REPUBLIC OF KENYA

CWS

Recommended for approval for tabling

27/05/19

Rt. Hon. Speaker

You may approve for tabling.

27/05/19

THE SENATE

TWELFTH PARLIAMENT – THIRD SESSION

REPORT ON THE PREVENTION OF TERRORISM (AMENDMENT) BILL, SENATE BILLS NO.20 OF 2018

Approved

28/05/2019

CLERKS CHAMBERS
THE SENATE

MAY, 2019

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1.0 PREFACE

Mr. Speaker Sir,

1. Establishment of the Committee

The Senate Standing Committee on National Security, Defence and Foreign Relations was constituted on Thursday, 14th December, 2017, during the First Session of the Twelfth (12th) Parliament pursuant to the provisions of standing order 218 (1) of the Senate Standing Orders which states:

There shall be Select Committees to be designated Standing Committees which shall be nominated by the Senate Business Committee in consultation with parliamentary parties at the commencement of every Parliament.

2. Mandate of the Committee

The Committee on National Security, Defence and Foreign Relations is mandated to "***consider all matters relating to national security and foreign relations, disaster reduction and preparedness, home affairs, defence, immigration, and international relations***".

Oversight

In executing its mandate, the Committee oversees the following Ministries, -

(1) Ministry of Interior and Coordination of National Government;

(2) The Ministry of Foreign Affairs; and,

(3) The Ministry of Defence.

3. Membership of the Committee

The following are Members of the Standing Committee on National Security, Defence and Foreign Relations.

1. **Sen. Mohamed Yusuf Haji, EGH, MP** - **Chairperson**
2. **Sen. Johnson Arthur Sakaja, CBS, MP** - **Vice Chairperson**

3. Sen. Moses Masika Wetang'ula, EGH, MP
3. Sen. Fatuma Dullo, CBS, MP
4. Sen. Susan Wakarura Kihika, MP
5. Sen. Anwar Loititip, MP
6. Sen. Fred Outa, MP
7. Sen. Beatrice Kwamboka, MP
8. Sen. Judith Pareno, MP

4. The Secretariat of the Committee comprises of the following;

1. Ms. Rose Mudibo - Clerk Assistant
2. Mr. Moses Kenyanchui - Legal Counsel
3. Mr. Humprey Ringera - Research Officer
4. Mr. John Pere - Serjeant-At-Arms

ACKNOWLEDGEMENT

Mr. Speaker Sir,

The Committee wishes to thank the Offices of the Speaker and the Clerk of the Senate for the support extended to it in the conduct of its meetings and the public hearings. I also wish to express my gratitude to my colleagues for their thoughtful input and contributions to the matter. Further, the Committee acknowledges the time and effort made by all parties who volunteered information before it.

Mr. Speaker Sir,

It is my pleasant duty, pursuant to Standing Order 143 (1), to present the Report of the Standing Committee on National Security, Defence and Foreign Relations on the Report on the Prevention of Terrorism (Amendment) Bill, Senate Bills No. 20 of 2018, for consideration by the House.

Signed_____

Senator Mohamed Yusuf Haji, EGH, MP

Chairperson, Standing Committee on National Security, Defence and Foreign Relations

Date 15/5/2019

2.0 INTRODUCTION

2.1 BACKGROUND AND PURPOSE OF THE BILL

The Prevention of Terrorism Act (the Act) was enacted in the year 2012 for purposes of putting in place measures to detect and prevent terrorist activities. In the year 2014, the Act was amended to provide for the offence known as radicalization and established a National Counter Terrorism Centre (the Centre). The Centre is responsible for the co-ordination of national counter-terrorism efforts in order to detect, deter and disrupt terrorism acts.

The Prevention of Terrorism (Amendment) Bill seeks to amend the Act with a view to provide for responsibilities of the County Education Board, parents, and the administrators of learning institutions regarding prevention of radicalization and extremism.

