



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Sixth Session

Tuesday 22nd February 2022

The House met at 9.30 a.m.

[Hon. Speaker (Mr Benson Mutura) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Clerk, confirm that we have quorum.

(Clerk-at-the-table confirmed there was quorum)

I understand that we have the quorum. Clerk, proceed.

COMMUNICATION FROM THE CHAIR

DEMISE OF HON. MELLAB LUMALAH, MCA, NOMINATED MEMBER

Hon. Speaker: Hon. Members, I have a communication to make on the demise of Hon. Mellab Atemah, the Deputy Leader, Minority party.

Hon. Members, it is with deep sorrow that the office of the Speaker conveys to this Assembly the demise of one of our own, Hon. Mellab Atemah Lumalah, special elect Member and the Deputy Leader of the Minority party from the Orange Democratic Movement, who has been on treatment in India since December last year.

Hon. Members, our Deputy Leader of the Minority party rested in the early morning of 21st February 2021, and the office of the Speaker wishes to pass a message of condolence to the family, relatives, friends and the Orange Democratic Movement for the loss. Take heart. Hon. Members, the Member will be remembered for her commitment, devotion, love, peace and her contribution in the Assembly leadership.

Therefore, for the late Hon. Member Mellab Atemah, I kindly ask you to rise and observe a minute of silence.

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(Members rose on their feet)

Hon. Speaker: Thank you. Next Order!

COMMITTEE OF THE WHOLE ASSEMBLY

(Order for Committee read)

(Mr. Speaker left chair)

IN THE COMMITTEE

[Hon. Chairperson (Mr. John Kamangu) took the Chair]

THE NAIROBI CITY COUNTY PREVENTION OF VIOLENT EXTREMISM BILL, 2021 (ASSEMBLY BILL NO. 13 OF 2021)

Hon. Chairperson: Thank you, Hon. Members. We are now in the Committee of the Whole Assembly to consider the Nairobi City County Prevention of Violent Extremism Bill, 2021 (Assembly Bill No. 13 of 2021). We shall start from clause 3

Clause 3

(Question that Clause 3 be part of the bill)

(Question put and agreed to)

Clause 4

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, I beg to move:

THAT, Clause 4 of the Bill be amended as follows;

- I. In paragraph (a) by deleting the word “people” appearing immediately after the word “protect” and substituting thereof “residents of Nairobi”.
- II. By inserting the following new paragraph immediately after paragraph (f) as follows-
(fa) the establishment of youth friendly structures/ services as well as appropriate ICT platforms”

(Question of the amendment proposed)

Hon. Chairperson: Any debate? No debate.

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 4 as amended agreed to)

Clause 5

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, I beg to move:

THAT, Clause 5 of the Bill be amended as follows;

- I. In sub-clause (1) paragraph (a) by inserting the words “criminology and with ten years minimum experience in” immediately after the words “of security” and by deleting the word “and” appearing immediately after the word “of security”.
- II. In sub-clause (3) by inserting the word “religious” to appear immediately after the words “regional balance”
- III. By inserting following new sub-clause immediately after sub-clause (6) as follows-
 - i. (6a) “in making the appointments under sub-clause (4) the CECM shall consult with the County Commissioner to ensure members of the committee are practitioners in preventing of violent extremism.”
- IV. By inserting a new clause immediately after Clause 5 as follows;
(5A (1) To qualify for appointment as Chairperson or member of the committee established under this Act, a person shall-
 - a) Be a Kenyan Citizen
 - b) Possess the academic qualifications in the related field
 - c) Have the relevant experience for a period of not less than five years
 - d) Meet the requirements of Chapter six of the Constitution.(2) A person may be disqualified as Chairperson or member of a Committee if:
 - a) Is not a Kenyan Citizen
 - b) Is an undischarged bankrupt
 - c) Is subject to a sentence of imprisonment of at least six months
 - d) Is found in accordance with any law, to have misused or abused office.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 5 as amended agreed to)

Clause 6

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, I beg to move:

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THAT, Clause 6 of the Bill be amended as follows;

- I. In sub-clause (1) by inserting the following new paragraphs immediately after paragraph (l)
“la” Provide monitored platforms for regular interaction and information sharing, including threat level monitoring and mappings, including both mass and social media on issues of interest to it and broadcast it.
“lb” Establish a youth and ICT platform for participation in wider political processes, including the establishment of youth barazas and appropriate media channels
“lc” Promote partnerships and collaborations for effective resource mobilization and technical support.
- II. In paragraph (b) by inserting the word “collaborate” to appear after the word “coordinate”

(Question of the amendment proposed)

Hon. Chairperson: Any debate?

