



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – First Session

Special Sitting

Tuesday, 24th September, 2013

The House met at 2.30 p.m

(Mr. Speaker in the Chair)

PRAYERS

The following papers were laid on table:

The Second Report of the County Assembly on vetting of the Executive Committee of the Nairobi City County.

COMMUNICATION FROM THE CHAIR

Hon. Speaker (Mr. Alex Sanaika Ole Magelo): Hon. Members, I would like to ask you, please, to switch off your electronic gadgets to enable us sit very shortly and very briefly. And before we proceed, I would ask you to stand for one minute in memory of our Kenyans and other citizens from other countries who perished at West Gate Mall on Saturday. Please arise and observe one minute silence.

(The Assembly observed one minute silence in honour of those who perished at West Gate mall)

Thank you very much, you may be seated. Hon. Members, I will seat briefly to wait for those coming in to do so. Hon. Members, I received yesterday a request from the Leader of Majority for the County Assembly to hold a Special Sitting on Tuesday 24th September 2013, to discuss important arising issues. Hon. Members, as you are aware, we are still on recess but due to the calamity that has befallen this country and especially the city which we represent, we have come here to join the rest of Kenyans,

Nairobians, the leadership of the country, the leadership of the County government in condoling with the families who have lost their beloved ones and in the same spirit wishing those who are in hospitals a very quick recovery. Thank you, Members.

Hon. Leader of Majority (Mr. Elias Otieno): Thank you, Mr. Speaker, I beg to give the following paper to be laid on the table of the County Assembly today, Tuesday 24th September 2013; the second report of the County Assembly on vetting of the Executive Committee of the Nairobi City County.

NOTICE OF MOTION

MOTION ON THE SECOND REPORT ON VETTING OF COUNTY EXECUTIVE COMMITTEE MEMBERS

Hon. Leader of Majority: Thank you, Mr. Speaker. I beg to give Notice of Motion of the following motion that this Assembly adopts the Second Report on the Vetting of County Assembly Committee Nominees of the Nairobi City County laid on the table today, Tuesday 24th September 2013.

MOTION OF ADJOURNMENT ON AN URGENT MATTER OF COUNTY IMPORTANCE:

THE ATTACK ON WEST GATE MALL

Leader of Majority: Thank you, Mr. Speaker. I rise to mention an adjournment on a definite urgent matter of County importance, pursuant to Standing Order No. 30; the recent attack on West Gate Mall.

Okay, I just want to give the reasons why we have this Special Sitting today. First and foremost, we must be together with our brothers and sisters who lost their lives and those who lost their relatives at this trying moment. That is a major reason why we are here. We are also here to discuss security measures in this city. We as the Hon. Members within this County, have this obligation to call upon the security agencies within the County to give us day to day security and ensure the running of the city affairs. I beg to call upon Hon. Abdi Hassan to come and second the motion. If he is not around; may be he has stepped out shortly. So, Mr. Speaker, let me just call the Chief Whip, Hashim Kamau to come and second.

(Hon. Hashim Kamau seconds by a nod)

Hon. Speaker: Hon. Members, I now propose that pursuant to Standing Order No. 30(1). *“Any member may at any time rise in his/her place and seek leave to move the adjournment of the County Assembly for the purpose of discussing a definite matter of urgent County importance”*. Secondly, A member who wishes to seek leave to move the adjournment of the County Assembly shall at least have two hours before the commencement of the sitting and hand to the Speaker a written notification of the matter but the Speaker shall refuse to allow the claim unless the Speaker is satisfied that the matter is

definitely urgent and of national importance and may properly be raised on a motion for adjournment of the County Assembly.

Hon. Members, the Member, the Leader of Majority is properly before you in regard to the adjournment of the County Assembly and for calling the Assembly to discuss urgent County matters. Hon. Members.

Hon. Member for Eastleigh South Ward (Mr. Osman Adow): Thank you, Mr. Speaker, for allowing me this opportunity to speak on this issue. First, I have a message from the people of Eastleigh who would like to send their condolences to the families of the people who died in that tragedy and their prayer for quick recovery for those injured and also prayers for those listed as missing and those who are still held as hostages. Secondly, we unequivocally condemn the cowardly act by these terrorists who acted against the innocent people of this country and our guests.

Those were actions that actually were uncalled for because this is a cowardly act perpetrated by people who have no regard for human life and if they claim to be brave, then they should have stood up to Kenya Defence Forces (KDF) forces in Somalia instead of coming to attack defenseless people in this country. And again, I would like to bring to the attention of Nairobians, that the people of Eastleigh went to various places to make donations. They donated blood at various hospitals in Eastleigh. Up to last night they took a lot of materials in terms of food and beverages to support the troops and people who had volunteered to help out at West Gate.