2.1 OVERVIEW OF THE BILL

The Prevention of Terrorism (Amendment) Bill seeks to insert four sections to the Prevention of Terrorism Act. The Bill proposes that the County Education Board shall be responsible for formulation and oversight of the implementation of county specific programs to counter radicalization, carry out background checks on teachers, and in collaboration with other stakeholders, put in place mechanisms for reformation and reintegration of students found to have been involved in radicalization. The institution administrators shall implement measures to ensure students are not drawn into radicalization, keep an updated record of students, and ensure that staff is trained to recognize vulnerable students likely to be drawn into radicalization.

On their part, parents shall be responsible for monitoring the activities of students after school hours and during weekends, reporting cases of missing students to the Inspector-General of Police, the County Education Board, and the institution

administrator where it is believed that the student is likely to be involved in terrorist acts or has been radicalized, and collaborate with the school, religious leaders and the county leadership in building support networks for students to counter radicalization.

Additionally, the Bill sets out the procedure for reporting a missing student. The parents will be required to conduct a search for the missing student, and notify the institution administrator and the Inspector-General of Police. Regarding a student who fails to report to school, the institution administrator shall inform the parents of the failure by the student to report to school and notify the Inspector General of Police. Where a missing student is found and it is determined that the student has undergone radicalization, the parent, the County Education Board, the institution administrator and the Inspector-General of Police shall be responsible for rehabilitating the student and investigating with a view to determine whether other students in the respective institution have been exposed to radicalization

COMMITAL OF THE BILL TO THE COMMITTEE

Pursuant to standing order 140(5), the Standing Committee on National Security, Defence and Foreign Relations shall facilitate public participation and shall take into account the views and recommendations of the public when the Committee submits it report to the Senate. Standing order 143(1) requires that the report of the Committee be submitted to the Senate within a period of thirty (30) calendar days of the committal of the Bill to the Committee.

Subsequently, the Committee subjected the Bill to public hearings pursuant to Article 118 (1) (b) of the Constitution and standing order 140 (5). The Committee invited submissions on the Bill from members of the public via advertisements carried in the Daily Nation and the Standard Newspapers on 13th October, 2018.

The Committee held a public hearing forum on Thursday 18th October, 2018, in the Committee Room, Ground Floor, County Hall Buildings at 10.00 a.m., to take into account the views and recommendations of the public while preparing this Report.

3.0 SUBMISSIONS

3.1 Submissions from Eastleigh Residents Community Association (ERECA)

In its submission, the Eastleigh Residents Community Association (ERECA) proposed the following;

(i) Delete "County Education Board"

(ii) Formation of a board comprised of regional education supervisors, selected religious leaders who have been seconded by their coordinating bodies, Assistant county commissioners and professional counselors working in schools.

a. Reason

(iii)The board according to Basic Education Act is assigned the responsibility for early childhood education. This would meant that the Basic Education Act first needs to be amended for them to cater for higher levels of learning, which are still being managed by the national government under the Ministry of Education with TSC providing the personnel.

(iv) 12E. (e), Delete the Clause.

Reason

The Clause is confusing as it opens up for interpretation of 'publicly owned avenues' which are beyond the school compound. The school administrators have no authority beyond the school and this can only be enforced by the County Government and police service.

(v) 12E. (f),

- Preventive measures are put in place by having a counseling office set up in each institution with at least two professional counselors dedicated to offering counseling service only.
- The Ministry of Education Cabinet Secretary is specified.

- The creation of re-integration programmes put in place in every county. Kenya Institute of Curriculum Development (KICD) should come up with a curriculum for prevention and reintegration.
- Inclusion of representation from local civil society organizations specifically working in peace and conflict, National Cohesion and Integration and religious leaders.

Reason

The Clause is a counter measure to deal with radicalization without offering preventive measure. It should specify the Cabinet Secretary and Secretary being referred to.

(vi) 12F. (a)

- KICD should ensure that it oversees and provided the curriculum including for Pastoral Programmes of Instruction and Islamic Programmes.
- The Ministry of Education ensures that all schools are well secured and fenced.

Reason

The Clause seems to assume that the schools are the only avenues for learning. The schools are not well secured to avoid intruders and children getting out even within the learning period. The religious and recreational facilities can venues for radicalization.