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 6 as amended agreed to)

Clauses 7,8,9,10,11,12 and 13

(Question that Clauses 7,8,9,10,11,12 and 13 be part of the Bill)

(Question put and agreed to)

Clause 14

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, I beg to move:

THAT, Clause 14 of the Bill be amended as follows;

- I. In sub-clause (1) by inserting a new paragraph immediately after paragraph (e) as follows:
(ea) Provide consistent mechanisms for regular and continuous public information sharing on various platforms including mass and social media on; terror, radicalization threats, mapping, classification, activities, action and their proponents directly affecting Nairobi County.
- II. In sub-clause (2) by deleting the words “and facilitate” appearing immediately after the words “shall provide”

(Question of the amendment proposed)

Hon. Chairperson: Any debate?

*(Question, that the words to be inserted
be inserted, put and agreed to)*

*(Question, that the words to be left out be left out,
put and agreed to)*

(Clause 14 as amended agreed to)

Clause 15

(Question that Clause 15 be part of the Bill)

(Question put and agreed to)

Clause 16

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, I beg to move:

THAT, Clause 16 of the Bill be amended by;

- I. Inserting the words “through any form of communication, or broadcast system” immediately after the words “adopts or promotes” and inserting the words “economic” immediately after the words “based violence to advance.

(Question of the amendment proposed)

*(Question, that the words to be inserted
be inserted, put and agreed to)*

(Clause 16 as amended agreed to)

Clauses 17 and 18

(Question that Clauses 17 and 18 be part of the Bill)

(Question put and agreed to)

Clause 19

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, I beg to move:

THAT, Clause 19 of the Bill be amended as follows;

- I. In sub-clause (1) by inserting the word “knowingly” immediately after the words “A person who”
- II. In paragraph (a) by inserting “...with full knowledge that the meeting is meant to facilitate commission of a terrorist act...” Immediately after the words “...any building, premises or place...”

- III. In sub-clause (b) by inserting "...with full knowledge that the meeting is meant to facilitate commission of a terrorist act..." Immediately after the words "...or pilot of a vessel or aircraft..."

(Question of the amendment proposed)

Hon. Chairperson: Any debate?

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 19 as amended agreed to)

Clause 20

(Question that Clause 20 be part of the Bill)

(Question put and agreed to)

Clause 21

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, I beg to move:

THAT, Clause 21 of the Bill be amended as follows;

- I. In sub-clause (2) by deleting paragraph (a)

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Clause 21 as amended agreed to)

New Clause 5A

Hon. Chairperson: Mover?

Hon. Waithera Chege: Thank you, Hon. Chair. I beg to move:

THAT, the New Clause 5 (A) be read a second time.

(Question of the New Clause 5A proposed)

(New Clause 5A read a First Time)

(Question, that the New Clause 5A be read a Second Time, proposed)

(Question, that the New Clause 5A be read a Second Time, put and agreed to)

(The New Clause 5A was read a Second Time)

(Question, that the New Clause 5A be added to the Bill, put and agreed to)

First Schedule

(Question that First Schedule be part of the Bill)

(Question put and agreed to)

Clause 2

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, I beg to move:

THAT, Clause 2 of the Bill be amended as follows;

- I. Deleting the definition of “Radicalization” and substituting thereof the following new definition-
- II. “means gradual process of adoption or promotion of an extremely radical belief system for purpose of facilitating ideologically based violence or acts of violence to advance economic, political, religious or social change and challenge the majority agreed and legal status quo; and use terrorist acts and tactics;
- III. In the definition of At-risk Individuals” by deleting the words “and includes persons living within informal settlements and the youth” appearing immediately after the words “violent extremism”.
- IV. In the definition of “Facilitate” by inserting the words “or justified violence to further social, economic, ideological or political objectives” immediately after the words “Terrorist act”
- V. Inserting the following new definition in its proper alphabetical sequence: “ICT” “means Information Communication and Technology”.