Having said that, we all know that the people of Eastleigh are always victimized two times, Mr Speaker. First by the terrorists and then by the operations that follow afterwards. I have with me here today a human rights report watch which documented the atrocities committed in the last operations and is titled, "*You are all terrorists*". And I would like to bring to the attention of the house that I have personally investigated some of these even though it was dismissed by the then Police Spokesman as being rumours. But a lot of what I actually said here was true, Mr. Speaker and we would like the agencies that are responsible for monitoring the police activities, in case there is an operation to be carried out in Eastleigh, to follow the police officers and observe the ongoing.

This is because we know there are some bad elements that need to be rooted out. But at the same time, we would like to protect our citizens from abuse by a few. I know most of the police officers do their work diligently and we respect them for that and we support them. But I know that there are also a few elements in the force that actually perpetrate these crimes that have been documented in this article here. (*Displays a newspaper article titled "You are all Terrorists"*)

We would also mention that we fully support our forces in carrying out actions against the terrorists and anybody else who would like to threaten the security of this country. For that, I say thank you.

Hon. Member for Harambee Ward (Mr. Ronald Milare): Thank you, Mr. Speaker sir, for catching your eye. Mr. Speaker sir, it is only last week that Nairobi was ranked among the top five destinations in Africa in the hospitality industry. Nairobi is ranked second to Cape Town in terms of conference tourism.

Nairobi is the only city in Africa that houses UN Headquarters. It is privileged to be among the four cities in the world that houses UN Headquarters. And all these can be lost because of such barbaric acts of terrorism.

And therefore, Mr. Speaker, this is a wakeup call, it is time we began to ask those very hard questions and also come up with very concrete resolutions because we cannot take the security of our citizens for granted and it cannot be compromised. It is a sad day for our country; it is a difficult day. It is a very trying moment and I just wish to conclude by echoing the words of our National Anthem, "*Oh God of all creation, bless this; our land and nation*". I beg to support.

Hon. Member for Mlango Kubwa Ward (Mr. Andrew Mbau): Thank you, Mr. Speaker. Let me first start by saying that I come from Mathare, that is Mlango Kubwa Ward and we were struck two times on the material day because there was a rumour going round that there was a gas explosion in Mathare. I want to say categorically that it was not a gas explosion but it was a grenade and we have got two victims in the hospital as I am speaking now.

And no one is too poor that he has nothing to give and no one is too rich that he has nothing to receive. The people of Mathare, Mlango Kubwa Area, we do sympathize with everyone who was affected. And I would say a human being as he/she is being born, is bound to love not to hate; people can only be taught how to hate. And the reason why we have terrorists today is because these people have been indoctrinated and to me they are suffering. They are having mental problems and they are mentally ill. And I would like to say that in my area we have a mental hospital to cater for mentally ill people.

These people, the terrorists themselves are smart people and they are doing their atrocities in Somalia and every other nation. They do it to their fellow Muslims but once they are in a country like Kenya where the majority are Christians, they want to pity Christians against Muslims. That is the reason why you hear that before you could be shot at Westgate you had to undergo a certain examination to see whether you are a Muslim or not. I say from the stand point of where I come from we should refuse as Nairobians to be divided. This is not a war against Muslims or against Christians; this is a war meted to Nairobians by mentally challenged people. And if these people think that we are going to give up on our resolve against terrorism, I say they are absolutely wrong.

We have managed to overcome the sad day with the gallant forces that we have and together we must guard against terrorism. The government should get to the root cause of this matter because we know how our immigration officers are. I am not afraid to say that, that is one of the departments that are most rotten. And we have got people who have attained their citizenship through clandestine deals. This must be investigated and I know that our Governor is one of the people who sit in the security Committee of Nairobi and this Committee has got to look deeply into this matter and together we shall overcome.

(Applause)

Hon Rachael Kamweru (Nominated Member for Embakasi West): Thank you, Mr. Speaker, what really happened to the city of Nairobi is very unfortunate. Mr. Speaker sir, I am looking at an issue to do

with the county itself and one of the issues that I'm really concerned about is our county mortuary facility. Mr. Speaker, the situation is not as it is as prominence is being given to the West Gate. Within our county, because this is where we come in with regard to this issue, the City Mortuary is pathetic. Yesterday, we had our Members among them the Hon. Chief Whip, the Hon Marion and the rest of the people going to help at the City Mortuary.

Mr. Speaker, my suggestion for Members would be, now that over Ksh84 million has already been raised to the 848484 number, that as Members we contribute some money towards the City Mortuary. My prayer is that some of this money goes to the City Mortuary direct because if we send to the Safaricom number it will take three weeks for this money to be released by the Red Cross. Why am I saying this? As per now people who have now gone to assist at the City Mortuary, need industrial gloves. I am sure, Mr. Speaker, you are aware that the Governor gave a directive yesterday for some of these things to be procured. But you are very sure about the procurement process here, it takes long.

