitution, guided by Chapter 6 on Leadership and Integrity and the spirit of public participation as enshrined under Article 118. We subjected the nominees to rigorous scrutiny, measuring not only their qualifications and experiences but also, their vision and fitness to carry Kenya's flag across borders.

In keeping with Standing Order 42(2), your office relayed to the House the President's Message regarding the nomination of nine persons to serve as High Commissioners, Ambassadors and Consul-Generals. The names were accordingly committed to the Committee, pursuant to Article 124(4)(a) of the Constitution for approval hearings and reporting within the statutory timelines.

To uphold transparency, the public notice was placed in the mainstream dailies on Saturday, 23<sup>rd</sup> August 2025, inviting written memoranda on the suitability or otherwise of the nominees as required under Section 69 of the Public Appointments (Parliamentary Approval) Act and Article 108 of the Constitution.

Hon. Speaker, no memoranda were received opposing the approval of any of the nine nominees. However, the Committee received an email from one Kelvin Wanzala, concurring with the nominations and urging for regional balance in future nominations. The email was not a statement on oath contesting the suitability of the nominees as required by Section 6(9) Public Appointments (Parliamentary Approval) Act, Cap. 7F.

In view of our due diligence and as required by law, the Clerk of the National Assembly wrote to relevant agencies— the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Office of the Registrar of Political Parties (ORPP) seeking reports on the nominees' integrity through tax compliance, criminal record status, loan applications and political affiliations.

All agencies returned clean reports affirming the nominees good standing. However, in conducting its due diligence, the Committee noted that Amb. Anthony Muchiri was adversely mentioned in the Report of the National Assembly's Departmental Committee on Defence, Intelligence and Foreign Relations on the procurement, disposal and construction of Kenya's diplomatic mission in Egypt, Japan, Nigeria, Belgium and Pakistan.

The Report recommended that necessary action be taken by relevant authorities at that time against him and others considered key architects in relation to the purchase of property for the embassy in Tokyo. Subsequently, the nominee was charged with the offence of abuse of office in procuring the Tokyo Embassy property, without following due process in the anti-corruption case No. 2 of 2013. However, he was cleared of all charges for lack of evidence.

The Committee conducted oral hearings on Wednesday, 3<sup>rd</sup> and Thursday 4<sup>th</sup> September 2025 evaluating each nominee's academic credentials, professional records, integrity, nomination procedures and overall stability, as required under Sections 6 and 7 of the Public Appointments (Parliamentary Approval) Act.

Hon. Speaker, following this exercise, the Committee made the following observations:

1. Each nominee is a Kenyan citizen and has no dual citizenship in fidelity to Article 78 of the Constitution.
2. They each gave solemn assurance to engage in no other gainful pursuit, placing public duty above private interest, in keeping with Article 77(1).

3. None holds political party office, reflecting impartiality and alignment with the spirit of Article 77(2).
4. They affirmed their adherence to Articles 76 and 77 of the Constitution, vowing to uphold ethical conduct and to disclose and manage any potential conflict of interest.
5. All nine nominees demonstrated their competence, integrity and preparedness worthy of service to the Republic of Kenya while serving out there in the missions.

Here is a brief on each of the nominees, just as a recap. Hon. Florence Chepng'etich Bore is a seasoned public servant who has served the country both as a Legislator, that is as a County Member of Parliament for Kericho County, and as a Cabinet Secretary of Labour and Social Protection. She holds a Bachelor of Education Arts from Moi University and a Diploma in Education from Kagumo Teachers Training College. Her early career was in the teaching profession before she transitioned into public service and politics. On the question of integrity, the committee confirmed that clearance from all integrity agencies from Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB), Office of the Registrar of Political Parties (ORPP) and Credit Reference Bureau (CRB), with no adverse reports.

Her record is clean, and she stands fit to fly Kenya's flag abroad. She presented her vision to deepen Kenya-Namibia relations by pursuing bilateral labour relations to protect Kenya's migrant workers in Namibia's growing sector, such as mining, hospitality and education. She has previously served as the Cabinet Secretary for Labour and she stands as an expert on that matter.

Hon. (Amb.) Anthony Mwaniki Muchiri, nominee for Ambassador in Türkiye, Ankara, appeared before the committee in compliance with Article 78 (1) and (2) of the Constitution. He confirmed that he is a Kenyan citizen and does not hold dual citizenship. He is the current Chairperson of the Public Service Commission and President of the Association of African Public Service Commissions. He previously served as Kenya's Ambassador to Cuba and Libya, Deputy Chief of Mission in Egypt and a senior position in the Ministry of Foreign and Diaspora Affairs. His record includes overseeing the establishment of Kenya's mission in Havana, coordinating evacuations of Kenyans during the Libyan crisis and strengthening Kenya's presence in Latin America and the Caribbean.

On integrity matters, as I mentioned earlier, certainly he has been charged before, but he was released for lack of evidence, and therefore, he still stands a good chance to represent Kenya. The nominee presented a vision to expand Kenya-Türkiye relations through enhanced defence and security cooperation, particularly in training, technology transfer and peacekeeping. On economic diplomacy, he pledged to address Kenya's trade deficit with Türkiye by promoting exports such as tea, coffee, leather and textiles. The committee therefore recommends his appointment as Ambassador to Ankara, Türkiye.

Mr Abdirashid Salat Abdile, nominee for Ambassador to Jakarta, Indonesia, confirmed that he is a Kenyan citizen, does not hold dual citizenship, and therefore meets the requirements of Article 78 of the Constitution on eligibility of a State Officer and Chapter 6 on leadership and integrity. The nominee holds a Bachelor of Arts in Public Administration and Political Science from the University of Nairobi, a Diploma in International Studies and a Diploma in International Labour Standards from the International Labour Organisation (ILO) in Turin. He previously served as Inspector in the Ministry of Labour from 1987 to 2002, Technical Advisor to Somalia's Ministry of Labour and Chairman of Kenya Ports Authority (KPA) Joint Industrial Council from 2009 to 2020. He has participated in numerous ILO and AU Labour Conferences.

On integrity, the Committee considered his record under Article 75 and Article 77(1) and (2) of the Constitution and found no conflict of interest whatsoever. He presented a vision

to enhance Kenya-Indonesia ties through the conclusion of labour migration and agreements. This nominee has previously served in the Ministry of Labour and therefore, has a clean record on matters dealing with migration and labour issues. The Committee, having reviewed his credentials, recommends his appointment as ambassador to Jakarta in Indonesia.

Hon. Speaker, in conclusion, I am sure the Members will agree that the report is detailed for each of the members. I do not want to belabour for each specific individual. By recommending the approval of these nominees, we are persuaded that they possess the requisite academic credentials, professional competence, integrity and leadership vision to serve Kenya's envoys abroad. They stand ready to carry that mantle with dignity and purpose.

I beg to move and urge this House to adopt the Committee's Report. I now, respectfully, invite Hon. Martha Wangari to second this Motion. I thank you.

**Hon. Speaker:** Member for Gilgil.

**Hon. Martha Wangari** (Gilgil, UDA): Thank you, Hon. Speaker. I rise to second this Report.

From the start, I would not want to repeat what the mover has said. Allow me to give exactly what we were looking at in this approval hearing. Besides their qualifications, we were looking at their integrity and background. We were also evaluating the fitness for that role. On this, you will remember that this Parliament has previously declined to approve a nominee posting to the Democratic Republic of Congo (DRC). We felt he was not fit as he did not understand his role. That he was not going to add value in terms of our trajectory as a country, to stamp our sovereignty and to also stamp our regional integration, intra and outside this continent.

Hon. Speaker, this list from the President, as has been highlighted by the mover, had nine nominees. It has been my personal view and that of many other members of the committee, that even as we get nominees, we must also consider career diplomats for these opportunities. There are those people who work in the Ministry of Foreign and Diaspora Affairs for many years and never ultimately represent their country in missions. I would want to thank the President on this list specifically because he has taken cognisance of that. Out of these nine nominees, five are serving career diplomats. They include Ambassador Anthony Mwaniki, who is the current Chair of the Public Service Board, Ambassador Lucy Njeri-Kiruthu, Ambassador Joseph Masila, Ambassador Edwin Afande, and Madam Jane Jepkorir.

The President has also taken the issue of gender rule seriously. In this list, out of nine, four are women. That is Hon. Florence Bore, Ambassador Lucy, Jane Jepkorir and Judy Kiaria. Her last name was a bit difficult. Yes, Nkumiri. The mix in terms of getting career diplomats and others from outside will add to the richness our people get out there by representing our country in every way and definition of being a diplomat.

We were able to put them to the task to ensure that they understood what it takes. They understood the foreign policy in terms of the issues that we will be advancing for this country. They understood where they stood in terms of labour migration and labour mobility. The President and this government have been very keen in terms of getting people to work outside this country. Unless we have proper policies out there, they will continue having issues. I can quote specifically the nominee going to Saudi Arabia, which is a very important destination for our workers out there.

There are issues that they raised that maybe the House and the Ministry should consider. Every time we hear there is a case in Saudi Arabia and they ask, "What is the government doing?" The mission will say, "We do not have money." If it is a case in court, what can we do? "We do not have the money to hire lawyers". Maybe it is time the Ministry of Foreign and Diaspora Affairs considered having a resident legal attaché. In the same way, we have trade attachés, maybe it should be the same way we have a legal attaché in every mission. This will help our Kenyans in distress, whether they are having issues in the labour mobility space or

even in criminal matters. Sometimes I feel that as a country, we have left Kenyans to suffer too much and yet other countries take care of their own citizens. This was one of the issues that come from the vetting exercise. Maybe we should have legal attaches in the missions.

The other issue is synergy with other Ministries, specifically the Ministry of Labour and the Department of Diaspora. When we talk about labour export, there is always something that the Ministry does that is different from what the Department of Diaspora is doing. When you meet and talk to the Minister for Labour, you will discover that he does not talk to the Department of Diaspora and the Ministry of Foreign Affairs. So, synergy between them must be harnessed so that we have a wholistic government approach. Everybody who handles labour mobility must sit in one space to help our workers who are out there.

I want to say something about one nominee called, Judy Kiaria Nkumiri. This posting to the Democratic Republic of Congo (DRC) has been like a poisoned chalice. It is seen as being jinxed. When this nomination was done, the DRC had already started rejecting it even before the posting was done. So, as a country, we must sort out our relationship with the DRC as we post this nominee. Otherwise, it will be futile to keep vetting nominees and sending them to countries and they are not accepted to work in those countries.

When this lady appeared before our committee, we gave her benefit of doubt. She is a teacher who comes from Meru. She actually surprised all of us in the vetting process. She had done her homework. Her interpersonal skills and her temperament were very good. She has worked in Uwezo Fund. We felt that anyone who has worked with Uwezo Fund and the National Government Affirmative Action Fund (NGAAF) can deal with people because these funds operate at the grassroots level. Her nomination was a surprise and she is equal to the task that she is being posted to do. Hon. Millie felt that she is being posted to a very harsh environment in the DRC. We hope that that will be sorted out. If we sort out our relationship with the DRC, she will have an opportunity to prove herself. If you may remember, we said that most of the time we have been posting men to the DRC. Maybe it is time we post a woman to do magic that will ensure that we get this relationship going.

I know that my Vice-Chair has talked about all the other nominees. Ambassador Lucy Njeri-Kiruthu has worked in Washington, Geneva, Mexico, and London. She was very instrumental in the Kenya-US visa agreement that was there at Kenya at 60. We have no doubt that she will do a good job.

Ambassador Anthony Mwaniki Muchiri has served this country as a former ambassador to Cuba and Libya. We have no doubt with him because we know that he will do a good job wherever he is going.

We have nominee, Abdirashid Salat Abdille. This gentleman is a labour relations expert. He has been at negotiation tables negotiating for Kenya. We hope that he will use his experience to ensure that we have good conflict resolution and international labour standards in our mission so that we can talk about excellence.

Ambassador Joseph Musyoka Masila has also served as a director of economic and commercial diplomacy. He was involved in the drafting of the Kenya Vision 2030 and Sessional Paper No. 1 of 2025.

These are very qualified nominees. We have no doubt that they will actually represent this country and help us to stamp our hegemony in the region. They will help us as we look forward to improve Kenya's trajectory of becoming world class. We hope that they will work with the sportsmen and sportswomen of this country. One thing that I heard yesterday as we were giving accolades to our athletics team was the gap between ourselves and the missions abroad. We can do better. For example, if we have competitions in Japan, our ambassador there should take the lead to ensure that our athletes are taken care of and given the respect and support that they deserve.

With that, I beg to second.

**Hon. Speaker:** Order! Hon. Members on their feet, take the nearest seats.

*(Question proposed)*

**Hon. Speaker:** I can see on the screen names of people that I do not see here. Hon. Mary Emase. I cannot see her.

Yes, Hon. Muge.

**Hon. Cynthia Muge** (Nandi County UDA): Thank you, Hon. Speaker for the opportunity to support the Committee's Report on the Approval Hearings of nine nominees for appointment as High Commissioner, Ambassador and Consuls-General to different countries. I support the list. I want to take this opportunity to wish the nominees well, hoping that this House will pass the list as is.

Ambassadors have been very important representatives of this country in different countries. They have a very important role. They must look out for the security and welfare of Kenyans while in those nations. It is their duty to make sure that people who are working in the countries that they represent Kenya are comfortable and their welfare is well taken care of. Lately, we have had a lot of issues in countries that we have ambassadors. In the last two weeks we have had a lot of issues, especially in my county, with people who work in Qatar. I want to support what one Hon. Member said that we should make sure that they have a legal expert in missions who can help to sort out some of these issues. There was a body that was detained in Qatar for more than two months and that issue could not be sorted out because of the inefficiency of the relationship between us and Qatar. That lies squarely in the court of the Ambassador.

These nominees that have been proposed to represent this country should take their job seriously and go an extra mile. Most of the time, we go to other countries to do benchmarking whereas people who have a better lived experience as ambassadors cannot come back home and hold meetings to tell us what they have seen that can be domesticated here. Ambassadors should do their job.

I want to appreciate the Committee because it did a good job. They made sure that each and every nominee was vetted. The Committee looked at their capabilities. They have been proposed to this House because they are good enough. The Committee had a hard job of looking at the Curriculum Vitae (CVs) and the competencies of people who will do a very critical job for this country. I appreciate the Committee and wish the ambassadors the very best. I thank the President for taking the shortest time possible to submit those nominees, and the Committee for equally taking the shortest time possible to vet them. We wish them the very best. They must remember that they are the flagbearers of this country. They are the image of the country and must do a good job so that both Kenya and the people who live in the countries to which they have been nominated enjoy better security and welfare.

I support the Motion.

**Hon. Speaker:** Mama Zamzam.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Asante sana, Mhe. Spika. Niwapongeze pia Kamati andalizi ambayo imeweza kuwapiga msasa hawa walioteuliwa kama mabalozi ambao watahudumu katika mataifa tofauti. Nawapongeza walioteuliwa na niwaambie kwamba sura ya Kenya iko mikononi mwao. Wakienda nje wahakikishe kuwa wanaboresha mahusiano kati ya Kenya na mataifa wanakohudumu. Waangalie pia matunda ambayo yanaweza kuletwa katika Taifa hili ili tupate uhusiano bora baina yetu na mataifa hayo.

Naona wivu kama mama kutoka Pwani kwa sababu nikitazama orodha hii, sioni watu kutoka kwetu. Ijapokuwa walioteuliwa wanaweza kufanya kazi, wakati ujao ni vizuri kuangalia mazingira. Kwa mfano, Saudi Arabia ni sehemu inayohitaji mtu ambaye anajua itikadi, malezi na mazingira ya pale. Tunajua kuna matatizo mengi sana kule Saudi Arabia ambayo yamekuwa

yakigusa Wakenya. Zaidi ya hayo, kumekuwa na *language barrier*. Mtu akienda pale katika ubalozi na haelewi Kiarabu, inakuwa ni changamoto. Katika uteuzi ujao, tuangalie mtu anayepelekwa sehemu fulani aweze kufanya kazi akiwa amestawika vizuri.

Kama vile Mhe. Martha alivyosema, tunataka pia kupata *attachees* ambao watawasaidia wananchi wetu walioko sehemu mbalimbali. Kwa mfano, wafanyakazi kutoka Jeddah ama Ajman wakienda hadi Riyadh kutafuta msaada, ni safari ndefu. Tukipata *attachees*, watakuwa wanashughulikia matatizo ya Wakenya na kuyafikisha ubalozini pale ambapo Mkenya mwingine hawezi kufika kwa urahisi.