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted be inserted, put and agreed to)

(Clause 2 as amended agreed to)

Long Title

Hon. Waithera Chege: Thank you, Hon. Chair. I beg to move:

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THAT, the Long Title be amended by deleting the numeric “2021” and substituting with the numeric “2022” thereof.

(Question of the amendment proposed)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Long Title as amended agreed to)

Clause 1

(Question that Clause 1 be part of the Bill)

(Question put and agreed to)

Hon. Chairperson: Mover?

Hon. Waithera Chege: Hon. Chair, you have missed the short title.

Hon. Chair, I beg to move that the Committee do report to the Assembly its consideration of the Nairobi City County Prevention of Violent extremism Bill 2021 (Assembly bill number 13 of 2021) and its approval thereof with amendments.

Hon. Chairperson: Thank you Hon. Waithera.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[Hon. Speaker (Mr. Benson Mutura) in the Chair]

REPORT AND THIRD READING

THE NAIROBI CITY COUNTY PREVENTION OF VIOLENT EXTREMISM BILL, 2021 (ASSEMBLY BILL NO. 13 OF 2021)

Hon. Chairperson: Hon. Speaker, I beg to report that the Committee of the Whole Assembly has considered the Nairobi City County Prevention of Violent Extremist Bill 2021; Assembly bill number 13 of 2021 and approved the same with amendments.

Hon. Speaker: Mover

Hon. Waithera Chege: Hon. Speaker, I beg to move that the assembly agree with the committee in regards to the report. Thank you Hon. Speaker.

(Question proposed)

Hon. Speaker: Mover!

Hon. Waithera Chege: Thank you Mr. Speaker sir. I beg to move that the Nairobi City County Prevention of Violent Extremism Bill 2021, Assembly Bill No 13 of 2021, be read a third time.

Can I proceed, Mr. Speaker?

Hon. Speaker: Proceed.

Hon. Waithera Chege: Thank you Mr. Speaker sir. I am moving that the bill be read a third time and in this case I wish because we did a lot of debate during the Second Reading, to thank all the stakeholders who were involved in the formation stage of this bill.

You will bare me witness Mr. Speaker, that this bill started about one and a half years ago, it has been a long journey not only for me as the sponsor of the bill, but as also as members of this assembly. You will also bare me witness that this bill is important because it has confirmed not only to this assembly but also to the residents of Nairobi that the highest statistics that we have from the Kenya Bureau of Statistics is actually the biggest number of people affected by the issues and the contents of this bill, are found in the informal settlements of Nairobi.

Mr. Speaker in the Second Reading we confirmed to this assembly that those statistics are not only in form of data but they are real in this life. Some of the issues that this bill seeks to challenge, is the question of unemployment not only in Nairobi County, but in the country as a whole. You will also bear me witness Mr. Speaker that this bill is the first not only in Africa but internationally. We do not have a law that is meant to prevent; when I talk about prevention, I am not talking about countering because the National Counterterrorism Centre has been doing its mandate as provided in the law.

This law will not only help us to prevent terrorism, but will also help us to come up with programmes that are mentioned in this bill that will help not only the young people but anybody who have been affected by issues if violent extremism. Mr. Speaker, the other night on Netflix, I was watching a local programme that has gone international called "Uradi". It is a programme on Netflix that talks about violent extremism here in Nairobi. When you look at the main character in the programme, he is a young man that has been brought up in informal settlements, gone through the poverty stage and along the play he is talking about how these young people are taken from these informal settlements, being promised heaven, yet at the end of the day these people are losing their young people.

Mr. Speaker, as we vote for this bill today, I want to convince my colleagues that we ae not doing this bill for ourselves but it is for the prosperity of this country and Nairobi County. It is not about moving the bill, but the implementation of the bill. During the Second Reading I mentioned that, we have so many motions and bills passed on the floor of this House but when you go to the Office of the County Attorney, all those documents are lying on her table. This begs for the question, how many times are we going to pass these laws on this floor and the implementation is not followed up?

