



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

THE HANSARD

Thursday, 9th October 2025

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

Hon. Deputy Speaker: Sergeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Sergeant-at-Arms, you may stop the Quorum Bell. Let us start with the first Order. Hon. Members, kindly do not leave.

PETITION

INTERVENTIONS TO REVERSE THE DECLINE OF STEM SUBJECTS UPTAKE

Hon. Members, Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition other than those presented by a Member.

In this regard, I wish to report to the House that my office has received a Petition from the Computer Science Teachers Association of Kenya, a national professional body representing computing educators. The Association is dedicated to ensuring that educators are fully equipped to train the next generation of technology innovators, in alignment with the country's national digital master plan and strategic objectives.

The petitioner highlights a concerning decline in student participation in Science, Technology, Engineering, and Mathematics (STEM) at a critical juncture marked by the rise of Artificial Intelligence (AI). Without timely intervention, the nation risks falling behind in global competitiveness, innovation, and its ability to thrive in the Fourth Industrial Revolution.

The Petitioner commends the Teachers Service Commission (TSC) for its plan to prioritise STEM subject teachers during the scheduled recruitment of 24,000 intern teachers for Junior Secondary Schools. Further, the Petitioner acknowledges the introduction of coding into the school curriculum in 2022, utilising platforms such as *Scratch* and *Python* within the Competency-Based Education (CBE).

The Petitioner, however, raises concerns that dependence on a single introductory tool falls short of preparing students for the complexities of contemporary programming and emerging fields such as artificial intelligence, Cybersecurity, and Data Science.

(Several Hon. Members stood at the Bar)

I will sit down so that the Hon. Members can walk in. Members, you may walk in so that I can proceed.

(Several Hon. Members walked into the Chamber)

Additionally, the robotics component in the Grade 7-9 curriculum currently lacks substantive hands-on learning opportunities, which limits its effectiveness. The initiative faces significant challenges, including a shortage of trained teachers, inadequate infrastructure, and high resource costs.

The petitioner observes that, unlike extracurricular activities such as music, drama, and sports, STEM activities, particularly robotics, lack formal financial and policy support, resulting in unequal access, especially among marginalised communities. This issue is exacerbated by the Kenya Science and Engineering Fair (KSEF) policy, which mandates the use of proprietary *LEGO* robotics kits. The high costs of these kits exclude affordable, open-source alternatives, such as *Arduino*, *Raspberry Pi Pico*, and *BBC Micro:bit*. This exclusivity fosters elitism, restricts participation, and hinders Kenya's potential to cultivate a locally relevant and scalable robotics culture.

The Petitioner concludes by stating that these challenges have contributed to a persistent digital divide, limiting the reach and impact of STEM programmes, particularly in rural areas.

The Petitioner prays that the National Assembly, through the Public Petitions Committee, engage the Ministry of Education to establish a National Policy and Funding Framework for STEM and Robotics and direct the Kenya Institute of Curriculum Development (KICD) to incorporate hands-on learning components in AI, Robotics, Data Science, and Cybersecurity within the curriculum.

Having established that the matter raised in the Petition is well within the authority of this House, I hereby commit the Petition to the Public Petitions Committee for consideration. The Committee is required to consider the Petition and report its findings to the House and to the Petitioner in accordance with Standing Order 227(2).

I thank you.

(Several Hon. Members stood at the Bar)

The Hon. Members on their feet may sit down. We have another Petition.

(Several Hon. Members walked into the Chamber)

(Hon. Martha Wangari spoke off the record)

Yes, Hon. Martha?

Hon. Martha Wangari (Gilgil, UDA): Hon. Deputy Speaker, may I seek your guidance on whether we can comment on this Petition now or wait until you go through the next one?

Hon. Deputy Speaker: There is one more Petition, after which Members will have the opportunity to comment.

FUNDING OF THE 2017-2021 NATIONAL CBA AND NEGOTIATIONS
OF THE 2025-2029 FOR EMPLOYEES OF PUBLIC UNIVERSITIES

Hon. Members, Article 119 of the Constitution accords any person the right to petition Parliament to consider any matters within its authority. Further, Standing Order 225(2) (b) requires the Speaker to report to the House any Petition other than those presented by a Member.

In this regard, I wish to report to the House that my office has received a Petition from the National Secretary Generals of the University Academic Staff Union (UASU); Dr Constantine Wesonga Opiyo, and the Kenya University Staff Union (KUSU), Dr Charles Mukhwaya on a matter concerning the Government's failure to provide funds for the implementation of the 2017-2021 Collective Bargaining Agreement (CBA) for over 30,000 employees of public universities and colleges, amounting to Ksh7,974,630,447.

The Petitioners state that on 28th October 2019, the Inter-Public Universities Councils Consultative Forum (IPUCCF) and the Universities' Academic Staff Union (UASU) signed the 2017-2021 Collective Bargaining Agreement (CBA). The CBA was subsequently registered by the Employment and Labour Relations Court.

The Petitioners further state that to fund the 2017-2021 CBAs, Parliament approved the Supplementary II Budget Estimates for FY 2019/2020 in May 2020, which contained an allocation for the CBA. Subsequently, it appropriated the funds under the Supplementary Appropriations Act, 2020.

The Petitioners claims that on 3rd July 2020, the National Treasury through the Ministry of Education, Science and Technology (MOEST), availed 6.6 billion shillings to the public universities as initial funding for the CBAs which covered part of arrears of basic salary for all public university workers represented by the Universities' Academic Staff Union (UASU), Kenya Universities Staff Union (KUSU) and the Kenya Union of Domestic, Hotels, Education Institutions, Hospital and Allied Workers (KUDHEIHA); who number approximately 30,000.

(Several Hon. Members stood at the Bar)

I will allow the Hon. Members to sit down before I proceed. Please take the nearest seat.

(Several Hon. Members walked into the Chamber)

Hon. Members, the Petitioners further claim that the balance of Ksh2.2 billion was expected to be included in the 2021/2022 Budget. However, the National Treasury allocated only Ksh 2 billion, resulting in a balance of Ksh 200 million.

The Petitioners aver that the 2017-2021 CBA was effective from 1st July 2017 to 30th June 2021, though it was to remain in force until its successor, the 2021-2025 CBA, is concluded.

The Petitioners, decries that failure to pay basic salary as per the registered 2017-2021 CBA is a breach of the terms and conditions of service for the academic staff, comprising Professors, Associate Professors, Senior Lecturers, Lecturers, Assistant Lecturers, Tutorial Fellows and Graduate Assistants and all public universities have not paid the arrears in full accruing under 2017-2021 CBA.

The Petitioners inform that the matter was taken to the Employment and Labour Relations Court vide Case No. ELRC CBA and 3 of 2020 Collective Bargaining Agreement. The matter was subsequently determined by the said Court and proceeded to the Court of Appeal, where it was settled in their favour, resulting in interim orders for partial implementation.

The Petitioners avow that the total cost of implementing the CBA is Ksh16.57 billion, including pension and liabilities, rather than the Ksh8.8 billion computed by the Salaries and

Remuneration Commission (SRC) as requested by the National Treasury and the Ministry of Education.

Hon. Members, the petitioners conclude by praying that the National Assembly urgently allocate funds for the full implementation of the 2017-2021 CBA of Ksh7,974,630,447 and allocate funds for the implementation of the 2025-2029 National CBAs.

Given the nature of the prayers sought by the petitioners, I hereby commit this matter to the Departmental Committee on Education for consideration. The Committee is required to consider the Petition and report its findings to the House and to the petitioners in accordance with Standing Order 227(2).

Thank you, Hon. Members.

I think Hon. Martha had asked to comment on this. Thereafter, we will have Hon. Kangogo, Hon. Hilary and Hon. Nyikal.

Hon. Martha Wangari (Gilgil, UDA): Thank you, Hon. Deputy Speaker. I want to comment on the first Petition and support the petitioners. As you know, it is rare for the Ministry of Education to appear here to address a matter of funding for Science, Technology, Engineering, and Mathematics (STEM). We heard them discuss issues related to the arts, including extracurricular programmes like drama and music festivals. Sciences are often relegated to the edge and left unfunded.

Hon. Deputy Speaker, if you recall, the Cabinet Secretary mentioned yesterday that they are reconsidering the policy on funding. I think this Petition is very timely as it comes at a time when that review is being done. As a graduate and alumnus of the University of Nairobi's School of Mathematics, I can confirm that the numbers have been decreasing over the years, particularly for women. I recall that in my class of 2007, out of 40 students, fewer than 10 were women. It means that it requires a lot of encouragement, necessitating the allocation of resources to enable us to advocate for it. I will give you a live example of the support we can provide to help young men and women enjoy STEM.

Recently, a young man named John Tingoi from Gilgil, a fourth-year Computer Science student at Chuka University, made headlines. Through NG-CDF, we supported him at Maranda High School. He went to the International Quant Championship 2025, organised by the World Quant Brain, held in Singapore. This young man came in as the second runner-up out of 80,000 participants from 11,000 universities and 142 countries, putting Kenya on the global map. That shows how much potential we have if we support STEM and give students the option to choose it.

Hon. Deputy Speaker, right now, we are dealing with pathways. As a Junior Secondary School parent, if you look at the pathways young people are choosing, you will find they prefer arts and sports over STEM. This is because its advocacy and funding it is not enough. As the Ministry considers other areas, can the policy also specifically include STEM and encourage girls to take up the available opportunities?

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Members, I seek your indulgence because I see there is a lot of interest in comments on these two Petitions. Allow me, for reasons best known to you, to deal with Order No.8, Order No.9 and Order No.10, which only require putting of the question. Thereafter, we will revert to Order No.4.

MOTION

CONSIDERATION OF THE REPORT ON THE PRIVATISATION BILL

THAT, the House do agree with the Report of the Committee of the Whole House on its consideration of the Privatisation Bill (National Assembly Bill No.36 of 2025).

(Hon. Kimani Ichung'wah on 8.10.2025 - Afternoon Siting)

(Resumption of consideration interrupted on 8.10.2025 - Afternoon Siting)

(Question put and agreed to)

BILL

Third Reading

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

Hon. Deputy Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to move that the Privatisation Bill (National Assembly Bill No.36 of 2025) be now read a Third Time.

I request Hon. Naomi Waqo to second. But before she does, allow me to thank Hon. Members who were here at least up to 9 p.m. last evening to finalise the conclusion of this critical Bill. As we said during the Second Reading, this Bill is very timely in the history of our country at a time when the courts had nullified the initial Bill due to public participation.

The Committee on Public Debt and Privatisation and the Departmental Committee on Finance and National Planning conducted immense public participation on this Bill. I am speaking about public participation because I have heard people saying that state investments or state corporations are being sold without public participation. One of the amendments proposed yesterday by the Committee in the Committee of the whole House was New Clause 36A, which stipulates that, in addition to the privatisation programme, the privatisation proposal must now also be approved by Parliament. This will ensure that we have active public participation right from the proposal to the programme.

A New Clause 76, which also amended the Public Finance Management (PFM) Act, obligates the Government. Some people have been speaking out there. I heard the Wiper Democratic Movement leader, Hon. Kalonzo Musyoka, saying that we do not know where this money is going. I have also listened to the Deputy Leader of the Minority Party, Hon. Robert Mbui, in press conferences, saying that we do not know where this money will go. The New Clause 76 amending the PFM Act obligates that any sale of shares will go to the Consolidated Fund. Those who are just speaking out there must know that we are now obligated by law. In the Bill that the Committee amended, you cannot have a special interest-bearing account and then transfer it to the Consolidated Fund within 90 days. All sale proceeds will go to the Consolidated Fund.

Hon. Deputy Speaker, I am saying this because politicians are very fond of speaking out there to incite the public. Yesterday, I checked if Hon. Robert Mbui was in the House to propose amendments to the Bill, as I saw him speaking there. I watched to see if the Member for Naivasha or the Member for Kajiado North, who I saw addressing a press conference regarding the IPO for Kenya Pipeline Company, was in the House. None of them was here, and as you can see, they are not here now.

The New Clause 76 also speaks to the dilution of shares in state corporations.

Hon. Wanjiku Muhia (Kipipiri, UDA): On a point of Order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of Order?

Hon. Kimani Ichung'wah (Kikuyu, UDA): It must be a point of Order, not just a nuisance.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Deputy Speaker. Is it in Order for the Leader of the Majority Party to invoke the names of our colleagues, criticising them for not bringing an amendment? Amendments are brought willingly; perhaps they did not want to introduce them. This is also part of the protest. They protest outside, and here they are protesting by leaving the amendment as it is, so that you can pass it as you know.

Hon. Kimani Ichung'wah (Kikuyu, UDA): What is the point of Order there? That is a point of argument.

Hon. Wanjiku Muhia (Kipipiri, UDA): You are out of Order.

(Laughter)

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Wanjiku Muhia was not present in the House. I only mentioned Members who shout in funerals and street rallies but are never here to legislate. The Member for Kipipiri was not in attendance and has no understanding of what this Bill entails. She has no idea of "share dilution." She is blank and has no idea about anything.

Hon. Deputy Speaker: Leader of the Majority Party, let us proceed.

Hon. Kimani Ichung'wah (Kikuyu, UDA): My last point was on share dilution. Part of the privatisation process addresses the dilution of shares in state corporations. We have ensured that if the state wishes to dilute its shares in any state corporations... For instance, we own approximately 35 per cent of Safaricom; if the State intends to reduce that shareholding to 25 per cent, we, as a House, must congregate.

Hon. Wanjiku Muhia (Kipipiri, UDA): On a point of Order.

Hon. Deputy Speaker: What is your point of Order again, Hon. Muhia?

Hon. Wanjiku Muhia (Kipipiri, UDA): Is it in Order for the Leader of the Majority Party to assert that I was absent while I was seated right here? I even received a response to my statement on the roads. Is it appropriate for this leadership to address the absence of certain members in my group when attempting to inform their constituents that these Members are not present? I am in the House now. Why is the leadership creating a tradition of inciting constituents regarding Members who subscribe to "Wamunyoro"? One term it is.

(Loud consultations)

Hon. Deputy Speaker: Hon. Muhia, you have made your point. Let us restrain ourselves to the Motion.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I want Hon. Wanjiku Muhia to listen to me. Share dilution is 'reducing' in layman's language - from 35 per cent to 25 per cent - in the case of Safaricom. New Clause 76 is an amendment to the Public Finance Management Act, which states that any dilution of shares in a state-linked corporation requires Parliament's approval.

Some corporations are quasi-private, with the state holding shares. This means that any sale of a Government investment cannot occur without the express approval of the National Assembly, representing the people of Kenya. This is part of the public participation that we are obligated to provide. When we involve the National Assembly, we are also required by the Constitution to engage the public in all our processes. Therefore, public participation is integral to the dilution or sale of any state investments.

With that, I beg to move that the Privatisation Bill be now read a Third Time. I also request Hon. Naomi Waqo to second. Hon. Waqo was here with me until 9.00 p.m. I have no apologies when I say that some Members were not here. Hon. Wanjiku Muhia, Hon. Kibagendi, the Member for Kajiado, and Hon. Robert Mbui were not here. Even that rudderless, clueless and visionless group was not here.

Thank you, Hon. Deputy Speaker.

(Laughter)

Hon. Deputy Speaker: Proceed, Hon. Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Deputy Speaker, I second this relevant and timely Bill. I also appreciate the Members who supported and debated it passionately. It is our prayer that this will transform our country positively.

Thank you.

(Question proposed)

Hon. Members: Put the question!

(Question put and agreed to)

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

(Applause)

MOTION

CONSIDERATION OF THE REPORT ON THE INSTITUTE OF SOCIAL WORK PROFESSIONAL BILL

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Institute of Social Work Professionals Bill (National Assembly Bill No. 17 of 2023).

(Moved by Hon. Joshua Kimilu on 23.7.2025 – Morning Sitting)

(Resumption of consideration interrupted on 23.7.2025 – Morning Sitting)

(Question put and agreed to)

BILL

Third Reading

THE INSTITUTE OF SOCIAL WORK PROFESSIONALS BILL (National Assembly Bill No. 17 of 2023).

Hon. Deputy Speaker: Hon. Kimilu appears to be quite anxious, which may have caused some confusion on my part. Hon. Kimilu, you may proceed to move.

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Hon. Joshua Kimilu (Kaiti, WDM): Hon. Deputy Speaker, I beg to move that the Institute of Social Workers Professional Bill (National Assembly Bill No.17 of 2023) be now read the Third Time. I also request Hon. Millie Odhiambo to second.

Before she seconds, I would like to thank the House for supporting this Bill. I also extend my gratitude to the Committee, which was resourceful in ensuring that the Bill progressed to the Third Reading. I appreciate the Ministry for its collaboration. I have worked closely with all these parties, and they have done a great job.

I am particularly grateful to Members such as Hon. Millie, who once shared that her mother was a social worker. Social workers are essential in this country. I acknowledge everyone who contributed to this Bill, including lecturers from the University of Nairobi (UoN), St. Paul's University, and the Catholic University of Eastern Africa (CUEA), among others. I assure Kenyans that social workers are in safe hands, as this framework will guide their professional work.

I now request Hon. Millie Odhiambo to second.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Deputy Speaker. I second. I also thank Hon. Kimilu for bringing this Bill. I am very passionate about social workers. As he mentioned, my mother was a social worker. I was raised by a social worker and witnessed the excellent work she did for the community first-hand. We must honour social workers wherever they may be.

Thank you, and I second.

(Question proposed)

Hon. Members: Put the question!

(Question put and agreed to)

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

Hon. Deputy Speaker: Hon. Members, while I am still on my feet, allow me to recognise the presence of the following schools seated in the Public Gallery: Mukuru Transformers Secondary School from Embakasi South Constituency, Nairobi County; Kyaimu Comprehensive Mixed Secondary School from Mwala Constituency, Machakos County; Esoit Sampu Primary School Junior School from Kajiado East Constituency, Kajiado County, and Kiplagich Secondary School from Kuresoi South Constituency, Nakuru County.

(A Member spoke off-the-record)

It is written “Kiplagich”, so it is “Kiptagich”? Okay, got it—Kiptagich Secondary School from Kerusoi South Constituency, Nakuru County. Serjeant-at-Arms, always get the spelling right.

(Applause)

Before we proceed to Order No. 10, I will allow the Member for Kajiado Central to welcome the schools. Give him the microphone.