Zaidi ya yote, niwapongeza tena. Nawaambia kuwa ninyi ni sura ya taifa. Mkienda kule wekeni bendera ya Kenya mbele. Fanyeni kazi kwa bidii ili sifa ya Kenya ipande juu, kama vile wanariadha wetu walivyobeba bendera hivi majuzi. Waonyeshe sura ya Kenya yenye upendo katika mataifa mengine na walete mahusiano bora. Hata kama matunda yanaonekana yako kule, wawe na ujanja wa kuyafuata na kuyaelezea serikali kuwa kuna fursa ambayo inaweza kusaidia taifa.

Kwa hayo machache na mengi, nawapongeza. Asante sana.

**Hon. Speaker:** Yes, Hon. Dido Raso.

**Hon. Ali Raso** (Saku, UDA): Thank you very much, Hon. Speaker. I thank the Committee for this report. Posting of ambassadors and high commissioners is a very important work for the country. Those individuals who have been identified to represent us in foreign countries must walk the talk and represent us effectively. They are the ones who will pursue our foreign policy objectives in the countries where they are assigned.

Today, what is really important around the world is economic diplomacy, where every country is positioning itself to gain from others. Those who have been appointed as heads of mission are the flagbearers. They are the main representatives of the Head of State and of the people of Kenya.

Recently, I was fortunate to visit Botswana. In Botswana, livestock is a major part of the economy, second only to diamonds. We were lucky that the High Commissioner was able to conduct us effectively around the country. Many parts of Botswana are arid and semi-arid, but the way they have made livestock a major sector of their economy showed us that we can equally borrow from others. Had the ambassador not engaged and not done due diligence, we would not have seen those good practices.

The idea of having diplomats rise through the ranks to serve as ambassadors is important. As stated by the Hon. Vice-Chairman, we must give career diplomats a chance. If we continuously bring in people from outside, we risk undermining our diplomacy. Those who have studied, gained the necessary experience, and worked hard deserve to serve as ambassadors and high commissioners. If they are sidelined, morale within the ministry will be undermined and staff will not put in their best. Another issue is the relationship within our embassies. At times, one goes to a mission and hears of infighting. One of the key tasks of an ambassador or high commissioner is to manage the mission. If they fail to do so, those who are supposed to be served suffer.

Finally, our foreign missions are more and more about representing the diaspora. Today, the diaspora makes a major contribution to our national economy. Ambassadors and high commissioners must dedicate themselves to bringing the diaspora together and making them feel that, while abroad, the embassy is their home away from home. That way, they can contribute to the well-being and prosperity of the country.

With those few remarks, I beg to support.

**Hon. Speaker:** Hon. Members, allow me to acknowledge, in the Speaker's Gallery, Ngaru Girls High School from Kirinyaga Central, Kirinyaga County. On my behalf and on behalf of the House of Parliament, we welcome the students, their teachers, and those accompanying them to Parliament.



Yes, Hon. Amisi.

**Hon. Caleb Amisi** (Saboti, ODM): Thank you, Hon. Speaker. I rise to support the report of the Committee as well as augment the sentiments by my Vice-Chair and Members who have spoken.

This House passed the Foreign Service Bill 2023 in the last Parliament. It gave the President a leeway to include career diplomats in the appointment of ambassadors. This latest appointment has done exactly that. We have had individuals with experienced background in diplomacy, international relations, and other careers.

Politicians have also exhibited high prowess in public relations. Most of us are actually diplomats. When most of us are not re-elected, we eventually eye diplomatic, ambassadorial, and high commission positions. This is because we carry interpersonal relationships. We are here because we can talk to people and relate with them. This is one of the pillars of diplomacy. In international relations, an ambassador is what we call a plenipotentiary of the nation. They represent and have the full powers of the nation to make agreements and conventions on behalf of the nation.

Secondly, foreign and interstate relations have changed. The Committee was also concerned about how appointed individuals understood the evolving environment of diplomacy. Diplomacy and interstate relations over the years have changed since the Westphalian System of 1648. How states related with each other during the Cold War is different from how they related post-Cold War, during communism, and during imperial west capitalism period. Over the years, we have evolved and we are now talking about trade liberalisation and Artificial Intelligence (AI).

Basically, this Committee wanted to know how these individuals understand the evolving environment in which our interstate relationships are undertaken. How tech-savvy they are due to modernisation, globalisation, and technological advancements. These individuals portrayed understanding of the environment under which the states operate.

I am one of the Members who vetted the ambassadors. I have vetted ambassadors for eight years and I think this is one of the best lists brought to us. All of them are incredibly qualified people with professional acumen. We are comfortable and confident they will represent the country in international, bilateral and multilateral arenas.

Hon. Speaker, with these few remarks, I support the report.

**Hon. Speaker:** Yes, Member of Wajir West.

**Hon. Yussuf Farah** (Wajir West, ODM): Thank you for this opportunity. I also support the Committee's report.

First and foremost, I congratulate all the nominated ambassadors who will represent this country in various countries. The report has given a clean bill of health. I acknowledge and support in totality. I am one of the luckiest people in this House today because my constituent is nominated to represent Kenya in Jakarta, Indonesia. I congratulate him. Beyond reasonable doubt, I know that Abdirashid is qualified, competent, and will represent Kenya as required.

Hon. Speaker, an ambassador is the reflection of Kenya. Ambassadors advocate, represent and liaise for and on behalf of Kenya. There are many opportunities outside Kenya. Kenya, being largely an importer rather than exporter, needs ambassadors who will go out of their way to look for opportunities that will ensure Kenyan products are seen in each and every table outside this country. That is the only way the Kenyan government can create employment opportunities. Many Kenyans will get employment without going outside if everybody, including those who are here and produce and manufacture, has external representation of their interests. The representatives will work for them to give opportunities, liaise with others, and help them produce and export their products.

With those few remarks, I support the report. Thank you.

**Hon. Speaker:** Hon. Bowen.

**Hon. Kangogo Bowen** (Marakwet East, UDA): Thank you for this opportunity to support the Committee's report and all those nominated to represent our country in various countries.

Our ambassadors are our representatives in countries they have been appointed to. They represent our President and all of us. Hon. Speaker, you have been our ambassador before. You know that this is a very crucial role. This is because, apart from representing the country, we expect our ambassadors to enter into trade treaties with countries. They should look for opportunities for our products, market our country as a tourist destination, and carry our flag.

I heard the Hon. Cynthia talking about an issue which I want to take up. Why is it that, in many cases, Kenyans are being mistreated in countries like Saudi Arabia as though we do not have ambassadors or consulates in those countries? Why are they suffering? What is the role of ambassadors in those countries? In fact, apart from representation, one of the roles of our ambassadors is to protect our citizens in those countries. We should not hear cases of Kenyans who have gone overseas for jobs coming back to the country in coffins because they were mistreated and killed. Where are our ambassadors?

I support all of them and ask them to ensure that all Kenyans are safe wherever they are. We know that Kenyans are learned and skilled. We do our jobs very well wherever we go. Sometimes we ask our people to adhere to rules, regulations and laws of those countries, and register to our embassies. That is so that our ambassadors have a record of what they are doing even as they look after them.

Secondly, I believe all those on the list are very qualified. We ask that those who have worked in the Ministry of Foreign Affairs for long be promoted at opportunities like these when there are ambassadorial positions. These positions should not just be reserved for the politically correct or those who have lost an election. Our civil servants in Foreign Affairs must be motivated by promoting them to these positions.

*(Applause)*

**Hon. Speaker:** Hon. Kangogo, have you looked at the list, or do you know them?

**Hon. Kangogo Bowen** (Marakwet East, UDA): I know some of them. I do not know them all.

**Hon. Speaker:** Mr Anthony Muchiri, Amb. Lucy Kiruthu, Amb. Musyoka Masila and Amb. Edwin Afande were my officers at Foreign Affairs.

**Hon. Kangogo Bowen** (Marakwet East, UDA): That is fine, Hon. Speaker. It is encouraging to see this, and we should continue promoting our officers in the future. With those remarks, I wish to support the Report and pray that all our ambassadors will represent our country well.

Thank you.

**Hon. Speaker:** Hon. Emmanuel Wangwe.

**Hon. Emmanuel Wangwe** (Navakholo, ODM): Thank you, Hon. Speaker. From the outset, allow me to appreciate and support the report by the Committee on Defence and Foreign Relations. I thank the President for having an eagle's eye in appointing these ambassadors.

This Assembly is unique, as it brings together all of Kenya. When one examines the Report presented to this House regarding Kenya and Kenyans at large, the appointment of the nine ambassadors and nine commissioners reflects the entirety of Kenya. I therefore thank the President for this. There is a representative from the Rift Valley, one from Western, one from North-Eastern, and another from Eastern. Considering the opportunities provided, Kenya is well represented. Given further opportunities, subsequent appointments can enhance this representation.

I would also like to specifically appreciate one of the appointees, the High Commissioner, Hon. Florence Bore, with whom I had the privilege of serving with in this House during the 11<sup>th</sup> Parliament. I also had the opportunity to interact with her when she was the Cabinet Secretary for Labour. Hon. Bore is capable of representing this country to the Mission she has been assigned to in Windhoek, Namibia, as she has demonstrated commendable performance while serving in our country.

Furthermore, I wish to acknowledge the appointment of Mr Edwin Afande, a career diplomat. I have known him throughout his career in the Ministry of Foreign Affairs. Thanks to the President, he has now considered him at the helm of his appointment as an Ambassador to Vienna, Austria. Such advancement reflects the dedication of a career diplomat who has steadily risen through the ranks. I am confident that we will be well represented in Vienna, especially given his extensive experience in various senior-level missions.

What has also impressed me in this appointment is the issue of gender. Both genders, male and female, are represented in these appointments, which aligns with the principles within the Constitution of Kenya.

Finally, I wish to stress the importance of supporting these ambassadors and commissioners in terms of their budgets. We cannot expect them to perform effectively if our missions lack proper funding. It is my earnest request that the National Treasury ensures adequate funding for these missions to enable them to deliver as expected.

While we seek funding for our missions, I also encourage the ambassadors and commissioners to generate revenue for the country. They must be proactive in their roles and demonstrate the trade aspects stemming from their positions. What are we gaining from the relationship? Is it just to go and be an Ambassador? The answer is no. It is imperative that they yield tangible results, particularly in trade negotiations. They should identify opportunities for marketing Kenyan products within their respective missions.

As I wish them well, I urge them to reflect on the returns their missions generate, ensuring positive outcomes in that regard. With those few remarks, I congratulate them. I support the report.

**Hon. Speaker:** Hon. Baya.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Speaker, I wish to thank those who have contributed. I believe we are not of different opinions. We are saying the same things. We are all congratulating and thanking the President for these appointments. I think it is time now to call the mover to reply. I thank you.

**Hon. Speaker:** Do we call the mover to reply?

**Hon. Members:** Yes!

*(Question, that the mover be called upon to reply, put and agreed to)*

**Hon. Speaker:** Yes, Hon. Bashir.

**Hon. Major (Rtd) Abdullahi Sheikh** (Mandera North, UDM): Thank you, Hon. Speaker. I take this opportunity to thank all the Members, both those who contributed and those who did not, as there appears to be no contrary opinion regarding the Committee's Report. This indicates that the House has trust and confidence in the Report. We have noted all your sentiments and concerns and will ensure that they are taken care of.

I am aware that several issues have been raised concerning our career ambassadors. As noted in the Report, five out of nine nominees are career ambassadors with experience in the Ministry of Foreign Affairs. This is a good record. Moving forward, we should continue this trend, ensuring a mix of career ambassadors and nominees from outside the ministry.

Additionally, we must ensure that the missions are adequately funded and that the National Treasury releases the exchequer on time.

Hon. Speaker, we have 74 missions dotted across the globe, each requiring oversight from this Committee. I urge your office and the Office of the Clerk to adequately facilitate the Departmental Committee on Defence, Intelligence and Foreign Relations so that we can oversee and ensure that allocated funds are properly utilised.

I take this opportunity to wish all nine nominees the very best. If this House approves their appointment, they should take up their jobs and serve Kenya and Kenyans diligently. I beg to reply.

**Hon. Speaker:** Thank you.

*(Question put and agreed to)*

Before the next Order, I acknowledge the presence, in the Public Gallery, of Kamuiru Boys' High School from Kirinyaga Central Constituency, Kirinyaga County. On my behalf and on behalf of the House, I welcome the students, their teachers and those accompanying them to the House of Parliament.

Thank you.

*(Applause)*

Next Order. Hon. Murugara.

CONSIDERATION OF NOMINEES FOR APPOINTMENT AS REGISTRAR  
AND ASSISTANT REGISTRAR OF POLITICAL PARTIES

**Hon. George Murugara** (Tharaka, UDA): Hon. Speaker, I beg to move the following Motion:

That, taking into consideration the findings of the Departmental Committee on Justice and Legal Affairs in its report on the approval hearings of nominees for appointment as Registrar and Assistant Registrar of Political Parties, laid on the Table of the House on Tuesday, 23<sup>rd</sup> September 2025, and pursuant to the provisions of section 34A and Paragraph 6 of the Sixth Schedule of the Political Parties Act, Cap. 7D and Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap 7F, approves the appointment of the following persons to the Office of Registrar of Political Parties –

1. Mr John Cox Lorionokou - Registrar
2. Ms Agatha Wanjiku Wahome - Assistant Registrar.

I wish to confirm to the House that yesterday, on behalf of the Departmental Committee on Justice and Legal Affairs Committee, I tabled the Report on the vetting of these two persons. I confirm that the vetting took place when the House was on recess, and I profoundly thank the Members of the Departmental Committee on Justice and Legal Affairs Committee, including my Vice-Chairman, Hon. Eckomas Mwengi Mutuse and the eminent Members, including: Hon. Gladys Boss, the Chief Whip, Hon. Silvanus Osoro, is also a Member, Hon. Tim Wanyonyi Wetangula, Hon. John Muchira Mwangi, Hon. Makali John Okwisia, Hon. Aden Daudi, Hon. Suleka Hulbale Harun, the Senior Hon. Farah Maalim, Hon. T.J. Kajwang', Hon. Otiende Amollo, Hon. Muchangi Karemba, Hon. Stephen Mogaka and Hon. Amina Siyad Udgoon. They took their time off the recess to come and vet these two officers on 28<sup>th</sup> August 2025.

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

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

Hon. Deputy Speaker, the Report is elaborate and comprehensive. Having read this Report, and I know each Member has done so, I wish to summarise that the findings of the Committee are that these two persons are actually suitable. May I point out that on behalf of the Committee, the approval hearings were exhaustive. We were able to ascertain what was necessary, including the candidates' academic qualifications, proven knowledge and experience in the relevant field, finance, management, political science, law, governance, and public administration.

When it came to the first nominee for the Office of the Registrar of Political Parties, which is a very important office, especially now that we are moving towards another general election, where this Office is going to play a pivotal role in ensuring that political parties are in order and well organised to nominate candidates for the general election. We were keen to know whether Mr John Cox Lorionokou was qualified to hold this position, and we were left with no doubt whatsoever that he actually does.

As regards his background, it is important for the House to note that Mr John Cox—that is a very good English name, Mr Lorionokou, is a Pokot from West Pokot, Kacheliba. He is a very humble person who comes from a very humble background. This demonstrates that Kenyans have equal opportunities. You do not have to come from a very big community; you can come from the smallest of communities, and you will have equal opportunity with the people who come from big communities. So, with a very humble background, having done his primary school in Kacheliba, all the way up to when he did his Bachelor of Education (Arts) at Maseno University, and is now an ongoing student for a Master's Degree in Arts regarding Governance and Ethics. We are satisfied. That background suits him.

Additionally, we were able to look at his work experience. This is a person who has worked for a long period of time with election bodies. He started as a junior officer, County Director, Children in Pokot Educational Funding, in West Pokot County, all the way up. By the time he left he was the County Elections Manager with the Independent Electoral and Boundaries Commission (IEBC) in Elgeyo Marakwet. He has done all this absolutely to show that he is knowledgeable in election matters.

As regards his net worth, which is extremely important because we need to know how much one is worth as you get into such an office, so that two years down the line, if we hear you are swimming in riches, we can tell that you have not obtained your wealth the right way, unless you can sufficiently explain. He is worth a modest figure of Ksh50 million. He convinced us that that is his net worth. We told him that he is among the people who are required most because they can render services without having to look for material gain in it.

He also confirmed that he is not a member of any political party, and that he is going to ensure that our political parties are run in the fairest and competent manner as they are supposed to. And since he does not hold any dual citizenship, has no debt, has clearance certificates with the Directorate of Criminal Investigations (DCI), the Ethics and Anti-Corruption Commission (EACC), the Higher Education Loans Board (HELB), Kenya Revenue Authority (KRA), the Office of the Director of Public Prosecutions (ODPP), Office of the Registrar of Political Parties (ORPP) and all other statutory bodies required to have confirmed his appointment. Therefore, we were able to confirm that he is suitable.