I am saying there is an immediate need for gloves at the mortuary and please just go there and see for yourselves how those people are suffering. At night we have two members of staff and these two have to be relieved in the morning. My request is, part of what we have contributed goes to buy industrial gloves immediately. Let's get the mortuary staff attendants lucozade; let's get them milk and 'hearsing' clothes. 'Hearning cloth' is like the 'gunia' type. These clothes have not procured even after the Governor's directive. The attendants also need water and disposable masks.

Why I'm saying disposable masks, gloves and gowns is because if you go there you cannot enter without the disposable mask; that is an immediate requirement. You are going in and you are going out. Also, Mr. Speaker sir, keeping in mind that the Governor has already waived the mortuary bills, we are not getting any resources and we don't want to. That means, that as a county we are giving out our gowns, we are giving out our gloves, we are giving our bags and there is no replenishment. So for me this is immediate. We also need a tent there and it is my appeal to this Assembly that we act with immediate effect, Mr. Speaker sir. We should have a communication tool. If you call in, I don't know whether we have a number or even a twitter handle. Do we have a twitter handle for the Assembly?

Hon Speaker: I don't know.

Hon. Racheal Kamweru: I have checked, Mr. Speaker and it very unfortunate if we don't have a facebook account from the Speaker's side and we don't have a twitter handle. By now we should be asking for specialized volunteers at the mortuary. They were asking for specialized volunteers; people to go and help in our morgue. You know what the process is, any one who passes here, they have to pass through the County Mortuary so that their fingerprints can be taken, their photographs are being taken and then because it's a police case a report is given and then you are told to collect the person and take to the mortuary of your choice.

So we have not looked at that and Mr. Speaker if by now the Assembly or Mr. Speaker's office does not have a twitter handle, what are we doing? We do not have a facebook account, how do we send this appeal? Mr. Speaker don't smile because this is very unfortunate, somebody is sleeping on his job.

Mr. Speaker sir I had to write to you an e-mail, I used a yahoo account. Why should I write to you an e-mail through a yahoo account?

Lastly, I want to talk about allowances. I would like to tell the Members and this is especially going to the Labour Committee. The City Mortuary or the County Mortuary as it is called now has only 30 workers. Out of these thirty workers, seven are women and most of them are retiring any time now. When you are saying you are laying off people; we don't even know what to about that. They need a capacity of fifty two (52). Mr. Speaker, my take is, even as we give Red Cross, we already have Ksh84 million, why don't we arrange whatever we are going to raise we have some of these workers today beeing given some little allowances from our side. We can appreciate them; even if we say we give them Ksh5,000, Ksh10,000 for the days they have worked. They be appreciated because for me even by taking it to Red Cross as per now is not making any sense when our people are without.

Mr. Speaker, lastly, let us have the twitter handle. It takes one minute. We need to start calling for the volunteer specialists and if you do so from your side, the public will see the Assembly working. We call volunteers from Kajjado, Machakos and Kiambu.

Mr. Speaker, the West Gate saga was a saga on security. We have a very big facility and that is the Inspectorate training at Dagoretti. That facility can be utilized first and foremost so that even other counties can utilize the same for training enforcement and protection officers. Mr. Speaker, as an Assembly we need 127 body guards from the Inspectorate immediately. Instead of taking them to the Administration Police (AP) for training, the trainers from the (AP) can come to our training school so that we start having synergy on this. This goes to the Legal Committee and City Inspectorate. Let's re-look and refurbish this so that we can have our protection. I beg to support this motion. (*Loud consultations*)

Hon. Speaker: Order Members! First of all I have an e-mail and a twitter handle. But these are personal to me, and this is a challenge. I will ask the Clerk to enable us have an official one because as you have just said, yesterday, Members, we went with Hon. Kidero to the City Mortuary and I can tell you it was pathetic and that's why you saw that even Dr. Kidero broke down. It was pathetic and he had no words to say.

I have just been given a list of what you have, Hon. Kamweru and I have said we meet with the Hon. Hassan and the Majority Leader because it was brought here so that we can quickly go through it with the Governor and see to what can be supplied. However, after the end of this very short debate, we would have known the way forward with regards to this. And I would also like to tell you that I got information before I came here that most of our staff from the City Mortuary has been relocated to other hospitals to help in the identification of other dead victims across mortuaries, most of them in Westlands, Guru Nanak, somewhere else near Parklands and so Nairobi County Mortuary is in dire need not only of essential supplies but even food to eat. So it is in a pathetic situation. Hon. Maggy

Hon. Margaret Sewe (Nominated Member for Makadara): Thank you, Mr. Speaker, for giving me this opportunity to also share with the Members of the County Assembly and to condemn this barbaric act that the terrorists have meted on innocent people. It is very sad and it touches my heart. Mr. Speaker sir, I

am not an expert, I would admit on security matters, but I would wish to restate here that we need to also consider beefing up our security systems and apparatus in Nairobi so that some of these things can be prevented. Some may be nipped in the bud on time, some may be trapped well at an opportune time to avoid loss of life, destruction of property and harming of very innocent and unprotected people.