Hon. Memusi Kanchory (Kajiado Central, ODM): Thank you, Hon. Deputy Speaker. I am the Member for Kajiado Central. I welcome the school from Kajiado East on behalf of the

area Member of Parliament, who is not in the House today. He is dealing with some tribal skirmishes in Isinya, which is very unfortunate.

Let me take this opportunity to welcome the students from Kajiado East to Parliament. I urge them to work hard in their studies. The sky is the limit. The Members here took the same route as them. I welcome all the students to the House. *Karibuni Bunge*.

Hon. Deputy Speaker: Thank you for welcoming our guests on behalf of the House.

MOTION

ADOPTION OF THE SEVENTH REPORT ON AUDITED ACCOUNTS FOR SELECTED STATE CORPORATIONS

THAT, this House, adopts the Seventh 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 Wednesday, 13th August 2025.

- (i) National Syndemic Disease Control Council (Formerly National Aids Control Council) for Financial Years 2017/2018 to 2023/2024;
- (ii) National Social Security Fund for Financial Years 2021/2022 to 2023/2024;
- (iii) National Cancer Institute of Kenya for Financial Years 2019/2020 to 2023/2024; and
- (iv) Child Welfare Society of Kenya for Financial Years 2015/2016 to 2018/2019.

(Moved by Hon. Emmanuel Wangwe on 7.10.2025)

(Debate concluded on 8.10.2025 – Afternoon Sitting)

(Question put and agreed to)

Let us move back to the debate on Petitions. Hon. Kangogo, you are on your feet. Go ahead. Let us keep it short because more Members want to comment on the same. You have two minutes.

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Deputy Speaker. I want to comment on the first Petition. In this era of technology, there is a need to incorporate Information and Communication Technology (ICT) into our curriculum. There is a need to include AI and other technologies in primary schools. However, as we consider this, it is unfortunate that in many parts of the country, especially the rural areas, students lack the basic infrastructural facilities in their schools.

In a few weeks, KJSEA and KCSE examinations will commence, yet the Grade 9 students do not even know what a computer is. Also, there are no laboratories in those schools, yet they are expected to sit for the same exam as students in Nairobi, who are equipped with everything, including AI.

We must first focus on developing school infrastructure before considering enhancing the curriculum. There are still students who learn under the trees. I support this Petition and urge Members of Parliament and the Government to first focus on building classes for our students in the rural areas.

Hon. Deputy Speaker: Hon. Hilary, you have two minutes.

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Hon. Hilary Kosgei (Kipkelion West, UDA): Thank you, Hon. Deputy Speaker. I rise to support this Petition. While at it, I call on this House and the Kenyan people to relook at our education system in its entirety. Even as we transition to CBE and STEM, it is worth noting that the component of agriculture is given a narrow line.

Our education system taught us that agriculture is the backbone of our country. The saying ended there. We have done nothing to integrate agriculture into our system correctly. We have had students pursue degrees that are not helpful. You find some graduating with Degrees in Anthropology and Christian Religious Education (CRE), which do not offer any meaningful job opportunities. As we transition to STEM, we have given a very narrow line to agriculture. The Generation Z raised in this education system....

Hon. Julius Sunkuli (Kilgoris, KANU): On a point of Order.

Hon. Deputy Speaker: What is your point of Order, Hon. Sunkuli?

Hon. Hilary Kosgei (Kipkelion West, UDA): ...None of them is interested...

Hon. Deputy Speaker: Allow your colleague to execute his point of Order. What is your point of Order?

Hon. Julius Sunkuli (Kilgoris, KANU): The Member is saying that the Arts Degrees that made us who we are, the thinking subjects, are not practical subjects. We all support science, but we do not want people to stop thinking just because we want technocrats. We are here because we studied History, CRE, and other Arts subjects, but now we are talking about...

Hon. Deputy Speaker: I think he stands corrected. Hon. Kosgei, maybe you can clarify. I do not believe he meant that those courses are not significant.

Hon. Hilary Kosgei (Kipkelion West, UDA): Yes.

Hon. Deputy Speaker: He meant that we need these other subjects to propel us to the next industrial revolution. That is polite.

Hon. Hilary Kosgei (Kipkelion West, UDA): Hon. Deputy Speaker, besides that, my point was serious. Generation Z is no longer interested in farming and agriculture. In 20 years, who will feed them if they all flock to study ICT and other degrees? If we do not adopt educational measures that can stabilise our country's food security, it will become a foreign concept. We must make agriculture a mandatory subject in place of History, CRE, Geography, and Anthropology.

Hon. Deputy Speaker: I now give this opportunity to Hon. Nyikal.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Deputy Speaker. I rise to support Petition No. 22/2025. Our lecturers have been on strike for a long time. Our kids are also in the streets. As the Public Petitions Committee looks at the Petition, one point that stands out is that these CBAs are drafted, and years later, they are not honoured. We would like the Committee to look at why we draft CBAs to end the strikes, but do not adhere to them. Every time there is a strike, there is always a CBA that was drafted years back.

During this strike, some very interesting information has emerged, revealing that the facts stated by the lecturers differ significantly from those presented by the Ministry. When the Cabinet Secretary was in here yesterday, it was evident that the information he had was totally different from what we know on the ground. For example, regarding the issue that kids are not given certificates, the Cabinet Secretary said that the certificates are issued, except for isolated cases. On the issue that children report to school very early in the morning, the Cabinet Secretary refuted those claims. Therefore, the basic thing that the Committee should look at is the source of information the Cabinet Secretary is using to run the Ministry. That information is not in tandem with what we all know. We cannot run a country if we do not use facts and figures. The Committee should look into the facts and information given by the Cabinet Secretary during decision-making.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Members, before we continue, allow me to recognise the presence, in the Public Gallery, of Ng'arua Rironi Primary School, Kipipiri, Nyandarua County. I will give the opportunity to Hon. Wanjiku Muhia, Member for Kipipiri, to welcome our guests on behalf of the National Assembly.

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Deputy Speaker. I take this opportunity to welcome the school to the National Assembly. I want to inform them that this is the 13th Parliament. The National Assembly is the House where we make laws, as we voice our different opinions. It is a very good House. I pray that you work hard, and as you aspire to be leaders, you are welcome to serve the country in Parliament. In a special way, I recognise Ng'arua Rironi Primary School. This is the best primary school in Kipipiri. It has been performing very well and has helped many students gain admission to top high schools, such as Alliance High School.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Member for Funyula, you will be the last one to comment on the Petitions.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Deputy Speaker. I also rise to support the two Petitions, particularly Petition No. 22/2025. When the Cabinet Secretary was here yesterday, it seemed like we were talking at cross purposes, as a country. What the Cabinet Secretary and the lecturers are saying are completely different things. We hope and pray that the supposed mediation that is taking place today will narrow down the differences so that we can ascertain the amount due to be paid to the lecturers. A system must be put in place to ensure that they are paid in good time.

On the issue of negotiation of CBAs, it would be neater and more organised if we could include the CBAs in the budget in good time to avoid the accumulation of arrears over time.

Hon. Deputy Speaker, I support the Petition. Thank you.

Hon. Deputy Speaker: Hon. Members, we now move to the next Petition by the Member for Kiambu, Hon. Waithaka. Proceed.

PETITION

PROTECTION OF ANCESTRAL LAND IN KIAMBU COUNTY

Hon. John Waithaka (Kiambu, UDA): Thank you, Hon. Deputy Speaker. I rise to present a public Petition on road reserves, pathways, and the protection of ancestral lands by the residents of Gitei Village, Kiambu County.

I, the undersigned, on behalf of the residents of Gitei Village, Kirigiti Location, Riabai Ward, Kiambu County, draw the attention of the National Assembly to the following:

THAT, Gitei Village is an ancestral settlement, home to more than 10,000 residents who have developed their land, carried out farming, and established permanent and semi-permanent structures, guided by an understanding that the Kiambu–Ruiru road reserve measures 40 metres.

THAT, the Kenya National Highways Authority (KeNHA) has recently placed new beacons along the road between KM 12+800 (Kiu River) and KM 14+500 (Kirigiti), with an intention to expand the road reserve from 40 metres to 60 metres, contrary to long-standing government assurances and community practice.

THAT, the Survey Plan FR No. 9/69 (authenticated in 1914) forms the basis of KeNHA's decision, despite being a colonial-era plan drawn prior to Kenya's Independence, which provides for inconsistent corridor widths along the same road.

THAT, the Kenya Land Demarcation of 1958 and subsequent developments, burials and investments were carried out with the assurance of a 40-metre reserve, and

extending the corridor to 60 metres would result in exhumations, demolitions, displacement and irreparable intergenerational losses.

THAT, Kenya Gazette Notice Vol. CV No. 59 of 6th June 2003 classified the Kiambu–Ruiru Road as C63 with a gazetted road reserve corridor of 40 metres, which has consistently guided contractors and residents since Independence.

THAT, the then Ministry of Public Works, vide a letter dated 19th June 2004 in response to an inquiry by Mr D.K. Muchaba, a resident of Gitei Village, confirmed that the road reserve at the affected section is 40 metres wide.

THAT, the Kiu River, which serves as the main water source for Gitei Village, is designated as riparian land by the Water Resources Management Authority (WARMA) at 30 metres from the river edge, and combined with KeNHA's 60-metre claim, this renders some parcels of land such as Ndumberi/Riabai 14, 125, and 337 entirely consumed, leaving landowners landless despite holding valid titles.

THAT, residents continue to pay land rates on such parcels without compensation or exemption, even where their land is designated as riparian or compulsorily acquired.

THAT, despite various engagements with KeNHA, WARMA, and Kiambu Water and Sewerage Company through letters, site visits and consultations, residents have not received any substantive response, compensation, or relief.

THAT, the matters raised in this Petition are not pending before any Court of law, constitutional or legal body.

THEREFORE, your humble petitioners pray that the National Assembly, through the Public Petitions Committee:

1. Directs the immediate review and revocation of reliance on Survey Plan FR No. 9/69 (1914), and adoption of current statutes, gazette notices, and recommends for gazettelement of the road reserve between KM 12+800 (Kiu River) and KM 14+500 (Kirigiti) as 40 metres, to ensure uniformity with the rest of the Kiambu–Ruiru road corridor.
2. Recognises and protects valid certificates of title holders, particularly where road reserves and riparian land overlap, with special attention to Ndumberi/Riabai parcels 14, 125, and 337.
3. Ensures that adequate, equitable and transparent compensation for any compulsory acquisition of land is carried out through meaningful public participation and legal due process.
4. Makes any other recommendations it may deem appropriate to address the plight of the Petitioners.

And your petitioners will forever pray.

Thank you, Hon. Deputy Speaker.

PAPERS

Hon. Deputy Speaker: Thank you. Let us move to the next order, Papers.

Leader of the Majority Party. Proceed, Hon. Waqo.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Deputy Speaker, I beg to lay the following papers on the Table:

1. 2025 Budget Review and Outlook Paper from the National Treasury; and
2. Reports of the Auditor-General and Financial Statement for the Year ended 30th June, 2025 and the certificates therein in respect of-
 - (a) Witness Protection Agency Staff Housing Mortgage Scheme Fund; and
 - (b) Witness Protection Agency Staff Motor Car Loan Scheme Fund.

Thank you.

Hon. Deputy Speaker: Hon. Chairman, Departmental Committee on Labour. Who is reading it on behalf of the Departmental Committee? Hon. Chonga, proceed.

Hon. Ken Chonga (Kilifi South, ODM): Hon. Deputy Speaker, I beg to lay the following Paper on the Table:

Joint Report of the Departmental Committee on Labour and the Select Committee on Diaspora Affairs and Migrant Workers, on its consideration of Sessional Paper No. 5 of 2023 on the National Policy on Labour Migration.

Thank you.

Hon. Deputy Speaker: Thank you.

Next, a Member for the Departmental Committee on Justice and Legal Affairs on behalf of Hon. Chairman. Hon. Stephen Mogaka, you may proceed.

Hon. Stephen Mogaka (West Mugirango, JP): Thank you, Hon. Deputy Speaker. I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Sexual Offences (Amendment) Bill (National Assembly Bill No. 78 of 2023).

Thank you.

Hon. Deputy Speaker: Hon. Chairman of the Departmental Committee on Labour, or on their behalf. Who is giving the notice of Motion on behalf of the Departmental Committee on Labour?

Hon. Ken Chonga (Kilifi South, ODM): I am here.

Hon. Deputy Speaker: Proceed. You moved from where you were sitting.

Hon. Ken Chonga (Kilifi South, ODM): No, I have just laid the Paper.

Hon. Deputy Speaker: So you had to rush? Okay. Proceed.

Hon. Ken Chonga (Kilifi South, ODM): I decided to go back. Thank you.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON THE NATIONAL POLICY ON LABOUR MIGRATION

Hon. Ken Chonga (Kilifi South, ODM): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Joint Report on the Departmental Committee on Labour and the Select Committee on Diaspora Affairs and Migrant Workers on its consideration of Sessional Paper No. 5 of 2023 on the National Policy on Labour Migration, laid on the Table of the House on Thursday, 9th October 2025, and approves Sessional Paper No. 5 of 2023 on the National Policy on Labour Migration.

Thank you.

Hon. Deputy Speaker: Thank you. Next is Hon. Chairlady, Special Funds Account Committee.

(Hon. Fatuma Mohammed made her way to her seat)

You have to stick to your chair because then I have to look for you.

ADOPTION OF REPORT ON THE FINANCIAL STATEMENTS FOR COMMODITIES FUND

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Hon. Fatuma Mohammed (Migori County, Independent): Thank you and sorry. Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Fifth Report of the Special Funds Account Committee on its consideration of the Report of the Auditor-General on the financial statement for Commodities Fund for the Financial Years 2018/2019, 2019/2020, 2020/2021, and 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

Hon. Deputy Speaker: Thank you. Next Order. Hon. Chairlady, Special Funds Account Committee, do you have another one? You have two notices of Motion.

Hon. Fatuma Mohammed (Migori County, Independent): Yes.

Hon. Deputy Speaker: It only shows one here.

ADOPTION OF REPORT ON THE FINANCIAL
STATEMENTS FOR VARIOUS ENTITIES

Hon. Fatuma Mohammed (Migori County, Independent): Thank you once more. Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the 13th Report of the Special Funds Account Committee on its consideration of the Report of the Auditor-General on the financial statements for the Agriculture and Food Authority Car Loan and Mortgage Scheme Fund, Veterinary Services Development Fund, and Government Press Fund for the Financial Years 2020/2021 and 2021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

Thank you. I still have another one.

Hon. Deputy Speaker: It seems to be a longer list.

ADOPTION OF REPORT ON THE FINANCIAL STATEMENTS
FOR PRISON INDUSTRIES REVOLVING FUND
AND PRISON FARM REVOLVING FUND

Hon. Fatuma Mohammed (Migori County, Independent): Yes, I have so many. Thank you. Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT this House adopts the 10th Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the financial statement for the Prison Industries Revolving Fund and Prison Farm Revolving Fund for the Financial Year 2020/2021 and 2021/2022, laid on the Table of the House on Wednesday, 14th August 2024.

Hon. Deputy Speaker: Hon. Chairlady, you can just read the opening, then list down all of them, because you have gone to (f).

Hon. Fatuma Mohammed (Migori County, Independent): Hon. Deputy Speaker, they are different funds.

Hon. Deputy Speaker: Yes, but you can say that you are moving a notice of Motion on financial statements for one, commodities fund, two, stores and services, three, land, like that, so that it flows. However, it seems she does not have the same order as I do.

Hon. Fatuma Mohammed (Migori County, Independent): No, I do not have the same Paper. Kindly allow me to use mine.

Hon. Deputy Speaker: Just proceed with the one you have here.

ADOPTION OF REPORT ON THE FINANCIAL STATEMENTS FOR THE

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TOURISM FUND AND TOURISM PROMOTION FUND

Hon. Fatuma Mohammed (Migori County, Independent): Thank you. Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the 11th Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the financial statement for the Tourism Fund and Tourism Promotion Fund for the Financial Years 2020/2021 and 2021/2022 laid on the Table of the House on Wednesday, 14th August 2024.

ADOPTION OF REPORT ON THE FINANCIAL
STATEMENTS FOR VARIOUS ENTITIES

Hon. Fatuma Mohammed (Migori County, Independent): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the 19th Report of the Special Funds Account Committee on its consideration of the Report of the Auditor-General on the financial statement for the Kenya National Highway Authority and Maintenance Levy Fund, Kenya Rural Roads Authority Road Maintenance Levy Fund and Kenya Urban Rural Authority and Road Maintenance Levy Fund and Kenya Wildlife Services and Maintenance Levy Fund for the Financial Years 2020/2021 and 2021/2022 laid on the Table of the House on Wednesday, 14th August 2024.

ADOPTION OF REPORT ON THE FINANCIAL
STATEMENTS FOR VARIOUS ENTITIES

Hon. Fatuma Mohammed (Migori County, Independent): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Eighth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the financial statement for Street Families Rehabilitation Trust Fund for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 and 2021/2022 laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF REPORT ON AUDITED
ACCOUNTS FOR THE LAND SETTLEMENTS
FUND AND RAILWAY DEVELOPMENT FUND

Hon. Fatuma Mohammed (Migori County, Independent): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Seventh Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the financial statements for the Land Settlements Fund for the Financial Years 2020/2021 & 2021/2022 and the Railway Development Fund (Holding Account) for the Financial Years 2017/2018, 2018/2019, 2019/2020, 2020/2021 & 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

ADOPTION OF REPORT ON AUDITED ACCOUNTS FOR THE STORES
AND SERVICES FUND AND THE OCCUPATIONAL
SAFETY AND HEALTH FUND

Hon. Fatuma Mohammed (Migori County, Independent): Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the sixth Report of the Special Funds Accounts Committee on its consideration of the Report of the Auditor-General on the financial statements for the Stores and Services Fund for Financial Years 2020/2021 & 2021/2022 and the Occupational Safety and Health Fund for the Financial Years 2020/2021 & 2021/2022, laid on the Table of the House on Thursday, 7th December 2023.

Thank you, Hon. Deputy Speaker, for your patience.

Hon. Deputy Speaker: Has she completed all of them? I was trying to tick them. She has finished all of them.

Hon. Fatuma Mohammed (Migori County, Independent): Yes.

Hon. Deputy Speaker: Okay. Let us move to the next order.