(vii) 12F. (b)

- KICD and Commission for Higher Education (CHE) revise the training curriculum for teacher training institutions to include issues on preventions of radicalization and be offered to all teachers.

- Teacher-student ratio is addressed before implementation of the policy.

Reason

The Clause is misleading because the Institutional administrator does not offer training for teachers. The teacher-student ratio is not proportional to what the ministry recommends in most learning institutions.

(viii) 12G. (a)

Amend to cater for the context and also consider the role of other institutions.

Reason

The Clause can only apply if the prevailing context of the high cost of living is ignored. Most parents work for long hours leaving the children unattended or in the hands of other people.

(ix) 12G. (b)

The Ministry of Education needs to come up with county-specific 'intervention measures'. A sensitization programme for parents should be rolled out in each county.

Reason

The intervention measures cannot be left to be developed by the schools alone. The Clause does not give direction on how the involvement of parents.

(x) 12G. (c), inclusion of trained professional counselors to the learning institutions be part of the team.

Reason

(xi) The Clause mandates the county leadership, yet education is not devolved therefore they are not directly involved unless for early childhood education.

3.2 Submissions from Bunge La Wazalendo

In its submissions, Bunge La Wazalendo proposed the following;

(i) 12F. (e)

delete the words 'studies and curriculum' appearing immediately after the words 'dissemination of inappropriate' and substitute therefor the words 'extremist literature materials'.

(ii) 12G(a), delete the words 'and on weekends' appearing at the end of the paragraph and substitute therefor the words 'weekends and during holidays.'

(iii) 12H (1), delete paragraph (a).

(iv) 12H (3), delete paragraph (a) and substitute therefor the following new paragraph –

(v) subject the child to a minimum interrogation upon rehabilitation.

3.3 Submissions from Global Peace Foundation

In its submission Global Peace Foundation proposed that;

- Enact laws to strengthen the family unity and enforce parental responsibility.
- The Government should do away with the Pesa Ya Wazee and instead establish a proper social welfare system that targets the vulnerable youths and not just a system that benefits the old.
- Make it compulsory for every Kenyan to support their parents in old age.
- The Government must invest in safe houses where any street children whose parents cannot be traced can be taken care of and fed until they are able to take of the beneficiaries of the government scheme to benefit the old have themselves.

Reason

The prevalence of homeless children in the streets provides a fertile ground for recruitment of our youths into extremism and terrorist activities. These will ensure that these youths will not be vulnerable or available for recruitment by extremists.

3.4 Submissions from the National Counter Terrorism Centre (NCTC)

In its submission National Counter Terrorism Centre proposed that;

- 12E (b), delete the paragraph and substitute therefor the following new paragraph –
  - (a) ensure that a standardized awareness module from the national agency charged with preventing and countering radicalization into extremism is taught in all institutions of learning;
- 12E (f), delete the paragraph and substitute therefor the following new paragraph –
  - (f) in response to the Cabinet Secretary and the NCTC, contribute to the rehabilitation and reintegration programmes targeting the youth who are radicalized into extremism but have undertaken successful disengagement;
- 12F (a), delete the paragraph and substitute therefor the following new paragraph –
  - (a) utilize the Child Safety Against Violent Extremism(CSAVE) guide to detect, prevent and report radicalization into extremism;
- 12F (c), delete the paragraph and substitute therefor the following new paragraph –
  - (b) work with groups that have been endorsed by the NCTC in writing to ensure that all staff in the institution are well trained to recognize and respond appropriately to vulnerable students likely to be drawn into radicalization into extremism;

12H, delete the words "Inspector General of Police" appearing in sub clauses (1)(b), (2)(b) and (3) and substitute therefor with the words "national agencies charged with preventing and countering radicalization into extremism".

Reason

The proposal will ensure harmony and clarify as to who is responsible for developing the standardized awareness module. Awareness is a function of the Centre as provided for under section 40B of the Prevention of Terrorism Act.

There is need to bring on board the Centre because it is the body mandated to coordinate counter-terrorism efforts in the country.

