

REPUBLIC OF KENYA

MANDERA COUNTY ASSEMBLY

THE HANSARD

Tuesday, 18th February, 2020

*The House met at the Assembly Chambers
County Assembly Buildings, at 2.32 pm*

[The Speaker (Hon. M. A. Khalif) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

GOVERNOR'S ADDRESS

The Speaker (Hon. M. A. Khalif): Honorable Members, I got a letter dated 17th February from the office of his Excellency the governor of Mandera County, Ali Ibrahim Roba requesting to address the Assembly tomorrow, Wednesday, 19th February 2020 at 2:30 p.m. Just for information purpose make sure that you are here in time for the governor's address.

CHANGES IN COMMITTEES

Secondly, I got a letter from the Minority Party, Office of the Minority Whip making the following changes. The letter is referenced discharge of Hon. Members from some committees pursuant to Standing Order I59 (1).

Hon. Jimale Abdi Hassan discharged from the Committee on Trade, Investment, Industrialization and Cooperative Development.

Hon. Nasra Noor Mohamed discharged from the Committee on Finance and Economic Planning.

Hon. Robow Mohamed Hassan discharged from the Committee on County Peace and Security.

Hon. Members, I have also received another letter from the Majority Party, Office of the Majority Whip, referenced discharge of committee members pursuant to Standing Order 159 (1), dated 17th February 2020. I will read this while seated because this Mic is very short and it is a long list.

Hon. Hussein Adan Haji and Hon. Issack Dahir Abdi discharged from the Committee on Trade, Investment, Industrialization and Cooperative Development.

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Hon. Abdi Adan Ali and Hon. Bashir Ibrahim Alio discharged from the Committee on Education, Sports and Culture.

Hon. Adan Maalim Abdullahi and Hon. Saad Sheikh Ahmed discharged from the Committee on Public Service, Conflict Management, Cohesion, Integration and Devolved Unit.

Hon. Adan Maalim Abdullahi discharged from the Committee on Agriculture, Livestock and Fisheries.

Hon. Abdi Hassan Ali discharged from the Committee on Finance and Economic Planning.

Hon. Abdi Hassan Ali discharged from the Committee on Lands, Housing and Physical Planning.

Hon. Alinoor Derow and Hon. Abdinur Disow Teno discharged from the Committee on Water, Energy, Environment and Natural Resources.

Honorable Alinoor Derow and Honorable Shamsa Ibrahim Maalim discharged from the Committee on Powers and Privileges.

Public Accounts and Investment Committee is supposed to be reconstituted. I will ask the party whip to submit the new list.

(Speaker consults the Table Clerk)

PIC and PAC is supposed to submit new list. There is nothing like discharging Members.

Hon. Bishar Maalim Abdullahi and Hon. Yakub Hassan Eymoi discharged from the Committee on Roads, Public Works and Transport

Hon. Yakub Hassan Eymoi discharged from the Committee on Legal and Justice Affairs.

Hon. Ahmed Rashid and Hon. Abdirahman Aliow discharged from the Committee on Delegated County Legislation.

Hon. Abdullahi Siyad discharged from the Committee on County Peace and Security.

Hon. Abdirahman Aliow discharged from the Committee on Implementation.

Hon. Members, the purpose of these two letters is to notify my office and we are communicating for the purpose of information. Standing Order 159 (1) is very clear. We ask the Selection Committee to convene a meeting and do replacement of the committee Members.

GENERAL STATEMENTS

EDUCATION CRISIS IN THE COUNTY

The Speaker (Hon. M. A. Khalif): We have a general statement by Honorable Kullov.

Hon. Kullov Alio (Rhamu): Thank you, Mr. Speaker. Pursuant to the Mandera County Assembly Standing Order 43(1), I wish to make a general statement on education crisis in the county following mass transfer of non-local teachers by the Teachers Service Commission.