QUESTIONS AND STATEMENTS

Hon. Deputy Speaker: We shall start with the traditional Thursday Statement by the Leader of the Majority Party.

STATEMENTS

BUSINESS FOR THE WEEK OF
13TH – 17TH OCTOBER 2025

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee, which met on Tuesday, 7th October 2025, to prioritise business for consideration during the week.

On Tuesday, next week, the House is expected to continue the consideration of the following Bills at the Second Reading stage, should they not be concluded today:

1. The Intergovernmental Relations (Amendment) Bill (Senate Bill No. 12 of 2024);
2. The Tea (Amendment) Bill (Senate Bill No. 1 of 2023); and
3. The Maternal Newborn and Child Health Bill (Senate Bill No. 17 of 2023).

Additionally, debate will be undertaken on the following Motions, some of which are listed in today's Order Paper, should they not be concluded today:

1. Consideration of Sessional Paper No. 5 of 2024 on the National Green Fiscal Incentives Policy Framework;
2. Consideration of reports of the East African Legislative Assembly (EALA) at the Fourth Meeting of the Second Session of the Fifth Assembly;
3. Consideration of the Privileges and Immunities (The Global Centre for Adaptation) Order, 2025;
4. Consideration of Comprehensive Economic Partnership Agreement between the Republic of Kenya and the United Arab Emirates;
5. First Report on the Status of Implementation of the Constitution by three Commissions; and
6. Report on the audited accounts for the Judiciary Mortgage Scheme Fund for the Financial Years 2011/2012 to 2021/2022.

In accordance with the provisions of Standing Order 42A (5) and (6), I wish to convey that the Cabinet Secretary for Health is scheduled to appear before the House on the afternoon of Wednesday, 15th October 2025, to respond to the following Questions:

1. Question No. 050/2025 by the Member for Kirinyaga Central, Hon. Joseph Gitari, regarding the reasons why the administrator of the National Police Service Medical Insurance Scheme, M/s. Medical Administrators Kenya Limited (MAKL), does not allow its beneficiaries to select their preferred hospitals for medical services;
2. Question No. 052/2025 by the Member for Nyandarua County, Hon. Faith Gitau, regarding measures being undertaken by the Ministry to secure affordable treatment for multi-drug-resistant tuberculosis, considering its more challenging and prolonged treatment regime;
3. Question No. 073/2025 by the Member for Mukurweini, Hon. John Kaguchia, regarding outstanding payment of Ksh450 million owed to Consolata Hospital Mathari by the Social Health Authority (SHA);
4. Question No. 074/2025 by the Member for Matuga, Hon. Kassim Tandaza, regarding the status of payments and implementation of the Social Health Insurance Fund (SHIF) in Matuga Constituency; and
5. Question No. 075/2025 by the Member for Laikipia West, Hon. Stephen Karani, regarding access and contribution challenges facing informal sector workers under the Social Health Insurance Fund (SHIF); and
6. Question No. 076/2025 by the Member for Kiambaa, Hon. John Kwanjiku, on the following:
 - (a) The status of the SHA benefits package for cancer patients
 - (b) The status of healthcare in Kiambu County, bearing in mind the status of the industrial action ongoing in Kiambu County, and the purported withdrawal of healthcare medical interns from Kiambu County health facilities.
 - (c) A status report from the Ministry on the reported maternal deaths of both mothers and newborn babies in healthcare facilities in Kiambu County in the last three to four months.

I also wish to draw to the attention of the House to the provision of Standing Order 141(2), which provides that a Bill that has been published, read a First Time or for which the Second Reading has not been concluded at the end of two consecutive Sessions shall lapse. I therefore encourage Committees to prioritise the consideration of Bills in this category pending before them and table the respective reports. This will enable the House to consider the Bills within the timelines necessary to save them from lapsing at the end of this Session. It is important to remind Members that after the short recess, we will only be here for another four to five weeks. Therefore, any Bills...

Hon. Deputy Speaker: Leader of the Majority Party, I think you should also instruct the Clerk to send a message to all the Committees.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Yes. However, more importantly, this applies to the Chairperson and Vice-Chairpersons of Committees and their Members who are considering Bills on behalf of their Members. They should ensure that they complete them so that those Bills do not lapse at the end of this Session, on the first week of December.

Finally, the House Business Committee will reconvene on Tuesday, 14th October 2025, to schedule any other priority business for the rest of the week. I now wish to lay this Statement on the Table of the House.

Thank you

Hon. Deputy Speaker: Thank you, Leader of the Majority Party. Before we proceed to the next Statement, allow me to recognise the presence of the following school seated in the Speaker's Gallery, Iloodariak Secondary School, from Kajiado West Constituency in Kajiado County. You are supposed to rise when you are recognised.

(The students stood in their places)

I also wish to recognise the presence of the Nandi County Boda Boda Association from various constituencies in Nandi County.

(Applause)

I request that Hon. Paul Biego, Member for Chesumei, welcome them and the students on behalf of the National Assembly.

Hon. Paul Biego (Chesumei, UDA): Thank you, Hon. Deputy Speaker, for this opportunity. I rise on behalf of this House to welcome everybody who is a visitor to this House; the schools from various parts of the country, and the boda boda team from Nandi County. We know that boda boda people play a major role in our communities. I would like to tell them that Parliament is considering Bills to improve their safety. For instance, this includes requiring registration, Global Positioning System (GPS) tracking, the wearing of uniforms, and membership in Savings and Credit Cooperatives (SACCOs), while also receiving petitions from riders themselves seeking to regulate the sector and protect digital riders. There are so many other good things happening with response to misconducts. The tightened regulations are a direct response to incidents of violent behaviour by some boda boda riders, such as setting vehicles on fire after accidents. They should therefore be very careful in how they handle the general public.

I take this opportunity, on behalf of all Members in the House, to welcome the boda boda riders from Nandi and everyone present.

Thank you

Hon. Deputy Speaker: Thank you. We will now go to the next Request for Statement by Hon. Member for Nandi County, Hon. Cynthia Muge. You may proceed.

(Hon. Julius Sunkuli consulted loudly)

Hon. Sunkuli, you are confusing the Member of Parliament for Nandi County.

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

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

REQUESTS FOR STATEMENTS

INSECURITY IN NANDI COUNTY

Hon. Cynthia Muge (Nandi County, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the recent escalation of tension and killings in Kimwani/Chebonet areas in Tinderet, Nandi County.

The security situation in Kimwani/Chebonet in Tinderet, Nandi County, has been delicate over the years, often characterised by intermittent eruptions of violence. On Monday,

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29th September 2025, the area witnessed violent confrontations that culminated in the tragic killing of two people, Jochim Kiprotich of ID No. 36199880 and Robert Kipruto Rugut of ID No. 38328399, maiming of several others and destruction of property. The situation remains tense, disrupting livelihoods and gripping the residents with fear and anxiety. Of great concern is the excessive force that the police officers applied in restoring normalcy, including the unjustified use of live ammunition.

Hon. Temporary Speaker, the spate of violence in the Kimwani/Chebonet area is attributable to historical disputes over land previously owned by the Agricultural Development Corporation (ADC) and which is believed to have been allegedly irregularly leased, sub-leased or allocated to private owners. The residents rightfully believe that this remains their ancestral land, disinherited from them by the colonial government, hence deserving to revert to the community and not to private owners. Notably, the tragedy in Kimwani/Chebonet is not an isolated incident in Nandi County. It is a painful reminder of the long-standing unresolved land injustices that continue to haunt the people of Nandi County since the atrocities meted out on the community during the colonial period. This matter has been brought to the attention of this House through various petitions and statements. However, no viable solutions have been implemented, resulting in a precarious security situation that threatens the peace and tranquillity of the area.

It is against this background that, pursuant to Standing Orders 216(5)(a) and 218(2), I seek an inquiry into the matter from the Chairperson of the Departmental Committee on Administration and National Security on the following:

1. The circumstances leading to the alleged use of excessive force by the Police, including the reported use of live ammunition that caused the tragic death of two persons.
2. The steps being taken to investigate the killings and hold accountable those responsible.
3. The measures being put in place to de-escalate tensions and ensure the safety of residents in Kimwani/Chebonet and surrounding areas.
4. The plans in place by the Ministry, jointly with other relevant ministries and agencies to resolve the underlying land dispute and prevent future conflicts.

Thank you, Hon. Temporary Speaker.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): What is out of order, Hon. Millie?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Temporary Speaker, it is not often that we get to do or say this. I therefore seek your indulgence.

Firstly, I am very happy that you have taken over as a "Madam Speaker" from another "Madam Speaker", which is very rare. It is always a "Mr Speaker."

The Temporary Speaker (Hon. Martha Wangari): I agree with you.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): I have been observing Hon. Muge, who has just spoken as she sought a statement. It is hard to express myself, but I do not know how to put it. However, I feel such warmth when I see young women doing exceptionally well. I watched her yesterday, when she was contributing to my Bill in the Committee of the whole House. I have also been observing how she is ably representing her constituency.

The Temporary Speaker (Hon. Martha Wangari): There is no doubt about that, Hon. Millie.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): We never say this. I can hear the men complaining, but you are too many! The point of order is, when there is a woman, that is remarkable. I do not know whether she is one of the people receiving a Presidential Award, and if her name has been put in as one of the people receiving the National Honours from this

House. However, these are the people who deserve to be recognised for their contributions in the House. She is doing an excellent job.

The Temporary Speaker (Hon. Martha Wangari): Thank you.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Temporary Speaker, if we do not recognise our own, who will? She is doing an excellent job.

The Temporary Speaker (Hon. Martha Wangari): Hon. Millie, I have indulged you because I agree with you that she is one of the young women who are doing very well. We have taken note of that.

Hon. Members, let us go back to Order No. 7

Hon. Member for Marsabit County, go ahead with your Request for Statement.

DISAPPEARANCE OF MR. JILLO GUYO BORU

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Temporary Speaker, pursuant to Standing Order 44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security, regarding the disappearance of one Mr Jillo Guyo Boru of ID No. 21926678.

Mr Jillo Guyo Boru was allegedly abducted on 22nd September 2025, between Dambala Fachana area and Sololo Makutano Centre while returning home from work. Eyewitnesses reported that six armed men in civilian clothing, with their faces concealed, forcibly stopped and bundled him into a Toyota Probox vehicle bearing a civilian number plate while his motorcycle was loaded into a Government Land Cruiser. Since then, his whereabouts remain unknown. The incident was officially reported at Sololo Police Station on 23rd September 2025 under Occurrence Book No. (OB) 06/23/09/2025. Despite efforts to obtain assistance from the Government and security agencies to trace Mr Guyo, no progress has been made. Further, inquiries at local police stations have not yielded any information. His sudden disappearance, without information on his location, is causing profound emotional and psychological distress to his family and friends.

Mr Guyo's case is not isolated. It points to disturbing patterns of human rights violations that appear to have escalated since the launch of "Operation Ondo Jangili" by the National Police Service (NPS) on 3rd February 2025. Unfortunately, this operation, which was originally intended to protect the community, has been weaponised to victimise and terrorise the very people it was meant to safeguard. Alarming, these blatant violations persist unchecked and with impunity, particularly in Sololo Sub-County, Moyale Constituency.

It is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. A status report on the disappearance of Mr Jillo Guyo Boru of ID No. 21926678 and investigations by the Police into this incident, as reported under OB No. 06/23/09/2025.
2. Actions being taken by the security agencies to update the family and ensure that the missing person is expeditiously traced and reunited with his family, and the perpetrators brought to account for their actions.
3. Measures put in place by the Ministry of Interior and National Administration to ensure the safety of residents of Sololo Sub-County in Marsabit County, including safeguards to ensure the "Operation Ondo Jangili" is executed within the principles of the rule of law.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Chairperson, Departmental Committee on Administration and Internal Security. How long do you need for both this one and the Request for a Statement by the Member for Nandi?

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker.

I agree with your judgment that the two Requests for Statements were not in the Order Paper. But you are within your rights to allow them. Hon. Naomi's issue is urgent. I will give a response next Thursday.

The Temporary Speaker (Hon. Martha Wangari): Okay.

Hon. Gabriel Tongoyo (Narok West, UDA): If not a conclusive one, at least a preliminary one.

I need your indulgence regarding the second question sought by the Member of Parliament for Nandi, Hon. Cynthia Muge. This is because, looking through it, it is requesting an inquiry. An inquiry is not a statement nor a question. Is it an inquiry or a statement?

The Temporary Speaker (Hon. Martha Wangari): The week after recess.

Hon. Gabriel Tongoyo (Narok West, UDA): I am asking whether it is an inquiry.

The Temporary Speaker (Hon. Martha Wangari): It is a request for a statement. The Speaker approved it as such.

Hon. Gabriel Tongoyo (Narok West, UDA): Hon. Temporary Speaker, it is written 'an inquiry.' We need to confirm with the Member. She is here. The request for a statement is here with me. It reads in part that it is against this background that, pursuant to the Standing Orders, I seek an inquiry.

(Loud consultations)

The Temporary Speaker (Hon. Martha Wangari): Hon. Muge, when I look through your request for a statement, it looks like a statement to me. But when you mention the word inquiry, it becomes something else. Can you confirm that it is a matter of semantics, or that you meant inquiry? That means, of course, a deeper and longer time in terms of getting a response.

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Temporary Speaker.

As I stated in my request for a statement, numerous petitions have been presented to this House regarding the same matters, and we have yet to receive a tangible response to them. I thought that having an inquiry would provide a conclusive investigation into the matters that are happening there, as they recur every other time.

The Temporary Speaker (Hon. Martha Wangari): Chairperson, I think you are right, and what Hon. Muge is requesting is more than just a statement. I will give it a maximum of 60 days, as the inquiry is more in-depth and requires additional time and details. Let me give it 60 days.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker.

I am well guided. Just to confirm, the Committee was there about two weeks ago as part of our fact-finding mission. We visited Nandi and specifically, Tinderet. I confirm that the concern raised by the Hon. Member about some sporadic cases of insecurity merits an inquiry.

The Temporary Speaker (Hon. Martha Wangari): All right, we will go to the next request for a statement as per the Order Paper. Member for North Horr, take the Floor and.

PLIGHT OF IDPs IN MARSABIT COUNTY

Hon. Adhe Guyo (North Horr, KANU): Hon. Temporary Speaker, pursuant to provisions of Standing Order 44(2)c, I rise to request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security regarding the plight of IDPs in Marsabit County.

During the tribal clashes that occurred between 2017 and 2021, over 600 households in Marsabit County were displaced due to socio-political violence. These families, for the past

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four years, resided in makeshift tents, temporary shelters, and camps in Marsabit County in dire and deplorable conditions. The IDPs lack access to basic needs such as water, food and proper sanitation conditions. The government's provision of relief food to affected households is intermittent and unsustainable; therefore, there is a need to permanently resettle the families.

Furthermore, the IDPs, in an effort to find an alternative settlement, were forcefully evicted, beaten, injured, and their properties burned by security agencies. The national and county governments have repeatedly made assurances regarding permanent resettlement and compensation for the families, but this process has been painfully slow.

(Hon. Mwenje consulted loudly)

The Temporary Speaker (Hon. Martha Wangari): Order, Hon. Mwenje. You are totally out of order. Continue, Hon. Member.

Hon. Adhe Guyo (North Horr, KANU): This House also approved the allocation of funds towards the resettlement process, but the government has failed to take steps towards implementing it. The continued delay in the resettlement, rehabilitation and re-integration of the Internally Displaced Persons (IDPs) in Marsabit is a crisis that needs to be addressed urgently.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Administration and Internal Security on the following:

1. Plans by the Minister of Interior and National Administration to expedite and conclude the process of resettlement, rehabilitation and re-integration of the IDPs, including specific timelines for the resettlement and compensation process.
2. Specific measures being implemented to restore and sustain long-lasting security in Marsabit County.

Thank you, Hon. Temporary Speaker.

Hon. Gabriel Tongoyo (Narok West, UDA): Thank you, Hon. Temporary Speaker.

Once again, aware that we are going on recess, possibly next week, allow me to bring a response a week after we return.

The Temporary Speaker (Hon. Martha Wangari): That is in order. Next is a request for a Statement by the Member for Kiambu, Hon. Machua.

DELAYED PAYMENT OF A SUBCONTRACTOR

Hon. John Waithaka (Kiambu, UDA): Hon. Temporary 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 Defence, Intelligence and Foreign Relations regarding the delayed payment of a subcontractor for the works undertaken in construction of the Environmental Conservation Gallery at Uhuru Gardens by the Ministry of Defence.

Hon. Temporary Speaker, Jothwa Enterprises Limited was subcontracted by China Wu Yi Company Limited to undertake the construction of an Environmental Conservation Gallery at Uhuru Gardens under the supervision of the Ministry of Defence. The works commenced in February 2022, and the subcontractor successfully completed the foundation works.

However, immediately after the 2022 General Elections and the subsequent change of regime, the project was halted before completion. Despite having fully discharged its contractual obligations in good faith, Jothwa Enterprises Limited has not received payment for the works executed. This has subjected the company to severe financial distress, including difficulties in servicing loans and meeting obligations directly tied to the project.

The delayed payment raises concerns regarding the accountability of government supervision of projects undertaken by foreign contractors who engage local sub-contractors.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations on the following:

1. Report on the contractual arrangements between the Ministry of Defence, China Yung Wing Company Limited and Jothwa Enterprises Limited in the Uhuru Gardens Environmental Conservation Gallery project, including the obligations of the Ministry in ensuring payment of the sub-contractors.
2. The reason for the suspension of the project and halting payment of completion works.
3. Measures taken by the Ministry of Defence to ensure that Jothwa Enterprises Limited and other subcontractors are paid for works already completed.
4. A clear timeline within which payment shall be effected to protect Kenyan sub-contractors from unfair treatment in government projects.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Very well. I do not see the Chairperson of the Departmental Committee on Defence, Intelligence and Foreign Relations, nor the Vice-Chairperson.

In this case, I will task Whip of the Minority Party, Hon. Millie Odhiambo, who is a Member of that Committee, with obtaining the response by the first week after we resume from recess.

The next Statement is by the Member for Wajir West. Are you in the House?

COMPENSATION OF WAGALLA MASCRE VICTIMS

Hon. Yussuf Farah (Wajir West, ODM): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44 (2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Justice and Legal Affairs regarding compensation of Wagalla Massacre victims.