Mr. Speaker sir, it is only a month or so ago that a lady was shot in the middle of this city in broad day light and unfortunately the thugs could not be traced; could not be seen; could not be caught and that shows that there is laxity in our security systems. The last City Council, had a suggestion that we should have CCTV cameras around the city. Mine is not to tell the security people in charge to install the CCTV cameras, they know best when to do what.

Mr. Speaker, I'm even more concerned about us, as the Members of the Assembly. I am very sure that even for us, ladies who carry our hand bags, screening should be upgraded and updated for both ladies and any Member who comes and for any strangers or visitors who come in. Mr. Speaker, I'm very sure even where we are seated, our security is not guaranteed. I beg to support this motion but I would urge that we beef up our security. We should play our roles and not wait until a terrible thing has happened and then we begin crying foul.

Last but not least, I would appeal to Nairobians and Kenyans that the support; the universal support that the West Gate has received today; is replicated when we have fires in Kibera, in Korogocho and in all slum areas so that we can show togetherness and we show that every family member, every soul and every life is as important as any other. Thank you, Mr. Speaker, I beg to support.

Hon. Jacqueline Nyang'ala (Nominated Member for Kileleshwa): Thank you, Mr. Speaker, for this opportunity to come and speak about West Gate. I would like to point out a few things. First, I would like to echo Hon. Adow, about the police; an element on police that is making us look very shameful. I was at West Gate on Wednesday last week. The road coming to West Gate from Peponi and the other one coming from Nakumatt Ukay, always has police. And what do these policemen do, Mr Speaker? They are always looking for Indian women who are on phone or any other persons who are on phone because they normally collect taxes; Ksh200 or Ksh500 or something. So if the police were around there may be they could probably have seen suspicious people passing by. But they are not intent at looking at mwananchi's security; they are looking for where they can get their Ksh200 or Ksh500. I would also like to support what Mheshimiwa Andrew talked about with regard to the immigration department.

Secondly, I would like to say that Ethiopia went to Somalia as Ethiopia, Kenya went to Somalia with UNISOM but Ethiopia went as Ethiopia. Nothing has ever happened to Ethiopia to date. So we can't say that since we went to Somalia, that's why we are being hit, that is not true. The thing is, I'm sorry to say we are corrupt. If our borders were not corrupt, this cannot happen. The minute metal detectors denote the presence of something (*imitates the sound from a metal detector*) you open your suitcase. In Nairobi here, you go ahead even when the detector sounds out an alarm. So, we are not vigilant at our borders or in our security places. And I would like to say that it is very unfortunate because Nairobi is a very important city like Mheshimiwa said. As you know, Mr. Speaker, I am a Tour Operator and when I talk about the country

Kenya, I always start with Nairobi and we say the good things about Nairobi and they always ask me about the security.

Just last week somebody was asking me about security whether their children who were coming from Canada and going to Maasai Mara were going to be safe in Nairobi. As we speak they cancelled their tour and they will not come. So our borders have to be looked after; we have to be very vigilant and all these malls their security can't be under people with 'rungus'. I'm not sure about what we will do, but we need people who are properly armed not people with 'rungus'. And with that, Mr. Speaker, I support.

Hon. Speaker: Hon Chief Whip, Mr. D. N. Mberia.

Hon. Chief Whip of Majority (Mr. David Mberia): Thank you, Mr. Speaker sir, for giving me this opportunity. First let me send my condolences to the families of the victims and wish the injured quick recovery. Secondly, Mr. Speaker, let me also take this opportunity to commend the Head of State and our national leaders; the Prime Minister and other leaders for showing unity of purpose during these trying time in our country. This country is neither at war nor is it having a war of religions. There is no war between Islam and Christianity. This country has Muslim leaders, in fact the Leader of Minority, Adow and madam Amina, are both Muslims. In the national government we have Muslim leaders. In fact the leader of the majority at the National Assembly is a Muslim; Hon. Duale. We have Muslim leaders in the cabinet; Hon Balala, Hon Amina who is the Cabinet Secretary in charge of Foreign Affairs.

Mr. Speaker, we have Muslim leaders in the mosques, they must come out and condemn this heinous act. There is nobody who goes to the mosque to pray to kill small children. And if so, we would like to know from their leaders in the mosques whether the doctrines they teach the Muslims is to learn how to shoot and kill innocent Kenyans especially women and small children. Mr. Speaker, the security of this country is paramount; we must secure all our borders. We must make sure that every piece of land in this country is secured. We have soldiers; we have the Kenya Army, we have the Kenya Airforce, we have the Kenya Navy. We must guard our country even if it is a half an acre of stone like Migingo, we must secure our country.

Thirdly, Mr. Speaker, my colleague Andrew talked about the Immigration Ministry which is now under the office of the President. Everybody is a citizen of this country. People come from across the borders, they corruptly acquire citizenship, they acquire ID cards, they acquire visas, and they acquire passports through corruption, Mr. Speaker. It is only in Kenya that somebody comes and buys a building of half a billion and nobody asks the person where he/she came from. Something must be done to secure this country.