For the Office of the Assistant Registrar, a lady by the name Agatha Wanjiku Wahome, who hails from Nyeri County, was proposed and nominated for that position. We were also able to vet this lady to confirm whether she was suitable to step in as the Assistant Registrar, bearing in mind that she would be assisting the Registrar in ensuring that our political parties

work to our satisfaction. She had the necessary academic qualifications, all the way up to a Master's Degree in Management and Business from Strathmore University.

Her work experience showed that for a long time, she had worked as an Integrity Assurance Officer, Data Protection Officer, and Risk and Compliance Manager in IEBC. This was very important because it gave her the experience required by a person occupying such a position.

Thereafter, we looked at her integrity. We had to seek confirmations from the various statutory bodies regarding her indebtedness, clearances, Good Conduct, and each of the required clearances. We received this to confirm that the lady is actually suitable to serve as the Assistant Registrar of Political Parties. Having observed all these, and bearing in mind that we were required to confirm to this House that these persons have the knowledge and are suitable to hold these offices, we did not hesitate to recommend to this House that it approves the appointment of Mr John Cox Lorionokou as the Registrar of Political Parties. It also approves the appointment of Ms Agatha Wanjiku Wahome as the Assistant Registrar of Political Parties.

As I move, I wish to remind these officers what we told them during vetting. The entire country is looking upon them to execute their duties with diligence and with the honesty required of public officers. We know very well we have various types of parties in this country, including the big parties, which are always proud of themselves, especially when they get the lion's share of the Political Parties Fund. These are the people who will be administering that Fund. They must also remember that the criterion goes down to the small parties. Whether briefcase or not, they are also entitled to what is rightfully theirs under the Political Parties Fund. This includes registrations and nominations which have to be done and everything that pertains to the upcoming general election of 2027.

With those remarks, I beg to move. I request my able Vice Chairperson, the Hon. Eckomas Mwengi Mutuse, to second.

**Hon. Mwengi Mutuse** (Kibwezi West, MCCP): Thank you, Hon. Deputy Speaker. In seconding the Motion, allow me first to appreciate our Chairman for the leadership he provided us during recess while vetting the nominees that are the subject of this afternoon's hearing before this Parliament. I also appreciate the Members of the Departmental Committee on Justice and Legal Affairs, including the Hon. Deputy Speaker, for finding time during recess to perform this very important national duty.

I do not wish to repeat what the Chairman has said because both the Report and his oral submissions were quite elaborate. However, allow me to point out that what we are doing today is a dictate of the Constitution. Article 4(2) declares that Kenya is a multi-party democracy. Our democracy is exercised in the terms provided under the national values and principles of governance set out in Article 10 of the Constitution. It is partly pursuant to this that Parliament enacted the Political Parties Act and provided for the two offices that are the subject of this afternoon's debate: the Office of the Registrar of Political Parties and the Office of the Assistant Registrar of Political Parties. Their duties are threefold: to register political parties; to regulate the affairs of political parties and to manage the Political Parties Fund that is provided for in law in order to assist political parties to deepen democracy both within the parties and in the country. Therefore, as we consider this, Members must realise that the nominees we are debating today are going to occupy very important offices that are core in the running of our democracy.

Our duty was to look at their educational qualifications. In seconding, I confirm that both of them are qualified. The Political Parties Act also requires certain years of experience, and we confirmed they have that. In terms of integrity, we relied on reports from vetting bodies. None returned a negative verdict. There were no adverse memoranda presented before the Committee to impugn the integrity of either nominee.

Therefore, I stand to urge the House to approve the Report of the Departmental Committee on Justice and Legal Affairs as presented.

As a House and country, we may also be aware that the office of the Registrar of Political Parties fell vacant recently. The holder of the office, Ms Ann Nderitu, who had served for quite some time, was nominated, vetted, approved and appointed as a Commissioner of the Independent Electoral Boundaries Commission (IEBC). Therefore, there is urgency in filling this office for purposes of preparedness for the next general elections.

With those few remarks, I second the oral submissions of the Chairman and I second the written Report. I urge the House to approve the two nominees to their respective positions. I thank you, Hon. Deputy Speaker.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Justice and Legal Affairs Chairperson, Hon. Murugara.

APPROVAL OF NOMINEE FOR APPOINTMENT AS  
CHAIRPERSON OF THE KENYA NATIONAL  
COMMISSION ON HUMAN RIGHTS

**Hon. George Murugara** (Tharaka, UDA): Hon. Deputy Speaker, I beg to move the following Special Motion:

THAT, taking into consideration the findings of the Departmental Committee on Justice and Legal Affairs in its Report on the approval hearing of a nominee for appointment as Chairperson of the Kenya National Commission on Human Rights, laid on the Table of the House on Tuesday, 23<sup>rd</sup> September 2025, and pursuant to the provisions of Article 250(2) of the Constitution, Section 11 of the Kenya National Commission on Human Rights Act, Cap 7L and Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap 7F, approves the appointment of Ms Claris Awuor Ogangah as the Chairperson of the Kenya National Commission on Human Rights.

Hon. Speaker, on the 28<sup>th</sup> of August 2025, the Departmental Committee on Justice and Legal Affairs considered the suitability of the nominee of the chairperson of the Kenya National Commission on Human Rights, Ms Claris Awuor Ogangah.

I thank Members of the Committee, starting with the Deputy Speaker herself, who sits as a Member, and the Vice Chairperson, Hon. Eckomas Mwengi Mutuse, Member of Parliament for Kibwezi West. We must also appreciate Hon. Onyiego Silvanus Osoro, Member of Parliament for South Mugirango Constituency. The other Members are: Hon. Wanyonyi Timothy, Member for Westlands; Hon. John Michael Muchira Mwangi, Member for Ol Jorok; Hon. John Makali Okwisia, Member for Kanduyi; Hon. Aden Daudi Mohammed, Member for Wajir East; Hon. Suleka Hulbale Harun, Nominated Member; Hon. Farah Maalim, Member for Dadaab; Hon. Francis Kajwang' Tom Joseph, Member for Ruaraka; Hon. (Dr) Otiende Amollo, Senior Counsel, Member for Rarieda; Hon. Muchangi Karemba, Member for Runyenjes; Hon. Mogaka Stephen, Member for West Mugirango; and, Hon. Siyad Amina Udgoon, Member for Garissa County

These are the Members who sat through the vetting process of the proposed Chairperson of KNCHR. It is very important for the country to note that there are issues being raised regarding human rights. It was in the interest of the Committee, the House and the country that the vetting process was concluded as soon as it was practicably possible so that we have a

chairperson in place to deal with many of the matters, including the proposed compensation to victims of demonstrations that took place recently.

The Report was tabled and Members have read it. It is comprehensive and covers all the spheres that we are required to tackle when conducting approval hearing. On citizenship, we confirmed that Ms. Ogangah is a Kenyan and does not hold any other citizenship. She was born in Nairobi, although she confirmed she is from Homa Bay. She holds various certificate degrees, including a Bachelor of Laws degree and a Master of Law degree from the University of Nairobi. Therefore, she is academically qualified and we did not have any issue with the certificates that were produced before us.

As regards experience, which is the most important thing when it comes to the work this nominee is being appointed to, we confirmed that she has done various works including on human rights, including with the Federation of Women Lawyers (FIDA) Kenya. She worked there representing people who are downtrodden, especially ladies. She there as the Deputy Executive Director and Head of Programmes, before proceeding to work as a Human Rights Officer with the United Nations High Commission for Refugees (UNHCR). After that, she became a Human Rights Specialist and Deputy Head of Office at UNHCR in Nairobi. With such a background, this is a person who, in our view, can run the office to the satisfaction of Kenyans.

We looked at her writings which, in my view, are relevant. We also looked at all the other aspects including what we got from entities under Chapter 6 of the Constitution regarding ethics and integrity. All the entities returned papers to the effect that she had no questions with the Directorate of Criminal Investigations (DCI), Higher Education Loans Board (HELB), Office of the Registrar of Political Parties (ORPP), Director of Public Prosecutions (DPP), Ethics and Anti-Corruption Commission (EACC) and other integrity institutions.

When we asked her about her relationship with the Panel of Experts set up on compensation of victims of demonstrations and public protests, which in our view is a mandate under KNCHR, she was able to demonstrate that this entity is going to work closely with her office such that there is no antagonism between the two. There is going to be unity between the two offices so that they are synchronised and able to give Kenyans the best results regarding the proposed compensation.

Having considered all these matters and listened to the candidate, we were convinced that she is suitable for the work. Therefore, we call upon this House to approve the appointment of Ms. Claris Awuor Ogangah to the office of the Chairperson of KNCHR.

With those remarks, I request the Vice-Chairperson of the Departmental Committee on Justice and Legal Affairs, Hon. Eckomas Mwengi Mutuse, to second the approval.

Thank you very much.

**Hon. Deputy Speaker:** You may proceed to second briefly.

**Hon. Eckomas Mutuse** (Kibwezi West, MCCP): Hon. Deputy Speaker, I will be very brief. I stand to second the Motion as moved by the Chairman that Ms Claris Awuor be approved by this House to be the new Chairperson of KNCHR. I second.

*(Question proposed)*

**Hon. Deputy Speaker:** Hon. Kaluma

**Hon. Peter Kaluma** (Homa Bay Town, ODM): Hon. Deputy Speaker, thank you very much. Let me congratulate the Departmental Committee on Justice and Legal Affairs for a good Report, which we have read through.

*[The Deputy Speaker (Hon. Gladys Boss) left the Chair]*



*[The Temporary Speaker (Hon. Farah Maalim) in the Chair]*

Hon. Temporary Speaker, today the whole nation knows that the Vice-Chairperson of the Departmental Committee on Justice and Legal Affairs, Hon. Mwengi Mutuse, does not only bring impeachment Motions which succeed but also stands before the Floor to approve appointment to various State offices. I join the Committee in recommending the approval by this Assembly of the nominee. The warning is clear, if they go in and play around, Hon. Mwengi Mutuse has the power to appoint and to bring impeachment Motions to this House to remove them. And when he does, we will always oblige.

The KNCHR is a very important Commission because this is one country which has one of the richest human rights provisions, under Chapter 4 of the Constitution. In fact, as a comparative constitutional law practitioner, the US, Africa and Europe cite the Bill of Rights, embodied in Chapter 4 of our Constitution, as a true human rights north and a guiding document of what human rights and fundamental freedoms for all persons, not just for citizens, should be. I hope this House resolves that we approve these nominees so that they go into the office. As I urge this House to do so, there is one challenge we are facing in the country today. It is on how to balance matters stability of the state, and the enjoyment of human rights and fundamental freedoms. We had a very untidy situation in June 2024. Yet you hear people just talking of human rights all the time. But they are forgetting about the stability of the state. I caution that as we move through this approval hearing, and if the House so resolves and they are appointed, we want these commissioners to have that careful balance. We cannot have a situation in which we lose the state.

I wanted to report here that in June 2023 we went with Hon. Martin Owino to the European Union Parliament in Brussels. Hon. Martin will confirm to you that there was a time I was to address stability and how Kenya can assist in keeping peace and security in the Horn of Africa. The delegation from Sudan stopped me midway on a point of order saying I cannot talk about Sudan. They did not know that a short while after that Sudan would be in the situation where it is.

There is a day during the times we had the Gen-Z issues that I posted on my X account that ‘better a bad government than no government’. Hon. Martin Owino had been called by those people who shouted us down and who were warning us not to allow Kenya slide into a stateless situation. Therefore, sometimes we make sacrifices at the political level which people take for granted, yet they are very critical. They save the state so that we can continue enjoying human rights. I have heard very many young people saying, “Baba betrayed us”. If you can recall events of 24<sup>th</sup> June 2024, they started as ‘reject Finance Bill’. Once we amended all the provisions, it became ‘Ruto must go’. Once we were done with ‘Ruto must go’, it moved into ‘*kufa dereva, kufa makanga*’, which meant both the President and the Deputy President must go.

We have to say this when we have young people in this House. That the Constitution in Article 146(2) says that where both the President and the Deputy President are not there, the Speaker of the National Assembly, that means you, takes over for 60 days. Within which, the country has to go for elections. Remember we did not have an Independent Electoral and Boundaries Commission (IEBC). It meant at the lapse of 60 days we would have been in a situation where there was no leader for this country. Where only anarchy would be reigning. Where the strongest, whether it is civilian or military coup would be reigning. The first thing we would have lost is this beautiful Constitution with its Bill of Rights. I therefore caution that there are some sacrifices we make as political leadership. I thank my party leader, the Right Hon. Raila Amolo Odinga for always being patriotic.

Let us send these commissioners into the commission, but remind them not to think about human rights to the extent that we become riotous, chaotic and end up with a situation

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where there is no state. If we had not intervened under the leadership of Baba and our President, we would have no country right now. This is because there are people who take things lightly and always want to follow what is popular. Sometimes you need leadership decisions. And in most cases, they are very difficult. I urge that we resolve as a House to approve these nominees. As they go into office, let us protect human rights and not have a situation.

See what the President has proposed. See how beautiful it is. Allow me to say this as the last thing. The President is saying that in enjoyment of human rights and civil liberties, we have lost so many Kenyans. The President has constituted a team, then some idle Kenyans go before a court of law stopping that team from working. A police officer fired a warning shot somewhere and a very young and beautiful Kenyan girl was hit by a bullet while in her parents' sitting room. If you leave the parents of that girl to go to court for reparation, it will not succeed. As a lawyer, you know that that parent will have to prove negligence on part of the police. The police will simply say that they were shooting a warning shot and it ends there. The case will not go anywhere. You will have to prove this bullet came from the police. You will have to prove there was negligence. There are cases where the President is saying we need to heal as a nation. We want to go as back as possible. But as a lawyer, you know that in the Limitation of Actions Act, the cases of 2017 cannot be accepted before any court of law.

I ask those Kenyans who are politicking to draw a line between President Ruto the person, President Ruto the Head of State and symbol of national unity, and President Ruto the Commander-in-Chief of the Defence Forces. And the National Police Service (NPS) is not part of the defence forces. Therefore, when the Head of State is making proposals so that we can heal as a nation and move forward, we do not want judicial overreach. Where the Judiciary takes the place of the Executive, controlling how the Head of State in healing the nation to be united and to move together, should do their things. I urge that we take away even those cases that are in court and have a system that can allow for compensation of all Kenyans. I know human life cannot be compensated, but we want to move together within the realm and context of human rights.

I wish these commissioners well as they go into work. We need to keep that delicate balance so that we respect the institutions and offices of the presidency and the leaders who make sacrifices. This will ensure that we will always have Kenya to continue to enjoy our human rights and fundamental freedoms.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Very well spoken indeed. The Chair is not supposed to celebrate, but what a statesman you are today. Great. You need a nation before you can enjoy rights. The destruction of a state, anarchy and chaos cannot become a substitute to the state and the nation.

Before I call on somebody else on the same, I ask the Member for Kirinyaga Central, my old colleague in the Seventh Parliament, to proceed and give a word of encouragement to the students from his constituency. Was it the 10<sup>th</sup> Parliament or the Seventh Parliament? Yes, Hon. Gitari.

**Hon. Joseph Gitari** (Kirinyaga Central, UDA): Thank you, Hon. Temporary Speaker. Thank you also for remembering that we were with you that long ago.

I appreciate and welcome the students of Kamuiru Secondary School. I am an alumnus of Kamuiru Secondary School. They came here today to see what we do because they are future leaders. On the other side, I appreciate Ngaru Girls High School. Those beautiful girls are from Kirinyaga and they are doing very well. I welcome you to Parliament and tell you that I came to Parliament for the first time when I was elected.

Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Is Hon. Gichimu, Member for Gichugu, in the House? He is not in the House. He just put in the card and then disappeared. Hon. Martin Owino, are you in the House? Proceed.

**Hon. Martin Owino** (Ndhiwa, ODM): Not on this one.

**The Temporary Speaker** (Hon. Farah Maalim): Not on this one. I will give an opportunity to Hon. Caroli Omondi first. Do you wish to contribute on this or you plugged your card for something else?

**Hon. Caroli Omondo** (Suba South, ODM): Hon. Temporary Speaker, I am waiting for the next Special Motion.

**The Temporary Speaker** (Hon. Farah Maalim): Okay, fair enough. The Deputy Leader of the Majority Party in the House, Hon. Owen Baya.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I want to join my friend, the Member for Kirinyaga Central, in welcoming the very well dressed and smart students in the Speaker's Gallery. You are welcome to the National Assembly to listen and to celebrate your presence. Not everybody gets a chance to come to this House. Feel very special and thank your teachers for ensuring you are here.

I want to contribute to this Special Motion on the Floor. I support the appointment of the Chairperson of the Kenya National Commission on Human Rights (KNCHR). On human rights, I take my cue from my educated friend, Hon. Kaluma.