Wagalla Massacre, which occurred on 10th February 1984, was a dark chapter in the history of our country. More than 5,000 people lost their lives after security forces rounded up and tortured men and male children over the age of 12 years at Wagalla Airstrip. The quest for justice remains an illusion to the people of Wagalla. The survivors have spent decades demanding accountability from the government without any resolution.

In 2013, the Truth, Justice, and Reconciliation Commission (TJRC) acknowledged the atrocities in its report and recommended an official apology from the government. An Implementation Committee was formed to execute the recommendations. Further, in 2015, the Fourth President offered a public apology for the atrocities, rekindling the hope for compensation. However, none of the victims and their families have been compensated for the torture and injuries suffered, and the loss of their loved ones.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Justice and Legal Affairs on the following:

1. A report on the status of implementation of recommendations by TJRC, specifically regarding the victims of the Wagalla Massacre.
2. An explanation for the inordinate delay in compensating the families and victims of the Wagalla Massacre.
3. Measures being put in place to provide support to the survivors, including providing rehabilitation programmes and fast-tracking compensation.

This is the second time I am requesting this Statement with no response.

The Temporary Speaker (Hon. Martha Wangari): Are you done?

Hon. Yussuf Farah (Wajir West, ODM): Yes.

*(Hon. Millie Odhiambo-Mabona and
Hon. Kangogo Bowen spoke off the record)*

The Temporary Speaker (Hon. Martha Wangari): I do not want to allow comments on Statements. You know our Standing Orders. Hon. Bowen, what do you mean by saying that you do not want to comment? If it is not a comment, then it is a statement.

Hon. Kangogo Bowen (Marakwet East, UDA): Hon. Temporary Speaker, the Member has raised an issue on the compensation of Wagalla Massacre victims. There is a team which was formed by His Excellency, the President, some months ago, for compensation of those people who were killed and brutalised during the demonstrations. There is a need to expand that team to include the victims of the Wagalla Massacre and banditry victims in Kerio Valley, where we lost so many people and post-election violence.

The Temporary Speaker (Hon. Martha Wangari): Hon. Bowen, you can bring a Statement to that effect. The Member is very specific about the Wagalla Massacre victims. He has said this is the second time he has requested this Statement. We should allow him to get the response specifically on the Wagalla Massacre victims. Whip of the Minority Party, do you want to speak on the same Statement?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you. Hon. Temporary Speaker, you notice that this is the second time, this afternoon, that we have talked about victims. There were Internally Displaced Persons (IDPs) who were victims of post-election violence, and then Wagalla Massacre victims who suffered excessive state power.

I brought before this House the Victim Protection Act, which is a law. Would I be in order to request that as the relevant Committee looks at this request for a statement, that they look at that framework? I know that the body that was formed was also struggling with which framework to pay. I do not understand which framework you pay when there is already a Victim Protection Act. When people are struggling and going to Court, all you need to do is appoint the very same people minus Faith Odhiambo to the body under that Act. It already has a Fund from which we appropriate money. We can even cover Wagalla Massacre victims and banditry victims from the Kerio Valley. We can start from the latest backwards.

The Temporary Speaker (Hon. Martha Wangari): Perfect. Where has the Chairperson disappeared to? The good thing is that the requests for Statements on Wagalla Massacre victims and IDPs are all going to the same Committee. The Statement on IDPs will be considered by the Departmental Committee on Administration and Internal Security. The Departmental Committee on Justice and Legal Affairs will consider the Statement on compensation of Wagalla Massacre Victims. We will give the relevant committees the leeway. If they need to have a joint sitting with the other Committee, kindly do it, but bring an answer. This is the second time the Statement is being requested in this House. Bring the response the first week after we resume from the short recess in October.

The next request for a Statement is by Hon. Wanjiku Muhia.

Hon. Yussuf Farah (Wajir West, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): What is out of order, Hon. Member for Wajir West?

Hon. Yussuf Farah (Wajir West, ODM): Hon. Temporary Speaker, I have brought this matter to this House twice. This is the second time I am requesting a Statement. The relevant Committee Chairman is not in this House, and you have not tasked anyone to bring the response.

The Temporary Speaker (Hon. Martha Wangari): It is already committed to the Departmental Committee on Justice and Legal Affairs. Do we have the Chairperson? He is not here. Is there any Member of the Committee? Hon. TJ, you are a senior Member of that Committee. Can you hold a brief for your Chairman?

Hon. TJ Kajwang' (Ruaraka, ODM): For a moment. I thought my Party Leader, here, was propping me up for failure. I can hold brief for my Chairman.

The Temporary Speaker (Hon. Martha Wangari): Bring the response the first week after we come from recess.

Hon. TJ Kajwang' (Ruaraka, ODM): That is alright.

The Temporary Speaker (Hon. Martha Wangari): Thank you.

Member for Kipipiri. Hon Members, you can now see the need for having your cards. You make the work of the Clerks-at-the-Table very difficult when they keep looking for where you are seated.

DELAYED CONSTRUCTION OF A ROAD IN KIPIPIRI CONSTITUENCY

Hon. Wanjiku Muhia (Kipipiri, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the delayed construction of the Geta–Ndunyu Njeru Road Project. It is also known as the Captain–Ndemi/Wanjohi–Kwa Matu–Geta–Kahuruko–Ndunyu Njeru Road in Kipipiri Constituency.

Construction of this critical road commenced in 2018, yet progress has remained extremely slow. The project was launched twice: first in November 2018 and again in February 2023. However, the contractor left the site soon after the launch. While appearing before the Departmental Committee on Transport and Infrastructure in 2023, the Cabinet Secretary assured me that the project would be completed by the end of 2024. However, there has been no meaningful progress to date. The continued delay has greatly inconvenienced the residents of Geta Town and its environs, who now struggle to access hospitals, schools and markets. The road has become nearly impassable, forcing residents to resort to manual maintenance works.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure to apprise the House on the following:

1. A report on the current progress, funding status and expected completion date of the Geta–Ndunyu Njeru Road Project.
2. Explanation as to why the contractor abandoned the site and why progress remains minimal despite assurances for completion of works and payments made; and
3. Confirmation of payments made to the contractor *vis-à-vis* the works done and measures taken to ensure the timely completion of the project.

Hon. Temporary Speaker, I thank you.

The Temporary Speaker (Hon. Martha Wangari): Chairperson of the Departmental Committee on Transport and Infrastructure.

(Hon. Mark Mwenje spoke off the record)

What is out of order? I do not want you to ride on statements because you know our Standing Orders, Hon. Members.

Hon. George Kariuki (Ndia, UDA): Two weeks after we come back from recess.

The Temporary Speaker (Hon. Martha Wangari): Two weeks after recess?

Hon. George Kariuki (Ndia, UDA): Yes.

The Temporary Speaker (Hon. Martha Wangari): What is out of order, Hon. Mwenje?

Hon. Mark Mwenje (Embakasi West, UDA): Thank you, Hon. Temporary Speaker. I take your guidance on that issue seriously. But there is something that is of importance that I want to bring to your attention and the attention of the House, which is related to what Hon. Wanjiku Muhia has raised.

Hon. Temporary Speaker, the Road Maintenance Levy Fund (RMLF) released Ksh36 million to 22 per cent and Ksh10 million to 10 per cent. As you are aware, the work plans have already been done, the advertisements issued, and the contractors given those jobs. This is across the two lines. You can tell we are in October, a new financial year. We just need an honest answer from the Cabinet Secretary on whether we will ever receive the balances to complete those projects.

If the Chairperson could, within the same timeline you have given when we resume from recess, obtain a final response from the Cabinet Secretary regarding the balance of Ksh6 million, since Ksh36 million has already been received, and the total should come to either Ksh42 million or Ksh44 million. Additionally, there is the Ksh19 million, of which Ksh10 million was received as the 10 per cent initial disbursement. So, there is Ksh9 million. We can know if we will ever get these funds. We would rather know the truth: that this money is not coming. Just tell us so that we forget about it.

The Temporary Speaker (Hon. Martha Wangari): You have made your point. Hon. GK, do you want to say something about it?

Hon. George Kariuki (Ndia, UDA): I advise the Hon. Member to request a Statement, so that we can avail a comprehensive response.

The Temporary Speaker (Hon. Martha Wangari): On this, Hon. Mwenje, I have indulged you.

Hon. Chairperson, on this one, because it is a very live issue in this House, please come with a response on it. I know you can do it from the Ministry because it is urgent and important. Member for Luanda, request for your Statement.

KENYA AIRWAYS OPERATIONAL EFFECTIVENESS

Hon. Dick Oyugi (Luanda, DAP-K): Hon. Temporary Speaker, pursuant to the provisions of the Standing Order 44(2)(c), I wish to request a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure, regarding operational effectiveness and customer service standards of Kenya Airways, also known as KQ.

In recent years, there have been increasing concerns from the public and tourists over the management and performance of Kenya Airways. Reports from passengers using the airline indicate a pattern of last-minute cancellations, frequent flight delays, and inadequate communication with passengers regarding important updates. In some instances, flights have been cancelled or rescheduled with little or no notice, leaving travellers stranded, missing connecting flights, and incurring unplanned expenses.

Passengers have also consistently raised complaints regarding the poor handling of luggage, with many cases of lost or delayed luggage being reported. This has been accompanied by allegations of low or ineffective claims resolution processes, which have greatly undermined public confidence in the airline.

In January 2025, the COMESA Competition Commission commenced investigations into Kenya Airways for unconscionable conduct in the treatment of passengers, particularly in relation to delayed or cancelled flights and inadequate customer care. There are also concerns about the airline's strategic direction and competitiveness in the region. Comparative industry data indicate that while Kenya Airways once held a stronger fleet position than some of its regional competitors, its growth trajectory has since stagnated. For example, in 2006, Ethiopian

Airlines had a smaller flight than KQ, but has since expanded significantly, now operating a larger flight and serving more passengers, while KQ's growth has been limited.

Over the years, significant resources have been used to support KQ operations and restructure its finances. Reports on its management raise concerns about how long the taxpayer is expected to bear the burden of funding KQ's losses. This is notwithstanding the fact that KQ tickets are prohibitively expensive compared to other airlines.

Hon. Temporary Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. A report on the assessment of the management and operational strategies of Kenya Airways, including its current fleet position, growth trajectory, and regional competitiveness.
2. Plans by the Ministry of Roads and Transport to restore public confidence, improve customer service, and ensure Kenya Airways remains competitive.
3. The specific measures being undertaken to ensure that financial support is tied to performance and conditions to protect the interests of taxpayers.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. GK?

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, two weeks.

The Temporary Speaker (Hon. Martha Wangari): Two weeks?

Hon. George Kariuki (Ndia, UDA): Yes.

The Temporary Speaker (Hon. Martha Wangari): So, it means after recess?

Hon. George Kariuki (Ndia, UDA): Yes.

The Temporary Speaker (Hon. Martha Wangari): The first week after recess?

Hon. George Kariuki (Ndia, UDA): Yes.

The Temporary Speaker (Hon. Martha Wangari): Very well.

We now go to statements to be responded to. We will start with Hon. Tongoyo. Where is he? He seems not to be in.

Hon. GK, can you go first if you are ready? You have the Floor.

FUNDING FOR CONSTRUCTION OF A ROAD IN WAJIR COUNTY

Hon. George Kariuki (Ndia, UDA): Thank you. Hon. Temporary Speaker. The Member for Tarbaj, Hon. Barre Hussein Abdi, requested a statement regarding funding for the construction of the Wajir-Tarbaj-Kotulo Road. Hon. Barre Hussein Abdi, in the request, sought the following:

1. A report on the implementation status of the Wajir-Tarbaj Road, Lot 1, and Tabarj-Kotulo, Road Lot 2 projects, detailing the financing plans, total cost, and the amount disbursed and paid to contractors so far.
2. Clarification on whether or not the completion of the Tarbaj-Kotulo Road A13 has been provided for in the Financial Year 2025/2026, specifying the budget amount.
3. A report on the number of residents affected by the project in Tarbaj Constituency, including their details and the status of compensation.
4. Details of the Corporate Social Responsibility (CSR) initiatives, earmarked for implementation under the Horn of Africa Gateway Development Project within Tarbaj Constituency, the budget allocation, and expected impact on the local communities.

Hon. Temporary Speaker, the Committee received a response from the Ministry of Roads and Transport on 22nd September 2025, which I now wish to make. Regarding the Wajir-

Tarbaj Road, Lot 1, and Tarbaj-Kotulo Road, Lot 2 projects, the Ministry stated that the projects were financed by the World Bank under the Horn of Africa Gateway Development Project, which fell under Component A, focusing on improving the movement of people, goods, and digital connectivity.

The project cost was estimated at US\$642.54 million, covering road works, consultancy services, and fibre optic cable installation. The first lot, covering the Tarbaj-Wajir section, which is 57 kilometres long, was contracted to Longjian Road & Bridge Co., Ltd. and had a contract sum of Ksh 9.1 billion. The physical progress stood at 5.5 per cent, compared to the expected 21.01 per cent. To date, the contractor has received about Ksh1.2 billion.

The second lot, covering the Tarbaj-Kotulo section of 57 kilometres, was contracted to Zhongmei Engineering Group Limited in a joint venture with Halane Construction Company at a contract value of Ksh 9 billion. Its progress stands at 14.72 per cent against the expected 22.81 per cent. The contractor has been paid approximately Ksh1.8 billion. The Ministry confirmed that all payments due had been settled.

Regarding budgetary provisions, the Ministry clarified that the project was fully supported through a multi-year budget with adequate allocation made for the Financial Year 2025/2026. Specifically, Ksh8.68 million was allocated for Lot One and Ksh9.18 million for Lot Two, inclusive of Ksh16.4 million as the Government of Kenya's counterpart funding.

Regarding compensation, the Ministry submitted that a Resettlement Action Plan was undertaken in January 2020, in line with the World Bank's policy on involuntary resettlement, to identify and enumerate all affected persons, households, assets, and livelihoods within the road corridor. The total number of Project Affected Persons (PAPs) for Lot One was 262 persons, distributed across the Holin, Wajir, Lafaley, and Tarbaj areas. For Lot Two, the number of PAPs was 549 persons, distributed along Hungai and Wagadud in Wajir County, and Kotulo in Mandera County. The National Land Commission is in the process of verifying the identified PAPs and conducting valuations for their compensation. Disbursement of compensation funds will follow once the valuation is completed.

Regarding the corporate social responsibility activities under this project, the Ministry submitted that the corridor has already drilled and equipped a community borehole at Wagadud Ward and installed a 20,000-litre water tank at the shopping centre in Hungai Ward. Furthermore, the contractor supplies Hungai, Sango, and Elben Wards with 40,000 litres of water twice a week, and Tarbaj Ward three times a week. Additionally, the Ministry noted that under the same project, KeNHA will implement socio-economic infrastructure facilities identified through earlier social assessments, with sub-projects already validated for the benefit of local communities. These sub-projects span the health, water, education, and youth sectors.

Hon. Temporary Speaker, I submit.

Hon. Temporary Speaker (Hon. Martha Wangari): Before I give the Member for Tarbaj the Floor, allow me to recognise in the Public Gallery, if they are still there, students from Oldonyo Nyokie Primary School, Kajiado West Constituency, Kajiado County. Kindly be upstanding if I have mentioned you in the Gallery. Allow me to join other Members in welcoming them to observe the Proceedings of the House.

Member for Tarbaj, are you satisfied with our response?

Hon. Hussein Abdi (Tarbaj, UDA): Thank you, Hon. Temporary Speaker. I thank the Chairman for the effort made. However, I need certain clarifications from the Chairman or the Committee. This section of the road is part of the Horn of Africa Road Project that has been popularised by the President on several occasions and platforms. This road is very important because that part of the country has waited for close to sixty years. Now that it has begun, we are happy about it, but there are clarifications I need which have not been provided in the response.

First, I seek clarity on two aspects of the funding of the project: the loan component and the grant component that form part of the financing.

Second, on the CSR project, there is the non-monetary social project provided by the contractor, such as water trucking to some settlements like Sango and Elben, and boreholes that were done. That is the non-monetary social aspect done by the contractor. However, there is another CSR aspect to be implemented through the grant accompanying the project. This has not been clarified. Part of this involves some spur roads that are supposed to be constructed through the grant. Some of us, as leaders, have given suggestions on where they should be done. This has not been addressed, and I seek clarification.

Third, I also seek clarity on the Project Affected Persons (PAPs). The names and particulars have not been provided, which can give room for changes at the last minute. I would wish for clear information on those affected by the road and the compensation due to them.

Lastly, a contest appears to be underway between the National Land Commission and KeNHA regarding who will handle the compensation. This mandate is unclear. I request that the Chairman clarify this.

Thank you, Hon. Temporary Speaker.

Hon. Temporary Speaker (Hon. Martha Wangari): Hon. G.K., do you have that information?

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, I will organise and coordinate a meeting between the Member and the Principal Secretary so that the issues raised are addressed satisfactorily. Thank you.

Hon. Temporary Speaker (Hon. Martha Wangari): Member for Tarbaj, the rest of the details can be discussed with the Committee in a tripartite meeting with the Ministry.

Hon. Hussein Abdi (Tarbaj, UDA): That is fine, Hon. Temporary Speaker.

(Hon. Onesmus Ngogoyo raised his hand)

Hon. Temporary Speaker (Hon. Martha Wangari): Very well. Member for Kajiado North, why are you lifting your hand?

Hon. Onesmus Ngogoyo (Kajiado North, UDA): I seek your indulgence. The good Chairman, Hon. George Kariuki, had committed to this House to respond to my question today on the compensation of the people of Kenya Railways who have not been compensated for eight years. He has not mentioned a word, and I would want to know because he had committed to bringing the response today.

Hon. Temporary Speaker (Hon. Martha Wangari): Hon. G.K., do you have that answer?

Hon. George Kariuki (Ndia, UDA): Hon. Temporary Speaker, the Cabinet Secretary has not yet submitted the response. Still, we will follow up and ensure that it is read out here during the first week after the recess. Thank you.

Hon. Temporary Speaker (Hon. Martha Wangari): Very well, first week after recess. Member for Wajir East, are you in the House? The one with the question being responded to? If he is not in the House, the Chairperson of the Departmental Committee on Administration and Internal Security, kindly table the response for the Member. Do not read, just table.

