

PARLIAMENT OF KENYA
JOINT SITTING OF THE NATIONAL
ASSEMBLY AND THE SENATE

THE HANSARD

Twelfth Parliament - First Session

*(Special Sitting of Parliament convened via Kenya Gazette Notices
Nos. 8877 and 8878 of 8th September, 2017*

Tuesday, 12th September, 2017

*Parliament met at fifteen minutes past three o'clock in
the National Assembly Chamber at Parliament Buildings*

ARRIVAL OF HIS EXCELLENCY THE PRESIDENT

*[His Excellency the President (Hon. Kenyatta) escorted by the
Speaker of the Senate (Hon. Lusaka) and the Speaker of the National
Assembly (Hon. Muturi) entered the Chamber at fifteen minutes
past three o'clock accompanied by the Maces of both Houses]*

[His Excellency the President (Hon. Kenyatta) took the Chair of State]

*(The National Anthem of Kenya and the Anthem of the East
African Community were played)*

(The two Maces were placed on the Table)

The Speaker of the National Assembly (Hon. Muturi): Hon. Members, it is now time for us to be led in prayer by the spiritual leaders.

*(Prayers were then said by the following spiritual leaders:
Rt. (Rev.) Archbishop Jackson Ole Sapit, Bishop Alfred Rotich,
Rashid Ali Omar and Mr. Simon Peter Letabanyi Lekarikei)*

CONVOCATION

CONVENING OF JOINT SITTING OF PARLIAMENT FOR THE
PRESIDENTIAL ADDRESS PURSUANT TO ARTICLE
132 OF THE CONSTITUTION

The Speaker of the Senate (Hon. Lusaka): Your Excellency, Hon. Uhuru Kenyatta, President of the Republic of Kenya and Commander-in-Chief of the Kenya Defence Forces, the Rt. Hon. Speaker of the National Assembly, Hon. Justin Muturi and Hon. Members of Parliament, Article 132(1)(a) of the Constitution of Kenya requires the President to address the opening of each newly elected Parliament. By a letter dated 8th September, 2017, the President notified the Speakers of Parliament of his intention to address the newly elected Parliament on Tuesday, 12th September, 2017 in the National Assembly Chamber, Parliament Building at 2.30 p.m.

Accordingly, pursuant to Article 132(1)(a) of the Constitution and further pursuant to Standing Order No.21(1) of the Senate, vide Gazette Notice No.8878, which was published in a special issue of the Kenya Gazette on 8th September 2017, I gave notice of this Joint Sitting to all Senators. This Joint Sitting is therefore properly convened.

I thank you.

The Speaker of the National Assembly (Hon. Muturi): Your Excellency, Hon. Uhuru Kenyatta, President of the Republic of Kenya and Commander-in-Chief of the Kenya Defence Forces, the Speaker of the Senate, Hon. Kenneth Lusaka and Hon. Members of Parliament, I wish to confirm that Article 132(1)(a) of the Constitution of Kenya requires the President to address the opening of each newly elected Parliament. In this regard, pursuant to the said Article of the Constitution and further pursuant to Standing Order No.21(1) of the National Assembly Standing Order by Gazette Notice No.8877 which was published in a special issue of the Kenya Gazette on 8th September 2017, I gave notice of this Joint Sitting to all Members of the National Assembly. Accordingly, this Joint Sitting is properly convened.

(Applause)

Consequently, it is now my singular honour and privilege to invite His Excellency the President of the Republic of Kenya to address this opening of the newly elected Twelfth Parliament.

(Applause)

PRESIDENTIAL ADDRESS

EXPOSITION OF PUBLIC POLICY

His Excellency the President (Hon. Kenyatta): Hon. Members, let me begin by apologising because I have a cold, *mnisamehe*.

Hon. Speakers and hon. Members of the National Assembly and the Senate, first and foremost, I take this opportunity to thank God for the gift of a great country filled

with the bounty that we need, as well as continued peace. I also thank all Kenyans for expressing in a very mature and patient manner their sovereign will during the just concluded general elections. Millions of voters stood in long queues, in the sun and rain, some hungry and thirsty, in their quest to express their democratic choice. I offer to you, all hon. Members, my heartfelt congratulations on being elected to Parliament.