Mr. Speaker, as we summarize on this bill and move on to voting, I want to request the Governor of this city to move with speed and activate the Office of the County Attorney and make sure that most of these motions and bills that we have passed on this floor are not to be only seen as papers but also be implemented. Your office Me. Speaker, has also played a key role in the realization of this law. It is because of your active nature that we have been able to achieve some of these results.

I want to request your office Mr. Speaker because I know there are also other bills, and because we are almost at the end of this term. We might even close before those bills come to the floor of this House. You know we have put extra pressure for this bill to reach this stage. At this juncture, I want to thank all the stakeholders who have taken part in helping us realize the Third Reading of this bill led by the County Governor's Watch, and I can see their Executive Director up there, Mr. Osido, the Royal Danish Embassy, the British High Commission and the Tony Blair Institute who have played a key role in making sure that this bill gets where it is today.

Mr. Speaker, as I finish, allow me also to thank the Clerk who has worked tirelessly to make sure that we get all the documentation that we have here. Therefore, I move that this House approves this bill to allow the Nairobi City County have a law for prosperity. I call upon my colleague Hon. Mbugua to second the Third Reading. Thank you Mr. Speaker.

Hon. Speaker: Hon. Mbugua, proceed.

Hon. Mbugua Kabiro: Thank you very much Mr. Speaker sir. I would like first to join my colleagues in mourning the death of our Deputy Minority Leader. She was a cool, calm and collected lady. We will remember her for her stern action on points and beliefs that she thought were valuable to her heart.

Mr. Speaker, thank you for this opportunity. I rarely get such opportunity to talk about this bill which is about to become an Act of this assembly. I would like to state that the Nairobi City County Bill on Prevention of Violent Extremism is an important bill to have come at this point in this assembly especially when we are going to an election mode. There are going to be violent groups that are going to come up, other calling themselves by the name of a certain candidate., all of which are unlawful.

Mr. Speaker I have had a rare opportunity of going to as many prisons as possible. I have visited fifty prisons in Kenya. I have been to Kamiti and visited places where criminals of this nature are jailed. It is a very tight hole; you remember where Bwire broke out from, now they have been moved to a different facility and it is very tightly guarded. It is not somewhere you would wish your child to be, it is terrible and very small. I have interacted with people who have committed such acts or have been jailed for being suspected of committing such acts. These are normal citizens that look like us, we have the same hair style. Why would somebody commit such a heinous crime? It is so disheartening. But maybe it is because they did not get information or somebody to talk to them about such a crime or the repercussions there after. Most of them are regretting, I have talked to some. The truth of the matter is maybe they were found at the wrong place or doing the wrong thing.

Extremism groups world over, for example ISIS, Boko Haram in Nigeria, (which Hon. Waithera alluded to in her presentation earlier when contributing towards this bill), Taliban, and Al-Shabaab which has really troubled Kenya. I had never thought that Kenya would ever be affected by terrorism attacks until the year 1998 when the American Embassy was bombed which is like a kilometer from here.

Think about how we have been exposing our children because there have been several such incidences since then. May be my child who is very young will experience like 20 terrorist attacks. The exposure that we are giving to these young ones is bad and we are going to deal with these repercussions later in life. That is why this bill is very important. Two hundred and two people died in the 1998 bombing, 67 people in the Westgate attack, 148 students died in the Garissa University attack. These are not only numbers, but dead people who were buried because of acts of terror which came from radicalization. This could have been controlled if such a legislation had been enacted by then. The youth could have been engaged in something better fulfilling and could not have involved themselves in such attacks.

Hon. Speaker, we all remember the Dusit attack. I know that many people have lost their loved ones in this assembly and we have had many travel advisories like Hon. Ariviza had said earlier in her contribution. These acts come from the instability within our communities especially in the informal settlements. It is not something that we like or admire.

There have been two instances in my life where the dawn and dusk curfew has been put. The first one is during the Covid pandemic and the second one has been during terror attacks. For instance, the people of Lamu have had several curfews due to the insecurity. With the Covid pandemic, we have to look for solutions for it has disrupted our lives, the same with terrorist attacks.