Hon. Gabriel Tongoyo (Narok West, UDA): No, I will not, but I know the Member. He has been persistent on this kind of Statement. With your indulgence, can we reschedule it for next week when he will probably be in the House?

Hon. Temporary Speaker (Hon. Martha Wangari): Hon. Chairman, I have given direction. If you have a statement to be responded to, you are supposed to be in the House. Allow us to table it. It remains the property of the House. The Member can access it from the Table Office, and if there is any follow-up, he can do so with you.

Hon. Gabriel Tongoyo (Narok West, UDA): Well guided, Hon. Temporary Speaker. I table.

(Response to a Statement Tabled)

Hon. Temporary Speaker (Hon. Martha Wangari): Very well. We have exhausted that Order. We can go to the next one.

BILL

Second Reading

THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (Senate Bill No. 12 of 2024)

Hon. Temporary Speaker (Hon. Martha Wangari): This is being moved by Hon. Lochakapong. You have the Floor.

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Temporary Speaker. On behalf of the Leader of the Majority Party, Member for Kikuyu, I want to move this Bill.

I beg to move that the Intergovernmental Relations (Amendment) Bill (Senate Bill No.12 of 2024) be read a Second Time.

I wish to sincerely thank Members and the secretariat of the Departmental Committee on Regional Development for their diligence and dedication with which they considered the Bill and tabled their report. The House will recall that on 13th February 2025, the Intergovernmental Relations (Amendment) Bill (Senate Bill No. 12 of 2024) was read a First Time.

The Temporary Speaker (Hon. Martha Wangari): Hon. Chairman, kindly start with ‘I beg to move that...’ and then go ahead.

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Temporary Speaker. I had started that way. Probably, you did not hear me. I said that I am doing this on behalf of the Leader of the Majority Party. Is that not the right thing?

The Temporary Speaker (Hon. Martha Wangari): No, the right thing...

Hon. Peter Lochakapong (Sigor, UDA): Then I went ahead to say, ‘Hon. Temporary Speaker, I beg to move that the Intergovernmental Relations (Amendment) Bill (Senate Bill No.12 of 2024) be read a Second Time.

The Temporary Speaker (Hon. Martha Wangari): Good. Now you have done it properly.

Hon. Peter Lochakapong (Sigor, UDA): I did it right before. Hon. Temporary Speaker, I wish to sincerely thank Members and the secretariat of the Departmental Committee on Regional Development for their diligence and dedication with which they considered the Bill and tabled their report. The House will recall that on 13th February 2025, the Intergovernmental Relations (Amendment) (Senate Bill No.12 of 2024) was read a First Time. Keeping with our Standing Orders, it was referred to the Departmental Committee for consideration and subsequent reporting to the House.

As Members are aware, this is a Senate Bill sponsored by the Leader of the Majority Party in the Senate, Hon. Aaron Cheruiyot. The Bill seeks to amend the Intergovernmental Relations Act, CAP 265. The current Act establishes a framework for consultation and cooperation between national and county governments, as well as among county governments. It also establishes a mechanism for resolving intergovernmental disputes, pursuant to Articles 6 and 189 of the Constitution.

Regarding the salient provisions of the Bill, the principal object is to change the name of the Intergovernmental Relations Technical Committee (IGRTC) to the Intergovernmental

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Relations Agency. The Bill further seeks to provide for the establishment of the Council of Governors Secretariat and the County Assemblies Forum, along with their respective secretariats. In doing so, it aims to create a structured framework for intergovernmental relations, thereby enhancing coordination, consultation, and cooperation among national and county governments, as well as among county governments. The change of the name IGRTC is of great importance.

First, it gives the entity a stronger operational authority, as the term 'technical committee' suggests a body with a limited mandate, primarily confined to facilitating the Summit and the Council. By contrast, the name 'agency', therefore, carries a great connotation that the entity shall have more powers, independence, and authority to discharge its statutory obligations.

Second, the name 'technical committee' has been seen by stakeholders as weak, temporary, or just an advisory body. The perception has undermined the visibility and influence of the Committee within the broader framework of intergovernmental relations. Renaming it as an agency will therefore align it with the proper identity and confidence among stakeholders. The IGRTC is established under Section 11 of the Act.

Its core functions include providing day-to-day administration to the Summit, which comprises the President and the 47 county governors. In addition, the Committee is mandated to facilitate the activities of both the Summit and the Council, as well as to implement the decisions of the Summit. At its establishment, the Committee was intended to serve as a neutral technical body, supporting both the Summit and the Council of Governors. However, the Council of Governors expressed concern that this dual mandate constrained the Committee's ability to exhaustively champion county interests. Consequently, the Council established its own secretariat to achieve institutional autonomy and effectively discharge its functions, particularly in coordinating inter-county matters and articulating the Council's position in intergovernmental forums.

The secretariat is presently registered under the Societies Act, CAP 108. Through the insertion of new sections, the Bill seeks to formally entrench the Council of Governors Secretariat in law, thereby giving it recognition as the technical arm of the Council of Governors. Similarly, I also wish to point out that the Bill entrenches the County Assemblies Forum and its secretariat, thereby giving the Forum a legal foundation. The Forum comprises all members of the 47 county assemblies and the 47 Speakers. The Forum provides an avenue for consultation among its county assemblies, facilitates dispute resolution within county assemblies, capacity building for members of the Forum, and considers matters of common interest to county assemblies. The secretariat will facilitate the Forum by offering research, technical assistance, and policy support.

In conclusion, the proposed amendments are anchored in the principles of good governance. They will strengthen devolution by enhancing the institutional framework and coordination mechanisms at both the national and county levels of government. To this end, I wish to ask Hon. Members to support the passage of this timely Bill. I, therefore, beg to move and ask Hon. Tungule, Member for Ganze, to second.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Thank you. Hon. Members, again, I remind you to carry your cards to this House. Otherwise, you will be nomadic, like the Member for Ganze. Go ahead, Member for Ganze.

Hon. Kenneth Tungule (Ganze, PAA): Thank you so much, Hon. Temporary Speaker. I rise to second that the Intergovernmental Relations (Amendment) Bill (Senate Bill No.12 of 2024) be now read a Second Time. The Bill was published in the Kenya Gazette Supplement No. 54 of 2024. It seeks to amend the Intergovernmental Relations Act, CAP 265. This Bill was forwarded to the National Assembly for consideration, pursuant to Article 110(4) of the

Constitution, having been passed by the Senate on Thursday, 5th December 2024. The Bill was read a First Time in the House on the 13th February 2025 and thereafter committed to the Departmental Committee on Regional Development for consideration and reporting, pursuant to the provisions of Standing Order 127.

In this regard, Hon. Temporary Speaker, the Bill seeks to amend the Intergovernmental Relations Act, Cap 265. This Act establishes a framework for consultation and cooperation between national and county governments, as well as among county governments. The Act also establishes a mechanism for resolving intergovernmental disputes pursuant to Articles 6 and 189 of the Constitution. Hon. Temporary Speaker, this Bill has 17 clauses and seeks to:

1. Change the name of the Intergovernmental Relations Technical Committee (IGRTC) to Intergovernmental Relations Agency (IGRA), thereby strengthening its institutional framework.
2. To provide for the Council of Governors, a secretariat and the County Assemblies Forum and its secretariat; and
3. To provide for pension schemes for members or employees of the county governments.

Hon. Temporary Speaker, more particularly, the Bill proposes an amendment to Section 2 of the Act to provide for the definition of new terms, such as 'agency' and 'pension schemes,' for county staff or employees. The Bill further provides for more functions of the agency and contains an amendment to Section 20 of the Act to provide for additional functions of the Council. Hon. Temporary Speaker, the change of name of the Intergovernmental Relations Technical Committee (IGRTC) to the Intergovernmental Relations Agency (IGRA) carries significant weight. The current title, Technical Committee, portrays an institution with a narrow role largely restricted to supporting the Summit and the Council. However, changing its name into an agency conveys a far stronger image; one of autonomy, enhanced mandates, and greater institutional capacity to effectively fulfil its statutory responsibilities.

Hon. Temporary Speaker, the entrenchment of the Council of Governors' secretariat in the statute seeks to formally give it recognition as a technical arm of the Council of Governors. As Members are aware, at the inception of devolution, the Technical Committee had been established as a neutral organ providing support to both the Summit and the Council of Governors. The Council of Governors consequently established its own secretariat registered under the Societies Act 108, to secure institutional independence and to more effectively execute its responsibilities, particularly in coordinating inter-county affairs and representing the Council's positions in inter-governmental forums.

Hon (Dr) Ojiambo Oundo (Funyula, ODM): On a point of order.

The Temporary Speaker (Hon. Martha Wangari): What is out of order, Member for Funyula?

Hon (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, I wish to draw your attention to Standing Order 80. If you permit, let me read. This I direct to my colleague who is on the Floor:

“No Member shall read a speech, but a Member may read short extracts from written and printed papers in support of an argument and may refresh memory by reference to notes. The Speaker may allow a Member to read a speech in particular cases where the Speaker is satisfied that this is necessary for precision in statements or facts.”

Hon. Temporary Speaker, the Hon. Member on the Floor is literally reading a Committee report, or what they call moving notes. This is a House of debate, not a House for one to come and read.

I want this to go on record that the inventor, or the framers of the Standing Orders, expect that Members who come here should be able to use notes to debate. So, I want you to declare the Member to be out of order for reading a written speech.

The Temporary Speaker (Hon. Martha Wangari): You have made your point.

Hon (Dr.) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker.

(Laughter)

Hon. Kenneth Tungule (Ganze, PAA): Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member for Ganze, a point of order has been raised. Hon. Member for Funyula, you know Standing Order 80 also has a (2). So, I will allow him to finish because he is seconding, but that is a very important Standing Order, and I think we need to keep refreshing our minds, especially those of us who are here for the first time. We need to stick to the rules of debate. Continue, Member for Ganze.

Hon. Kenneth Tungule (Ganze, PAA): Well-guided, but actually, I was not reading *per se*. I cannot memorise everything in the Standing Order, but I have made some references. As I conclude, because I was about to, in consideration of The Bill and pursuant to Article 118 of the Constitution, the Committee received seven memoranda during public participation. These were from the State Department of Devolution, the Attorney-General, the Intergovernmental Relations Committee, the Council of Governors, the County Assemblies Forum, the Society of Clerks-at-the-Table, and the Architects' Alliance. All memoranda received supported the enactment of the Bill. Out of the seven memoranda, six proposed amendments to the Bill that the Committee considered when making its recommendations.

Hon. Temporary Speaker, the Committee will be proposing amendments at the Committee of the Whole House as contained in the schedule of amendments forming Part Six of the Committee's report. We will request the House to approve the proposed amendments.

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

(Hon. Wanjiku consulted loudly)

The Temporary Speaker (Hon. Martha Wangari): Order, Hon. Wanjiku!

(Question proposed)

Hon. Member for Wajir North, are you on this one, or on a point of order?

Hon. Ibrahim Saney (Wajir North, UDA): I want to contribute, Hon. Temporary Speaker, and I support. We are taking legislation a notch higher by trying to deepen devolution. Indeed, devolution is one of the best gains brought by the 2010 Constitution. It espouses taking resources to the counties and further to other units of devolution. Therefore, whenever there are legislations and regulations aimed at deepening and better implementing devolution, they are most welcome. This amendment goes a great length in ensuring that devolution is emboldened, strengthened, and cushioned from any kind of interference.

This amendment talks of improved coordination, as opposed to the traditional or haphazard way of doing things with regard to relations between the two tiers of government. I mean, that quarrelsome and litigious way of engaging each other. This one attempts to ensure seamless engagement, functional operations, objectivity, and purposefulness. So, it is a good piece of amendment. Further, there is specificity in the clarification of roles. It outlines which roles really belong to which tier of government. Both the county governments and the national Government should ensure that there are no more conflicts. They should focus on outputs and what is good for the ordinary citizen.

Further, it streamlines dispute resolution mechanisms between the two levels of government. The past few years, since 2010, have been a time of tests and trials. The proposed amendments aim to mature our system, ensuring that disputes are managed in accordance with the law and in a friendly manner. Indeed, they will also ensure that no agency takes the role of the other. Instead, they ought to recognise each other's role as espoused in the Constitution, the statutes and any other law that is applicable insofar as devolution is concerned.

One more important aspect of the proposed amendments is that they promote physical sustainability in the intergovernmental relationship. I am sure they have had issues with how to sustain it. Who should resource the intergovernmental relationship? They will contribute, and Parliament will allocate some funds. I have one concern, though not a big one. Clause 20(a)(ii) of the proposed amendments says that the Council shall determine, biannually, the amounts to be paid by county governments as subscriptions. I do not see the rationale for that. We read our budgets annually, and I do not know why it should be biannual. Once you know your budget, it will be smoother and easier to operate. You will know what each county shall be giving as a subscription. It should be determined, once and for all, whether it is an annual or biannual event.

Further, I support the aspects related to pensions. Employees of county governments have suffered greatly at the hands of governors who are fiscally indisciplined and insensitive to risks concerning pensions. I am aware of counties where staff have been unable to access their pensions due to misappropriation of funds. Even statutory deductions, such as the National Social Security Fund (NSSF) and the National Hospital Insurance Fund (NHIF), are misappropriated. Even former governors cannot get their gratuity because the funds have been misappropriated. We must ensure that we legislate in an orderly and organised manner to guarantee that the pensions of county governments are administered with strict adherence to regulations, and penalties are prescribed. The pension schemes must be registered with the Retirement Benefits Authority, which serves as the regulator of all pensions. That will solve a big problem for many Kenyans.

Further, there is the establishment of a council secretariat. That means there will be a secretariat at the epicentre of the operations of the intergovernmental relationship. This is a straightforward and wonderful piece of amendment that removes all the bottlenecks we have had since devolution was conceived.

I proudly support, Hon. Temporary Speaker. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Member for Kitui Central, Dr Makali.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you. I do not wish to contribute to this matter.

The Temporary Speaker (Hon. Martha Wangari): Member for Dagoretti South.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I thank you. I also want to thank the mover and the seconder for bringing such an important Bill to the House. I also want to recognise that the Bill originates from the Senate. I must thank the Leader of the Majority Party in the Senate, Sen. Aaron Cheruiyot, for presenting this for our consideration.

Some may look at this as just a change of name. Shakespeare asks, 'What is in a name? A rose by any other name would smell just as sweet'. But that is not the case here. By transitioning this entity from a committee and making it an agency, we are giving it more teeth for it to be more operational and do the work that it needs to.

The other reason I am supporting the Bill is that we are giving some *locus standi* in law and a framework for a place of operation for the County Assemblies Forum. Those two reasons make me support this amendment Bill that has been brought to the House.

The Intergovernmental Relations Agency will have a lot of work in its in-tray, even as it comes into formation. As we speak about all welfare issues that are going to be in the inter-

relational agencies, we all must reflect on the reasons why Kenyans accorded themselves devolution. In 2010, Kenyans believed that by adopting the devolution approach, they would empower counties to a level where they would be independent entities that could stand on their own. The tragedy so far has been that we see the counties we created extremely active when it comes to the division of revenue, the share of the national cake. I am praying that when we transition this to an agency, consideration will be given as to why Kenyans wanted counties. One of the key reasons we wanted counties is that we wanted entities that can be sustainable economic blocks on their own.

Today, individual counties are not presenting as such. We see governors and their executives pushing for their share of the cake, that is, the national revenue, but rarely do we hear a conversation about own-source revenue. I come from Nairobi City County, which we know has the potential to raise in excess of Ksh55 billion from the division of revenue that we allocate and from its own-source revenue. Today, this county can raise up to around Ksh40 billion. However, when we go to the 17 constituencies in the City looking for development, you will see where the slightly over Ksh100 million from the National Government Constituency Development Fund (NG-CDF) is going. You can see schools and National Government Administration Officers (NGAOs) administration installations. However, for the resources that go to counties, we are at pains to explain where the money goes. The NG-CDF is able to put up classrooms in schools, but we all know that the foundational level, Early Childhood Development (ECD), is so important in education that if we lose a learner at ECD, the learner will be lost for good. We do not see the construction of ECD classrooms. At times, we are forced to ask our NG-CDF committees to donate ECD classes.

As we provide a legal framework for the Intergovernmental Relations Agency, we pray that one of the businesses they shall take up very seriously is to take us back to the devolution dream Kenyans had when they awarded themselves the Constitution in 2010, where counties shall become viable economic entities that do not only rush for the division of revenue, but are also ready to contribute in the form of own-source revenue. That should have an impact on the ground in the delivery of social goods and projects that people require.

Hon. Temporary Speaker, I stand to support. I thank the Chairman, the mover of the Bill, and the Member for Ganze Constituency for presenting this to us. We support it because we want to see this working for Kenyans. It should deliver the devolution dream. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Hon. Member for Chesumei Constituency. Is he not in the House? Hon. Member for Kiminini Constituency.

Hon. Bisau Kakai (Kiminini, DAP-K): Thank you, Hon. Madam Speaker, Sir. At the outset, I would like to...

(Laughter)

The Temporary Speaker (Hon. Martha Wangari): I think you are serious by saying, 'Madam Speaker, Sir'.

Hon. Bisau Kakai (Kiminini, DAP-K): My apologies, I pull it back.

Hon. Temporary Speaker, I would like to thank you for giving me this opportunity to contribute to this debate. I also want to thank the Chairman, Hon. Lochakapong, for presenting the Bill which supports devolution. Indeed, devolution must work. Going through this particular Bill, it supports Article 36, whereby freedom of association is part and parcel of our Constitution. The right of freedom of association can be pursued by every person.

From the Bill, we can see county assemblies coming together with our governors so that they can speak in one voice through a united entity that they have formed through this intergovernmental relationship.

Even as I support the Bill, the promulgation of our Constitution in 2010 was very clear that this would be an involving situation. This is part of the improvement of what we have seen pulling back devolution. We would like to see Members of the County Assemblies coming together, as they do at their annual Forum. This will enable them to speak in one voice. We also want the MCAs to have a Ward Fund. They need the Ward Fund so that they can do their own things independently. Today, devolution has been pulled back because we have lacked this type of Bill. I believe with this Bill; things will move in the right direction. As per Chapter 11 of our Constitution, devolution must work.