Hon. Speakers and hon. Members, by our Constitution and traditions, you represent the sovereign will and aspirations of millions of Kenyans. I wish all of you every success in fulfilling your important national duty in the next five years. I urge you to never forget that we are here representing the Kenyan people who have an urgent need for governance that delivers to them peace, security and prosperity. I also take this opportunity to celebrate the women of Kenya who continue to demonstrate leadership throughout the country. Three women were elected governors while others won positions as Senators, Members of the National Assembly and Members of County Assemblies. One of our women who is handicapped also managed to secure the seat of Women Representative in Kajiado County. Congratulations!

(Applause)

Today, I am proud as a Kenyan, of the gains that we have made in promoting inclusion of women into elected office. I am proud because I have great confidence in Kenya's women and deep faith in their capacities and capabilities. However, we must still recognise that as important as these gains are, we must accept that we still have much more work to do to increase their participation in national leadership. Let me also salute the very large number of young people who have come to elected office. I am very glad that the Kenyan people are also willing to give our youth opportunities to offer leadership. Young women and men elected to Parliament and other offices have a special responsibility to represent the aspirations of the majority who are the youth; aspirations for employment opportunities and better service delivery by both the national and county governments.

(Applause)

Hon. Members, let me also take this opportunity to thank the hon. Members of the Eleventh Parliament who made their mark on our country's history. They will forever be remembered for the way they steered and entrenched devolution in our country. Within a relatively short time, we, as a nation, were able to adopt and execute a devolution process that elsewhere in the world has taken a much longer period of time. This historic achievement was made possible by the constant productive consultations and collaboration between the Legislature and the Executive. Our Tenth Parliament delivered a new Constitution. The Eleventh Parliament implemented that Constitution and entrenched devolution as an institutional framework for driving our development agenda as a nation.

Hon. Members, the Twelfth Parliament has been sworn into office at an important constitutional moment that requires all of us to uphold the supremacy of the Constitution and its institutions. However, this does not mean always having it your way. As you well know, we still have to undertake a fresh presidential election following the verdict of the

Supreme Court. Even though I strongly disagreed with that decision, I accepted it because of my respect for our Constitution and its institutions.

(Applause)

I have previously demonstrated this fidelity to the best interests of the Kenyan people as happened when I conceded the loss of an election in 2002. You will also recall that I heeded the summons from a foreign court even though I knew I was answering trumped up charges.

(Applause)

You, in turn, as hon. Members of Parliament, must be steadfast in protecting our Constitution as a critical base for assuring our people sustained peace, security and prosperity. As a country, we spent more than two decades crafting a new constitutional order that maps our State organs and processes and thus provides certainty and predictability to our national life.

In our current circumstances, the elections that we held on 8th August, 2017; the swearing-in of governors, Members of the Senate and the National Assembly as well as our county assemblies - the verdict of the Supreme Court, the call for fresh elections on 17th October, 2017, with all these in mind, my address to you this afternoon, it must be clear that the set term of a President is embedded until a new one is sworn in.

(Applause)

All of these were part of our laid down constitutional processes. So, therefore, hon. Members and fellow Kenyans, no matter the political noises that are often loudest during elections, I want to assure every single Kenyan and the world that every arm of Government is in place and operational. Let no one, for a single moment, envision that there is a void. There is no lacuna; Kenya is progressing along the path drawn for it by our Constitution.

Hon. Members, at this juncture, I would like to make it abundantly clear that my Government will not tolerate anyone intent on disrupting our hard won peace and stability.

Under no circumstances must Kenyans ever allow our free competitive processes to become a threat to the peace and security of our nation. In our region and indeed, in many parts of the world, history is littered with broken and miserable countries which failed to draw the distinction between vibrant democratic competition and destructive division. Whereas we shall continue to encourage vibrant democratic competition, we shall not allow destructive division.

(Applause)

In this regard, I urge all political leaders to avoid engaging in divisive and destructive politics that have no place in a modern Kenya. On my part I know that my

most serious obligation is to sustain and protect the peace and security of all our people without exception.

We are now headed into a fresh presidential election that our electoral commission has scheduled for the 17th October, 2017. The Kenyan people will again affirm their choice of who they want to serve as their President. Let me say that this is not a choice between two individuals. Most importantly, it is the transfer of the people's sovereign will to an office that is the symbol of national unity, that protects our security and is key to delivering development and prosperity.

Kenyans will line up again on 17th of October, 2017. The marks that millions of voters will make on the ballot paper will represent far more than the desires of politicians. As Kenyans did on 8th August, 2017, they will vote for different candidates. However, almost every single man and woman in Kenya will be using the vote to seek the same things; a better livelihood, access to good healthcare, a more promising future for their children, decent jobs for all those willing to work and security for all.