Mr. Speaker, going by what has been happening in the regional arena and as stated by TSC CEO of this country, there was mass transfer of non-local from this county vis-à-vis the whole region of North Eastern by the TSC. As leaders of this county, we cannot keep silent when we are in crisis. We know there are 14 devolved functions and education and security is not one of them but it is a shared responsibility. This county invested heavily in the education sector

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because it is a shared responsibility. Going by the audio that is circulating in the social media by Nancy Macharia, she was heard telling the non-locals to welcome to Kenya.

Mr. Speaker, I wonder when a government employee (TSC) who is supposed to be impartial in discharging its duty is telling the non-locals to welcome to Kenya as if Mandera is not Kenya. Mr. Speaker, recently we had two incidents in Moi girls where two dormitories were burnt and we have not seen any educationist who came to assess just because they are using lame excuse of insecurity. I wonder whether we are part of this country when Magoha who is the Cabinet Secretary for education is silent on such a huge problem in the region of North Eastern. I also wonder why Kenyans are deeply silent when other regions continue to be marginalized by the government. I thought we are part of this country governed by the same Constitution. We elect president after every five years who is to serve all Kenyans without any fear or favor; we do not see good things coming to the people of Northern Kenya. I also wonder why the National Assembly is silent because education is not devolved.

Mr. Speaker, I wonder why the Senate is silent on this matter. They are supposed to oversee the function of the county and when three out of the 47 counties are in crisis, the Senate is still silent on the same matter. I also wonder whether we are part of this country. The media is also silent and is not talking about the education crisis in the region necessitated by mass transfer. For that reason, I request the TSC and the President to discharge Magoha and Nancy Macharia.

For our County to prosper Nancy Macharia must go; for education sector to grow Nancy Macharia must go; for the sake of the rise of our children Nancy Macharia must go.

Recently, Magoha directed all the Chiefs to make sure that there is 100% transition from primary to secondary. What transition are we talking about when he already transferred over eight hundred non-locals teachers from the county? If he transferred all these teachers, who will teach these children? This is why I said, as a county and as a region, we must go back to the drawing board. For how long are we going to lament that we do not have teachers in this county? For that reason, as one of the leaders of this county, I propose the following measures to be carried out.

I request the President to give direction that all the non-local teachers who have been transferred should be reinstated. We want the President also to declare a regional disaster in terms of the education crisis we are facing so that we get the attention that we deserve. We want also the President to apprehend and make an affirmative action because we have a problem on education. For us to do that there must be an affirmative action. If at all teachers are not going to be reinstated, then a different examination should be set for our children unlike other counties because we do not expect our children and the children of down Kenya to get the same exam and yet the teachers have all been transferred.

We want the Government to put all the retirees on payroll because most of the retirees are young and they can teach. The national government and the county government should employ untrained teachers the way they used to do in our days. I also happen to be a teacher, untrained teacher, for a period of three months and I imparted knowledge that time and for those few months I have students who have already excelled in their exams and have good jobs.

I want all the educationist in down Kenya to be transferred back to their county so that instead of them serving other Kenyans let them go back to their county of origin.

We want to request the Governor that there are many county staffs who are teachers by profession. I also request that there are honorable Members in this House who are teachers by profession and we want them to go back to classes in the afternoon and teach our children. There is no point of us sitting here and lamenting when we have our Majority Leader who has a teaching background in Early Childhood Education. So, go back and teach. Honorable Bashir is a teacher, Honorable Issack Dahir is a teacher, Honorable Jimale is a teacher, Honorable Alinoor Derow is teacher, Honorable Bashir is a teacher and I am also a teacher and I will go back to class.

The Speaker (Hon. M. A. Khalif): Order!