So, I support this Bill. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Member of Parliament for Funyula.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. In the last Parliament, we used to say, “Madam Speaker, Sir.” Let me also join my colleagues in supporting this Bill —The Intergovernmental Relations (Amendment) Bill (Senate Bill No. 12 of 2024). We established devolution to move activities from the centre to the periphery. We established devolution to address the anomalies caused by Sessional Paper No. 10, which tended to marginalise many parts of this country. Any time I talk about devolution, we cannot fail to hail Hon. Raila Amolo Odinga. He is the father, the mother, and the spirit that drives devolution. He has been at the forefront of fighting for devolution. He has championed and defended it, even to the chagrin of many people.

The Council of Governors is an extremely important part of devolution and an architect of the new Constitution. It is the bridge between the national and county levels. So, any attempt to strengthen the secretariat - I want to call it the secretariat - is a most welcome arrangement. The Bill changes the technical Committee and baptises it as an agency. The structure remains the same, but the change to "agency," as the mover said, is to give it certainty, class, and powers. That is welcome.

Second, the Bill also provides that members of the agency will have a fixed tenure of five or six years. This has now become a common practice in constitutional bodies and commissions. Thanks a lot for borrowing that idea. Further, it creates a secretariat that will be headed by a Chief Executive Officer, just as it is now. The transition clause allows the current staff of the Intergovernmental Committee, the Summit, and the Council of Governors to move to the new body. However, a question arises, and I would like to draw attention to Clauses 20A and 23H. This Bill originated in the Senate. By constitutional standards, the Senate cannot generate a Money Bill. This is a constitutional matter that the substantive Speaker should make a ruling on. I hope it will be transmitted to him in good time. By the mere fact that the Bill proposes that the funds of the Council shall consist of annual subscriptions by county governments and money allocated annually by Parliament for the Council, it becomes questionable. Again, Parliament does not budget; the National Assembly does. By referring to Parliament, the Senate is purporting that it can also stand and pass...

Hon. John Kiarie (Dagoretti South, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Martha Wangari): Hon. KJ, what is your point of order?

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I stand on the point of order that dictates that a Member is responsible for the veracity of the information they present to the House. I am not keen to interrupt Hon. (Dr) Oundo's debate. However, is he in order to tell us that the Senate has originated a Money Bill, while we know this is an amendment Bill, not an original one? I ask you to find him out of order for claiming that this is a Money Bill originating from the Senate. We all know the Bill has gone through all the processes, including a Committee, and each of those is the gatekeeper who would have checked for such

an element in this amendment. Therefore, I ask that you find him totally out of order because this is an amendment Bill, not an original Bill from the Senate.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Allow me to continue.

The Temporary Speaker (Hon. Martha Wangari): Hon. Oundo, just to be on record because I think it is important: maybe that would have been a point of information. I have checked the Standing Orders and Article 114 of the Constitution. So, it is properly before the House.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, this is a new clause. It is not an amendment to an existing clause. Clause 13 of the Bill reads: "The Principal Act is amended by inserting the following new sections immediately after Section 20." They are inserting Section 20A, which purports to originate from the Senate, a Money Bill. Appropriation is never the work of the Senate. So, that is a debate we must deal with. Again, Parliament, in its amorphous nature — both Chambers — cannot appropriate. Only the National Assembly can. That is the matter we must be alive to, because this is unconstitutional and cannot be cured in any other way.

Second, it is also a good milestone to establish the County Assemblies Forum. This Forum has existed before.

The Temporary Speaker (Hon. Martha Wangari): Hon. (Dr) Oundo, there is another point of order.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, this is now becoming irritating.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, you cannot allow Hon. (Dr) Oundo to continue misleading the House. He claims that there is a clause originating from the Senate. However, the Standing Order you read is very clear that a Money Bill cannot originate from the Senate. It does not talk of a clause. The Bill exists, and we are amending clauses within it. The Bill did not originate from the Senate. I ask that you do not allow Hon. (Dr) Oundo to mislead the House by pulling us into a debate about amending a clause. It is not my intent to disrupt Hon. Oundo. However, we are debating a Bill, not a clause. This is an amendment Bill.

The Temporary Speaker (Hon. Martha Wangari): I was consulting, and I know that by the time this Bill was referred to this House, there had been proper consultation between the two Speakers. The Constitution and Standing Orders state that before a Bill is tabled in either House, the Speaker must agree on two things: first, whether it is a Money Bill, and second, whether it concerns counties. I am aware that this has already been done.

In the meantime, continue, Hon. (Dr) Oundo. I still take note of the issues you have raised.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, you are aware that a Member can stand at any time during debate in the Second Reading and question the constitutionality of a Bill. That is what I am doing.

The Temporary Speaker (Hon. Martha Wangari): Are you contributing or raising a matter of constitutional importance? I think that is different.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): I am contributing as I raise issues. I was just pointing it out, and I hope you will transmit the same. It has been a loose arrangement between Members of County Assemblies (MCAs) and the Speakers of the Assemblies to generally meet once in a while and debate on different matters. At this level, it is good to note that it is now being formalised.

It aims to create an agency or body in the Forum that requires taxpayer funding. The body being created is a forum secretariat, and it is not clear where they are going to be funded from. Other than the allocation, which is, again, illegal and unconstitutionally given to the Forum, funds of the Forum shall consist of: mandatory annual subscription by the county

assemblies, monies allocated annually by Parliament for the purpose of the Forum, and such monies as may be lawfully granted or donated to the Forum.

This is a Forum. It is a members' club. Why would they use public funds to fund the same? When they attend those forums, they are paid per diem. Why do they need a secretariat? Each county assembly has a clerk and the entire staff. Why do you need to fund it again? Why do you waste public funds when there is no medicine in hospitals?

It is good to have the Forum as a place where you exchange ideas, but why establish a secretariat, yet it only meets once a year? What will the secretariat be doing the whole year? Just gobbling public funds and doing completely nothing. We might be excited about the Bill, but those are hard questions we must ask as a country!

I hope the Committee has aligned with these anomalies and applied its mind. I have not had the opportunity to read the Committee's Report. However, I hope it addresses the same matter and includes amendments to rectify this unconstitutionality, illegality, and wasteful use of public resources.

I conclude with the issue of the pension scheme. The attrition rate of MCAs in this country is far higher. For example, since the onset of devolution, Busia County Assembly, with 35 MCAs, has only an average of 3 MCAs re-elected. When you meet those who do not come back elsewhere, they are worse off than the Members of Parliament (MPs) who left before the pension came into place. I hope the pension scheme will be run well so that it is not squandered, like what happens elsewhere. It should not be like the pensions here in Nairobi, where you have to spend six to eight months looking for your money.

Hon. Temporary Speaker, Hon. Kiarie disrupted me. I just wanted to make a...

The Temporary Speaker (Hon. Martha Wangari): Add Hon. Oundo one minute.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): I just want to make a concluding remark, and let me also echo what he said.

County governments were never supposed to be a cost centre, and I never tried to make that statement. They were supposed to contribute to the baking of the national cake. The national cake should never be baked by some other people, and counties eat the cake without making any single effort to contribute to the cake. Why would Nairobi City County require any Government funding? For sure. How? *Mhe.* John Kiarie, why would Nairobi City County require money from the national Government?

(Hon. John Kiarie spoke off the record)

Thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. Martha Wangari): Member for Kapenguria, Hon. Samuel Moroto.

(Hon. Mark Mwenje and Hon. John Kiarie spoke off the record)

Hon. Members, we are all in agreement in terms of what devolution should have done by now. I believe we all agree on that one. By saying Nairobi City County, I do not think Hon. Oundo only meant Nairobi.

Member for Kapenguria, please, make your contribution.

Hon. Samwel Chumel (Kapenguria, UDA): Thank you very much, Hon. Temporary Speaker, for giving me an opportunity also to add my voice to this debate.

I was here when we were discussing devolution. We moved almost everywhere in Kenya and had a meeting at the Bomas of Kenya, Naivasha, and Kilifi. Kenyans followed this

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process because, after independence, many areas were marginalised. If we had maintained the proposals Kenyans gave on devolution, we would be far better off than where we are now. As it is now, we are already divided as a House. Devolution is not just for a section of Kenya but for all. Devolution has helped some of us who are marginalised.

West Pokot was a closed district until the onset of devolution, although it still faces challenges. We need to establish mechanisms for managing county resources. As a colleague has said, the National Government – Constituencies Development Fund (NG-CDF) money is so little, but you can see its impact on the ground. We do not see the impact of national Government funds and those from county governments.

There is sand harvesting where I come from. Lorries come to pick up the sand and destroy the roads. Yet, the county government taxes these sand harvesters without caring about the roads destroyed by their lorries.

I support this Bill, but with amendments. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Member for Marsabit, are you on this one?

Hon. Naomi Waqo (Marsabit County, UDA): Yes.

The Temporary Speaker (Hon. Martha Wangari): Okay.

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Temporary Speaker, I rise to support this Bill, congratulate the mover and Sen. Aaron Cheruiyot, the Leader of the Majority Party in the Senate, for coming up with this Bill that will have a lot of impact in our country because of what it stands for.

The Intergovernmental Relations (Amendment) Bill (Senate Bill No. 12 of 2024) is important because it will enhance the relationship between the national Government and the counties, as well as the relationships between the counties themselves.

This Bill establishes consultation and cooperation between national and county governments, and as I said, also among the counties. This will help them to enhance their development and improve their work. They will learn from each other, and in the event of any necessary reconciliation between the national Government and the county governments, they will deliberate together. This will help us to have a more cohesive country because people will be able to work and reason together.

Counties will have a working relationship and connect, which is very important for information sharing. This will improve the performance of every county.

Another very important element of the Bill is that it establishes a mechanism for resolving inter-governmental disputes, pursuant to Articles 6 and 189 of the Constitution. This will help county executives interact, maintain a strong network, and borrow ideas from one another. As I said, we will have a more cohesive country as a result of this. We will see how best we can borrow ideas from each other to develop our counties.

The principal object of this Bill is to amend the Intergovernmental Relations Act by changing the name of the Intergovernmental Relations Technical Committee (IGRTC) to the Intergovernmental Relations Agency (IRA). This amendment also provides for the establishment of the Council of Governors Secretariat, which will ensure proper coordination and implementation of intergovernmental activities. The establishment of this Secretariat will help create more jobs for our people and ensure smooth operations.

The name "Technical Committee" has been viewed by stakeholders as weak, temporary, or merely advisory in nature. Changing it to IRA is therefore a step forward as it will strengthen operations and empower the institution to deliver on its mandate. This will help the Committee in many ways. By renaming it as an Agency, we give it a clear identity and greater confidence. When they present themselves, they will now be taken seriously, and everyone will appreciate that this is serious business.

I also support this because, in addition to its mandate, the Committee is responsible for facilitating activities of both the Summit and the Council, as well as implementing decisions of the Summit, which is very important. The best gift we can give to both the national and county governments is to enact laws that enhance intergovernmental relations, promote learning among counties, and strengthen cohesion.

With those few remarks, I support.

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

Hon. Dick Oyugi (Luanda, DAP-K): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to contribute to this important debate.

At the outset, I support this amendment as it seeks to improve the Intergovernmental Relations Act of 2012, which had some gaps. Since the advent of devolution about 12 years ago, two levels of government have been formed: the national and county governments. These two levels need a forum through which they can relate, resolve differences, and cooperate for the good of the country. It is a fact that devolution has done well. Despite some challenges here and there, it was such a brilliant idea. It has made us what we are today.

This Bill seeks to introduce a Secretariat that will bring together the Council of Governors, which is anchored in law. It also seeks to introduce the County Assemblies Forum. I have heard some colleagues say that this Forum is not important. From where I sit, it is important because it brings together all Members of County Assemblies to deliberate and articulate issues affecting their respective counties.

The proposal to establish a Secretariat to harmonise and coordinate the affairs of County Assembly Members, who are State officers, is a great idea. I disagree with my friends who argue that there is no value in the government's funding this Forum. It is on record that taxpayers' money funds political parties. My friend Hon. (Dr) Oundo, who just spoke, is a member of ODM, which is funded by taxpayers' money. I am a member of DAP, which is funded by taxpayer money. Therefore, there is nothing wrong with taxpayers' money equally funding the County Assemblies Forum, as it brings together leaders to share challenges and experiences and to strengthen intergovernmental relations.

Another important point is that our Members of County Assemblies work very hard and often face more challenges than we do, as they live with the people at the grassroots. Therefore, having a pension scheme available to them after their service is not far-fetched. These are men and women who dedicate their time and energy to serve their constituents. Having a forum through which they can be compensated in terms of a pension is a great deal that I support.

Hon. Temporary Speaker, lastly, as we talk about this, there is something that we would wish to see. For example, we would like to see a ward development fund established through a law. We recently passed legislation granting autonomy to county assemblies, enabling them to operate independently from governors. Equally enacting a ward development fund law to support county assembly members in implementing and overseeing projects at the ward level... The sponsor of this Bill came in quite handy, and therefore, I support.

The Temporary Speaker (Hon. Martha Wangari): Member for Baringo County, Hon. Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you, Hon. Temporary Speaker. I join my colleagues in supporting Hon. Chaks for this Senate Bill on the Intergovernmental Relations (Amendment) Bill, and also thank Sen. Cheruiyot for referring it to this House.

Like most Members who have spoken before me, this Bill is very timely. If well-implemented, it will strengthen linkages between national and county governments. This is an almost straightforward Bill. It addresses the creation of this Agency that will serve as an institutional memory. Since the inception of counties and the establishment of the Intergovernmental Council, many issues and disputes that have befallen the counties have

remained unresolved. This Agency will help address such challenges across all 47 counties by facilitating day-to-day resolution and activities that will impact every specific county from a broader perspective. It will also help to maintain a repository of information, knowledge and legal instruments in most of these counties.

If you look at the counties in this country, each is unique, with different ways of doing things depending on its region. However, at the end of the day, it is a Kenyan document that will help us be cohesive. This Agency will help the counties in terms of management. We always send money to the counties. Maybe this is the Agency that will help us have proper accountability. If you ask me, I feel we have given counties too much work, and most of them are unable to deal with it. We have given counties a lot of work, particularly in the health, agriculture, and other sectors that have day-to-day problems. Counties are not managing their institutions very well, and the Agency will probably give us solutions. As it resolves most of the everyday problems, we will move forward as a country. Many times, the Early Childhood Development (ECD) education has problems. We are actually killing a generation. If you do not take care of a seed nursery, its seeds will not develop fully. There is a problem. We will generate human beings with poor education if we do not give them good quality education when they are still very young. When the Agency is formed, we want it to be part and parcel of the existing institutions in counties that have a lot of problems, for instance, in health. If the Agency is given the opportunity, we can hold a forum where all of us can interact. We will suggest that in future, health matters be taken back to the national level so that health is managed from a central point.

Counties are a bit fragmented. At times, when we elect governors, we elect people who lack management skills, and they end up mismanaging most of the county's resources. I support this Bill and hope that the Agency will be formed in good time. We will embrace it with the hope that it will give us better service going forward.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well.

The Member for Seme.

Hon. Dr James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. As I support this Bill, I want to do so with great caution. We have created many structures, and we are now trying to resolve all of them. The genesis of this Bill is Section 12 of the Intergovernmental Relations Act. That is the basic issue. What is the issue there? The Technical Committee – the Bill now seeks to change it into an Agency – has functions. It is responsible for the day-to-day administration of the Summit and the Council, particularly facilitating the activities of both the Summit and the Council, and it supplements the decisions made by the Summit and the Council. That has been a big problem. Before the Committee came into place to replace the Transition Authority, the Council of County Governors had formed a well-established and functional secretariat. When the Technical Committee was established, as outlined in Section 12, it naturally clashed over who would be in charge of the day-to-day operations of the Council. The Summit rarely meets. It is not regular like the Council of County Governors. Therefore, it did not need much of the Secretariat. The wisdom of the Act that this Bill is amending is that this entity will serve both the Summit and the Council. When the Act came into force and we had the Technical Committee in place, there was a clash. That has been a very major issue. To that extent, I support the Bill. There is a need to correct that.

On funding, if you look at the current structure, it is not clear how the Council of County Governors is actually funded. We are not sure whether it is funded before or after the division of revenue. There is no clear way of funding it. The Bill attempts to correct that. That is what is talked about in Clause 20A, which Hon. Oundo was qualifying as a money Bill. For me, whether it is a money Bill or not, I am concerned with how it works. I have not seen how that clause has corrected the problem. It may come out clearly when go into its details. Shall we get

the money that will go into this after the division of revenue or before the division of revenue? That is the structural measure that we need to put in place.

If you look again at the funding, another issue arises: they will decide how much money counties will contribute as subscriptions. We will now have a situation where counties will contribute money to this entity. That is a concern.

The sectoral working groups of the Committee will now be referred to as the sectoral working groups of the Agency. Initially, that is where the technical people from the national Government and the county governments met to exchange ideas. It was a good idea. However, what worries me is that the entire Agency is being elevated to the Summit level. It looks like the reporting mechanism will be that whatever is done will go both to the Council of County Governors and to the Summit. To me, it looks like there will be more activities at the Summit level. All the functions of the Technical Committee have been shifted to the Summit. What, therefore, will the Council of County Governors be doing? The Bill has recognised that. While it has given the sectoral committees to the Agency, it says that the Council may also form sectoral committees. I support it, but we need to look at it very carefully and bring out the structural issues that may bring a clash in the operationalisation of the Bill.

I support the idea of pensions. Elected people, whether Members of the County Assembly (MCAs) or Members of Parliament, become a risk group once they are out of their jobs. Having a way to support them after work with some pension is something I support. However, we will have to look at its details.

The County Assembly Forum is another big structure. As a country, we may have to look at how the functions of this Forum relate to the functions of the Senate. The Senate has been structured to look after the welfare of counties. This Forum also takes care of counties. We have to look at it very carefully. How will it conduct its deliberations? I will not be surprised if an issue like impeachment arises, and people fail to resolve it at the Forum level. If the Forum was to be limited to technical issues, that would be fine, but we have already created a position for technical issues under the sectoral committees.

I support the Bill, but we will need to look at it very carefully in the Committee of the whole House. The committee in charge of this Bill should go back and revise it. We have the law, but how is it structured in the whole process? I have always said something that I will say again because I thought the Bill would address it. If we look at the Budget process, when the Budget Policy Statement on the basis of division of revenue comes before us, we get a tremendous amount of details on what the national Government needs, agency by agency and ministry by ministry. However, what becomes ours based on the needs of counties is primarily determined by the 15 per cent constitutional requirement and the recommendations of the Commission on Revenue Allocation (CRA).