It must be understood that the marked ballots represent more than technology, more than computer systems or even where papers were printed. The mark is the choice of a sovereign people. Their choice is sacred and must never again be frustrated or ignored.

Hon. Members, as we move forward during this momentous time, you, as newly elected leaders, must firmly take up your place in the governing of this great nation. Your promises to the electorate were turned into a solemn oath last week in which you swore, to bear true faith and allegiance to the people and the Republic of Kenya and that you would obey, respect, uphold, preserve, protect and defend the Constitution of the Republic of Kenya; and that you would faithfully and conscientiously discharge the duties of a Member of Parliament.

Hon. Members, in the coming days, you will be called upon to be true to that oath; I urge you to do your duty. It is the same oath that I made when I became President and Commander-in-Chief. Kenyans expect us to understand the weight of responsibility in living up to our oath and having wisdom and clarity as we carry out our duties.

It is, indeed, no accident that the first two Articles of the Constitution declare that the sovereignty of the people is exercised through their elected representatives and that Parliament represents the diversity of the nation. These words represent the hard sacrifices and hopes of generations of Kenyans who fought to earn the right to govern themselves and to freely choose their representatives.

That history places a profound responsibility on the Members of this House to "protect this Constitution and promote the democratic governance of the Republic."

Hon. Members, the separation of powers of the three arms of Government is a critical constitutional principle in protecting the liberty of the people. However, given the complexity of the public issues, the three arms of Government as well as constitutional commissions have to handle; they must work together willingly even as they respect each other's functional independence.

Equally important, the three arms are supposed to be free from intimidation or control by any foreign or domestic actors and any special interest groups.

Every Kenyan official who serves in these arms of Government and commissions must be constantly on the lookout for any actions that undermine their independence. They should understand that undertaking the sacred task that the Kenyan people have

given them requires that they constantly remember and affirm, in word and deed, that the people of Kenya are sovereign.

Hon. Members, no technicality, no conference, no process, no power or no influence should ever stand in the way of that sovereign will. The Kenyan people expect every arm and institution of Government to work together for them. Parliament directly represents the people and it is you, hon. Members, who must constantly remind all of us about the needs and aspirations of the people who sent you here.

Hon. Speakers and Members, our country is at a defining moment during which we are called upon to rise to our wisest, our most generous and most honest. Every Member of this august House represents the full and beautiful diversity of our nation.

From Mombasa to Malaba, from Namanga to Moyale we may speak different languages, worship differently and live in different parts of the country, but we must accept that we are one people; children of Kenya. The success of our nation is the love that each and every one of our people has for this country. Yes, we must all love Kenya and Kenya must always come first.

Hon Members, this august House must stand for that unity and must rise to the promises we have made to the people of this great nation. Nothing can come second to that.

Finally, hon. Speakers and Members, let me once again emphasize that we must work together to serve our people. We must understand that the future prosperity, peace and security of our beloved nation is firmly but safely in our hands.

May God bless the Twelfth Parliament. As you start your work, you can count on my 110 per cent support. I thank you and wish you God's blessings.

May God bless this great nation of Kenya.

(Applause)

ADJOURNMENT

The Speaker of the Senate (Hon. Lusaka): Hon Members, please be upstanding. Your Excellency the President, Rt. hon. Speaker of the National Assembly, hon. Members, we have come to the conclusion of the business of the day and it is now time to adjourn.

The Senate stands adjourned until tomorrow, Wednesday 13th September, 2017 at 2.30 p.m. at the Senate Chamber.

The Speaker of the National Assembly (Hon. Muturi): Hon. Members, I wish to thank His Excellency the President for his Address to Parliament and the nation at large. It is now my singular pleasure to invite His Excellency the President, the Deputy President, hon. Members, Cabinet Secretaries and all invited guests to a reception at the Parliament court hereafter.

Hon Members, you are requested to remain upstanding until the President's procession, including the religious leaders have left the Chamber.

Hon Members of the National Assembly, the National Assembly stands adjourned until tomorrow, Wednesday 13th of September, at 930 a.m.

DEPARTURE OF HIS EXCELLENCY

THE PRESIDENT

*(Hon. Members rose in their places while His Excellency
the President left the Chamber)*

Parliament rose at 3.55 p.m.