Mr. Speaker, there is a law called Anti-Terrorism Law, it was passed may be sometimes back but some Muslim leaders tried to stop it. This law must be strengthened and anybody, even Muslim must submit to this law, because you cannot say all these Muslims in this House support the killing of small children, they can't. This is not about Muslims; this is about devils in mosques. So, as a country we need to see that this country is secure and safe so that when you go to sleep, nobody will blow you up; nobody will blow your car, that is what we are explaining, Mr Speaker. As an Assembly and as Members of this

House, we are not secure. The government allocated officers, there is a circular from the National government allocating officers to every County Assembly Member and it is upon this House to follow up this circular to make sure that these Members are well guarded because we are politicians. We need to be secure, anybody can blow this House.

Mr. Speaker, this Nairobi County, not even the County Assembly alone, the County of Nairobi premises are not secure at all. I beg to support this motion and as a County, we also need to make sure that we can also, may be in consultation with the Legal Advisor, bring a Bill to make sure that the issue of security is taken seriously; a Security Bill which we can pass in this House, because these terrorists attacked Nairobi County. As Kenyans, we are one. I beg to support this motion, Mr. Speaker sir.

Hon Petronilla Achieng (Nominated Member for Dagoreti North): Thank you, Mr. Speaker sir. First of all I want to thank you for giving me this opportunity to support this motion. Coming from Westlands, I want to inform you that for three days we have been struggling to help people with emotional issues and many other things. My take on this is that your able office can still come up with a policy document that will compel everybody in this city to acquire or do an audit of their security issues. What is lacking is awareness with regard to the security issues around us. For West Gate we had already raised concerns about security and we had already told them that what they were doing was not good.

Sankara has got security measures and what they have at the moment is that at a 100 metres range from the gate, Sankara would detect a gun. If it's a client coming to the hotel, the gun will be taken to a safe unless it is a national or international leader. This can be done if our County Assembly comes up with a policy document streamlining that every mall in this country or in this county should have adequate security measures in place.

As an Assembly we should come out to be counted; come up with this policy; let it be documented; let us pass it here in this House that in every situation and every mall starting even from here where we are sitting. If somebody should come with a gun, stop thinking that anybody or an askari standing there with a gun can be able to stop a terrorist. What we need are security measures that can stop terrorists even before they reach us and that can be done. Why can't it be done in other places? We can save a lot when we do that rather than waiting and crying foul. Thank you, Mr. Speaker sir, I support the motion.

Hon. Member for Pipeline Ward (Mr. Samuel Kagiri): Mr. Speaker, thank you for this opportunity. Indeed it is a sad moment for the whole of this country for the things we are witnessing happening around us. But, Mr. Speaker there must be questions we are asking ourselves and these questions we don't know whether we will get the right answers or not and the issue is about our security; but not just security for us Members but for Nairobi County and the whole country. Because today it will be our Nairobi County which will be affected and tomorrow we don't know where they will be heading to.

We out rightly know that we are a very potential target considering that we have dangerous neighbouring countries, let me call them countries. And we know the risk it poses for us to be with these kind of people. We know what has been happening in Somalia and it is because our people went there or as the Hon. Member said about Ethiopia, Ethiopia went there as a country. We went there as AMISOM

and we pushed out these criminals and now may be they want to revenge. However, somebody else was thought that they might not even be Somalis but other people from Iran revenging because of their people who were jailed after being caught, sometimes back, with very dangerous chemicals for preparing bombs. We therefore know that we are a potential target as a county not even as a country. Nairobi County is a potential target so we need to be equally prepared.

Since we know we have an evil on the other side, how do we attack that evil? How do we attack that evil? We need to equally prepare ourselves, we need to equip our army men our security potential, there is technology in plenty nowadays. We need to use technology to the maximum. Let us put our budget in technology which is able to help us in security; let us have check points too. I would request this as a County, let us have check points which are going to be random at our borders; on all the major highways where we border other counties we should have checkpoints. This should be done now so that we do not cry again or regret after something happens to us.

We are left with bloodshed and tears as we ask ourselves questions afterwards. I think if our answers are taken before these things happen, we might curb most to these things. A question we are asking about these big weapons, is that with the scrutiny that is done at the airport and even just a small metal cannot pass through, how do these people pass through all the way because all these weapons are not made in Nairobi County? How do they come inside the centre of the city and they do those kinds of tremendous things? We might say that we don't want blame game, but we have a lapse in our security. Please, Mr. Speaker, as we start with our Assembly; let us have a change in this city, thank you.