**The Temporary Speaker** (Hon. Farah Maalim): You cannot call him 'a learned friend'.

**Hon. Owen Baya** (Kilifi North, UDA): Yes, I have disassociated myself from that term. I will call him 'my educated friend', Hon. Kaluma. All the things we have seen and experienced rise and fall on issues of human rights. Human rights define a democracy. Kenya as a democracy must continue to remain strong and observe human rights because human rights are people's rights and people's rights are human rights.

When Ms. Claris Awuor Ogangah takes over the mantle of the KNCHR, we expect her to do a good job. During the Gen Z riots, there was a lot of conflicting information from the KNCHR. They said 60 people had been killed, then they said 70 people had been killed. They are a Government body. Why was it so difficult for them to coordinate with other Government agencies to give the right information?

There are many officers in this country who, when given guns and an opportunity to serve the country, want to do it without consideration of law, human rights or the Constitution. We saw that young police officer on the streets of Nairobi who just took a gun and shot someone. The person died as he walked away. It was then said that the President or the Government had killed people and yet, one person should have upheld the Constitution and said that they had a duty to arrest, apprehend and take the guilty party to a court of law. That is how we respect human rights. The rights of Kenyans are human rights. Anyone who is given an opportunity to work in the military or the Kenya Defence Forces (KDF) should respect human rights.

We do not need human rights activists to remind us about human rights. We should be conscious of human rights as those who have been empowered to superintend over duties for Kenyans. That is what defines a great democracy. We saw the police officer in the United States of America (USA) who put his knee against another person's neck. Do you remember that case? He is called Floyd...

**The Temporary Speaker** (Hon. Farah Maalim): George Floyd.

**Hon. Owen Baya** (Kilifi North, UDA): Yes. That black man died. He was killed by a police officer and the whole situation became a mess that cost the then President of the USA, Donald Trump, his seat. Just that one mistake by one police officer.

Apart from the KNCHR making noise and talking, I want them to be proactive. They should go out there and engage with uniformed police officers, teach and induct them on issues of human rights, so that we do not lose lives because someone thinks that the only way to defend the Government is by shooting someone. That is not how you defend, police or superintend over the Constitution and the mandate that you have been given. It is not. It is about upholding even the rights of a thief or a criminal because they have rights. That is what we want the KNCHR to go out there and do. They should educate them and make sure they follow the law. Let Kenyans know what is happening. Most importantly, they need to take the education function very seriously.

We see a lot of human rights abuses by people in power. We see a chief going out to break all the barrels and plates in the homestead of a *chang'aa* brewer instead of just arresting him, just because he is a criminal. Who is the chief to say that the *chang'aa* brewer is a criminal before a judge rules so? Who is he to start beating up the *chang'aa* brewer? We need to observe human rights.

I like what my educated friend, Hon. Kaluma, has said. We must jealously guard our freedom and democracy as a nation, so that we continue to uphold our country's unity without being divided by anything. The Constitution states that Kenya is an indivisible nation. We cannot divide it on a tribal basis. The moment you start discriminating against me on the basis of tribe, you are infringing on my human rights. The moment you start saying that this tribe is more important than the other, we will not have a State. This country is proud of its diversity, but it is also an indivisible nation.

*(Applause)*

That is why people from minority or big tribes all deserve equal opportunities. I like the appointments that the President has made. We have approved the Registrar of Political Parties, Mr John Cox Lorionokou, a minority from West Pokot County, who has been given an opportunity to serve this country. That would not have happened before. Who is the Chairperson of the Independent Electoral and Boundaries Commission (IEBC)? Another minority. Everybody must get an opportunity to serve this country, whether you come from a big, small or no tribe. You must be given an opportunity because you have the wherewithal to run an organisation. Those are the things that make us Kenya.

I want someone from Suba...

*(Hon. Caroli Omondi spoke off the record)*

Yes. Like Hon. Caroli Omondi. You are a very brilliant lawyer but if people judge you by your tribe, you will not be appointed anywhere. However, if we start seeing each Kenyan as belonging to our country in spite of the tribe that he or she comes from, we will be upholding human rights.

I was in Vienna with the County Women Representative of Turkana County when the appointment of the IEBC Chairman was announced. We were on our way to Austria from Hungary. This lady was so excited, not because the person who had been appointed was from her area, but because for the first time, Kenya had recognised small tribes. That is where we need to go. We must stop the notion that only one tribe can serve in the Cabinet. We must stop giving one tribe 10 slots in the Cabinet while others are left out. I look forward to 2027 when every tribe, whether big or small, will be included in the positions that matter in this country. That is when we will be able to build a country, nation and State that is woven together for the future and prosperity of this country.

I support the Special Motion. Hon. Temporary Speaker, if you allow me, because everybody is of a similar opinion, I would like to request you to call the Mover to reply.

*(Laughter)*

**The Temporary Speaker** (Hon. Farah Maalim): As a matter of fact, I only see Hon. Omboko's name on the screen. Hon. Omboko, did you withdraw your intervention on this Motion? There being no more interest to speak to this Motion, I call upon the...

*(Hon. Omboko Milemba spoke off the record)*

Do you want to contribute to the Motion or do I now call upon the Mover to reply?

**Hon. Omboko Milemba** (Emuhaya, ANC): Let me say something.

**The Temporary Speaker** (Hon. Farah Maalim): Proceed, Hon. Omboko.

**Hon. Omboko Milemba** (Emuhaya, ANC): Thank you, Hon. Temporary Speaker. The KNCHR is very important for this country, given that the Constitution of Kenya, 2010, which was promulgated by the late President Mwai Kibaki, was largely founded on two bases – the governance system and human rights. Human rights took centre stage in terms of what Kenyans wanted. Therefore, this is a very important Commission which, as members take oath of office, will guard its centre very well.

Human rights in this country have been at the centre stage. Everybody talks about “my rights”. Our rights are broad. Away from political rights, we have consumer and economic rights. They only concentrate on one item, which is political rights and matters around that. They forget all the other rights that they also need to champion and discuss. It is very important that, as they do their work, they also consider the fact that all rights, as we teach in schools, have their limitations. It is very important that, as they propagate those rights, they also talk about the limitations. That way, it is easier for the citizenry to be enlightened that all rights have limits. Sometimes I notice that rights are propagated forcefully without any consideration of limitations. This results in infringement on the rights of other people. I hope the members and those proposed to this office will do their work diligently and rise above the old version of focusing mainly on agitation, without also educating the masses on the limitations of rights, other avenues of rights and what is expected of citizens to move forward.

For instance, when we sometimes lose sight of matters concerning taxation, that is a responsibility of a citizen. However, they will never speak about it even though governments are run by the taxes people pay. I wish them the very best and hope that they will do their work diligently.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): There being no further interest, I call upon the Mover to reply.

**Hon. George Murugara** (Tharaka, UDA): Thank you, Hon. Temporary Speaker.

As I reply, I thank the contributors. We are all in agreement that this is an important appointment which we must execute as required by law and in the best interest of our country. It is vital that at all times, we keep our country united. Political parties must also endeavour to ensure that they do not divide us along community or ethnic lines by limiting membership to certain regions and using this as bargaining power. We should form parties that cut across the country so that Kenyans remain one people, under one nation, one flag and one presidency. That is what is being advocated today and anybody acting contrary to this is not in tandem with the views of Kenyans.

To the Chairperson of the Kenya National Commission on Human Rights, once you are approved by this House, you must do your work seamlessly and courageously. You must ensure that the rights of Kenyans, which are paramount, are not trampled upon.

With those remarks, I beg to reply.

*(Question put and agreed to)*

**The Temporary Speaker** (Hon. Farah Maalim): Next Order.

### MOTION

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Jane Kagiri, please, move your Motion.

#### EXTENSION OF THE TERM OF THE AFRICA GROWTH AND OPPORTUNITY ACT

**Hon. Jane Kagiri** (Laikipia County, UDA): Hon. Temporary speaker, I beg to move the following Motion:

AWARE THAT, the African Growth and Opportunity Act (AGOA), enacted in 2000, was designed to enhance economic development and strengthen governance in eligible sub-Saharan African countries by granting duty-free access to the United States of America market, thereby increasing trade and investment;

Recognising that, AGOA has played a critical role in expanding trade, attracting investment, and creating employment, especially for low-income workers, thus fostering economic growth and social stability;

Concerned that, the current extension of the AGOA programme, which was granted in 2015, is set to expire in September 2025, posing a serious risk of economic disruption, will cause job losses of approximately 66,000 Kenyans and many other related indirect job losses, and result in increased poverty across AGOA-dependent sectors in the sub-Saharan region;

Noting that, women comprise approximately 75% of the direct beneficiaries of AGOA, and that their incomes directly support education, healthcare, and poverty alleviation;

Acknowledging that, AGOA has significantly boosted African exports to the United States of America, including agricultural products such as coffee, nuts, fruits, and vegetables, amounting to over USD 500 million in 2020, as well as enhancing local textile and cotton industries that have generated thousands of jobs;

Further acknowledging that, the expiration of the term of AGOA would trigger market uncertainty, deter investment, disrupt supply chains, and adversely impact both African and American businesses that rely on AGOA-linked trade;

Cognisant of the fact that AGOA has been greatly beneficial to the United States by supporting supply chain diversification, strengthening bilateral trade ties, and connecting United States of America businesses to opportunities under the African Continental Free Trade Area (AfCFTA);

Appreciating that the continued existence of the AGOA framework would enhance the trade and investment prospects for both the United States of America and the eligible countries in Africa;

Now therefore, this House urges the Government of Kenya, in collaboration with the Government of the United States of America, to pursue an extension of the

African Growth and Opportunity Act (AGOA) for an additional sixteen (16) years, until 2041, to safeguard the economic gains, protect livelihoods, and promote long-term stability and prosperity across the African Continent and in the alternative, in the case of non-renewal, there be a transition period of two (2) years to develop a trade deal that shall safeguard the businesses and job opportunities in both Kenya and the United States of America.

Hon. Temporary Speaker, the African Growth and Opportunities Agreement is an economic policy that grants eligible countries in sub-Saharan Africa duty-free access to the US market. It is good for us first to ask ourselves what the genesis of AGOA was. The AGOA was born when the General Agreement on Tariffs and Trade was to be reviewed under the World Trade Organisation (WTO). The idea behind it was to increase membership of the WTO. Economic attachés from the United States of America were instructed to visit African governments and encourage them to join the WTO. When they did so, all governments rejected the proposal because they knew the challenges they had faced in trade between themselves and the United States of America.

In those years, Africa was viewed as a place of charity and not as a potential trade partner. If any African country wanted to export to the United States of America in raw form or as a primary product, no tariff was charged. However, if they attempted to add value to that product in any way, they automatically faced escalating tariffs on whatever they exported to the United States of America. That made the United States realise that it did not have any trade law or policy with Africa and that is how the journey of forming AGOA began.

For AGOA to be achieved, bipartisan support was required in the Congress of the United States of America. Fortunately, that was easy to secure because the Republicans asked why trade was good for everyone else apart from Africa, while the Democrats questioned Africa's exclusion from trade policy. Spiritual and faith-based organisations, the private sector and the people of America also supported the idea and felt that Africa needed to be included in doing business with America. As the conversation went on, support was eventually obtained from 48 African countries and the process continued successfully.

Hon. Temporary Speaker, the greatest questions the Americans had was if they were going to incur any job losses. Of course, what was introduced to them, they were told is called trade diversion. This is because in America, a pair of jeans cannot be produced at less than US\$12. However, in China, that is possible. So, what Americans were told is to allow for Africa to also compete for that same opportunity and that is how AGOA eventually got its support. In the year 2000, in the month of May, the President then, Bill Clinton signed it into law.

Hon. Temporary Speaker, it is good to add that AGOA was achieved through a broad-based engagement. So, this also tells us when like minds come together, great things actually happen. As of today, 32 African countries are eligible for AGOA and of course, the eligibility is tested every year and determined by the sitting President of the United States of America, where they check on human rights, workers' rights, the rule of law, as well as open market-orientated economies to ensure that all this is observed for African countries to continue trading with America.

I am sure by now you are asking: What is the benefit of AGOA to Kenya at this particular point? Allow me to read. Bedi Investments EPZ Limited employs 11,000 people, United Aryan EPZ Limited employs 10,000 people, Simba Apparel EPZ Limited employs 4,000 people, Mega Apparel EPZ Limited employs 6,000 people, Africa Apparel employs 4,400, Mass Intimates employs 3,500, Best Co-orporation employs 2,500 and Aston Apparel employs 6,000 people. As per those calculations that I have given, the total is already 47,400 people. If I include the new factories that have come up, the total goes up to 66,000 people employed by these jobs. To bring it closer home, I know there are constituencies whose registered voters run into those numbers. So, today, if you are not able to get an extension on

AGOA, it is synonymous to a whole constituency of registered voters losing their bread and butter or wherever they get their livelihoods from.

Hon. Temporary Speaker, with AGOA set to expire on 30<sup>th</sup> September, that is six days away from today, we face an economic disruption which will affect a total of 550,000 people. Again, if we bring it closer home for us, Laikipia has a population of 550,000 people. That would mean, that is the kind of population that would be affected if we are not able to get the extension by the end of this month. The success of AGOA has been demonstrated through the trade that has occurred so far and its annual trade is around US\$500 million to US\$550 million, while on the American side, US\$200 million to US\$250 million in annual consumer savings is always achieved every year. Going by the policy of America First, I am sure even as we seek for this extension, America will be wondering what is in it for them and we need to remind them that Kenya is strategically positioned as the gateway to the EAC market. Already we are offering a market of around 180 million consumers and that would be a ready market for them.

Again, if we extend the market to the whole of Africa, that is 1.3 billion people, ready consumers, and ready market for them. So, that would create a compelling opportunity for any American investor who would want to come to this country. Let us also not forget that we have our port which has good facilities, we have the Northern Corridor, skilled Kenyans who are ready to work and serve and those are just but the many benefits that any investor coming to Kenya would find ready for them.

Hon. Temporary Speaker, AGOA's 25-year track record, which is marked this year, demonstrates measurable benefits to America. As of today, they have traded US\$11.3 billion in good trade deficit with sub-Saharan Africa due to essential oils and mineral imports. It maintains a US\$7 billion surplus in non-resource goods and US\$5.5 billion services surplus.

That creates an overall positive trade balance for them. In the course of my findings, I came across what we call the African Dream in Action, or let me call it the Kenyan Dream in Action. Picture a young man and a young woman who, due to systemic barriers, have been unable to pursue education and become lawyers, engineers or even doctors. These two young people work to an AGOA exporting company and eventually are lucky to get jobs. They get very excited and look forward to a good future. As they are settling into their new roles, they form a bond, start thinking about a family and start planning their future together. Today, as I stand here, those are the kind of scenarios that we are having in the Export Processing Zone (EPZ) AGOA exporting companies, where we have families that are wondering what will happen to them if the extension is not granted. That is just a scenario of an employee who now has to worry about their livelihood.

Let us go to the investor story. After this law was signed in 2000, very many ambitious men and women came to Kenya as investors and some were already local investors. When they decided to pursue the opportunity, they put in their resources, their time and energy with expectations that the business was going to work out well for them. In the first five to seven years, of course, it was a trial-and-error phase, which some succeeded and some had to close down because of the losses they incurred. Let us not forget the 2008 financial crisis that occurred and demand for products actually went down. Let us not forget COVID-19, where all these factories were supposed to close and of course, there were no businesses during that period. Again, this is a sad story we are experiencing today of people who do not know about their future because of the lack of this extension.

The third scenario I am going to give is that major US retailers and brands plan their sourcing for goods 12 to 18 months in advance. That is because of the seasons that they bring in their products. With the uncertainty that has been there, it is certain that our people have lost up to US\$67 million because there is no buyer who is going to engage a supplier whose priority access is not assured in the US market. So, what is happening to our local factories is that they are losing business and it is likely that they will never get these clients ever again, because the



minute they try an alternative market, it is likely they will get tempted to remain with that market. That is the third scenario and we need to consider what our people are going through.

Finally, Hon. Temporary Speaker, I asked myself as a Kenyan, what must we do to improve the environment in this country. The first thing, looking at the last statement that I brought about of the loss in business that our local factories are experiencing, I believe as a country we should never wait until the last minute for us to go negotiate for an extension. This should have been done earlier and this is a great lesson that we are supposed to learn from today. Secondly, we have to ensure that we have to keep supporting the AGOA Agreement, because it also helps us improve on our balance of trade, a balance of payment which of course enhances our credit score. It is also helping us to ensure more consumption of our raw materials, like cotton, so that needs to be encouraged. We have so many investors, both local and international, who would want to come and put up factories in our country. However, we have so much bureaucracy and bottlenecks. We cannot be an increased challenge to businesses that are already struggling, so that is something that we have to also look into.

We also have what we call technology transfer. We do not expect that anybody working at these EPZ factories remains a worker. We also expect them to try to get that knowledge transferred and eventually become employers or even own their own factories like those that they work in.