The key issues that have been highlighted in this legislation Mr. Speaker; one, is the radicalization. Two, violent extremism and how to prevent and counter it. Three, the drivers of violent extremism for example the religious bodies, and even people who hold such meetings in their premises being mentioned, which county approaches are being presented, his is one of the county approaches that is being mentioned, and what national approaches are being taken into consideration and how do they marry with the county approaches to make sure that we have a water tight avenue where we can make sure that our youth are well taken care of.

I thank Hon. Esther Waithera Chege for making this happen. For the rest of the people who came here early, we will make sure that you get at least a drink or water. Thank you very much, I strongly second.

Hon. Speaker: Very well. Before I put the question, let me recognize some entities that have been working hand in hand with Hon. Waithera; the County Government Watch, the British High Commissioner, Tony Blair Institute, the National Center for Terrorism headed by Dr. Nyawira and all your staff. I know you have worked hand in hand and I hope that in future you are going to help us in other bills. Thank you so much.

(Question proposed)

Hon. Millicent Jagero: Thank you Mr. Speaker, I will only say a few words. Having come from Eastleigh where we have a group known as 'Superpower', I want to thank Hon. Waithera Chege for coming up with this bill. It is going to tame the group that has been harming the community especially the business people.

Secondly, whenever we hear that any terrorist attack has taken place, the police normally come to Eastleigh first to look for them and indeed they find the culprits hiding there. Under the Offences Bill Article 19, it talks about a person knowingly funding these activities will be penalized in order to tame these people. I therefore thank Hon. Waithera Chege for this good motion. Thank you Mr. Speaker.

Hon. Speaker: Hon. Ngengi.

Hon. Daniel Muturi: Thank you, Mr. Speaker. I think my comments will be few. But first, I would like to take this opportunity to mourn our colleague and our friend, Hon. Mellab, who passed yesterday. May her soul rest in peace.

Hon. Speaker, I stand here to support this Motion by Hon. Waithera Chege, which is not only timely but also unique. We have a lot of laws, but most of them are to arrest, charge and jail, but none to prevent. So, this Bill is very timely because if we can avoid incidences of criminality, we shall be saving our youth long jail terms. As I said in my earlier contribution, when we have youths going to jail for minor offences, they will go and get radicalized. They don't come out the same.

Hon. Speaker, I also support because most of these attacks happen in the capital cities. Nairobi is the capital city of Kenya. I stand here representing the capital ward of Nairobi, which is the CBD. The incidences we have had of terrorism include American Embassy around the corner here. Down in the Charles Rubia Road, we heard some bombs were being prepared. So, it is with great pleasure and determination that I support this Motion.

This Motion does not end here, Hon. Speaker, the biggest responsibility also lies on us as parents. We need to take charge. We have incidences where we are all absentee parents. We sent our children to boarding schools at very young age, and we don't know who they are interacting with. With the introduction of the mobile phones, the young have access to the world. As parents, we have to take responsibility so that our children may not end up in jail or death.

Hon. Speaker, also the religious institutions, the churches, the mosques and others need to take charge by instilling good morals to our children and us as parents because we all need guidance on this. All of us are quilt of neglect. The joy of this Motion is to prevent. With that, we are able to avoid the numbers that Hon. Kabiro talked about here on the various attacks. He said they are not just numbers, but people. They are parents, brothers, sisters, uncles, grandparents and so on.

With those few remarks, I beg to support. Thank you.

Hon. Speaker: Thank you. Hon. Ariviza.

Hon. Mary Mwami: Thank you, Mr. Speaker Sir for this great opportunity for me once again to contribute towards this important Bill. I have been in Nairobi all through when we have had these terrorist attacks. We have had several. We don't have to think these terrorisms are centered on ideological issues that we know of. When our children in Kerio Valley were being attacked by bandits, one of the young girls

talked to the bandits in their local language and pleaded not to be killed. The bandits thought they were killing the next tribe. We have an issue to think about seriously because we have terrorism that is within our borders.

When the Norfolk Hotel was attacked, I was in Nairobi. I think it was the first one in the whole country. There was also an airline attack in Mombasa by terrorists. The most infamous one happened about 500 meters or less from here. So, we have to think about this.