Hon. Magdalene Mbogori (Nominated Member for Kibra): Thank you, Mr. Speaker sir. In this whole affair, what stood out for me, is the scrutiny that the Hon. Member has spoken about. I think if we look around, we have 10-15 security companies that are registered. Every other day somebody wants to make some money, they register a security company. If you go to the Ward where I come from there is a place called Impala Club where security training is supposedly done. There is no training; absolutely none at all. People stand in a line of about 10-15 people as long as you are of a certain height, a certain build, you are good enough to enter and become part of that security company. I think us, as legislators of this County, and I know security is for the National Government, but we can make a legislation or a Bill or something that requires these security companies to meet a certain threshold because the frisking and the scrutiny is completely terrible and that's why these grenades and these guns are able to pass. Thank you, Mr. Speaker, I beg to support.

Hon. Member for Kilimani Ward (Mr. Moses Ogeto): Thank you, Mr. Speaker sir. Mr. Speaker sir, I need your attention. I beg to support this motion but we must ask ourselves as much as people are trying to blame our City Inspectorate, how much has this county invested in security? As we see the superpower; America has invested about 98.5 billion dollars. That is almost 18.3 trillion Kenya shillings for security of that country. With us in this country, we only come to be reactive, we are not proactive. When we come to the next year's budget, let us see how much we are going to allocate purposely for security. Because if you see the US budget, they have even the budget for Anti-terrorism; they have a budget for people who are going to fight outside the country. We want to empower our City Inspectorate; we give

them a huge budget so that when we can ask them, especially me as a member and the Vice Chairman of City Inspectorate; we have allocated to you this amount, what have you done for this city?

Mr Speaker sir, I am also saddened by what happened at West Gate. We as Members present for this sitting today, could wish, the sitting allowances of this Assembly and which we carry in the morning, we give directly as my fellow Hon. Member was saying, to the City Mortuary not to the Red Cross. Mr. Speaker, I also want to ask, because the Al Shabab have said that they have remained with four places of target which we don't know, what will the government of this County do? Let us talk about this County, what will this County do to ensure that everything will be done to safeguard against insecurity.

Let's not talk about other Counties because I'm sure the County which is highly targeted is Nairobi which has the most investment that contributes about 60% of the country's Gross Domestic Product (GDP). That's why the terrorists will come to fight so that if Nairobi collapses, the country has collapsed. Mr. Speaker sir, I would wish also that we look at this keenly so that when we come out of recess, we have to allocate the amount for security; this one is purposely for security of this County, so that we can be proactive against the events happening in our County. Thank you, Mr. Speaker sir, I beg to support.

Hon. Speaker: Can I have the Bishop on this side and then one more on the other side, as we close.

Hon. William Abuka (Nominated Member for Kibra): I want to thank you, most sincerely, Mr. Speaker, for noticing me and giving me this opportunity to say something concerning what happened in Nairobi and West Gate Mall on Saturday. Indeed that was a serious and a tragic occurrence that not only pained the nation, but confused us altogether beginning with the County. Mr. Speaker, I beg to get your attention, if you will allow me I want your ears just for a second. I will not belabor on many things that have since transpired from Saturday because again wisdom that is flowing from this floor has made it possible for the Members of this Assembly to really seriously and with a sense of honesty and authenticity discuss some of the issues that I wanted to bring up.

Mr. Speaker, one time as a young man when I was in Form one, I was very studious, may be I'm going slow on that because age is catching up with me. I really like to read books. One of the books that I read about 35-38 years ago was a book called, "The 7th of July" about somebody called Alphonse Baker Card and he was doing an investigation about a crime and it reached a stage where he said, "*If you want to make an omelet, you will have to break an egg*". And what he explained thereafter, I think some of it we must capture today in order to make a way forward and do something that can make this County Government be of impact and really be seen to be serious. If you look at an egg, it is a very beautiful thing but if you look at an omelet and taste, it is a very nice thing. If you want the omelet, you must break the beautiful thing.

The Inspectorate department, we must all agree despite all the ills, it has done some commendable job. It has helped the city really to show the face of security outside there. But, Mr. Speaker, I want to bring to the attention of your office and the Assembly together, that these Assembly here together with the Executive is a government like any other under the sun.

Therefore it needs its own security structures and arrangements that will make it be in charge of the lives of people that it is providing security to. Mr. Speaker, I want to say this, that time will come where as a government, we should stop depending on security that is coming from elsewhere. Whether that elsewhere is our big brother, it must be security that we are in charge of; that we can oversee; that we can instruct and train. I want to seriously propose this, may be at a future date, a week or two, a month or a year to come, that this County is more than ripe for a Metropolitan police, which will oversee everything including provision of training and security. That will also help us, as another very able fellow Member said that we must set a threshold for security agencies including those askaris and watchmen that we see at every door.

There is no way that we can set the threshold if we don't have the Metropolitan police. I want to strongly suggest that we, as a County Government, should be in charge of our security and our destiny. I really want to sincerely appreciate you, Hon. Speaker and the Governor, Dr. Kidero. Mr. Speaker you really came out strongly, I don't know whether you saw that, with my little coat, I was also hanging around you just to get a glimpse of what was happening and let the public also know that the County Assembly in a very small and weak way was represented with one man with one and a half legs but a very strong mind that can speak something.