Hon. Temporary Speaker, as I conclude, our hope and prayer is that we are going to get the extension of the 16 years, and even if not that, at least, we get a two years transition period. However, in my personal view, I believe our Government should seek for a lasting solution, because I have been an entrepreneur and I do not understand how somebody can plan a strategy for their company with 16 years in view. Of course, those companies are not operating at optimum, because there are those uncertainties on whether it is going to be renewed or not.

In conclusion, I would like to state that we already have an existing framework, whose benefits have been proven, just as I have spoken. It is now our duty to ensure those who have been benefiting do not lose on the benefits, because their loss is equally going to be our loss.

Thank you, Hon. Temporary Speaker. I beg to move and ask Hon. Caroli Omondi, an astute lawyer, Member for Suba South, to second this Motion.

*(Applause)*

**The Temporary Speaker** (Hon. Farah Maalim): Proceed, Hon. Caroli Omondi.

**Hon. Caroli Omondi** (Suba South, ODM): Thank you very much, Hon. Temporary Speaker. Let me begin by congratulating the Hon. Lady for bringing this Special Motion and in asking me to second it.

The AGOA was actually supposed to substitute aid because for a very long time, African countries had been arguing that we should move from aid to trade. It was very difficult for the African countries that were mainly producing raw materials and agricultural goods to access the world's biggest economy which was the United States of America market because of various trade barriers or restrictive measures that were in place.

Hon. Temporary Speaker, for a long time, Africans - instead of walking around the western world with begging bowls - were asking that the trade environment be made favourable so that they could export more into the American market. They were facing tariffs like high taxes, high levies on their imports, but also subsidies on the American local goods that made the African imports less competitive. There were also quotas. Africans were being restricted to quantitative restrictions on how much they could export. There were also non-tariff barriers, regulations and quality standards that made it very difficult to sell at the American market. Over the years, Africans agitated within the multilateral framework that we should focus more on trade and not aid.

In 2000, the United States Congress enacted the African Growth and Opportunity Act (AGOA) which gave more access of African-produced goods to the USA market. They have Generalised System of Preference Programmes which allow about 5,000 African goods to enter the American market. However, under AGOA, an additional 1,800 products were added, mostly from the extractive industry, as well as from the agricultural, textile or apparel sectors. The difference is amazing. In the 25 years that AGOA has been in place, the imports or trade volumes between Africa and the USA have grown 500 per cent. In fact, at the peak, it would be about US\$12 billion a year. Cumulatively, it came to about 1 per cent of the USA global trade which was quite significant.

Out of the leading African countries of the 34 that have been participating in AGOA, South Africa was number one in the top five. Nigeria was the second one, Ghana was the third one and Kenya was number four, followed by Madagascar and Angola. Kenya, at the peak, exported about US\$650 million which was mainly apparel or textiles out of here, employing 66,000 people. That is what is at stake here. President Clinton, because of the usual local politics, gave it a lifespan of 15 years from 2000. Kenya hosted the AGOA forum here in 2009. Then, 15 years after inception, it was extended for another 10 years. It is now ending abruptly. We knew about it. I have said it is ending abruptly because what has shocked me is that I have not heard of a transition plan by the Kenyan Government. What will they do when AGOA comes to an end in about a week's time? What will they do with the 66,000 people employed in those industries who benefit from AGOA? To make matters worse, I have not even heard the East African Community (EAC), the Common Market for Eastern and Southern Africa (COMESA) or the African Union (AU) collectively talk about this.

We all know that bilateral negotiations by individual African countries will take you nowhere. It is a multilateral system that works for Africa and the developing countries. The first thing we want to hear from the Government is the transition plan. What are they going to do with all these people who are going to lose their jobs and the companies that are going to be closed? We should have thought about this much deeply and acted quickly and decisively. Today, we are experiencing commercial diplomacy in the USA. There is a new administration that does not seem to believe in multilateralism much. I am very confident they are not paying a lot of attention to this. However, as Africans, we need to find a way of insisting on this and also impress upon the USA that AGOA was a very useful, soft and diplomatic tool for them because of the things that came about with it.

As part of the eligibility conditionalities, countries were required to enhance good governance, support human rights, combat poverty, eliminate trade barriers for USA goods, combat corruption and practice political pluralism. Without AGOA, all these soft tools for USA foreign policy will go away. I am also worried that the more jobs we lose in Africa, the more immigration crisis will emanate because more people will tend to follow the money. The USA may think that winding up AGOA and causing massive job losses in Africa will not affect them. However, the reality is that there will be a lot of economic migration to the Western Hemisphere. They need to look at this very keenly.

If you also look at it from the American perspective, it has benefited their economy substantially. It is a two-way traffic, but we seem to be coming on it too late in the day. We should not just let AGOA collapse without an alternative or a transition. I strongly support this Motion. I hope the Government will give us a transition plan for AGOA fairly soon, as to what we will do with the 66,000 people who are going to lose jobs, factories that are going to be closed, and the economic and social instability that will come with that.

Hon. Temporary Speaker, I second the Motion. Thank you very much.

**The Temporary Speaker** (Hon. Farah Maalim): Who is seconding? You have seconded now. I will propose the Question. Do not worry. The Temporary Speaker is not tired.

*(Question proposed)*

Hon. Members, next, I have Hon. K.J.

**Hon. John Kiarie** (Dagoretti South, UDA): Thank you very much, Hon. Temporary Speaker. It is always a pleasure on afternoons when you are in the Chair, especially on such a day when we are discussing a critical matter of great benefit to two countries with a history of strong cooperation. I begin by congratulating Hon. Jane Kagiri for bringing such an important matter to the Floor of the House, where it belongs. Unfortunately, we are debating it quite late. When we talk about a deadline of 30<sup>th</sup> September, that is only six days away. This is a matter of national concern and interest, extending beyond our borders in terms of geopolitical cooperation.

In moving, the County Member of Parliament for Laikipia has unpacked untold benefits. Even as we speak today, AGOA has opened up duty-free access to over 6,000 products. These include apparel, as seen in places like Athi River, ICT, handicrafts, and agricultural produce such as coffee. Reviewing the AGOA agreement 20 years on, the benefits are clear. It is sad that we are debating this, six days to the deadline. I pray there shall be a remedy to extend it by 15 years. If that is not possible, then at least two years.

This afternoon is important because, as we speak, the Head of State is in the USA. My prayer is that as Parliament debates this matter here, the Government, led by no less than the Head of State, is engaging on AGOA. We stand at great risk of losing around 66,000 direct jobs and over half a million indirect jobs created by this opportunity. Kenya and the USA have had a long-standing relationship fortified by trade diplomacy. Africa today does not require aid. The best way to support Africa and Kenya is through mutually beneficial endeavours such as trade. Looking at AGOA 25 years down the line, benefits have accrued on both sides. Kenya benefits from jobs and skills transfer. America benefits by diversifying trade, reducing over-reliance on Asian economies, and obtaining quality, affordable products from Kenya.

The apparel industry and the agricultural sector have been impressive. In today's world, technology drives the future. With AGOA, Kenya can benefit greatly from the USA, a global leader in technology, particularly in Silicon Valley, where tech giants are building the digital infrastructure of the world. Data and algorithms are reshaping digital platforms and social media. Africa and America stand to benefit from ICT. As we speak, American companies such as Microsoft, Amazon, and Meta have offices domiciled in Kenya, not only to serve the Kenyan market, but as an entry point to East Africa and Africa at large. This gives the USA an advantage in tapping into a growing economy in the southern hemisphere. Kenya, seeking to reduce reliance on imports, found AGOA heaven-sent. We must thank the governments of Kenya and the United States of America, because 25 years on, both economies show tangible benefits.

I fully support the Motion by Hon. Jane Kagiri. I hope the people of Laikipia see the person they elected, because one is not sent to Parliament to be parochial, but to speak patriotically with a global outlook. I support and congratulate her for this timely Motion. I pray that this Parliament will move the Government to negotiate for an extension of at least 15 years. If that is not possible, then a two-year transition period should be secured, so that businesses involved in this trade have time to put in place contingent measures for the expiry of AGOA. I support this Motion in the best interests of Kenya, the United States, their people, traders, businesses, and the continued good cooperation of our two countries.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Basil, followed by Hon. Denar. Order, Hon. Denar. Hon. Basil first.

**Hon. Robert Basil** (Yatta, WDM): Thank you, Hon. Temporary Speaker. I was waiting to contribute to the Motion by my sister, Hon. Kagiri. This is a very essential Motion, and I

shall explain why. If you look at our country today, we are grappling with unemployment. Through AGOA, we can generate employment locally. Globally, many illegal immigrants seek to enter the United States in search of employment. However, through AGOA, jobs can be generated here at home. Hon. Kagiri provided an analysis of how jobs are being created for Kenyans within the country.

The Export Processing Zone has employed many Kenyans, especially women. That is an opportunity created by AGOA. This is why we support its renewal, to enhance and expand opportunities for Kenyans locally. Another important point is foreign exchange. As Hon. KJ mentioned, Kenya is a net importer of most goods. Through the AGOA, we are given an opportunity to enter the USA market to generate foreign exchange and have a healthy balance of trade. When you have more value of exports as opposed to imports, that is a positive balance of trade. That can only be realised with the contract being extended for Kenya to continue deriving benefits through AGOA.

Importantly, we are talking of industrial growth. We are in a world where industrialisation is so salient in the modern world. If you look at China and many of the advanced Asian tigers, they use the same approach to industrialise by attracting investors right into their countries. Through AGOA, we are going to attract many investors who are going to come and set up base here in Kenya. It is through that, that we will be on the path to industrialisation. That is why I am saying that this is a very important Motion which I support.

We have heard about knowledge and technology transfer. Remember, for you to export to the USA, there are certain standards or parameters that have to be met. One of them is the quality of the product that you produce. For you to reach that, there is training, capacity building, and knowledge transfer from the USA investors to the local Kenyans who are to be employed by some of these companies. This is so important for sustainability and resilience building as we move forward as a nation.

There is economic empowerment for women. As I have said, most of the people who benefit from this, particularly the Small and Medium Enterprises (SMEs), are women who own some of these companies. They actually diversify their income. This is a very solid model of economic empowerment that empower women to sustain families for current and future generations.

Kenya has been relying on traditional exports - tea and coffee. But through AGOA, we have diversified into exporting textile products as well. So, economic diversification is realised through AGOA. That is why this is a Motion that all Members should stand up and support. It is only that it is unfortunate the House looks a bit empty. I wish many Members were here to enjoy the debate.

To support my arguments, there are better ways to promote exports through AGOA if the contract is extended. That is what we are advocating for. One of them is to give tax credits to factories that are setting up base in Kenya. If you give a tax credit, you attract many factories to come and establish operations right in the country. This is a model that has been used by the USA since 1981. The President, Ronald Reagan, then used the model of giving tax credit to factories that have now set up base in the USA. That is why today everyone wants to go to the USA. So, we need to do that.

We also need to support agriculture. I am happy we have been talking about subsidised fertilisers to promote agriculture and production. Remember, agriculture has been the backbone of this country. Most of what we are talking about in AGOA is agriculture-based products. So, if we promote agriculture by appropriating the budget properly to support production in terms of raw materials, then we will be on the right path to make sure AGOA, indeed, works for the country.

Importantly, we need to lower the cost of electricity. Doing business in Kenya is a bit expensive because there are taxes on the electricity grid. If we reduce taxes on electricity, we

will ensure that many foreign companies that come to Kenya find it easy to do business in Kenya.

We also need to minimise bureaucracy in certain companies to ensure a proper win for companies to come and set operations here, and promote their partnership through AGOA. That is the better way to thrive more as a country through AGOA partnership.

Lastly, we need to base our arguments by showcasing how Kenya has benefited for the last 25 years. That will give us a solid platform to advocate for renewal of this contract and allow our country to continue partnering with USA.

With those few remarks, I support the Motion. I am happy for the future policymaking or any legislation that will be done. I am happy to support my sister in that. Thank you so much.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Denar.

**Hon. Joseph Hamisi** (Nominated, ANC): Thank you, Hon. Temporary Speaker. I rise to support this Motion. In my opinion, it has come too late. One, we have to know the genesis of the AGOA. Why was it started? It was mostly about the African Continent. By now, 32 countries have been approved. With that, it has already brought about 60,000 jobs, mostly for women. When you calculate 60,000 times 10 families, we are talking about 600,000. In particular, I talk about the cost. The AGOA has already changed cities. I think Hon. Mwinyi is here. If you look at Changamwe, the population of the textile industries there is enough. It is around 3,000 voters. They are enough to make somebody a member of the county assembly (MCA).

The second benefit of AGOA is about Artificial Intelligence (AI). The transfer of technology. The world is going into technology. We are talking about a technology exchange in defence. We are seeing this in all other countries. These days, people do not go to war. It is technology. With this, we are going to have that exchange of technology.

The AI also applies in agriculture and weather. The world is going there. I think that is a very important part now. I want to raise a point with my brothers here. You must have noticed that all the balls in the World Cup were made here. Half were made in Kitengela and the other half in Miritini and Changamwe. That made the balance of payment increase.

Third, when we look at the season we had COVID-19 and now, there is a company in Mtwapa which signed an agreement for the production of incubators for the American system, which is worth about Ksh7 billion. Right now, we are producing syringes in Mtwapa on the same terms of AGOA because of the American market.

I want to emphasise the issue of jobs. If we lose jobs in places like Mariakani and Mazeras, where I come from, the towns will be completely bad. What does it mean? Insecurity. What does it mean for American society? These people will look for alternative ways as human beings. That is the core aspect of the American Government on immigration. So, if we want to stop this, we need to look at that point.

We have just spoken today about land use. I will talk about the added value in the agricultural part. That was the meaning of AGOA. The core aspect was for the African countries to add value to their produce. We have just talked about land use. We have to search broadly where we are going to take our products. I want to congratulate Hon. Jane Kagiri. The Motion is late, but it is timely mainly because the President is there, and the bilateral agreements are being signed. We need to look at it. What I want to emphasise more is that we should not look at two years. In my opinion, 16 years are good. That is what we hope for. But I think for the extension, if the worst comes to the worst, we should look for an extension of about three years.

A business needs to expand, and each business needs a strategic plan. You cannot say that those people who have come here will just need two years, and then you close the business. We should look, in my opinion, for more than three years. But we are aiming for 16 years.

I emphasise and appeal to the American Government and our Government that we extend the Act through their good relationship. We are looking at the crisis of unemployment and the future of young people due to their increase. Thank you, and I support Hon. Jane Kagiri. I would ask for two terms if I were in your home.

*(Laughter)*

**The Temporary Speaker** (Hon. Farah Maalim): Hon. GK, proceed.

**Hon. George Kariuki** (Ndia, UDA): Thank you for giving me the opportunity to contribute to this very important Motion. I take the opportunity to congratulate my colleague, Hon. Jane Kagiri, for coming up with this very important Motion.

As we know it, AGOA has employed thousands of Kenyans. It is a very important socio-economic transformation tool in this country. It is for our women and youth to grow and access education, better healthcare, and a better life. We need to plead with the American Government to give us a good extension of the AGOA pact. The AGOA is not just for trade. It is an instrument of the global political economy. The American Government stands to benefit much from its cooperation with African countries in a way that deepens our relationships and enhances cooperation with the United States Government.

It would be a very sad day if AGOA came to an abrupt end hence disrupting lives and businesses. That would throw away the major gains achieved through this very important instrument of trade. There is no way we will grow our partnerships and enhance the living standards of the people of both countries in the absence of better trade between the United States and Kenya. As a growing economy, Kenya stands to grow at a better rate with the support of the trade opportunities with the American Government.

Human life in our country stands to flourish so that we also live a good life. We do not have to send our people to the United States when we have a good life here. Our people will not be keen to travel to the United States for better opportunities. The AGOA will have availed us that opportunity here. We would be travelling to America and other developed countries as visitors. It will be to exchange ideas, better our education. That way, we will have mutual and better respect. Our people and Americans will view each other as friends and not as opportunists in any way.

I support Hon. Jane Kagiri. I wish the American Government considers, if not any other reason, our women and our children who derive their livelihoods from this very good pact. Thank you. I support.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Murugara followed by the Member of Parliament for Ndhiwa Constituency. Proceed, Hon. Murugara.

**Hon. George Murugara** (Tharaka, UDA): Thank you for allowing me to also voice my support to this Motion. It is a very important Motion. Thank you, Hon. Jane Kagiri, the Woman Representative for Laikipia County. I echo the sentiments of Hon. KJ regarding the people of Laikipia and exactly what they find in their Member of Parliament. Especially, the quality of what is brought to this House. That includes this Motion urging two States to extend an agreement which is in our view extremely beneficial to the people of Kenya and also the United States of America.