Hon. Kullow Alio (Rhamu): Mr. Speaker, we want the county to freeze employment of non-local teachers because they are not serving us. If they always come and get the Teachers Service Commission number and move out, then we do not need them anymore. We better recycle the ones we have so that at least we get what is rightly ours. Therefore, non-locals should not be employed. We are removing teachers from class and giving them county jobs and creating shortages and we keep on lamenting. We want these radical measures to be implemented by both the National and County Government and this has created a lot of anxiety in the education sector. Parents are complaining, teachers are complaining and our children have no one to teach them. We want the County Government of the three regions, the President included, Nancy Macharia included to take up their rightful position on this matter.

Thank you.

The Speaker (Hon. M. A. Khalif): Honorable Kullow, I think you are one of the Members who are very familiar with the Standing Orders. Under general statement, you could have spoken for three minutes but I have just allowed you because the issue is very important. We are to discuss issues that we can handle as an Assembly. Standing Order 43 (2) says, if the Speaker allows the request or the Speaker should not allow the request unless satisfied that the matter may properly be discussed. I do not know whether education is our responsibility and I do not know how that can be discussed by this Assembly but it is of course a matter of county interest at the moment. We will also have education stakeholders' conference on Thursday. I think we need to put all these good points in point form and may be do a presentation through education committee because we are also stakeholders. Anybody who wants to say something before we move to the next Order? Use the next one.

Hon. Bishar Maalim Abdullahi (Takaba): I am not a bit audible. Let me take this opportunity first to thank my friend whom I believe now we are in the same camp more than ever before. First, I want to reiterate what Hon. Kullow said that the education situation in Northern Kenya is in an alarming situation. I know there is stakeholders' conference that has been organized by the governor on Thursday. I cannot pre-empt the resolutions that is likely to come forth on that day but what is happening in Northern Kenya in terms of education is a deliberate attempt by the government of Kenya of creating a situation where we cannot prosper.

Mr. Speaker, it is evident that during the outcome of the last examination results there has been deliberate mass failure portrayed in this region and this was a deliberate attempt which the government was trying to make sure that we are disadvantaged in terms of education empowerment.

Mr. Speaker, I am perplexed to see that sometimes when teachers are very far from the border line between Somalia and Kenya are being transferred, even against their wish because

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we have seen teachers who are leaving Mandera West, Banisa and Mandera Central who are not subjected to any terrorist attack. They have been transferred against their wish and they have made some cry when they were shifting. The Affirmative action which was done by the former CS Madam Amina Mohamed which has been downplayed by TSC is a clear indication that this government is trying to disadvantage us in terms of education.

The action which has been taken by Nancy Macharia of transferring all the teachers means that our schools are totally closed. I am wondering why our schools are operating because that is a government indication that they are supposed to close down. What we are seeking is that the government should come in a way that they can be able to give us—devolve this system of education for five (5) years through inter-governmental relations so that we can be able to pilot and see how we can address our problems. If the resources and the functions are devolved then we can come up with home grown solutions to address this problem.

Finally, the elephant in the House in Kenya now is BBI. What we can resolve as leaders is that No Education, No BBI. The best resolution is to make sure that we free ourselves so that we can take a bold step and see how we can entangle ourselves against this issue of bad policy indication in Northern Kenya.

Thank you, very much.

The Speaker (Hon. M. A. Khalif): Your time is up, any other member? Tomorrow is supposed to be statement day but as I earlier said we are going to have address by the Governor. I will give the Majority and Minority under Standing Order 44 (2) (c) to make their statement for the week. Minority Leader!

Hon. Jimale Abdi (Guba): Thank you, Hon. Speaker. First of all, I want to take this opportunity to welcome back our honorable members. Alhamdulillah, we thank Allah who gave us this gift of life. None of us is dead or sick. I also take this opportunity to welcome our new staff. I can see some are here. Feel welcome.

Secondly, during our recess there are issues like locust which people were using stones and whistles. Hon. Teno is saying in another language which I cannot say. A lot of traditional ways of scarring them away were used. The harm is very minimal though it has harmed specific places like farms.