Mr. Speaker, every star was created to shine. I say this with a lot of humility and respect to your office that as the Assembly gathered here, you have done us proud to call us today. But we needed to outshine yesterday, the day before and the days that have passed. When you saw me, you should have told the members of the public that were around us; here are also Members of the County Assembly. I think I should have felt proud that my boss has recognized me, mentioned my name and the public now know that the County Assembly is not waiting for allowances but running at the front to the battlefield to do something including donation of blood which I did yesterday.

Thirdly, I want to say that Kenyans are not only resilient but Kenyans are mature. I am a pastor and for the last 18 years I have been a Bishop overseeing churches not only in Kenya but elsewhere. Mr. Speaker, religious war is not in Kenya. I think I would not feel ashamed to say that in this Assembly I am more qualified to comment on this because I rub shoulders with the bishops, the religious folks including the clergy from the Hindu Council and the Islamic faith. We talk almost as frequent as you want to call it. We are friends, we talk and pray together.

I really want to take this opportunity on behalf of the Assembly and the County and on your behalf Mr. Speaker sir, to congratulate the Nairobians for exhibiting the much needed spirit and refusing to be dragged into religious wars. We are not going to go in that direction. We are not going to be manipulated by selfish confused people with mad cow disease and with a pride which is demon propelled that do not know their left hand from their right hand, and be dragged into religious wars. Faith is a very powerful thing, Mr. Speaker, and the matter of faith brought all manners of war that you can talk of the world over. Kenya is not that place for them. We are saying as an Assembly and as citizenry of this good county that we will respect Muslims, we will respect Hindus and we will respect Christians.

I sincerely appreciate what I saw yesterday and the day before, that all of them came out and condemned this. And I believe in our little ways in our Wards; the constituencies we represent, including mine of the physically challenged, that we will speak sense into the people that we represent that they continue in their resilience and refuse to be dragged into religious wars, for we must live together as a country. Mr. Speaker, I don't really want to continue, but I really want to support this motion. I don't want to sound repetitive but allow me to say once more that Nairobi City County is over ripe for a police authority that will oversee to our security according to our taste. Thank you very much.

(Applause)

Hon. Speaker: Bishop 'ya mwisho sasa', and be brief.

Hon. Member for Kayole North (Mr. Peter Gichohi): Thank you very much, Mr. Speaker. I would like to talk about the following people on the floor of this House: First of all I express my heartfelt condolences to the families of the people who lost their lives at West gate. May the good Lord rest their souls in peace. Secondly, to their relatives, their friends and their colleagues may the good Lord give them solace at this difficult time. I believe, Mr. Speaker, this is not the first time to look back and say what has not been done.

I would like to speak for the police and not on their behalf but for them. And to echo the President's statement when he said that this is only one of the plans that has succeeded. They have foiled many other plans. I would like to bring to the attention of this House that there are policemen who lost their lives trying to defend this country; trying to save the hostages, and it is only fair that we treat them with the respect that they deserve. Mr Speaker I would personally want to commend the police at Parklands who lost one of their people, Kabete Police Station whose Officer Commanding Police Station (OCS), Mr. Stephen later got injured in the West Gate problem and I would also like to thank, Mr. Speaker for representing us; the Governor for representing the County; the many people who contributed money, blood and other things and the medical people in various hospitals who worked tirelessly to alleviate pain and save lives and I wish that this will not happen again.

Finally, I know that these terrorists did not work alone. I know there are people who aided them and there are people who sympathized with them. I would like to tell them; shame on them and I beg to support this motion fully. Thank you, Mr. Speaker.

Hon. Speaker: Finally Hon. D. N. Mberia

Hon. Chief Whip of Majority: Thank you once again, Mr. Speaker. As we agreed in the morning during our Kamukunji, that we are going to forfeit one of our sitting allowances to help our brothers and sisters, I suggest that we forfeit this particular sitting allowance to go to our brothers and sisters who were injured in the West Gate attack and are in hospitals. I hope I'm in order, Mr. Speaker sir, thank you.

Hon. Speaker: Hon. Members, first of all I want to thank our Almighty God because all our Members are here today. If not physically, we know they are all well. Members, you know you have not done anything good to God better than that person who passed away on Saturday or yesterday and I know

the Bishop can attest to that. But we want to thank the Almighty God for He is giving His air freely. We only need to thank Him and bless His name. And for the Muslim community, May Allah continue blessing all of us.

Hon. Members as I had told you earlier today in the morning; one of our Members lost a niece in the West Gate terror attack; Hon. Manoah and we would be letting you know when he is going for the funeral. Members you have talked; first and foremost in my very small and little English I want to thank you all; each and everybody here, I know you are also hurting. On behalf of all of you, we send our condolences to the families of those who lost their lives. For those who are in hospitals, we continue calling on the Almighty to give them energy to recover. May His wonderful hands touch those wounds and for those who have gone we can only say; may they rest in peace.