The agreement is bilateral in as much as it also touches on other sub-Saharan countries in Africa. Usually, sub-Saharan countries are what are termed as ‘third world’ countries or ‘undeveloped’ countries. Sometimes, when they want to be pleasant to us, they say we are developing. For sure, the categorisation is that we are undeveloped. Therefore, we need much of this so that we start moving towards where the other nations of the world are. It is very important that this agreement is taken care of. It has lasted 25 years as a result of which we Kenyans have found fruit in its execution.

The AGOA, being about the growth of opportunities that are limitless, depends on what you have to do in the economic zones. Especially zones in Nairobi and other major cities. They should also go to rural constituencies if there is any extension, so that we also see some works under AGOA going to rural areas, especially agricultural produce. We know very well that we produce a lot here that is of high value to the American people. They will actually import while we export the produce. If there is anything that is to be imported from America which is of great use to people in rural areas, then again, we should also be beneficiaries just like city dwellers.

For ICT, it is important to point out that we are setting up hubs in all constituencies in rural areas. The hubs have to benefit from equipment from the America.

It is also important to note the number of people employed under AGOA. In fact, these people are involved in manufacturing. By extension, even those employed in the agricultural sector. Some zones are free economic zones in which we have over 66,000 Kenyans working here. It is worth noting that 75 per cent of that labour force is women. It means they become direct beneficiaries of the agreement. The incomes derived thereof, as you very well know, are used in such important matters in our country as education, support, healthcare and poverty alleviation.

This is why it is always said that ladies plan for their money better than men. I usually do not buy to that. But sometimes, there may be credence in what is being said in this Motion. For once, I would want to swim along this proposition. If 75 per cent of direct beneficiaries of AGOA are women, then that income is vital for building the economy of the country and sustaining our livelihoods and alleviating poverty in the country.

For the Americans, we also acknowledge that it is important that we have this bilateral agreement coming along so that we continue to strengthen relations between the two countries. We know for sure that there is a great imbalance of trade between America and Kenya purely because the economies are miles apart. However as big as it is, it may also be of great benefit to us in sustaining our economy and that sustenance will not come from anywhere else apart from bilateral agreements such as this one which promote production, manufacturing and export of goods. Therefore, today as we speak, I am sorry that we have only six days to go. But this is good enough time to put in place interim measures or to conclude a full agreement extension. We are asking for 15 or 16 years or whichever number of years. If there is no extension, we can have a transitioning clause negotiated as quickly as it can be so that we have two years to develop a trade agreement or a trade deal between America and Kenya. This is important because we should not allow a vacuum to ever set in because I do not know where we shall look to. Sometimes they tell us to look East where we may find better friends, but we do not know. We can look East so as to make other agreements which are as good as the African Growth and Opportunity Act (AGOA).

Once this is in place, we will have all these partners coming in to trade with us, to set up industries and we export to them what we locally produce. All that will be to the advantage and benefit of our country. As we do that, we have said that let us also look at what we have including the proposals we had yesterday that we may have some entities in this country which would be better off when they are in the hands of private investors instead of being in the hands of Government where they are non-performing, loss-making and nothing much to point at apart from miserable profits. If they are actually put in the hands of private investors, the country stands to reap big not in anything else but taxes.

Whenever I go to Jomo Kenyatta International Airport, I look at it and ask what is international about it compared to Dubai, Qatar, Amsterdam or anywhere else. It is high time we as Kenyans started thinking big not small. We must also move away from the cocoon that we are undeveloped and somebody else is going to come from out there to develop us. We are the only ones who can develop ourselves by putting into place measures. I commend the

Government because an attempt is being made to make a paradigm shift so that we move away from the old traditional ways of doing things and bite the bullet and start thinking forward so that in another 50 years, there is no reason whatsoever why our country should not join the league of developed nations.

With those remarks, I urge the House to agree with Hon. Jane Kagiri and approve this Motion. I urge our Government to move with speed and ensure that AGOA is extended for another 16 years or whatever number of years the countries agree bilaterally or it gets a transition clause of two years as we can engage the Americans to ensure that there is no interregnum or vacuum and it is business as usual. Thank you, Hon. Temporary Speaker, I support.

**The Temporary Speaker** (Hon. Farah Maalim): Member of Parliament for Ndhiwa followed by Hon. Omar Mwinyi.

**Hon. Martin Owino** (Ndhiwa, ODM): Thank you Hon. Temporary Speaker. This is a very important Motion. It is very rewarding if the Mover of the Motion can lay bare all the benefits in the way Jane Kagiri has articulated. Therefore, I will not belabour much on the benefits of this Motion because it is laid bare right here. The AGOA has about five aspects. Duty free access is the first important and critical issue. Imagine our goods being subjected to tariffs as they currently are. We would not be able to make a move. The other aspect which is very important is the promotion of trade. Right now, we have a trade imbalance, but with AGOA, it is reduced to about US\$57 million. How about if AGOA was not there? Trade imbalances bring trade deficits.

Another important aspect is bilateral trade. We may see the benefit that AGOA brings in terms of jobs and promotion of local industries, including the Export Processing Zones (EPZs). I had a chance of living in the United States. What is very important to Kenyans is to access a market for Kenyan goods like textile, food and others. As we benefit here, there will be dignity of consumption out there and as they consume, we will get hard currency here. So, it is a win-win situation and that is a very good thing for us. The AGOA expanded trade; created development and created jobs. Women are the beneficiaries. If “Sir George” (Hon. Murugara), doubts, women are the best managers of money. In fact, they are the best moving banks in the world as we speak. Please, live with that because it is a reality.

Hon. Temporary Speaker, this is something we must take seriously. The Chairperson of the Departmental Committee on Trade, Industry and Cooperatives is seated next to me here, my friend, Hon. Shinali. How come we did not sensor to monitor when the agreements and Acts we pass in this House are about to lapse so that Hon. Jane Kagiri does not just discover it when there are about six days left? Can we have a sensor that checks all our bilateral, especially trade-related acts which we make here before they expire? If we find they are not doing well, we can amend them among other measures. My friend, Hon. Shinali, can digest that.

Reduction of poverty by creation is very important as we have said. Right now, indices show how poverty plays a great role in disease, deaths, mental health and many negative things to human livelihood. Anything that may take away even one job, we should be very sensitive, as a House and Government, to it. About 66,000 jobs are at stake here. What I am not sure about, Hon. Jane Kagiri, and I think this was also alluded to by another Hon. Member, is whether the two-year transitional period is enough. If it is not, we need to analyse that very well and go for a longer period. Aware of who is in the seat over there, we do not know how they are going to react to this.

Lastly, in Homa Bay, we are starting our EPZ. It is going to bring the rural economy up. We are promoting cotton and cotton-textile small industries. Without AGOA, all that will be dead. So, as much as Nairobi and other urban areas are enjoying the EPZs, we want to extend them to rural areas. When they will anchor well in rural areas, we are sure of uplifting the livelihoods of Kenyans. Long time ago when the Whites were here, they settled in urban areas.



When we took over, we followed the same pattern. The idea of taking EPZs to rural areas is a well fetched thought that should be supported.

As I sit, I thank Hon. Jane Kagiri. This is wonderful. I urge my colleagues to support this, say less and pass it so that it can be implemented. Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Omar Mwinyi, followed by the Member for Nyeri Town.

**Hon. Omar Mwinyi** (Changamwe, ODM): Ahsante sana, Mhe. Spika wa Muda, kwa kunipatia fursa hii ya kuchangia Hoja hii muhimu sana, ambayo imekuja wakati mwafaka, ingawaje tumechelewa kidogo. Ninamshukuru Mhe. Kagiri kwa kuileta Hoja hii ya kutaka kurefusha muda wa biashara tunayofanya na Taifa la Amerika katika mpango wa African Growth and Opportunity Act (AGOA). Hoja hii imechelewa lakini Wazungu husema *better late than never*.

Kusema kweli, biashara hii ya AGOA imesaidia pakubwa sana katika kuipatia jamii *hope* ama tamaa ya kujiendeleza kwa kufanya biashara ambazo wengine wanafanya japo kwa uchache.

Hapo awali katika Eneo Bunge langu la Changamwe, tulikuwa na viwanda vingi sana. Kimoja kilikuwa kinatengeza viberiti. Kulikuwa na Kenya Rion iliyokuwa inatengeneza *bedsheets* na *towels*. Kwa bahati mbaya, tulivifunga viwanda vyote na baadaye, biashara ya AGOA ikavirejesha.

Kuna *economy* iliyoitwa kadogo *economy*. Ilikuwa aina ya uchumi ambapo wafanyikazi wa *Export Processing Zones (EPZ)* waliokuwa wanapata mshahara kidogo waliweza kujiendeleza kimaisha kulingana na mapato waliyokuwa wanapata. Hata kukaja ule unga mdogo wa kilo moja ili wale wanaofanya kazi waweze kununua. Watu waliweza kuishi kwa namna hiyo.

Biashara nyingi zilifunguliwa, kwa mfano, biashara za mitumba kwa sababu nguo hizo zilikuwa za bei nafuu. Kulikuwa pia na biashara za nyumba za kupangisha. Watoto waliweza kwenda shule na wazazi waliweza kuendeleza familia zao. Kulikuwa na furaha katika majumba mengi.

Swala hili lilipoanza kuzungumziwa, lilileta tetesi katika viwanda. Watu walihofia kuwa huenda wakakosa ajira. Bali na mpango wa AGOA kuzalisha nafasi za kazi, kulitokea nafasi nyingi kama vyama vya wafanyakazi. Hii pia iliongeza ajira. Kukawa na kampuni za meli zilizosafirisha bidhaa kutoka nchi za nje na kuzileta hapa, na kuondoa bidhaa ambazo zimeundwa hapa na kuzipeleka sehemu nyingine. Hapo katikati, biashara nyingi zilistawi kwa sababu ya mpango huu wa AGOA.

Watu wanapata wasiwasi tunavyoendelea kuzungumzia mambo haya. Wawekezaji wengine wameonyesha dalili za kuhama. Wameanza kufungua mashine zao na kuzihamisha. Hawawaelezi wafanyakazi wao kile kinachofanyika. Wafanyakazi wao wamekuwa na wasiwasi. Kwa ufupi, inaleta hali ya mtafaruku katika viwanda hivi kwa wakati huu. Watu wamefanya kazi kwa miaka nyingi, hawana hakika iwapo watalipwa pesa zao. Kama alivyozungumza Mheshimiwa, ingekuwa bora katika mikataba hii ambayo tunaandikishana na nchi rafiki, kuwe na vipengele vya kulinda haki zetu hata kama sisi ni nchi maskini. Haitakuwa sawa mtu kuamua tu wakati mmoja kuwa ikifika tarehe hii atafunga biashara ilhali inategemewa na watu katika sekta mbalimbali za kiuchumi. Serikali inafaa kuwa na wataalamu wanaofuatilia mikataba hii ili isikatike ghafla kama tunavyoona sasa.

Katika upande wa elimu, wafanyakazi wamesomesha watoto wao hadi vyuo vikuu kwa kutumia pesa kidogo wanazopata hapa. Kama alivyozungumza msemaji aliyetangulia, wanawake ni mameneja wazuri wa pesa. Ie pesa kidogo wanayopata wanaweza kujenga nyumba wanazoishi na pia kuwasomesha watoto wao hadi vyuo vikuu wakisaidiwa na *bursary* tunazotoa. Ningependa kuwasifu wanawake kwa sababu, kusema kweli, bila wao, taifa letu na

mataifa mengi hayawezi kustawi. Wao ndio wameshikilia uchumi wa nchi yetu na nchi nyingi pia.

Kuna timu za michezo kama *football*, *volleyball* na mengineyo inayosaidiwa na viwanda hivi. Wengine wameajiriwa kwa sababu ni wachezaji wazuri wa kandanda au *volleyball* na wameweza kupata kazi katika kampuni ambazo leo ziko katika hatari kubwa ya kufungwa.

Kwa hivyo, tunaomba Waheshimiwa wote ambao hawajazungumzia suala hili walipigie debe na waishinikize Serikali kujadiliana na nchi husika, ambayo ni Marekani, watuangelie kwa jicho la huruma. Wakati tunaoishi ni mgumu sana ambapo ajira ni tatizo kubwa. Mkataba huu wa African Growth and Opportunity Act (AGOA) ukiisha utasababisha maafa makubwa yatakayowaathiri wananchi wote wa Kenya, si wafanyakazi pekee, bali wote wanaotegemea uchumi huu. Tunaomba Serikali yetu, kupitia Rais wetu, iombe taifa la Marekani kuangalia suala hili kwa undani zaidi ili mkataba huu urefushwe na udhibitiwe ili usilete mtafaruku wakati tunapotekeleza shughuli hizi. Vilevile, tuangelie tutakavyoweka shughuli zingine zitakazosaidia waajiriwa wa sasa ili wasihangaike sana ikifika wakati huo.

**Mhe. Spika wa Muda**, nazungumza hivi kwa sababu Changamwe, Jomvu, Mtwapa na Athi River zinategemea sana masuala ya *Economic Processing Zones (EPZ)*. Athi River imekua kwa sababu ya biashara kama hizi. Nafikiria athari yake ni kubwa, na Wabunge wenzetu walio hapa na walioko nje, watalipigia debe suala hili. Tumpongeze tena Mhe. Kagiri kwa kuleta Hoja hii Bungeni.

Asante sana, **Mhe. Spika wa Muda**, kwa kunipatia fursa hii.

**The Temporary Speaker** (Hon. Farah Maalim): The Member for Nyeri Town.

**Hon. Duncan Mathenge** (Nyeri Town, UDA): Thank you, Hon. Temporary Speaker. At the outset, I rise to support this Motion by Hon. Jane Kagiri. Besides being the Member for Nyeri Town Constituency, I am also the Chairman of the Parliamentary Coffee Caucus.

Coffee is one of the key export earners in this country. It supports a huge community across the central region. Interestingly, coffee-growing regions have expanded into the Rift Valley, Nyanza and Western regions, not to mention Machakos and Makueni. As per the data released by the Agricultural and Food Authority (AFA) for the coffee Financial Year 2023/2024, which ended in September last year, the USA was the second highest importer of Kenyan coffee after Belgium, importing approximately 8,000 metric tonnes and earning the Kenyan coffee farmer an equivalent of Ksh6.7 billion.

So, the US is the destination for Kenyan high-end specialty coffee. In this country, coffee is produced largely by small-scale coffee farmers who come together in the form of cooperatives. A disruption of the AGOA Trade Agreement will mean a catastrophic reduction in the earnings of the ordinary people in my constituency, Nyeri County, the entire Central region, Eastern region, Kericho, Nandi, Uasin Gishu, Bungoma, Mount Elgon, Kisii, Homa Bay, Machakos, Makueni, Taita/Taveta and many more. So, this would affect our entire nation.

Let me also speak about the Americans who enjoy a Kenyan cup of coffee. A disruption of this Agreement will also affect the cost they pay for not only the Kenyan coffee, but also coffee from the African region. The thrust by our Government in establishing the county aggregation and industrial parks was meant to attract exporters and multi-national corporations (MNCs) into the counties, so that we can grow economies in the rural areas and disaggregate them from the big cities. Looking at an investment of around Ksh500 million times 47 counties, you see the kind of loss we would suffer as a country, by disrupting this very vital trade Agreement. It supports the agricultural sector where a majority of Kenyans earn a living.

Therefore, I urge our President to take advantage of the United Nations General Assembly (UNGA) and his presence in Washington. He should ensure that he has fruitful engagement with the American people and their Government, for the extension of this lifeline for our economy. We have the labour export policy and we have listened to our young people,

who keep on saying that we create jobs for them in our own country. So, we want to create jobs.

There is a lot of urgency. In light of the remaining six days, we must first secure a transition period or an extension that will allow us to renegotiate. This will enable us to take care of the interests of both the Kenyan Government and its people and the American Government and its people. This extension will cushion and protect the jobs we already have in the Export Processing Zones (EPZ), the supply chain that supports the manufacturing of goods and raw materials that have been given the preferential American market access.

Therefore, I urge that we all with one voice, across the political divide, support this Motion by Hon. Jane Kagiri. I also urge all supporters of our country, including the Americans and Kenyans living in America and the diaspora to add their voice in urging the two governments to renew this Agreement. I support.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Omboko Milemba.

**Hon. Omboko Milemba** (Emuhaya ANC): Thank you, Hon. Temporary Speaker. I want to thank Hon. Jane Kagiri, the Mover of the Motion on the extension of the African Growth and Opportunity Act (AGOA).

I want to notify the country that this is an Agreement that we needed to secure much earlier. We are acting fairly late although I do not believe that we are late. In international relations, there are many cards that can be pulled to safeguard the transition of AGOA like it was put. Then, we have a proper law passed by the USA legislature to extend it. As it was earlier put by the Mover and the Seconder of this Motion, this was a scheme that was crafted to try and reduce the imbalance of trade between America and African States. They are about 32 States, Kenya being the fourth biggest beneficiary of this Agreement.