I don't want to repeat what I said in the second reading, but I want to call upon the international community to come and help Nairobi City County Government so that we can be able to curb this. We are not out of the woods. We have many international bodies that are within this City. We have the UNEP, UN-Habitat and all other embassies that are in Kenya. We call upon them to work closely with the County Government of Nairobi. We are in an election mood and it doesn't matter who will come into the office. Some of us will be in the National Assembly. We are hoping that the international community will come in handy because this is an international thing. The County Government of Nairobi cannot be able to do this alone.

I also call upon parents to watch what our children are doing. Please, do not allow our children to go to school but you come home after midnight every day, especially our fathers. I am a psychologist by profession. As a counselling psychologist, I know the role the father plays in child's life. The father provides discipline and also provide self-esteem to the child. They are proud of who they are as they see their father walking. A man may not have anything in the house, but the child can believe the father can buy an aero plane. It shows the role the father has. Therefore, fathers need to be close to our children so that we bring up children who are not looking for self-esteem from gangsters and terrorist groups like Al-Shabaab. Even if you don't have material things, you are able to tell your child we are people and proud of who we are. I am calling upon our fathers to be at home and be available for the children.

For the children who don't have fathers, I am calling upon uncles and grandfathers to take up that role because father figures are very important. Single mothers, please don't think you are self-sufficient to your child. Make sure there is a mentor in that child's life. It can be the grandfather or uncle. I don't mean these other uncles that we bring to our homes, those can be bad role models. Children who come from dysfunctional families are the ones who are easy targets, whether from the informal settlement or from the upmarket. We have had the 'White Widow'. They don't come from informal settlement but from developed countries. They have unsettled things in their backgrounds.

I am hoping that we will partner with schools, religious leaders and bodies so that we can tell our children that despite having little, we can be able to move forward and become great men and women that live a positive legacy in their generation instead of becoming destructive.

Mr. Speaker Sir, I stand to strongly support this great Bill. I am hoping that it will go great length in curbing these extreme terrorisms.

Hon. Speaker: Thank you. Hon. Esther Nyangweso.

Hon. Esther Nyangweso: Thank you very much, Mr. Speaker for giving me this opportunity. First of all, let me join the rest of the Assembly and the world in mourning our departed hero, Hon. Mellab. May her soul rest in peace.

Mr. Speaker, as I support this Bill, I thank Hon. Waithera and all the stakeholders that were involved in coming up with the Bill. As we pass this Bill, my concern is the Executive. Let us make sure that we put

the right people in the committee because it is the committee that will implement what we are passing here. If we don't put right people who have this matter at heart, it will be irrelevant. The Executive should ensure that we have the right people that will implement the Bill. I support.

(Hon. Doris Kanario raised her hand)

Hon. Speaker: Thank you. Hon. Doris, that is no parliamentary. You are not supposed to raise your hand. But proceed.

(Laughter)

Hon. Doris Kanario: Thank you, Hon. Speaker. Before I support this Bill, it is a sad day for us in this House as women---

Hon. Speaker: Hon. Doris, I will give you an opportunity to mourn Hon. Mellab when we are done with the Bill.

Hon. Doris Kanario: Okay. I stand to support the Bill. Extremism has become rampant, even the estates where we come from things are not good. Our children who are in schools get influenced and cause a lot of problems in their schools and also to their families. The Bill is timely; it will bring preventative measures in our county. This is a Bill that will also be emulated in other counties. I strongly support. Thank you.

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

(Applause)

COMMUNICATION FROM THE CHAIR

MOURNING OF HON. MELLAB LUMALAH, MCA, NOMINATED

Hon. Speaker: Waheshimiwa, kwa wale wengi ambao wameniomba ruhusa ya kumwombeleza rafiki yetu, Mheshimiwa Mellab, nachukua fursa hii kuwapa nafasi.

Hon. Ariviza.

Hon. Mary Mwami: Thank you, Mr. Speaker Sir for this great opportunity for us to stand in this great Assembly to mourn a great woman. Hon. Mellab was not just a Hon. Member here, but she was our Deputy Minority Leader in this House from the Orange Democratic Movement Party (ODM). Before she was nominated to this House, she was a woman who was in charge of women's desk in the ODM. Many of the activities that women were able to do in the ODM were done through her initiative, looking for various people that we could partner with so that we can do women issues, including women, children, widows, and so on. So, we stand here as the ODM to mourn a great woman, a woman that stood the purposes of God in her time and in her generation.