The Centre is mandated to undertake public awareness and develop strategies on counter and de-radicalization under section 40B of the Act. It should approve measures but the law should not be specific as proposed.

Accreditation will ensure that persons knowledgeable in terrorism matters train the staff.

Whereas reports ought to be made to the Centre, this may not be practicable because of accessibility. We advise that a report be made to the nearest police station.

4.0 COMMITTEE OBSERVATIONS

Having considered the Bill and the submissions received, the Committee observed as follows-

1. THAT clause 3 of the Bill be amended –

(a) in the proposed new section 12E by –

(i) deleting the marginal note and substituting therefor the following new marginal note –

Responsibility of the institution regulator.

(ii) deleting the introductory clause and substituting therefor the following new clause –

(1) The institution regulator shall -

(iii) deleting paragraph (b) and substituting therefor the following new paragraph –

(b) ensure that a standardized awareness module on counter radicalization approved by the Centre is taught in all institutions of learning;

(iv) deleting paragraph (f) and substituting therefor the following new paragraph –

(f) in collaboration with the Cabinet secretary, the Centre and other stakeholders, design appropriate rehabilitation and reintegration programmes to cater for students who have undertaken successful disengagement from radicalization;

(b) in the proposed new section 12F by –

(i) deleting paragraph (a) and substituting therefor the following new paragraph –

(a) implement measures approved by the Centre to detect, prevent or report radicalization of students;

(ii) deleting paragraph (c) and substituting therefor the following new paragraph –

(f) In collaboration with persons accredited by the Centre, ensure that all staff in the institution are well trained to recognize and respond appropriately to vulnerable students likely to be drawn into radicalization;

(c) in the proposed new clause 12G by deleting paragraph (b) and substituting therefor the following new paragraph –

(b) immediately report to the nearest police station (Centre), the institution regulator and the institution administrator a case of a missing student where there is reason to believe that such a student is likely to be involved in terrorism acts or to have been radicalized;

(d) in the proposed new section 12H by –

(i) deleting the words "Inspector General of Police" appearing immediately after the words "administrator and the" in sub-clause (1)(b) and substituting therefor the words "Centre";

(ii) deleting paragraph (b) in sub-clause (2) and substituting therefor the following new paragraph –

(b) immediately inform the Centre and the institution regulator of the missing student;

(iii) deleting the words "Inspector General of Police" appearing immediately after the words "with the parent" in sub-clause (2)(c) and substituting therefor the words "Centre"; and

(iv) deleting the introductory clause to sub-clause (3) and substituting therefor the following new introductory clause –

(3) Where a child who is reported missing under this section is found and it is determined that the child has undergone the process of radicalization, the parent or the guardian in collaboration with the institution regulator or the institution and the Centre shall, in addition to such action as they may determine –

2. **THAT** the Bill be amended by inserting the following new clause immediately after clause 3 –

4. Section 40B(2) of the Principal Act is amended by inserting the following new paragraph immediately after paragraph (e) –

(f) in collaboration with the counties, develop and implement county action plans to prevent violent extremism and radicalization.

3. **THAT** clause 2 of the Bill be amended by –

(a) deleting the definition of "County Education Board"; and

(b) inserting the definition of "institution regulator" –

"institution regulator" means an entity whose function is to regulate basic education, university education, or technical and vocational education training or any other entity mandated to regulate training or learning in the country;

5.0 COMMITTEE RECOMMENDATIONS

The Committee unanimously agreed to support the Bill, and recommends that the Senate passes the Bill which, if enacted, will provide for responsibilities of the County Education Board, parents, and the administrators of learning institutions regarding prevention of radicalization and extremism.

Annex 1: Proposed Committee Stage Amendments

Annex 2: Minutes

4th April, 2019,
The Clerk of the Senate,
Parliament Buildings,
NAIROBI.