Even if its activities do not necessarily reduce the imbalance of trade, what we benefit with is about 2 per cent, but the multiplier effect on the ground is massive, from the jobs that have been created by institutions like the EPZ, labour investment and general social support. If unemployed people are left alone, they will become a problem to the social fabric of the nation.

The economic development and benefits of AGOA cannot be gainsaid. We really need it and are not late. We are still appealing to the USA leadership - their President and legislature - to extend this period. We should understand that the 16-year extension period to 2041 was an attempt by a US legislator by the name John Risch. In 2024, he tried to move a Motion in the USA legislature for the extension to be realised. That was under the Biden administration which did not do much, despite the fact that there were high expectations in Africa when Democrats took power.

President Biden did not do anything about AGOA. I still remember vividly how the US ambassador to Kenya indicated that AGOA was not part of the USA Government administrative agenda then. Therefore, these issues are interconnected. They require, for example, the ambassadors and high commissioners we have in different nations to speak about them, so that they are time-bound to allow timeous engagement on them.

Therefore, this matter requires a lot of support from the two governments. I cannot leave out what the preceding speaker said, that the presence of President Ruto in the USA at the UN General Assembly (UNGA) can provide a forum on the side-lines, so that he can also speak to the Trump administration and influential legislators in the USA to safeguard AGOA and create a transition period that will secure our benefits.

It is disappointing that when other Kenyans visit the US even for extended periods, they do not seize such opportunities. As the preceding speaker mentioned, one of our main exports is coffee, yet we have leaders who go to the USA, but instead of advocating for coffee, they speak about embargoes that should be imposed on Kenya. In so doing, they waste opportunities that would have truly benefited this country if only they were loyal and patriotic. Coffee is

heavily affected as well as other agricultural products, textiles and the apparel industry. All of these are influenced by AGOA.

I also think we must look beyond AGOA. It is increasingly affected by global trading arrangements. The World Trade Organisation (WTO) which negotiates most trade agreements and facilitates free trade between countries worldwide, plays a role. We must recognise the changing trends. China's entry into the WTO was a real turning point for AGOA. Many products from Africa suddenly faced stiff competition from Chinese goods. China, being a WTO member, could also export freely to the American market. This reduced both the benefits and enthusiasm of Americans for AGOA. Notwithstanding, we must look beyond AGOA to create other preferential trade areas. There has been an attempt to establish the African Continental Free Trade Area (AfCFTA), which could also provide a significant market.

Although Africa's population is large in terms of resourcefulness and purchasing power, we are still weak. Through the WTO, we can negotiate even better arrangements beyond AGOA while safeguarding what we already have. As African States, we must prepare if AGOA is not extended or safeguarded. What else can we do? What are the potentials within Africa itself, in terms of market and labour? China competed strongly with African exports to America under AGOA. It adopted a more efficient production model and cheaper labour, making its goods more competitive. We now have an opportunity to amend this. We must appeal to the USA to safeguard AGOA, since it is integral to our development plans, particularly creating centres of value addition for our products, which depend on exports to these markets.

This is a very good Motion, moved excellently by Hon. Jane Kagiri. We are not late, this can still be achieved.

I beg to support.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Shinali, followed by Hon. Catherine Omanyoo.

**Hon. Benard Shinali** (Ikolomani, ODM): Thank you, Hon. Temporary Speaker. I beg to support the Motion and congratulate Hon. Jane Kagiri for bringing it forward, so that the world can hear us and Members can contribute. As you may be aware, AGOA will expire on 30<sup>th</sup> September 2025, with efforts underway to extend it for an additional 16 years until 2041.

At the outset, I take note that eligibility to participate in AGOA is based on each sub-Saharan country's progress in establishing market-based economy. Kenya has worked hard towards this by implementing the rule of law. Since its inception in 2002, Kenya has made tremendous efforts and strides by ensuring that we have laws in place, including the 2010 Constitution and combating corruption. As you are aware, Kenya has ethics and anti-corruption laws.

The President has been on the forefront including criticising this House, to ensure that Kenya is a corruption free country. He has also devised policies to reduce poverty, therefore, our poverty index has improved. Subject to these criteria, the decision to authorise each sub-Saharan country's utilisation of AGOA preference is at the discretion of the USA President every year. Since its inception, over 40 sub-Saharan African countries including Kenya have qualified for AGOA with annual variations.

As of 2024, 39 sub-Saharan African countries were designated beneficiaries. The legislation was initially approved for eight years, but has since been extended to 2025 through a series of extensions. Hon. Members, it is an ongoing process. We were given the last and final extension. However, efforts are underway, led personally by His Excellency the President, to ensure that we get a renewal. The AGOA is very important to us.

Lastly, we have the Millennium Challenge Act (MCA) Modernisation Act which was enacted in June 2020. Since its enactment in 2002, AGOA has been a crucial trade and development initiative, offering preferential access to qualified sub-Saharan African countries to the USA market. The preferential treatment includes reduced export tariffs for member

States. The AGOA has positively affected the regions trade particularly in apparels, textiles and artefacts. The famous Ushanga Initiative which is dominated by Kenyan women, has benefited a lot even in areas we did not imagine. This has been a success in Maasai Land, the Coastal region and the Rift Valley. We see our products in the USA market.

Hon. Temporary Speaker, you may agree that AGOA has undeniably provided increased trade and investment opportunities in sub-Saharan African countries. Its impact on the economy and development of beneficiary nations has been positive. Although challenges such as drought, diversification and poverty reduction have been persistent, as the Act moves forward, addressing these challenges and identifying new avenues for economic growth will be crucial, to ensure continued success in fostering economic development in sub-Saharan Africa. It is noteworthy that there have been deliberate efforts to address these challenges by both the USA beneficiaries and relevant stakeholders.

Therefore, I have no doubt about this. I want to assure Members and Kenyans that there lie more opportunities for prosperity than challenges for sub-Saharan African countries including Kenya, in support of the extension of AGOA. We all agree on this. I urge Members to extend this important Agreement with USA.

Finally, I wish to undertake that the Departmental Committee on Trade, Industry and Cooperatives is following up with the relevant ministry and State department, so as to ensure that negotiations and submission of relevant documentation for the attendant action by the House are done according to the relevant laws. In the near future, I will brief the House on our progress regarding the extension.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Omanyo Catherine.

**Hon. Catherine Omanyo** (Busia County, ODM): Thank you, Hon. Temporary Speaker. I rise to support this Motion on AGOA by Hon. Jane Kagiri. Most African countries will suffer if this Agreement ceases. Kenya is one of the countries that desires an extension so that we do not lose the progress we have made over the years. This Agreement has facilitated business for our women, allowing them to expand and sustain their livelihoods without being perceived as a Third World Nation. I know of women who have been doing business for some time. One would seldom think they were born and raised in Kenya.

Therefore, this Agreement coming to an end in six days is announcing a catastrophe because many youth and women will lose their livelihoods. In the current economic climate, we should focus on expanding and sustaining livelihoods rather than reducing opportunities. We plead with the giant country to continue being kind and compatible. At present, many women in Busia are engaged in coffee and cotton farming, having been assured of a ready market. The USA is among the largest consumers of coffee. I can only imagine the demoralisation farmers will face if they lose this market.

We implore the two governments to have a *tête-à-tête* and extend the Agreement, as this partnership must continue. Kenya is progressing and achieving numerous milestones with our developed nation partner. This means that whether it takes 10, 20 or 30 years, we are committed to achieving necessary objectives. These includes establishing laws that safeguard both partners in trade, reducing corruption, lowering tariffs on commodities and practising fair trade. These are lessons learned progressively because such achievements do not occur overnight.

Looking at Kenya's progress in trade, I believe we have accomplished a great deal. We want to be seen as people who can continue to hold other nations as we heed to co-exist. The news that our Agreement is coming to an end soon has shocked me. I just want to hear about an extension. They should sit and agree that, indeed, we were catching up by taking baby steps and we still need this Agreement extended

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Deputy Leader of the Majority Party, Hon. Owen Baya.

**Hon. Owen Baya** (Kilifi North, UDA): Thank you, Hon. Temporary Speaker. I congratulate the gracious lady, Hon. Kagiri, for bringing this Motion on the extension of the term of the African Growth and Opportunities Act.

This Act was conceived in the year 2000. It was a progressive piece of legislation that came into force between Africa and the USA. Like the late Mwai Kibaki used to say, “bring us foreign direct investment for us to grow our countries, instead of bringing us foreign aid.” This was the genesis of the treaty.

From that perspective, it becomes clear that Africa needed more investment. However, the lingering question was if we brought investments and started producing, where was the market? The Americans responded: “The market is here.” That is why Africa was tasked with the opportunity to grow and produce while the market was in the USA where we were exercising duty-free access. It was a beautiful thought.

Africa, including Kenya, has tremendously benefited from AGOA. Today, if you walk from Mtwapa in Kilifi County down to Kikambala, there are so many AGOA-based Export Processing Zones (EPZs). If you go to the western side...

**The Temporary Speaker** (Hon. Farah Maalim): Changamwe.

**Hon. Owen Baya** (Kilifi North, UDA): Yes, Changamwe and that area...

**The Temporary Speaker** (Hon. Farah Maalim): Jomvu.

**Hon. Owen Baya** (Kilifi North, UDA): Yes, Jomvu. If you are driving from Kilifi to Mombasa between 6.00 a.m. and 9.00 a.m., you will see the number of young people who walk in the streets going to work. They walk in droves and within a short time, they disappear into those buildings. You ask yourself where all those people have disappeared to. This is when you realise that AGOA is working because those people work in factories.

I had an opportunity to go inside the factories and there is a lot of work. What you would call a shop floor, where one cuts this part and the other one knits it and in a few minutes, 20 pieces of jeans are done. The question is: Where do they go? They are all packed and exported to the USA. That way, jobs are created.

When we are told that the arrangement is coming to an end, we are flabbergasted. Why would this kind of programme end? When it ends, where do these people and all this machinery go? Where will we get all the money generated from there? The AGOA is one of those progressive pieces of legislation that came to Kenya and many other African countries. It was meant to rescue young people who otherwise would have been jobless and economies would have been wrecked by donor aid and conditionalities. It came to spur economic growth. That is why I support Hon. Jane Kagiri’s Motion that seeks to extend the AGOA Treaty. I know what this will do to our economy.

Today, from Kikambala going down to Kilifi, we are looking for an opportunity to extend and have more EPZs. I am glad the Chairman of the Departmental Committee on Trade, Hon. Shinali is here. You see, EPZ is actually anchored on AGOA and without it, we would not have EPZs or they would be doing very little. Therefore, many companies in the EPZ realm are beneficiaries of AGOA.

The other day, the President came to Vipingo and launched the Special Economic Zone (SEZ) which is the first in that area. A huge US\$500 billion investment is coming. Where will these goods go to? One of the investments they are talking about is in the fabric and textile industry. If they launch it, where will they sell the products?

The President has done a lot of infrastructure development in the Coast like Dongo Kundu SEZ, which was in the minds of people for many years. Many presidents have praised this initiative. President William Ruto is actualising Dongo Kundu SEZ. But without AGOA, how beneficial will this SEZ be? That is why AGOA is very important. I have seen another

SEZ coming up in Naivasha which is part of the Arise Group of Companies. They are coming to invest billions of dollars in the country. These are my questions: Without AGOA, how will we benefit from the SEZ? How will we benefit from the huge investments we have today? That is why it is important for us to anchor AGOA again in law and it be extend to 2046. That way we can continue to benefit and create jobs.

The African Continental Free Trade Area (AfCFTA) is also anchored on AGOA. As Africans, we want to produce. We have a lot of raw materials like cotton and many other things we can do. How do we ensure sustainability of AfCFTA without AGOA? How will the Port of Mombasa continue to rise in Twenty-Foot Equivalent Units (TUEs), if we do not have AGOA? That is how important it is. The Port of Mombasa is one of the key anchors of AGOA and our economy. Today, if you cut AGOA, the number of containers leaving this country at the port will go down. The balance of trade will switch to the other side, if we kill it.

That is why, when I saw this matter brought by the gracious lady from Laikipia, Hon Jane Kagiri, I asked myself: Where has the ministry been? Do they understand how important this matter is? Why have they not been proactive? Why has it taken a Private Member's Motion to bring this issue to the Floor of the House?

This is something the State and Ministry of Investments, Trade and Industry, should have taken up. They should have been proactive. Instead, it has been left to a Member of Parliament, Hon. Jane Kagiri to rescue this very important matter. We support her Motion on AGOA. I would like to see the Act brought here and we pass it, so that we can request the USA to extend it. I know there have been a lot of discussions. In the 12<sup>th</sup> Parliament, we also talked about this. When will they conclude the discussions between Kenya, Africa and the USA on AGOA?

As Hon. Omar Mwinyi, the Member of Parliament for Changanwe, said, people are anxious. They do not know whether companies are going to close. I can imagine today, if such companies close, where will the many young people who work in the EPZs in Kilifi, Changanwe and Naivasha go to? To me, it is an important piece of legislation. We should drop everything else and work on AGOA, so that it is extended and the Agreement is signed, and then we move on as a nation.

Thank you, Hon. Temporary Speaker. I support.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Waluke, followed by Hon. Kirima Moses.

**Hon. John Koyi** (Sirisia, JP): Thank you very much, Hon. Temporary Speaker. From the outset, I support the Motion brought by Hon. Jane Kagiri. Though it has come a little bit late, I thank her because she is a brave girl. Immediately, she saw the delay and the loss the country would incur because there are only six days remain. Hon. Jane, thank you very much for your braveness. Continue that way. You love your country, we had not seen this and thought the ministry had done its work.

Kenya needs to grow in many aspects especially economically. We are a young developing country requiring support like other sub-Saharan countries even though we are on the right track this time. What we need as a country is peace so that we continue developing. Kenya is the business hub of the world. Therefore, it is important that we continue having peace.

Recently, we visited Spain together with Hon. Jane Kagiri. Our ambassador there told us that Kenya is the main exporter of avocado. Spain mostly imports our avocados and they want us to increase the tonnage. Our country is well known in terms of agriculture production. When we came back, we sent Hon. Kagiri to talk to His Excellency the President about it, but we went on recess. We have not met again until today.

Let us be proud of our country and put it first. Let the economy continue to improve for the sake of the future of our children. I am a cotton farmer although the Malaba Malakisi

Ginnery broke down a few years ago, we still continue farming. At least my constituents still deliver 150 tonnes of cotton to Rivatex East Africa Limited. This goes towards building the economy of this country. Let us also ensure that our farmers get money in their pockets.

With those few remarks, I beg President Trump of the USA to consider this extension, so that Kenya does not continue begging. We also want to develop like other countries. For example, our country no longer begs for food from other countries like before when we would see members of the public wearing *sufurias* on their heads.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Kirima.

**Hon. Moses Kirima** (Central Imenti, UDA): Thank you, Hon. Temporary Speaker, for the opportunity to address this important issue which pertains to our country and the USA. First and foremost, I thank Hon. Jane Kagiri for seeing the reason and purpose of extending the period of AGOA. This Act is very necessary to promote the country's economy. Not forgetting that we have been having a kind of an economic meltdown. If the AGOA period is not extended, this means that we shall kill the little growth taking place in the country. The economic problems and challenges facing Kenya are not unique. They are all over the world. When an economic problem arises, it really affects the poor countries more than the rich ones.

With AGOA, there is job creation. Having 66,000 jobs is not a joke considering that there is massive unemployment of graduates leaving universities, Technical and Vocational Education and Training (TVETs) colleges and other institutions. With the collapse of AGOA, it means that we shall increase unemployment in a pot which is already overwhelmed; full of unemployed people. We will be in a crisis if we increase joblessness by 66,000 people. Therefore, I congratulate Hon. Jane for seeing it necessary to have this Act extended.

Right now, we are talking of promoting growth of coffee, tea, fruits and other nuts. We want coffee money to go to the common man or peasants. How will the coffee reach USA without this Act? It is therefore necessary for the Government of Kenya and the USA Government to speak and see how they can get an extension. This will be a relief to our people, especially the common man. The rich man may not be feeling it but those who feel are the *mama mbogas*, those who spend their time in EPZs making clothes, those who tend coffee and tea and those in other areas of economic gain where we trade with USA. It will be a great blow if this Act is not extended.

It is my prayer that it is extended. A number of Kenyans really supported the win and campaign of President Trump. Kenya is a country which believes in prayer and we really prayed for President Trump to win.

We were expecting that he would look at our country Kenya with the right eye. Up to now, we have not seen anything adverse from the American Government towards Kenya. The relationship has been positive throughout. Even socially, when we consider issues that have been debated here in Kenya such as same-sex relations, we see alignment between our Government and the current American Government. The present American administration does not advocate for socialising or intimacy between people of the same sex. That has also been the position of our Government. If we look at it keenly, the American Government corresponds with the Kenyan Government on a number of issues, including trade. That is why it is a big plus if the Act is extended.