The major issue is the one raised by honorable Member representing Rhamu and that is a serious issue. I think there is a Kiswahili proverb which says ‘Akufukuzaye hakuambii toka’. This issue has been there in 2015. If we could have come together at that time and come up with measures to make sure that we do not need non-locals, we could have been in a better position today.

In 2015, the same problem was there in health department but because of the intervention of the County Government and the people of Mandera County, we have of nurses and all medical staffs. If we could have done the same for education then we would not have faced what we are facing now. It is up to us now as leaders of this county to come up with measures that will liberate us from blaming the Minister for Education, Nancy Macharia or anybody even if it is the president. It is up to us to go to the ward level. Of course we know the attitude of our people towards education. People do not want teaching profession. There is a problem there. We need to encourage the youths of this county to go for this course. Of course there are a lot of opportunities. It is not like when we were going to college. We were looking for fees by selling animals. This time round, we have bursaries.

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We have donors and CDF that can sponsor students who are doing teaching courses. Mr. Speaker, the measures lie with us. Let us go to the ward level and sit down with our youth. Let us do away with these non-locals who are always running away. We do not our people go to Kakamega, Kisii and those other counties to look for employment. It is because they know that they have excess persons who are looking for the jobs. I am a teacher by profession, on the way I have changed courses but still I can teach because I have gone through the process. Honorable Kullow, I can assure you that if the people of Guba could have been here today I could have taken some lessons but still I will do it In Shaa Allah. Even if it will be on a Thursday or Friday I have to travel to my ward and teach one or two lessons.

The other thing, let us go and sit down with our people and tell them that the only available job is teaching. Someone will go for business courses, after getting a degree and masters there is no job, but here we are looking for teachers. Why don't we encourage our people?

Teaching profession is the best profession Mr. Speaker. Let us encourage our people, go to the wards and sit down with the youth and tell them to go for this course. We also need to talk to the County and National Government representatives. We have teaching college which is free. The county government is fully paying for it although it is not a devolved function. Let us collect data so that we know those who finished last year and the previous years who qualify to join teaching profession and take them to this college or other colleges so that in two to three years to come we do not have the same problem. Let us stand up and make sure that this crisis does not occur again.

Thank you, Mr. Speaker.

The Speaker (Hon. Mohamed Adan): Thank you. Majority Leader!

Hon. Abdi Adan (Neboi): Thank you, Mr. Speaker. I also wish to take this opportunity to welcome back honorable Members. As you are aware, we have been on recess for the last two months. People have travelled to different destinations and by the will of God we are back to the House again.

Mr. Speaker, while we were away a lot of things happened in this county. We were aware that last week when we were in Mombasa for our retreat, we discussed most of these issues including the issues of teachers crisis, the locust problem, the insecurity issues and I can remember we came up with resolutions. We presented those resolutions in the leaders' meeting that was held in Nairobi. We came up with some resolutions there including conducting a conference, a symposium that will be done this week on Thursday in Mandera to discuss the education crisis. Therefore, I urge all the honorable Members to attend that conference and present our input as leaders of this county.

Secondly Mr. Speaker, when we had our retreat, we discussed several in-house issues and resolved so many pending businesses. In our resolutions we also discussed or resolved that when we come back we put a lot of energy in our committees. We saw that is where we are lagging behind as a House. All Members of this House were in agreement that the parties should make changes in those committees and put a lot of energy so that service delivery is increased. Therefore, the changes that we are making here are due to our resolution from our retreat in Mombasa.

Lastly, I want to welcome the new staff. While we were away you inducted them and we are requesting may be one orientation and familiarization program with our staff because when

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we came in some are strangers and we do not know who is working where. As Members of County Assembly, we request your office to conduct for us one orientation and familiarization program for the staff and honorable Members.

With those few remarks, thank you.

ADJOURNMENT

The Speaker (Hon. M. A. Khalif): Since we have come to the end of the business of the day, the House stands adjourned to Wednesday 19th February, 2020 at 9:00 a.m.