RE: COMMITTEE STAGE AMENDMENTS TO THE PREVENTION OF TERRORISM (AMENDMENT) BILL (SENATE BILLS NO. 20 OF 2018)

NOTICE is given that the Chairperson of the Standing Committee on National Security, Defence and Foreign Relations, intends to move the following amendments to the Prevention of Terrorism (Amendment) Bill (Senate Bills No. 20 of 2018) at the Committee Stage —

CLAUSE 3

THAT clause 3 of the Bill be amended –

(a) in the proposed new section 12E by –

(i) deleting the phrase "12D" appearing immediately after the words "after section" and substituting therefor the phrase "40B";

(ii) deleting the marginal note and substituting therefor the following new marginal note –

Responsibility of the institution regulator.

(iii) deleting the introductory clause and substituting therefor the following new clause –

(1) The institution regulator shall -

(iv) deleting paragraph (b) and substituting therefor the following new paragraph –

(b) ensure that a standardized awareness module on counter radicalization approved by the Centre is taught in all educational institutions;

(v) deleting the words "publicly owned venues" appearing immediately after words "ensure that" in paragraph (e) and substituting therefor the words "educational institutions"; and

(vi) deleting paragraph (f) and substituting therefor the following new paragraph –

(f) in collaboration with the Cabinet secretary, the Centre, the National Police Service and other relevant stakeholders, design appropriate rehabilitation and reintegration programmes to cater for students who have undertaken successful disengagement from radicalization.

(b) in the proposed new section 12F by –

(i) deleting paragraph (a) and substituting therefor the following new paragraph –

(a) implement measures approved by the Centre to detect, prevent or report radicalization of students;

(ii) deleting paragraph (c) and substituting therefor the following new paragraph –

(c) in collaboration with persons accredited by the Centre, ensure that all staff in the institution are well trained to recognize and respond appropriately to vulnerable students likely to be drawn into radicalization;

(iii) deleting the words "inappropriate studies and curriculum related to radicalization" appearing immediately after the words "dissemination of" in paragraph (e) and substitute therefor the words "extremist literature".

(c) in the proposed new section 12G by –

(i) by deleting paragraph (a) and substituting therefor the following new paragraph –

(a) provide parental care, protection and guidance at all times;

(ii) deleting paragraph (b) and substituting therefor the following new paragraph –

(b) immediately report to the Centre, the institution regulator and the institution administrator a case of a missing student where there is reason to believe that such a student is likely to be involved in terrorism acts or to have been radicalized;

(d) in the proposed new section 12H –

(i) in sub-clause (1) by –

(a) deleting paragraph (a) and inserting therefor the following new paragraph –

(a) conduct a search for the child and notify the institution regulator and the nearest police station of the missing child within twenty four hours;

(b) deleting paragraph (b).

(ii) in sub-clause (2) by –

(a) deleting paragraph (b) and substituting therefor the following new paragraph –

(b) immediately inform the nearest police station and the institution regulator of the missing student;

(b) deleting the words "Inspector General of Police" appearing immediately after the words "the parent, the" in paragraph (c) and substituting therefor the words "the National Police Service and the Centre"; and

(iii) deleting the introductory clause to sub-clause (3) and substituting therefor the following new introductory clause –

(3) Where a child who is reported missing under this section is found and it is determined that the child has undergone the process of radicalization, the parent or the guardian in collaboration with the institution regulator or the institution and the Centre shall, in addition to such action as they may determine –

NEW CLAUSE 4

THAT the Bill be amended by inserting the following new clause immediately after clause 3 –

4. Section 40B of the principal Act is amended in subsection (2) by inserting the following new paragraph immediately after paragraph (e) –

(f) in collaboration with the counties, develop and implement county action plans to prevent violent extremism and radicalization.

CLAUSE 2

THAT clause 2 of the Bill be amended by –

(a) deleting the definition of the word "County Education Board"; and

(b) inserting the following new definition immediately after the definition of "institution administrator" –

"institution regulator" means an entity whose function is to regulate basic education, university education, or technical and vocational education training or any other entity mandated to regulate training or learning in the country;

.....

Mohamed ***Yusuf Haji,EHG, MP***
Chairperson,
Standing Committee on National Security, Defence and Foreign Relations.