We have farmers who grow cotton. In my constituency, we had Gaitu Ginnery that was producing cotton before it collapsed. We intend to revive it. That cotton is used to make clothes exported to America. Reviving this industry would be impossible if AGOA is not extended. It will be a great blow to future farmers who want to revive the ginnery, grow cotton again and export it. The people working in AGOA related industries and produce goods for export to America are mostly women. They are the backbone of the economy of this country. They support grassroots growth, take care of children in school and make sure there is food on the



table. Unfortunately, many men have fallen into drinking and other distractions, so the women carry those responsibilities. The women get a lot of support from the trade we have with America.

When it comes to the balance of trade without AGOA, one wonders what the outcome would be between Kenya and America. With AGOA continuing, the volumes of exports have been increasing year by year, even though America has the upper hand at present. Extending the Agreement would improve the balance and make things better than they are now.

I want to thank and congratulate Hon. Jane Kagiri for moving this timely Motion so that the Agreement can be extended. I urge the Government to move quickly before the current term expires and to engage with the American Government to ensure AGOA is extended for the proposed 40 years or longer. If that is not possible, we should at least have a transitional period. But why should we have a transitional period with a friendly Government that we talk to and that listens to us? It should simply be extended as has been prayed for in this Motion.

Thank you, Hon. Temporary Speaker, for giving me this opportunity.

**The Temporary Speaker** (Hon. Farah Maalim): Member for Igembe North.

**Hon. Julius M'anaiba** (Igembe North, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity. My card has done me a lot of disservice since it was not showing on the dashboard until now.

Allow me to thank Hon. Jane Kagiri for finding it necessary to bring this noble Motion to the House. Although it ought to have originated from the line ministry, she found it necessary, as a representative, to come up with this very important Motion to save the countries under AGOA from this menace.

Why AGOA? It was founded on the principle of ensuring sub-Saharan African countries access the USA market. African countries, being third-world countries, previously had no opportunity to access the US market. The AGOA came into existence in 2000 under the leadership of President Clinton and it is expiring this November. I join other Members in seeking extension of the AGOA Act.

If the extension is not granted, many Kenyans and Africans will suffer immensely. Kenya, being an agricultural country, is one of the countries that benefit immensely through the sale of coffee. Coffee is currently facing high market prices, and farmers have been encouraged by extension officers to change the belief that coffee is not beneficial. Most of our constituencies now engage in coffee production. This extension will enable farmers to continue reaping benefits. If the extension is not done, many Kenyans will lose their jobs. As has been indicated, about 66,000 people and many others who depend on them indirectly. This means poverty levels will increase in a country where unemployment is a threat. It will be devastating and the effects catastrophic.

Trade enables a country to grow, industrialise, stabilise economically and politically. Closing this market will negate the core principles as to why AGOA was founded. I urge our leadership to move swiftly and have bilateral talks with the USA Government, together with other African countries listed in the AGOA protocols. Through negotiations and bilateral talks, this Act should be extended for the benefit of the countries through the socio-political arrangement.

With that, Hon. Temporary Speaker, I support.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Beatrice Elachi.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I want to thank Hon. Jane Kagiri for this Motion on the renewal of AGOA beyond its current term of 2025. The AGOA is more than just what we see; it is beyond a trade Agreement. It is a platform of shared growth, mutual respect and sustainable development. When we started AGOA during the Kibaki regime, one of the things we wanted to do was to foster a relationship with the USA. It was not just Kenya, but the entire region.

The cornerstone of this Agreement was to strengthen ties between the USA and sub-Saharan Africa. The AGOA is meant to help nations grow their industries, create jobs and attract investors because it is duty-free. It helps nations to grow into a country that is self-reliant. More importantly, AGOA was to strengthen the relationship between sub-Saharan Africa and the USA. It was perceived that America, in terms of governance, had a good agenda. Through AGOA, we attracted good trade in textiles, agriculture, leather and manufacturing. I hope that the Trump administration will understand the need for sustainability between Africa and the USA. Our partnership with China has been more in terms of infrastructure. That relationship has grown until many countries feel scared about the relationship between China and Africa. It is the same way that people wondered about our relationship with the USA.

The purpose of AGOA was to add value to our industries. It was to build regional integration and infrastructure. That Public-Private Partnership (PPP) is still critical. I hope that during the ongoing *United Nations General Assembly (UNGA)*, African leaders will discuss how to move beyond AGOA. Now that we are facing challenges from the USA due to tariffs, how do we negotiate good agreements that will cushion Kenya in terms of policy and consistency so as to maintain eligibility and attract investors? We should be asking ourselves what we are going to do about our EPZs and SEZs? We have many of them not just in Kitengela, but also in Kisumu.

Now that China is also facing challenges, this would be an opportune time for Africa to engage and benefit more. We appreciate what the late President Mwai Kibaki did for this country. I also want to thank Ambassador Meg Whitman. I know everyone has their own opinion about her, but one of the best things she did was to boost AGOA in Kenya. The President had to open up more spaces. Many young people are employed in this sector. We are currently grappling with the issue of unemployment. What can we do? We should sit down with the Trump administration and negotiate ways to expand AGOA.

We also need to expand our own sectors. The agricultural sector has been doing very well. I once went with the Chief Whip of the Majority Party, Hon. Naomi, to a meeting, and one of the things that was talked about was agriculture and pyrethrum. It was our prayer that Nakuru will get back on its feet in terms of pyrethrum production.

We now have technology. Kenya can do very well in Information Communication and Technology (ICT) matters and create hubs. We already have the infrastructure and just need people to agree. Rwanda and other areas have specific technology for the health sector. We have so much in Kenya; we just need to think about how we can establish an EPZ that will cover health and create a sector that can help many patients. Today, Rwanda is exporting a lot of its products to Canada and other developed countries particularly for health matters. How do we use this same model for our children here in Kenya?

As we do all this, first allow me to thank Hon. Jane for reminding us that we are about to lose one of those good initiatives that was started under Vision 2030. The Vision aimed for Kenya to become a middle-income, industrialised country. One of the things AGOA has assisted us with is creating access to international markets.

As I finalise, one of the things we need to do as a House, even as we support Hon. Jane, is to agree that this matter is serious and requires urgent attention. Beyond that, I know we have a new ambassador to Kenya from the USA. We should have a sitting with him or her, talk and agree on how we move forward and strengthen this relationship.

Lastly, as we talk about AGOA, we also need to address the issue of visas. As Kenyans, we will suffer from the USA visa requirements. I plead with the young people, the generation Z to be cautious because we are facing challenges. Currently, when applying for a USA visa, it takes six months. One of the things they check is what you have been doing on social media and with your gadgets for the past six months. It is going to be tough for students and all of us because once you apply for your visa, you have to wait for six months. I plead that we look at

this issue. Currently, people are not taking us seriously to the extent of stepping on our flag in our own country because we have left room for them to treat this country casually. As we welcome the United Nations into Kenya, we will become a regional hub. Let us not lose AGOA. We need to remind the Trump Government that we have worked well together and have been friends for many years. So, AGOA should be allowed to continue.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Farah Maalim): Hon. Naomi Waqo.

**Hon. Naomi Waqo** (Marsabit County, UDA): Thank you very much, Hon. Temporary Speaker, for the opportunity to add my voice to the debate on the Motion on the Extension of the Term of the African Growth and Opportunity Act. I would like to congratulate Hon. Jane, our Chairperson, for bringing this timely Motion. We know AGOA was enacted in the year 2000 and it is now coming to an end. This poses a big threat to our country. It was extended in 2015 and expires in September 2025, which is this month.

Through AGOA, Kenya has grown economically and has had free access to the USA market. It has also created jobs and given Kenyans many opportunities to do business. One important thing we have noted is that 75 per cent of women are direct beneficiaries of AGOA. As a country, this is the only area where we can say that women are fully involved and leading.

The AGOA has facilitated trade between Kenya and the USA, not only in terms of market access, but also by promoting horticultural products, including flowers, nuts and coffee. Many Kenyans have invested heavily in this. The expiry of this Agreement is a big threat to us because it will jeopardise businesses of people already in it. Many people will also lose their jobs and we cannot afford that.

It is high time for us to cultivate a good relationship with the USA because there is much we can benefit from each other. As a country, we know that Kenyans are very innovative and creative. We need to invest more in this area to expand opportunities so that more Kenyans can benefit. In fact, about 66,000 Kenyans may lose their jobs, but we need to retain these jobs and if possible, increase the number. If this is not renewed and continuity is not assured, the poverty levels we are trying to fight will increase. Therefore, as a Government, we must ensure that this continues.

As I conclude, I would like to state that the extension time we are looking for is about 16 years and will take us to 2041. This will help our country gain economically, provide for families and promote long-term stability. In turn, our country will grow. We need to seriously work on this extension and see how best we can support those who have already invested and want to invest. We will also ensure that every part of this country is well represented. Even, those of us from the northern part of Kenya, there is something we can do to be part of this. We cannot afford to remain behind. Since Independence, we have been left behind and continue to say that we are marginalised. This will give us a good opportunity to challenge the pastoralists, market our leather, livestock and other products and see how best we can add value to what already exists.

With those few remarks, I support this Motion. Thank you.

**The Temporary Speaker** (Hon. Farah Maalim): I do not see any further interest in this. Under the circumstances, I am left with only one option, which is to ask Hon. Jane Kagiri, the Mover, to reply.

**Hon. Jane Kagiri** (Laikipia County, UDA): Thank you, Hon. Temporary Speaker. A very famous poet, Maya Angelou, once said, "People may forget what you said, but they will never forget how you made them feel." I thank this honourable House and my colleagues for the empathy they have exhibited towards the people who are held in this quagmire - the employees as well as the investors.

It was said that we are a bit late. However, as a staunch Arsenal supporter, I know we always deliver at the last minute. On Sunday, it was exhibited in the match against Man City,

where we scored in the 93<sup>rd</sup> minute. Even on this, I believe we are going to score and will be successful in getting the extension. My parting shot is that we should work on a policy where employees do not live in uncertainty about their employment and employers do not have to wonder what to tell their employees the following day.

It is my hope and prayer that the extension will be given to us. We look forward to a successful country and our people progressing with their livelihoods as they should.

I beg to reply, Hon. Temporary Speaker. Thank you.

*(Question put and agreed to)*

**The Temporary Speaker** (Hon. Farah Maalim): Next Order.

## **BILL**

### *Second Reading*

THE KENYA ROADS (AMENDMENT) (NO. 3) BILL  
(National Assembly No. 34 of 2025)

*(Moved by Hon. Peter Kaluma on 23.9.2025)*

*(Resumption of debate interrupted on 23.9.2025)*

I have Hon. Beatrice Elachi. I think the last person was Hon. Owen Baya. Proceed, Hon. Beatrice Elachi.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I rise to support the Bill. This amendment by Hon. Kaluma was necessitated by the challenges we were having with our governors. This is a very critical amendment for this House. It will assist us to see how we proceed with the issues that were raised in court.

Today in Kenya, when you look at the roads network, one of the challenges we still face is equity. We need to sit down and agree, look at the whole country and ask ourselves who has benefited more than the other. How do we ensure that equity comes in? We are grappling even in Nairobi City County today.

*[The Temporary Speaker (Hon. Farah Maalim) left the Chair]*

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

Hon. Temporary Speaker, while we want the county to construct these roads, we are very slow in that process. The President had really supported us by giving money to the counties. We are also asking ourselves whether the Kenya Urban Roads Authority (KURA) will construct the roads. How do we bring in the Kenya Rural Roads Authority (KeRRA)?

I realised that the cabinet secretary does not want to hear so much about KeRRA in Nairobi City County. However, I plead and tell him that KURA is also very overwhelmed. Many of these roads are not being constructed. If he would have given us the two institutions, maybe some of these roads would have been constructed by now. I have realised that we will have the same challenges in Nairobi City County. You disburse billions of shillings, but the institution is also maintaining other roads. The amendment will help us to classify the roads.

I am also pleading with the counties. If you know capacity is very low, why do you want the money for construction of roads? We should make it a win-win situation where both

of us can construct roads. Some of you can construct some roads and we can construct others. In the end, we are all serving the same people or Kenyans who want services to be rendered. Today, you find that the road is bad in some places, but you do not know who to ask. You do not know whether it is a KURA or county road. It is sadder because the counties have decided that we have given KURA the mandate to construct roads so that they can support us. We want them to move fast.

I hope we will conclude debate on this Bill so that we can move to the next one. We have also taken a while and time is running out. When you look at the judgement that we were given, there is also a timeframe that we were given to sort out all these things and come up with a law that is clear. When we come to the next budget, we will not fight again. We know that the Road Maintenance Levy Fund (RMLF) is allocated to construct roads. How do we share with the counties? This is very critical.

As I support this Bill, my plea is to KURA and our cabinet secretary who has done good work. He has securitised the money. Contractors are back on the road, but feeder roads are killing us. People have taken advantage of them and we have a lot of insecurity. People are stealing from others and running away. Many people have been killed and burnt because of the same. If the road network was good, then the security team would do their security work better.

With those few remarks, I beg to support the Bill. I hope we can finalise it, so that the clusterisation of these roads is done in the right way and we can know which road belongs to a particular institution and where to start.

I beg to support the Bill, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Omboko Milemba): Thank you very much, Hon. Elachi. There being no more interest in this Bill, I will defer putting of the Question to the next sitting.

*(Putting of the Question deferred)*

Next Order.

## MOTION

### ADOPTION OF FIFTH REPORT ON AUDITED ACCOUNTS FOR SELECTED STATE CORPORATIONS

THAT, this House adopts the Fifth Report of the Public Investments Committee on Social Services, Administration and Agriculture on its examination of Financial Statements of the following State Corporations, laid on the Table of the House on Tuesday, 5<sup>th</sup> August 2025—

- (i) National Social Security Fund for FY 2020/2021;
- (ii) Kenya Marine and Fisheries Research Institute for FY 2019/2020 to 2020/2021;
- (iii) National Hospital Insurance Fund for FY 2018/2019 to 2020/2021; and,
- (iv) Kenya Broadcasting Corporation for FY 2013/2014 to 2018/2019.

*(Moved by Hon. Emmanuel Wangwe on 23.9.2025)*

*(Resumption of debate interrupted on 23.9.2025)*

**The Temporary Speaker** (Hon. Omboko Milemba): Where is the Chairperson of the Public Investments Committee on Social Services, Administration and Agriculture? Deputy Leader of the Majority Party.

**Hon. Owen Baya** (Kilifi North, UDA): Hon. Temporary Speaker, there is no interest to speak on this Motion. I propose that next time it appears on the Order Paper, the Mover will be called upon to reply.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well, Hon. Members. We shall defer this Motion to the next Sitting.

*(Motion deferred)*

Next Order.

## COMMITTEE OF THE WHOLE HOUSE

### PRESIDENT'S RESERVATIONS ON THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL

**Hon. Temporary Speaker** (Hon. Omboko Milemba): Deputy Leader of the Majority Party.

**Hon. Owen Baya** (Kilifi North, UDA): This is supposed to be done by the Leader of the Majority Party, but as I stand, allow me to reschedule it so that we can do it afresh tomorrow.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well, you are indulged.

*(Committee of the whole House deferred)*

## MOTION

### CONSIDERATION OF REPORT ON EXAMINATION OF FINANCIAL STATEMENTS FOR THE WATER SECTOR TRUST FUND.

THAT, this House adopts the Report of the Special Funds Accounts Committee on its consideration of the audited accounts for the Water Sector Trust Fund for the financial years 2018/2019 to 2022/2023, laid on the Table of the House on Tuesday, 29<sup>th</sup> July 2025.

**The Temporary Speaker** (Hon. Omboko Milemba): Is the Chairperson of the Special Funds Accounts Committee in the House? In his absence, the Deputy Leader of the Majority Party, please, go ahead.

**Hon. Owen Baya** (Kilifi North, UDA): In the absence of the Chairman, Hon. Temporary Speaker, I request that you indulge me by stepping it down until we are able to reschedule it on the Order Paper.

**The Temporary Speaker** (Hon. Omboko Milemba): Very well obliged.

*(Motion deferred)*

Next Order.

## BILL

### *Second Reading*

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THE PRIVATISATION BILL  
(National Assembly Bill No.36 of 2025)

**The Temporary Speaker** (Hon. Omboko Milemba): Let us have the Deputy Leader of the Majority Party.

**Hon. Owen Baya** (Kilifi North, UDA): Indulge me, Hon. Temporary Speaker, to step it down until next time. Thank you.

*(Bill deferred)*

**ADJOURNMENT**

**The Temporary Speaker** (Hon. Omboko Milemba): Hon. Members, please, be upstanding.

The time being 7.46 p.m., this House stands adjourned until Thursday, 25<sup>th</sup> September 2025, at 2.30 p.m.

The House rose at 7.46 p.m.

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