Hon. Mellab was not just an ordinary woman, she was also a personal friend. She is one of the women that knows where I come from up to the compound. My late mother loved her greatly. She passed on 3rd of this January. According to Hon. Mellab's husband, when Hon. Mellab heard that my mother passed on, she cried. I told her husband to take the phone from her because she was not well.

I stand here also to mourn a woman that was vying for the seat of Kabiro Ward in Dagorreti North Constituency in this City. I have been on the ground because I want to vie as a member of parliament for Dagorreti North Constituency. The ground was good for her. The people there were looking forward to electing her. They are greatly disappointed. The two walls that are main walls for Dagorreti North Constituency have stopped every other political thing. They said they don't want any politics in those walls but mourn Hon. Mellab Atemah Lumalah Afwayi.

Thank you so much, Hon. Speaker. I will greatly miss my friend. There are places we went with her. She had networks all over the world. When we went to the New York Conference for UN Women with Hon. Melleb, she was able to take us to some friends of hers in New Jersey. We were able to enjoy the real fish like the original one that was in Lake Victoria before we polluted it. It was so tasty, I can never forget it, and this was a Cameroonian couple who were living in New Jersey. She was very resourceful, very friendly and full of life. I will greatly miss her and I take this opportunity on behalf of myself and family members and the Members of Dagoretti Constituency who greatly loved her because she has been a part of that community for a very long time. I want to pass my condolences to her husband Mr. Afai and to the son who is in Moi Forces Academy.

I want to pass my condolences to the mother who is also ailing and we need to pray for her because they have been very close as I have been into their home since they have been very good friends with the mothers and brothers and sisters. I want to say *pole* and may God comfort you and be with you. Thank you Mr. Speaker and May we continue to pray for the family and especially the boy. As my passion been education, I want the education of that boy to be complete at Moi Forces Academy. God bless you thank you.

Hon. Speaker: ICT we have two members on zoom Hon. Mbote and Hon. Rose Ogonda.

Hon. Margaret Mbote: Thank you, Mr. Speaker, I stand here to mourn my friend and colleague Hon. Mellab who was so close to us. I have a children's home and I do support the orphans, street children, and venerable children, she has been there for me and encouraged me every time. We used to talk and other days she could ask me about the children. I feel I have lost someone who was very much close to me as she used to work with me in her spirit. I support other members as we mourn our friend and colleague and I send my condolences to the family. I request we pray for the husband the family so that God can give them strength. As we mourn our friend, I pray for all the colleagues to support her. We all know that her body is not in Kenya and it will be transported back home and we need to support all this process until the end. Next time I pray that we look out even to those who are raising hands-on zoom so that they do not raise their hands in vain. Thank you very much.

Hon. Doris Kanario: Thank you, Hon. Speaker, I stand here very sad because it is unbelievable that we are eulogizing someone who was a friend and a member of this House. it is also unbelievable that she has left us just like that. As women caucus, we are lost because Mellab was one of the very reliable members, who was very resourceful as she never missed our meetings. She was always there during our retreats. Regardless of the parties that brought us to this Assembly, we clicked together from day one and even during the BBI, we stood very strongly regardless of our party affiliations and she was one of the vocal people we went around with because we were supporting the BBI with her.

I am really at a loss because I now Hon. Mellab has left her son Miles and I pray for him and just like Hon. Member who spoke before me said we wish him well and we also pray that he can complete his education at Moi Forces Academy and even beyond because Mellab was someone who wanted to see good things for his son.

Therefore, I pray when the committee is formed the son will be looked at properly because I believe it is her wish to see her son continues with study up to university level. I believe that will be looked at. Mellab may God rest your soul in eternal peace and your family I pray that may God of all comfort be with your family. To us, this is a lesson learned and it is good to live well with each because death is never a guest in anyone's household. Rest in peace my friend and my sister Mellab. Thank you.

Hon. Rose Ogonda: Thank you, Hon. Speaker, I stand here to mourn my daughter Mellab. She was not only a colleague but we started with her when she was a young girl. I mentored her in politics and all we have with her I cannot discuss today, but what I can say is that I have lost a friend, daughter and colleague. More to that I have lost a real friend and what I can say now is Mellab *lala salama tutaonana baadae*. Thank you.