MINUTES OF THE 20TH SITTING OF THE STANDING COMMITTEE ON NATIONAL SECURITY, DEFENCE AND FOREIGN RELATIONS, HELD ON THURSDAY 18TH OCTOBER, 2018, IN COMMITTEE ROOM, COUNTY HALL BUILDINGS, AT 10.00 A.M.

PRESENT

1) Sen. Mohamed Yusuf Haji, EGH, M.P **Chairperson**
2) Sen. Fatuma Dullo, CBS, M.P (Chairing)
3) Sen. Moses Wetang'ula, EGH, MP
4) Sen. Judith Pareno, MP
5) Sen. Fred Outa, MP

ABSENT WITH APOLOGY

1) Sen. Johnson Sakaja, MP **Vice-Chairperson**
2) Sen. Susan W. Kihika, MP
3) Sen. Anuar Loititip, MP
4) Sen. Beatrice Kwamboka, MP

INATTENDANCE

Sen. Naomi Waqo

SECRETARIAT

1. Rose Mudibo - Committee Clerk
2. Moses Kenyanchui - Legal Counsel
3. Humprey Ringera - Research Officer

MINUTE NO./SEN/NSDFR/106/2018: PRAYER

The sitting commenced at 10.30 a.m. with a word of prayer and introductions.

MINUTE NO./SEN/NSDFR/107/2018: AGENDA

The Agenda of the meeting was proposed and seconded by Sen. Fred Outa, MP and Sen. Judith Pareno, MP respectively as follows;

1. Prayer
2. Adoption of Agenda
3. Public Hearing on the Prevention of Terrorism (Amendment) Bill, 2018
4. Any other business
5. Adjournment

MINUTE NO./SEN/NSDFR/108/2018: **PUBLIC HEARING ON THE PREVENTION OF TERRORISM (AMENDMENT) BILL, 2018**

The Chairperson briefed the meeting on the purpose of the meeting and informed the participants that advertisements had been sent out in the daily newspapers calling for public participation in the Prevention of Terrorism (Amendment) Bill, 2018.

The Chairperson further noted that other stakeholders had sent in written submissions to be considered by the Committee and invited the present stakeholders to give their submissions.

Contributions from Stakeholders

CLAUSE	STAKEHOLDER	PROPOSED AMENDMENT AND RATIONALE
	Global Peace Foundation	• Enact laws to strengthen the family unity and enforce parental responsibility. • The government should do away with the so called Pesa Ya Wazee and instead establish a proper social welfare system that targets the vulnerable youths and not just a system that benefits the old. • We must make it compulsory for every Kenyan to support their parents in old age. • The government must invest in safe houses where any street children whose parents cannot be traced can be taken care of and fed until they are able to take of the beneficiaries of the government scheme to benefit the old have themselves. **Reason** The prevalence of homeless children in the streets provides a fertile ground for recruitment of our youths into extremism and terrorist activities. These will ensure that these youths will not be vulnerable or available for recruitment by extremists.

Committee Reactions

1. Any law created should have the responsibility and sanctions that follow.
2. Education is the only devolved at the ECDE level making it difficult for the County Governments to handle education matters.
3. Sen. Moses Wetang'ula informed the sponsor of the Bill that he had some input for the Bill.

MINUTE NO./SEN/NSDFR/110/2018: ADJOURNMENT

There being no other business the Committee adjourned at 11.50 a.m.

Signature:..... **Date:** 15/5/2019

Chairperson

MINUTES OF THE 7TH SITTING OF THE NATIONAL SECURITY, DEFENCE & FOREIGN RELATIONS HELD ON 16TH MAY, 2019, IN THE BOARDROOM ON GROUND FLOOR, COUNTY HALL BUILDINGS, AT 10.00 AM

PRESENT

1) Sen. Judith Pareno, MP **(Chairing)**
2) Sen. Moses Wetangula, EGH, MP
3) Sen. Fatuma Dullo, CBS, MP
4) Sen. Fred Outa , MP
5) Sen. Susan W. Kihika, MP
6) Sen. Beatrice Kwamboka, MP

APOLOGIES

1) Sen. Mohammed Yusuf Haji, EGH, MP – **Chairperson**
2) Sen. Sakaja Johnson, CBS, MP –**Vice Chairman**
3) Sen. Anuar Loititip, MP.