Before this House, I know that a certain amount will go to the counties, but on the national Government side, I know the details. I start focusing on my own interests there and, in the process, I tend to overlook the interests of the county because I do not directly see how my interests are represented. This is another area that presents an opportunity for review, but we have not fully explored it. That is also an issue that would have involved the Intergovernmental Budget and Economic Council (IBEC), because several structural matters in place require attention. Other than that, I support the Bill, although I will need to study it in more detail so that, at the Committee of the whole House, we can make the necessary amendments.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Embakasi West, Hon. Mwenje.

Hon. Mark Mwenje (Embakasi West, JP): Thank you, Hon. Temporary Speaker. This Bill amends an Act that was established to provide a framework for consultation and

cooperation between national and county governments. Of course, it also aims to promote consultation and cooperation among counties. However, in my view, one of its main purposes is to strengthen coordination between the two levels of government. Even as we consider these amendments, that remains our goal.

The removal of the technical committee and its replacement with an agency is a welcome change. The proposed Agency is more clearly defined, with a Chief Executive Officer and enhanced powers. One of the persistent challenges has been dispute resolution. This House is no stranger to disputes between the national and county governments. For a good part of this year, we dealt with the Road Maintenance Levy Fund (RMLF) issue, which went to Court and stalled several road projects, some of which remain incomplete to date. These are the kinds of disputes we continue to face. There are many others I will not go into, but we hope that through these amendments and the creation of a stronger agency, we can more effectively resolve such disputes.

Another notable aspect of this amendment concerns funding from the national Government. I will not revisit the argument raised by Hon. Oundo, but I wish to emphasise the need for clarity on contributions from both the national and county governments. As a House, we will be responsible for allocating these funds, and we must be certain that the Agency we are funding will indeed help resolve disputes. We cannot fund an institution that might prolong conflicts or create another RMLF situation. Those appointed to serve in this Agency must understand that this House will not fund an organisation that becomes a stumbling block to project implementation by the national Government.

In my view, one of the biggest gains in this Bill is the inclusion of the County Assemblies Forum, which I believe will strengthen governance in all 47 county assemblies. We need these assemblies to exercise stronger oversight, hold governors accountable, and enhance transparency. That has been one of the major challenges we face as many counties struggle to operate independently. While this Forum does not make them fully independent, as I have read in the amendment Bill, it provides an opportunity for them to grow in that direction.

We allocated about Ksh400 billion to counties in the 2025/2026 budget, which the Senate then appropriates to individual counties. Take Nairobi, for example, which raises about Ksh14 billion in own-source revenue and receives roughly Ksh22 billion to Ksh23 billion from the national Government. What goes to the county government is shared and goes to the county of Nairobi.

Hon. Temporary Speaker, it may interest you to note that 19 Members of Parliament do not even look at this amount of Ksh23 billion, which is the highest in this House. This is because once this money goes to the counties, it just goes into a hole and disappears. We have to ask tough questions. At times, when we touch on devolution, which we know the Rt. Hon. Raila Odinga fought for, was it his intention, which I do not believe it was, to give counties money whose value we no longer see?

Let us look at some of the basic functions of our counties, such as Early Childhood Development (ECD), here in Nairobi. If I take you to the ECD centres in my constituency, you will be shocked. The only money you will see down there is a Ward Development Fund of Ksh23 million, which is a tiny percentage of the Ksh23 billion. One of the issues we have had with our counterparts in the other House, the Senate, is that they want to become a budget-making House, yet we give them Ksh400 billion, which they divide and send to the counties. Thereafter, they sit back and wait to oversee the funds through the Public Accounts Committee (PAC). It is time we had a conversation with our sister House. We give them Ksh400 billion to appropriate. For instance, Nairobi has Ksh14 billion own-source revenue that the county assembly can oversee. We send another Ksh23 billion that they budget for, but most of that money is not used for development. Why is it difficult for our Senate to oversee those funds to the point that when the funds are disbursed, they go as a conditional grant? The Nairobi City

County gets Ksh23 billion from the national Government to appropriate, and we must see what they are doing with the money. After all, it comes from the national Government; otherwise, that money is disbursed and just disappears.

Hon. Temporary Speaker, apart from the Ksh14 billion already being collected, if the Senate were to oversee the Ksh23 billion sent to Nairobi County and state that we want to see 60 or 70 per cent of this amount going to development, that would do wonders and change this city. There are 17 constituencies in Nairobi, and 50 per cent would be about Ksh12 billion. If you allocated Ksh500 million of that money to every constituency or Ksh100 or Ksh150 million to each of the 85 wards, it would change the face of this city.

Today, the Senate held a Sitting in Busia. Why do they need to be there? They need to be here overseeing these funds, insisting that the Ksh400 billion will now be treated as a grant. If this is not the case, then devolution has failed. Its intention was to get money here and send it all the way to the counties. That is why, Hon. Temporary Speaker, you have seen us disagreeing with Hon. Oundo when he said Nairobi does not need a county. The Ksh23 billion is what should be used to construct roads, ECD centres, and many other projects in Nairobi, such as garbage disposal. This would change Nairobi City.

In summary, a time is coming when we must have an honest conversation. We have had about 12 to 13 years of devolution. We have a budget, which, in my estimate, should be more than Ksh3.5 or Ksh4 trillion, if we count grants. If we were to audit what the Ksh4 trillion has achieved and be honest with ourselves, we would find that Kenyans have not received value for their money. This means that this House and the Senate must take drastic action to ensure that moving forward, things will not remain the same. Let us change how this system operates. More importantly, let us make this Ksh400 billion a conditional grant. The Ksh23 billion proposed by the Senate should also be a conditional grant for the benefit of the people of Nairobi. Otherwise, I believe this amendment is a good start, and it will help us achieve our objectives. Thank you.

The Temporary Speaker (Hon. Martha Wangari): Very well. Member for Suba North.

Hon. Millie Odhiambo-Mabona (Suba North, UDA): Thank you, Hon. Temporary Speaker. I thank the Mover of this Bill and support it, albeit with reservations. These reservations arise from the issues raised by Hon. (Dr) Oundo. He has articulated significant concerns regarding a recent Court decision which determined that all money Bills must originate from this House. Maybe we need further interpretation, but my interpretation as a lawyer is that the Intergovernmental Relations (Amendment) Bill constitutes a Bill. Even as an amendment, it remains a Bill, and if it is to incur expenditure, it qualifies as a money Bill that should have originated from here.

In substance, I agree with the issues raised in the Bill. However, I would like to emphasise the observations made by some of my colleagues. Although we are stressing the importance of institutionalising the assembly forums, which have been established, there is a greater issue at hand. Kenya is paralysed by excessive analysis. We analyse so much. We have too many conferences and meetings, yet we fail to concentrate on what truly matters.

One of the issues, as highlighted by Hon. Mwenje, is that Hon. Raila Amollo Odinga strongly advocated for devolution because he believed it would make a difference. I must commend the Senate Standing Committee on Public Accounts and Investments (CPAIC), led by Sen. Kajwang'. I am curious as to whether they are currently being televised or why their operations appear to be different. We appreciate their efforts, as they focus on issues of concern to counties.

What we need is more emphasis on monitoring of the funds allocated to the counties, ensuring that the law is adhered to. Many counties put so much money on recurrent expenditure as opposed to development expenditure. As a result, we might not see why devolution was established. Devolution was established to accelerate development, especially in marginalised

areas. I wish the counties could emulate the success of the National Government Constituency Development Fund (NG-CDF), which is among the best-managed funds across the entire African continent. It is a model that deserves emulation.

I am currently pursuing a PhD—I know I have been mentioning this PhD for a long time, but why not? It is not easy to do a PhD. As you can see, I am asking Hon. KJ to assist me with technology here. As soon as I finish contributing, I switch back to class. I was attending a class right here. My research is on the NG-CDF because I believe that many Africans resemble the Galatians whom Paul asked, “Foolish Galatians, who bewitched you?” We often disregard what works. I understand Hon. Raila’s frustrations with the NG-CDF, particularly due to the misinformation in the public. Also, our counties are not performing at the expected level, leading many to believe that their underperformance is due to funds that should have been allocated to them being diverted to the NG-CDF. The NG-CDF is a drop in the ocean compared to the money the governors receive. Surprisingly, you can actually see the infrastructure projects funded by NG-CDF since it has little recurrent expenditure. The structures in place make it the only Fund audited by three agencies. Why can we not have the governor's funds audited by three agencies?

I hope that the Senate comes up with a law to strengthen devolution based on experience. By now, they should be informing us about the loopholes and the challenges they face. I know some of the governors will not say it, but part of the reason they have ghost workers is that they are pressured to employ people.

If we insisted that the law be followed, they would not have to bow to pressure. For instance, no Member of Parliament can employ anyone with NG-CDF, no matter how much pressure is put on them, since there is no room to employ. The system is solid and structured. One or two might side-track the system, but for a Member of Parliament to steal money, they must conspire with their fund account manager, the chairman, and the project management committee...

The Temporary Speaker (Hon. Martha Wangari): Including the district accountant.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Exactly. Including the district accountant.

Hon. Member: And the National Board and the treasurer.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Yes, the National Board and the treasurer. By the time you are doing that, you should not be in Parliament; you should just go home. The NG-CDF funds are very minimal. If you look at the money used for constructing a class, nobody would want to steal that amount of money.

I hope that the Senate will inform us that, based on these years of devolution, these are areas where we see gaps. They have indicated they need an agency and a Forum to help with good practices and functionality. However, we need legislation that ensures more funds are allocated to development and infrastructure, rather than recurrent expenditure. As we undertake this, I am concerned that even as we do this, it is just Panadol for fatigue. We need the Senate to give us 'medicine' to begin 'cancer treatment'. The reality is that some of the counties are not performing well. The other day, when the Senate was in Busia County, the issues that arose there should not even have reached the national level. The Busia Governor is my good friend and neighbour in Parliament. I do not think he is the one doing that. Since we do not have clearly defined structures, it is very easy for poor systems to take root in the counties. That is why we have challenges.

For Hon. KJ, it might be different because in Nairobi, most schools have classrooms, whereas in rural constituencies, there are often no classrooms or dining halls.

Hon. John Kiarie (Dagoretti South, UDA): On a point of information, Hon. Temporary Speaker.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): I know Hon. KJ wants to raise a point of order. But I would like to remind him that he cannot compare Nairobi to the rural areas.

The Temporary Speaker (Hon. Martha Wangari): It is actually a point of information. Do you wish to be informed?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Yes, Hon. Temporary Speaker, I wish to be informed.

The Temporary Speaker (Hon. Martha Wangari): Hon. Millie, note that you only have 30 seconds to conclude. Proceed, Hon KJ.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I beg that you preserve some time for Hon. Millie Odhiambo. I would wish to inform her that if there is a place with an education crisis in this country, it is within the city. This information is from a Member of Parliament who hosts the largest primary school by population—Ndurua Primary School, which is now at around 7,000 learners. The school shares a compound with many other government offices, including the Deputy County Commissioner's (DCC) office, the constituency office and the community centre. The situation was so bad that last year, we had to come to this House and plead with Members to consider us under affirmative action so that we could remedy the situation in the schools within Nairobi City County. Our systems and classrooms had been condemned as unfit for human occupation. Some of the facilities were last handled in the era of Councillor Margaret Kenyatta, when she was the Mayor of Nairobi.

The situation in rural areas cannot compare to that of Nairobi City County. The situation in the mountains is that people are closing down schools. Where do you think those learners are? Rural-urban migration has brought a problem untold to the city. I understand Hon. Millie's point, but I would like to inform her that Hon. Mwafrika and I are educating children who move from rural areas to Nairobi, yet we do not have the necessary facilities.

I thank you, Hon. Temporary Speaker, and Hon. Millie for accepting to be informed.

The Temporary Speaker (Hon. Martha Wangari): Hon. Millie, you have two minutes to wind up.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. It would be nice for us to visit each other's constituencies. I understand the crisis you are facing in Nairobi, particularly with the high population of children. You do not have the land to build schools, or in places where land is available, the buildings are old. There are no facilities in schools. Maybe we are better than you because our children learn under trees. Perhaps you are missing trees, but in our area, there are places where there are no schools; absolutely. Sometimes I see people speak about this on Facebook. I usually abuse some of them; I laugh at some; or I ignore some.

Those who come from rural constituencies, especially the marginalised places like ours, will understand the situation. I went to an island called Sukuru Island, where there was no school. The only difference with Nairobi is that it is not an island. At least the children in Nairobi can get on a bike and cross over to another estate. Where will the children from Sukuru Island get a boat to go to Ngodhe on the mainland? We have very unique challenges in our constituencies. What about people who come from the Remba or Ringiti Islands? We have very strange challenges in rural constituencies. Young people of Nairobi, *kujeni mashinani* so that you see real life, poverty and challenges.

Recently, I broke down while making my speech at an international conference. I have to get therapy. I do not think that people understand the challenges we face in doing our work. We face a lot of challenges. If you have a heart for humanity, the problems we face in our communities will break you down. I do not think people know what we go through. So, Nairobi *iko na shida, lakini yetu ni mbaya*. Sorry, Hon. Temporary Speaker, for breaking the rules.

The Temporary Speaker (Hon. Martha Wangari): Hon. Millie, you have made your point.

Member for Karachuonyo, Hon. Andrew Okuome.

(Hon. Wanjiku Muhia consulted loudly with Hon. Adipo Okuome)

Member for Karachuonyo, do not be bullied by the Member for Kipipiri. You have the right to make a contribution. Go ahead, please.

Hon. Adipo Okuome (Karachuonyo, ODM): Hon. Temporary Speaker, I would like to inform Hon. Wanjiku Muhia that nothing can stop me from making my contributions.

The Temporary Speaker (Hon. Martha Wangari): Go ahead, Hon. Okuome. You are protected.

Hon. Adipo Okuome (Karachuonyo, ODM): Thank you, Hon. Temporary Speaker, for giving me the opportunity. I struggle with the fact that as Members of Parliament running NG-CDF, we always take the bullet. I say this in relation to the allocation of the county governments' equitable share of revenue.

The one thing that everybody must agree on is that the NG-CDF is doing its best, and you can see the impact of the money they receive on the Kenyan population. This is different from what counties are doing. It is important for Senators to re-examine themselves and see whether county governments are giving what is expected of them because our expectations have never reached even 50 per cent. They receive money in billions. I am not sure whether there is any constituency that receives Ksh 200 million. If there is, it could be one or two. Most receive less than Ksh 200 million, but the results from that amount are enormous.

We see buildings being constructed in schools, police stations, courts, and prisons, all from the small amount of money the NG-CDF receives. Perhaps they should also send an unbiased auditor to assess what is coming from county governments. County governments should actually encourage NG-CDF to exist and continue serving Kenyans. This is very essential for the development of this country. In fact, some of us can be proud to say, 'I have done it,' a statement that cannot come from a governor, and even if it does, it will be from very few governors. Those whom I know are my friends, but I am not attacking them. I am attacking what is happening in the counties. If we do not do something, we will miss the purpose for which devolution was created.

Devolution as a system is excellent, and we must have it. I thank His Excellency Raila Amollo Odinga for having thought of bringing it. He did a wonderful thing. If it had been followed well from the year it started, we would be many miles ahead of where we are today by now. The purpose of the creation of devolution was to develop *mashinani*. In fact, it is because of this that I am totally against e-procurement, as it is trying to...

(Hon. Wanjiku Muhia crossed the aisle without bowing)

The Temporary Speaker (Hon. Martha Wangari): Member for Kipipiri, you are totally out of order. Go to the Bar, bow and come back. Continue, Hon. Member for Karachuonyo.

Hon. Adipo Okuome (Karachuonyo, ODM): I am against e-procurement on one simple ground. Whereas NG-CDF, for example, was intended to empower the population of the areas it covers, the e-procurement system will award tenders to individuals even from outside the constituency to which the funds are allocated. This misses the purpose for which NG-CDF was created. It was not just about building schools and the like, but also about helping

contractors from that particular constituency develop by securing projects and earning a living to improve their situation.

Hon. Temporary Speaker, we have many things to take care of that can make this country develop and be proud of devolution. I plead with our Senators to see what we do. The NG-CDF does a lot. Comparatively, if we were to look at it in that format, the percentage of our performance in contributing to the nation in relation to the money we get is far higher than what the counties give. Therefore, the counties should be pulling up, and the Senators are responsible for that. We cannot just blame the Governors. The Senators are the oversight body for the counties. Therefore, they should tell us what the counties have done. We should have a system where the NG-CDF can tell the Kenyans what they have done by the end of their time. The counties should also do the same. This will ensure that we do not just theoretically talk, saying that NG-CDF or the counties are not doing so well. Let us prove our case through figures and account for ourselves in terms of productivity and the results we achieve with the money we are given. That is not usually done. My colleague said it, and it is a fact. How many auditing teams come to audit us in the constituencies? There are numerous. At one time, I was left wondering whether my staff or the staff of the NG-CDF should be constantly with auditors to answer questions about what is going on. I do not know whether it is happening in the counties.

Hon. Temporary Speaker, thank you for giving me this time. Do not deny me the chance to speak on what my friend, Hon. Wanjiku, wanted me to contribute to when the time comes.

Thank you.

The Temporary Speaker (Hon. Martha Wangari): You have every right. Before I call the mover to reply, I note that serious constitutional issues have been raised by both Hon. Millie Odhiambo and Hon. Oundo. We will transmit that for the Hon. Speaker to make a communication on those matters. It is important for clarity and setting the record straight.

Hon. Lochakapong, kindly reply.

Hon. Peter Lochakapong (Sigor, UDA): Thank you, Hon. Temporary Speaker. I thank all the Members who have contributed to this Bill and those who have supported. We have taken note of the concerns that have been raised. Whatever they have raised will give us insights and inform decisions in the next phase of this Bill. The Council of Governors is already receiving resources from the National Government, but much of it is recurrent. That is why they seek just to be entrenched in the law. The Council of Governors will deal with issues cutting between county governments and the agency, which is a secretariat of the Summit. It will also handle disputes between county governments.

I, once again, thank all the Members who have contributed to this Bill. I beg to reply. Thank you very much.

The Temporary Speaker (Hon. Martha Wangari): Very well. We shall defer putting the question to the next appropriate time.

(Putting of the question deferred)

Next order.