For us who are still here and strong, it is our strong contribution that will bring a smile to that person who has lost a relative or that person who has a sick person. And I want to concur with Hon. Kamweru, that our mortuary is in a very bad situation and if you want to use another word, the people who died and were taken there were from among the rich and not just poor people. They were millionaires like my friend Vitul Shah of Bidco. I was with him about one week ago, before we went to Mombasa. He was a millionaire but was taken to the City Mortuary. So City Mortuary was elevated to 5 Star. And its your responsibility to elevate it so that it is not only a place to take thugs or whatever; but a mortuary with respect. And that's why we say R.I.P (Rest in Peace).

Members, indeed our security is wanting; our security is pathetic. Even when you Members walk out there, you will find like 20-30 people idling out there. As you said rightfully, those are not your friends. They admire you and down in their hearts, they hate you.

I will be calling, with your permission, the security Committee of Nairobi County which includes the Governor of Nairobi because we must start rolling from our own doorsteps. We must clean here before we clean out there. When you want to clean hawkers off the streets and you have 1,000 people surrounding your premises, first of all you are told 'toa nini?' 'Safisha macho yako kwanza kabla usafishe ya mwingine'. So that is what we will do. In fact when we went to Kigali with my big brother, Hon. Otieno, I asked him; "In this country, 'kwani kwatokea vita saa hii?" Because the city is secured as early as from 4 o'clock. Hon. Members, for those who have been in Kigali, they will attest to this. I was shaking as we went to the hotel but I was told that, that is what happens. The whole city is secured.

(Laughter)

I don't know what members of the Kenya security; men and women go to Kigali to do because they go to study. However, we will start with ourselves here.

Secondly, in this Assembly here, that door; these doors should always remain closed and that request goes to the Clerk. All these doors that we are not using must remain closed at all times and you must have the key. Secondly the toilets in there are a security risk to the Members.

(Applause)

Members of the public gain access to the facilities because nobody asks them where they are going. From now on they are going to be asked and if there is any resistance, please let me know with immediate effect. We have lady Members who can easily be terrorized in those toilets.

(Applause)

And as Hon. Ogeto said the other day, they must protect their properties. Hon. Members, you Members also should not come here armed with knives, carrying stones or carrying guns from now onwards; that should not be allowed. The Metropolitan police is a tall order; but before that the Members must be secured before the Metropolitan deal comes through. It is part of Dr. Kidero's plan but as a Member said we have our training or we can employ people and take them to cover us and take them to Embakasi for training.

Hon. Members, even when you look at our security personnel outside there; the member from City Inspectorate, you will think he is a watchman. First of all he has tattered uniform, tattered shoes, and when we go to the Treasury we discover that somebody is being paid millions of shillings for supply of uniform. I will bring up that matter with the Executive, that around the precincts of the County Assembly which is a law making body of the County government, we will have clean and well-dressed men. Secondly, we will write to the Inspector General for him to give us armed men to be stationed around the County Assembly.

As you remember during the Kenyatta Memorial Day on 22nd of August, a car next to one of our Member's was stolen in less than 30 minutes after it was parked. Yes, vehicles are insured but it is a scaring moment because when that person or persons are stealing that vehicle, when you come across them, you could lose your life.

Hon. Members, I have the following proposal, as you have already proposed Ksh3,000; the proposal is that this money is ready and it must be very ready, Mr. Clerk; it must be very ready; it is our salary. It is our allowance; we want it in cash, so that we can deliver that money to our City Mortuary in terms of what they want. We will buy for them and the rest of the money we will give them as a token of appreciation. We will not send the money to the Red Cross.

My second proposal is that after all is well; the County Assembly in conjunction with Nairobi Security Committee, will move by tomorrow or Thursday to West Gate Mall. We will lay flowers at the entrance of West Gate and we will ask our ladies led by our Bishops to light candles in memory of our beloved brothers and sisters who passed on. I will be consulting the Governor, the County Commissioner and indeed the Inspector General for them to arrange that visit and I would like all of you, when we tell you to go, I would suggest you will be dressed in black attires and black ribbons.

Hon. Members, this is what is done and I would like to do this in memory of our people. And I finish by sending my condolences and on behalf of you to His Excellency the President of the Republic for the loss of his nephew, Mr. Mbugua. I would also want to thank the President, the Right Hon. Raila Odinga, Musalia Mudavadi and all the leaders who came together in time of grief, regardless of their political affiliation. That is what we are expected to do, and we will show the way.

And by the way, when you go to lay flowers at that shrine at West Gate, remember you will be sending a message across the world that Nairobi is safe and we can continue to have a cup of tea or a cup of coffee at West Gate for the benefit of our brothers who work in those shops. Hon. Members once again, I thank you and May God continue blessing you and to the Clerk, we will need that money by tomorrow earliest. Thank you and May God bless you.

(The House rose at 4.50 pm)