SECRETARIAT

1	Rose Mudibo	-	Committee Clerk
2	Moses Kenyanchui	-	Legal Counsel
3	Leah Kidombo	-	Research Officer
4	Lucianne Limo	-	Media Relations Officer

MIN/SEN/NSDFR/033/2019: PRELIMINARIES

The meeting commenced at 9.15 a.m. with a word of prayer.

MIN/SEN/NSDFR/034/2019: AGENDA

The Agenda of the meeting was proposed and seconded by Sen. Susan Kihika, MP and Sen. Fatuma Dullo, MP respectively as follows;

1. Prayer
2. Adoption of the Agenda
3. Brief by the Legal Counsel on the Petition on the Settlement of Awards to Ex-Kenya Air Force Officers and Servicemen
4. Draft Report on;
   (i) The County Law Compliance and Enforcement Bill (Senate Bills No.23 of 2018)
   (ii) The Prevention of Terrorism (amendment) Bill, Senate bill No.20 of 2018

5. Draft Report on the Petition on Insecurity caused by Illegal Camel Herders in Teri B Ranch, Taita Taveta County
6. Proposed County Visits
7. Any Other Business
8. Adjournment

MIN/SEN/NSDFR/035/2019: PETITION ON THE SETTLEMENT OF AWARDS TO EX-KENYA AIR FORCE OFFICERS AND SERVICEMEN

The Chairperson briefed the Members that following a meeting with the Cabinet Secretary, Ministry of Defence and the Attorney General on 24th April, 2019, it was resolved that the Committee is provided with documents to ascertain the claims that the cases mentioned in the petition were matters that were alive in court.

The Committee Legal Counsel briefed the Committee that after interrogation of the documentation from the Ministry of Defence and the Office of the Attorney General, there is an application to appear out of court but reiterated that this is happening after a period of 7 years.

The Committee further noted that no matter was active in court as briefed by the Cabinet Secretary, Ministry of Defence.

The Committee tasked the Legal Counsel to look at the court files and advise the Committee at the next meeting.

MIN/SEN/NSDFR/036/2019: CONSIDERATION OF REPORTS ON BILLS

(i) The Committee considered and adopted the proposed Report on the Prevention of Terrorism (Amendment Bill), and adopted it.

(ii) The Committee considered and adopted the proposed report on the County Compliance and Enforcement Bill (Senate Bills No.23 of 2018).

MIN/SEN/NSDFR/037/2019: DRAFT REPORT ON THE PETITION ON INSECURITY CAUSED BY ILLEGAL CAMEL HERDERS IN TERI B RANCH, TAITA TAVETA COUNTY

The Chairperson informed the Committee that before the Committee was a draft report for consideration following a visit to Taita Taveta County on 4th April, 2019.

The Committee considered the draft report and adopted with amendments for tabling in the Senate.

MIN/SEN/NSDFR/038/2019: PROPOSED COUNTY VISITS

The secretariat presented a schedule of activities to be undertaken by the Committee during the months of May and June 2019.

The Committee confirmed to undertake visit to Nyanza and Kakamega Counties jointly with the Standing Committee on Justice, Legal Affairs and Human Rights between 23rd and 26th May, 2019.

MIN/SEN/NSDFR/039/2019: ANY OTHER BUSINESS

Sen. Susan Kihika, MP brought to the attention of the Committee of the withdrawal of her security by the Police Department. The Chairperson noted that since the Cabinet Secretary, Ministry of Interior and Coordination of Government Business is scheduled to appear before the Committee, that the matter will form part of the agenda.

The Committee was informed of a pending Statement requested by Sen. Cleophas Malala of the insecurity in Matungu Constituency. The Committee resolved that the Chairperson gives an interim statement awaiting the response from the relevant Ministry.

MIN/SEN/NSDFR/040/2019: ANY OTHER BUSINESS

The meeting was adjourned at 10.30 a.m.

SIGNED.....

(Chairperson)

DATE.....21/05/19.....