MOTIONS

APPROVAL OF THE NATIONAL GREEN FISCAL INCENTIVES POLICY FRAMEWORK

THAT, this House adopts the Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the Sessional Paper No.5 of 2024 on the National Green Fiscal Incentives Policy Framework, laid on

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the Table of the House on Tuesday, 30th September 2025 and approves Sessional Paper No. 5 of 2024 on the National Green Fiscal Incentives Policy Framework.

The Temporary Speaker (Hon. Martha Wangari): This is to be moved by the Chairperson of the Departmental Committee on Environment and Forestry. It shall be deferred to the next appointed time.

(Motion deferred)

ADOPTION OF REPORT ON EALA'S FOURTH MEETING OF
SECOND SESSION OF 5TH ASSEMBLY

Hon. Wanjiku Muhia should be moving this Motion on behalf of the Committee on Regional Integration.

Hon. Wanjiku Muhia (Kipipiri, UDA): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, this House adopts the Report of the Select Committee on Regional Integration on its consideration of reports 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, 24th September 2025.

I stand to represent my very able Chairperson and give her apology. She has not absconded from duty. She is on a very special assignment, and she is always in the House.

Hon. Temporary Speaker, pursuant to Article 65 of the Treaty for the Establishment of East African Community (EAC) and Standing Order 212 of the National Assembly, the reports resolutions and Bills adopted by East African Legislative Assembly (EALA) were transmitted and laid on the Table of the House on 1st August 2024, and committed to the Committee on Regional Integration for examination and reporting. The Committee considered the EALA Reports as follows:

1. Report on the Assessment of Implementation of the EAC Budget for Financial Year 2024/2025.
2. Report on the Supplementary Budget request and the EAC Supplementary Appropriation Bill, 2024.
3. Report on the EAC Budget Estimates for Financial Year 2024/2025.
4. Report on Projects implemented by the Lake Victoria Basin Commission (LVBC) and the Lake Victoria Fisheries Organisation (LVFO).
5. Report on the Oversight of National Elections in the Republics of Rwanda and Uganda.
6. Report of 5th East African Parliamentary Alliance for Food Security and Nutrition (EAPA-FSN).
7. EAC Supplementary Appropriation Bill, 2024, and the EAC Appropriation Bill, 2024.
8. A Resolution of the Assembly paying tribute to the late Hon. (Dr) Shogo Richard Mlozi, who was a member of EALA.

The EALA is established under Article 9 of the EAC Treaty. It exercises legislative, oversight, and representative functions, including the creation of committees as necessary, as outlined in Article 49 of the Treaty. At its fourth meeting of the Second Session of the Fifth Assembly on 23rd June to 4th July 2024 in Arusha, EALA adopted and forwarded to the National Assembly the aforementioned Reports. The Committee, having considered the Reports, made the following observations:

1. Only 77 per cent of partner States' contributions were received for the Financial Year 2023/2024, with the Democratic Republic of Congo not making any remittance, thereby stalling critical EAC programs.
2. The Supplementary Budget of US\$11.1 million exceeded the 5 per cent ceiling set under the budget, raising accountability concerns.
3. In the Financial Year 2024/2025, a budget of USD112.9 million prioritising peace and security, trade, monetary union, infrastructure and social sector, though cases of duplication and weak alignment of integration goals were noted.
4. Kenya continues to play a key role in hosting the LVBC headquarters in Kisumu and LVFO projects, which are critical to climate resilience, food security, and livelihoods in the region.
5. On electoral oversight, the Committee emphasised the need to strengthen the EAC Election Observer Mission and ensure inclusivity of youth, women and Persons with Disabilities in electoral processes.
6. The Food Security and Nutrition Alliance highlighted the importance of family farming, Climate-Smart Agriculture, and increased funding for the food system.

Hon. Temporary Speaker, the Committee, therefore, resolved and recommended as follows:

1. The contributions of the partner States should be based on their Gross Domestic Product (GDP) rather than on equal shares.
2. The Treaty should be amended to provide sanctions against defaulting partner States.
3. Prospective new members of EAC should remit their financial contribution upfront as a precondition for admission.
4. Oversight on budget execution should be enhanced with clear guidelines for program alignment with integration priorities.
5. Greater political and financial support should be extended to LVBC and LVFO projects.
6. The mandate and funding of the EAC Election Observer Mission should be strengthened.

Hon. Temporary Speaker, I wish to thank the Speaker and the Office of the Clerk of the National Assembly most sincerely for the invaluable support accorded to the Committee in discharging its mandate. On behalf of the Committee of Regional Integration, and pursuant to Standing Order 199 (6), it is my pleasant duty to move this Motion that the House adopts the Report of the Committee on its consideration of business transacted by the East African Legislative Assembly at the Fourth Meeting of the Second Session of the Fifth Assembly, held from 23rd June to 4th July in Arusha, Tanzania.

Hon. Temporary Speaker, I beg to move and, with your guidance, I can say two things.

The Temporary Speaker (Hon. Martha Wangari): You still have the Floor.

Hon. Wanjiku Muhia (Kipipiri, UDA): Okay, Hon. Temporary Speaker. I will be brief, as many Members, including those on my Committee, have indicated that they wish to speak on this Motion.

In the interest of time, I will address the issue of partner state contribution that the Committee considered and recommended, which should be based on Gross Domestic Product rather than equal shares. The East African Community (EAC) mirrors the European Union (EU). The reason the EU is a very strong bloc, possibly in the whole world, is because it practises the GDP method of funding the union. Therefore, you will find that a country like Germany contributes more, while another weaker country gives only what it can afford. Here in EAC, a country with a very low GDP, which I may not mention due to the partner state and family issue, is supposed to contribute US\$8 million. A country like Kenya, with its well-

known GDP, also contributes USD8 million. So, time and again, Kenya, Uganda, and Tanzania continue to contribute. However, a few other countries consistently fail to do so, not because they do not want to, but because they lack the capacity.

Hon. Temporary Speaker, when we look at EAC, we have a population of approximately 340 million people. What is the population of America? Approximately 347 million. America is boasting as a first-world country; population and economy go together. So, the partner states that do not remit, yet they are able—because we may know them—do not see the gold they sit on at the EAC. This is because with this kind of population, we can trade economically, grow in terms of peace and security, and closely attempt to surpass countries with similar populations. When we consider the entire continent of Africa, we estimate a population of approximately 1.55 billion people. Just as President Trump asked whether the UN lives up to its purpose, I would also ask: Does the African Union live up to the purpose of Africa as a continent? Africa has a population of about 1.5 billion. What does this mean? With China having a population of 1.4 billion and Africa having a population of 1.55 billion, which has the larger population? Who can trade more? Who can grow more? With Africa possessing all the minerals and having extremely favourable climatic conditions, where we do not experience winter or summer, we are favoured by God to be here. With Africa having a great labour force, it is exporting labour to the Gulf and other Asian countries, as well as Western countries.

So, with this population, if African Summit Members found it fit, they would strengthen the EAC, the Intergovernmental Authority on Development (IGAD), and the Economic Community of West African States (ECOWAS); then, together, we would strengthen ourselves at the African Union—and Africa could even surpass America. I dare say that to President Trump.

Hon. Temporary Speaker, there are member states that joined the Community recently. Let me mention them for the record. We have the Republic of DRC, which, though struggling in terms of security, has joined the Community, as well as the Republic of Somalia. My personal recommendation is that we include a clause requiring Members to contribute upfront to test their seriousness.

In Tanzania, we used to say EAC, in Kiswahili, *ni shamba la bibi*. Hon. Jematiah knows it very well. Why do we say so? A partner state will join the Community, with staff members who are well-paid, yet they are paid by three partner states. We now have eight partner States. How can three partner states carry a whole Community? When a partner state joins, it must understand that there are payments involved, and this is an obligation that should contribute to the growth of the Community. So, it is a very sad story because the Committee looked at the budget issues. Of course, I will ask, “Is the milk white? Is the grass green?” Because even if we are saying that this budget is A, B, C, D, but what budget? We never fund our budget. With three countries and a budget of US\$60 million, we have funded our budget from other stakeholders of goodwill, but we have never raised the necessary funds to support our budget as the EAC.

Hon. Temporary Speaker, in conclusion, a critical thing is missing in EAC. There is no *Public Finance Management (PFM) Act*, which is why budget and financial management cannot adhere to good practices. When the Members from Kenya joined the EALA – Hon. Jematiah, Hon. Abdikadir, Gen. Z, Hon. Oburu Odinga, and me – this was our first question. We all served on the Committee on Budget and Appropriations, and we kept on asking this question. How can a community fail to have a PFM Act?

Hon. Temporary Speaker, the sad story is that none of us Members would have initiated that Bill because the practice at EAC is that all the Bills emanate from the Council of Ministers. The EALA is semi-autonomous. A Member will not wake up and introduce legislation to create a PFM Act, and the Bill will not be realised, so that the community can move forward. This is

one of the saddest stories. If the Members of EALA could be allowed to introduce bills, instead of waiting forever for the Council, something like a PFM Act would have been realised, and the best practices of financial management would have been achieved.

There are also issues of political and financial support that should be extended to the *Lake Victoria Basin Commission (LVBC)* and the *Lake Victoria Fisheries Organisation (LVFO)*. These are institutions of the Community that have been doing very well in terms of climate change, particularly in Kisumu, taking care of the lake and making sure that there is good fish. These institutions also lack financial support because the remittances are not in place.

Hon. Temporary Speaker, on the election observer mission, considering the purpose of the EAC, is also to maintain peace on the continent. However, the observer mission is underfunded. So, when they go for observer missions, they never realise their purpose. Worst of all, after the observer mission, the report is only shared with the Council of Ministers and the partner state in which the observer mission was conducted. Worst of all, it is recommended as a note. So, there is no vibrant debate to make recommendations, so that they can be actualised. This is one of the setbacks that beat the logic of why the observer missions are even in place.

I know that Members want to contribute, but I would not leave without saying that if partner states will not contribute, they should allow the amendment to the Treaty so that we contribute as a proportion of our Gross Domestic Product (GDP). This way, as you contribute, you also have veto powers. If we continue with this merry-go-round of whoever can contribute the money, I can assure you that the Community will not grow and will not meet its target of strengthening the entire continent of Africa.

Finally, we have Members and officers from all partner states. They all go home with salaries – for instance, the Members of EALA. Sometimes, the Members do not sit in EALA, because there is no money. Why would Members from Kenya suffer? Why would Members from Kenya not sit? We should be bold and candid enough, and perhaps consider an amendment to the same Treaty by strengthening the sanctions schedule, so that if your country does not contribute, then its members are not paid. Otherwise, this family business will prevent the Community from achieving its goal.

Hon. Temporary Speaker, I wish to end there but urge the leadership of this House to emulate the Deputy Speaker, Hon. Boss Shollei; yourself, Hon. Temporary Speaker, the Whip of the Majority Party, Hon. Naomi Waqo, and Hon. Millie Odhiambo, who has been very decent. As you can see, it is past 6:00 p.m., and I am still here. Yet, some leaders claim that some of us do not attend the House. It is not good to play to the gallery. I urge them to be like the Speaker's Panel and the lady leaders of this House who, in my view, should even be the main Members. After all, I always see them here until this late hour, yet those accusing some of us are technically absent from the House.

With those remarks, I move and request Hon. Naomi Waqo, our colleague in this Committee, to second the Motion on this good Report.

Hon. Temporary Speaker (Hon. Martha Wangari): Very well, Member for Marsabit.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for allowing me to second this Motion as requested by the mover.

I wish to congratulate Hon. Wanjiku Muhia for ably moving the Motion. She is a Member of the Committee, and we have a very able Chair who is also very committed to ensuring that this Committee progresses well. The Mover has covered every aspect because she has vast experience. During her time as our Chairlady, she shared a lot of her experience with us and challenged us in many ways. We have also tried to see how best the Committee can be of help to the EAC.

I have gone through the Report, which I participated in preparing. I once again congratulate our Committee because we gave it a lot of attention. We also had a retreat in Mombasa, where we had representation from the Ministry. The Principal Secretary was present, and he gave us a better understanding of the workings of the EAC. Many of us have known about EALA and the struggles they go through. However, during that retreat, we were able to understand the situation even better.

The Committee's recommendations are what I will focus on as I second. The mover has already touched on the first recommendation of the Committee, which is addressing the persistent financial challenges facing the EAC. The Committee underscored the urgent need for a joint roundtable meeting between EALA's Budget Committee and the Integration Committees of all partner states. This is very important because unless we try to solve this problem, the challenges that EALA and EAC are going through will not be resolved. We need to get to the root cause and see how best we can resolve it.

If only three partner states make their contributions one hundred per cent and the rest do not, it becomes unsustainable. I understand that sometimes even EALA Members are not paid on time. They do not receive their allowances or carry out visits they are supposed to, simply because there is no money. The question is, for how long will this continue?

I remember that during the 12th Parliament, this issue was discussed in many forums, yet the problem has not been solved. We are proud as Kenyans because the country is performing very well, submitting its remittances on time, and sustaining even the others. However, for how long will that continue? To solve this problem, we must sit together, as the Committee has recommended.

The Committee further proposes a shift from the current equal contribution model to a GDP-based formula, as the current system is not effective. If we base it on GDP, we might encourage those who are financially struggling to make an effort to pay.

The third recommendation is on the enhancement of financial discipline and accountability. The Committee recommends amending the EAC Treaty to facilitate the incorporation of appropriate changes. Finally, the Committee emphasises that the EAC's success as a vehicle for regional cohesion and integration hinges on unwavering political support from partner states.

I can see that my time is up. I pray that the EALA or the EAC will overcome the current challenges. Members of staff and EALA Members are struggling. It is not enough for us to merely note the struggles; we must find ways to solve them effectively.

I second.

The Temporary Speaker (Hon. Martha Wangari): Very well.

(Question proposed)

We will start with the Member for Seme. The microphone is roving. It is back to you.

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity.

As I rise to support the Report, I also feel a bit sad. From where I sit, we are not progressing. We are going backwards. If you look at the Report, half of it is devoted to the budget, including the implementation of the budget, the supplemental budget, and the report on the Budget Estimates for the financial year. There are only two things that are not budget-related, namely: projects implemented by the Lake Victoria Basin Commission and reports on the Oversight and National Elections Board in Rwanda and Uganda, as well as the Lake Basin Commission. It goes on to say that, as much as we are talking about that money, only 77 per cent of the contribution is received, and that some members do not contribute at all.

The mover expressed the desire that this should actually lead to the unity of East Africa and Africa as a whole. In 1958, when Ghana gained Independence, Kwame Nkrumah called all the newly independent African states to Accra, Ghana. They resolved to get independent and then sit down to unite. He proposed that, 'As you get independence, let us unite, come in and join an existing institution.' Obviously, they all gained Independence and achieved their goals to the pleasure of their colonisers.

In 1962, when we were just about to gain Independence, President Nyerere suggested that they could delay their Independence so that the three East African states could then become independent together. Well, it did not happen, and now we are where we are. When I grew up, I did not know the distinction between the three East African states. I may have said this before. Look at what was once East African Airways, East African Railways and Harbours, East African Road Services, which included buses, power and lighting, and telecommunications; we also had the University of East Africa. I know many of us do not know why that place up there is called "Community." It was the headquarters for the East African Community Common Services. That is why it is called the Community to date. I went there for an interview to be trained as a pilot at the time. My father did not want that, though that is what I wanted. My father thought better. Of course, the training school was in Tororo. You could be posted anywhere to work. Fifty years later, we are thinking of establishing a monetary union. We had a single currency, the East African Shilling. We are moving backwards.

As I support this Motion, all I can say is that those in the EALA, whether they come from Kenya, Uganda, Tanzania, the Democratic Republic of Congo, and the others that are coming in, should not think of themselves as members of individual countries trying to get an advantage for individual states. We should go there as people who are trying to establish a single union for East Africa. If we think like that, even the issue of contributions will actually work out better.

We have a weak centre, but we are bringing in others. The original three EAC member states are not strong enough. We are now bringing in others, and I think that will just weaken the Community. We cannot expand when the centre is weak.

Hon. Temporary Speaker, I would have said more by going into history. Although the Headquarters is in Arusha, probably the real regional headquarters for East Africa is actually Kisumu. So, basing this institution in Kisumu is actually a good start. We should just see this as one unit. Those Members who are there should try to see what can be done.

The Temporary Speaker (Hon. Martha Wangari): Hon. KJ?

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I thank you. I thank Hon. Wanjiku Muhia, a very consummate East African who has served in EALA. I also see in the House the Hon. Jematiah Sergon, also a former Member of EALA. A raft of reports has been tabled here.

Hon. Temporary Speaker, allow me, on my behalf and on behalf of the people of Dagoretti South, to also send my condolence messages to the Member of Parliament who lost his life and say *pole* to that family and to the East African Community.

There are many issues that have been raised in these reports, most of which have to do with budget issues. We should start from where the Hon. Member for Seme has left. We should ask ourselves about the foundations. The borders that we pride ourselves on today are indeed artificial. They keep us apart as a continent of people who are one but separated by powers that are from outside Africa. The history of this continent is a sad one. For 500 years, the most prominent enterprise globally was the extraction and the pilferage of resources and the enslavement of our people.

It is only that it happened that slavery became extremely unpopular that he who was perpetuating it decided to transition it into a form of leadership they called colonialism. Colonialism perpetuated the extractive economy for another 100 years. The bigger question we

ought to ask ourselves is if slavery was that bad, and if colonialism was that bad, what can be said about this form of liberalism we call democracy? This is a democracy that identifies our countries only as individual states: Kenya, Uganda, Tanzania, South Sudan, Burundi and Rwanda. These are one people. What keeps us apart is not borne out of our people. The problems we see, even as presented in this report, bring to mind a quote by Martin Luther King: “He who tells us that if we are not going to be our brother's keeper, at least, let us not be our brother's executor.” Before we point a finger at the nations that are unable to contribute, we ought to ask ourselves what is making them lag on their payments. Why are they not excited about being part of the EAC?

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, this Motion has a balance of two hours. Hon. KJ, you will have your balance of two minutes when it is put in the Order Paper.

ADJOURNMENT

The Temporary Speaker (Hon. Martha Wangari): Hon. Members, the time being 7.00 p.m., the House stands adjourned until Tuesday, 14th October 2025, at 2.30 p.m.

The House rose at 7.00 p.m.

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