Hon. James Kiriba: Thank you, Hon. Speaker, I take this opportunity to mourn our late colleague. I remember Mellab for her consistency in checking good friends and she is among the few leaders who came into my house when I had personal issues and came to comfort me. Therefore, personally, I remember as a dear sister and a true friend whom we went beyond political and tribal lines to comfort other people. She was loving and spoke up her mind freely without any influence.

Today as we mourn Hon. Mella, we remember her humility and careful participation in all sectors, especially during her political life. She was a woman who could unite Members of the Assembly and ensured we are standing with the people of Nairobi as a family. She worked behind her party lines to bring comfort to me and all people who were vying during our time. We will miss her, especially for her contribution to parliament as a woman of integrity, resourceful and a mother.

I also take this opportunity to send my condolences to her family and a very close friend one *Mheshimiwa* who I assisted in doing some things. I know she has lost and we have also together and we look forward to taking her to a final resting place together as an Assembly. Thank you very much, Hon. Speaker.

Hon. Speaker: Thank you ICT you will still work on your gargets it is not yet very audible. I will give this opportunity to Hon. Nyangweso then Hon. Immapet who is on Zoom.

Hon. Esther Nyangweso: Thank you very much, Hon. Speaker, as I stand here I mourn a sister, a family friend and Mellab was not only a colleague. I have known Mellab way back when she was a youth in ODM and we have walked this journey together with Mellab, it is still a shock to my family because she was an MC at my wedding last year in July. I was with Mellab in Nairobi Hospital before she went to India. I went

to India for 10days and I could only see my friend through the window, it is not easy to write anywhere rest in peace until it affects you directly.

(In tears)

At this moment I request everyone let us remember Mellab's family, her husband who is still in India, her mother who is ailing at home and his son who is at school, it is not easy.

(In tears)

As am, Assembly let us stand up for each other whether in sickness or death. We are very quick to run to social media to through photos around wishing people to rest in peace and when someone is calling out for help we are not there for them. Let us learn from this Mellab's experience. I mourn my friend, my sister and family member Mellab rest in peace.

Hon. Immapet Kemunto: Thank you Hon. Speaker, I never thought that one day I will rise and speak about my sister rest in peace. It is a sad day it was a black Monday and trying to reflect way back after my fourth form. I meet this young lady in the street of Nairobi she held my hands into the journey of political leadership, moulded me, and made me who I am right now. I appreciate her so much for the effort and encouragement even in the political line, I remember one word she said Immapet, you are a strong woman never let anyone look down upon you. The way I taught you when you were young after high school be that wise woman, have your thought, think straight and make your judgement when you are in a quiet place.

I mourn a friend a mother and more so I mourn her as a political friend whom I have known for more than 20 years. I appreciate her time, contribution and sometimes when we had a girls talk she is someone whom you can confide in. She was ready to mingle and full of life and never lacked words of encouragement. We as women we should stand for our space, pick up the broken vessels and champion on and do not look down on anyone who looked back as a singular but look upon God and be encouraged.

I appreciate the ODM party it has given us a platform where we shared a lot, her serving as the best of women in Orange House so many people passed through her guidance when she was all over and made friends all over either men, women or youth. I pray that her spirit may never die and it will manifest in so many people's lives and it will not be forgotten.

She touched so many lives and she made sure that you are okay by just making a phone call away "*how you are my sister, brother and how is your going*" that was Mellab. She was ever smiling, jovial and today I cannot believe that I am saying rest in peace, but I know and I believe that in the Assembly that we are, look back upon your lives and see each Member, what little thing can people talk about you when you leave this particular Assembly.

I appreciate you all so much for the encouragement that we are giving to her family and more so to our party ODM and party of Jubilee for the encouragement that we are receiving across. Rest in peace my

sister, it is well my sister Mellab, it is well my mother Mellab, it is well our Minority Leader, It is well to Mama Miles, rest our comrade. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Members we understand we experiencing some technical challenges will give you more opportunities in the afternoon session.

ADJOURNMENT

Hon. Speaker: Hon. Members, there being no other business, this Assembly stands adjourns until today Tuesday, February 22nd 2022 at 2:30 p.m. Thank you.

The House rose at 11.18 a.m.