

REPUBLIC OF KENYA



KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT – FOURTH SESSION – 2011

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THE DEPARTMENTAL COMMITTEE ON DEFENCE  
AND FOREIGN RELATIONS

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REPORT OF THE FAMILIARIZATION VISIT TO KENYA  
MISSION TO THE UNITED NATIONS OFFICES IN NAIROBI  
(UNON)

16<sup>TH</sup> NOVEMBER, 2011

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CLERK'S CHAMBERS,  
PARLIAMENT BUILDINGS,  
NAIROBI

APRIL, 2011

## TABLE OF CONTENTS

Preface -----	1
The Familiarization Visit -----	3
Acknowledgment -----	5
Meeting with staff at the Kenya Mission to UNON -----	6
Committee Observations -----	8
Recommendations -----	9

# Departmental Committee on Defence and Foreign Relations

## 1. PREFACE

Mr. Speaker,

The Departmental Committee on Defence and Foreign Relations is established pursuant to provisions of Standing Order 198 (1). Under the provisions of Standing Order 198 (3) the Committee is mandated to:-

- (a) *investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;*
- (b) *study the Programme and policy objectives of the Ministries and departments and the effectiveness of the implementation;*
- (c) *study and review all legislation referred to it;*
- (d) *study, assess and analyse the relative success of the Ministries and departments as measured by the results obtained as compared with its stated objectives;*
- (e) *investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House or a Minister; and*
- (f) *make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.*

The Committee is also mandated to scrutinise the budget of line Ministries as provided under Standing Order No. 152 states which that:-

- (1) *Upon being laid before the National Assembly, the annual estimates shall stand committed to the respective departmental Committees according to their mandates.*
- (2) *Each departmental Committee shall consider, discuss and review the estimates committed to it under this standing order and submit its*

## *Departmental Committee on Defence and Foreign Relations*

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*report thereon to the House within twenty one days after they were first laid before the House.*

The Committee oversees the performance of the following Ministries and Government department:-

- (i) Defence;
- (ii) Foreign Affairs;
- (iii) East African Community; and
- (iv) National Security Intelligence Service.

Under the above Ministries, the Committee covers the following subjects;

- (i) Defence matters;
- (ii) Foreign policy;
- (iii) Treaties , Conventions and Agreements;
- (iv) International and Regional Organisations;
- (v) Bilateral and Multilateral Relations;
- (vi) Regional Cooperation policy;
- (vii) East African Community Affairs;
- (viii) National Security Intelligence.

### **MEMBERSHIP**

The Committee comprise the following Members of Parliament -

The Hon. Adan W. Keynan, MP – Chairperson  
The Hon. Benedict F. Gunda, MP – Vice Chairperson  
The Hon. Eugene L. Wamalwa, MP  
The Hon. Jeremiah N. Kioni, MP  
The Hon. Charles M. Kilonzo, MP  
The Hon. Peter E. O. Anyanga, MP  
The Hon. Wilson M. Litole, MP  
The Hon. George Nyamweya, MBS, MP  
The Hon. Hussein Mohamed Ali, MP  
The Hon. Martin Ogindo, MP  
The Hon. Julius K. Kilonzo, MP

## 2. THE FAMILIARIZATION VISIT

Mr. Speaker,

The Committee undertook a visit to the Kenya Mission to the United Nations Offices in Nairobi (UNON) on 16<sup>th</sup> November, 2010. The Kenya Mission to UNON is located in Gigiri area of Nairobi. The purpose of the visit was to familiarize the Committee with the work and role of the Mission.

The Government set up a fully fledged multilateral Mission out of the realization of the importance of the political, diplomatic and multilateral developments as a result of the presence of the United Nations Offices in Nairobi comprising of UN HABITAT, UNEP and UNON. The Mission provides the necessary political and bureaucratic backstopping of the work done by the Kenya based Missions. The Mission has triple accreditation functions to UN HABITAT, UNEP and UNON.

The following Members of the Committee undertook the visit:-

- (i) The Hon. Adan W. Keynan, MP – **Leader of Delegation**
- (ii) The Hon. Wilson Litole, MP
- (iii) The Hon. Eugene Wamalwa, MP
- (iv) The Hon. Jeremiah Kioni, MP

From the visit to the Kenya Mission to UNON, the Committee observed and recommends that:-

1. The Ministry of Foreign Affairs should strive to achieve equity in terms of service among Kenya Missions and particularly between domestic Missions and Missions abroad. To bring about equity among the mission, the staff of domestic Missions be accorded facilitation commensurate to the responsibilities they undertake in promoting Kenya's interests, protecting and projecting Kenya's image.
2. The Ministry of Foreign Affairs should adequately fund the Kenya Mission to UNON to enable it effectively perform its roles.

## *Departmental Committee on Defence and Foreign Relations*

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3. The Ministry should allow the Mission to open and operate independent bank accounts so that it can manage its finances as allocated in the Budget.
4. The Ministry of Foreign Affairs should ensure that the Kenya Mission to UNON is fully staffed with personnel who have relevant skills and competences to as to perform effectively.
5. The Government of the Republic of Kenya should capitalise on the presence of the United Nations Offices in Nairobi to spur economic growth.
6. The Ministry of Foreign Affairs should develop Domestic Missions service regulations specific to Kenya Missions located in Nairobi. This will enhance equity between Missions in line with international practice.

These recommendations form part of the recommendations contained in other parts of this Report.

### **3. ACKNOWLEDGEMENT**

**Mr. Speaker,**

I wish to express my appreciation to Members of the delegation who sacrificed time from their families and constituents to undertake the familiarisation visit. The delegation is grateful to the Speaker for allowing the Committee to undertake the visit and to the office of the Clerk, for facilitating and providing technical support during the visit.

The Committee is grateful to the Ministry of Foreign Affairs and in particular Kenya Mission to UNON for their facilitation of the study visit.

The decisions of the Committee on this report were arrived at after extensive deliberations and were unanimous.

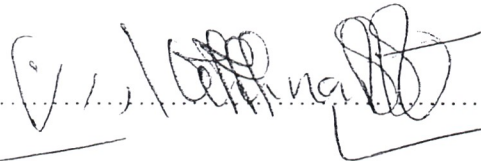
*Departmental Committee on Defence and Foreign Relations*

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Mr. Speaker,

It is my pleasant duty and privilege, on behalf of the Departmental Committee on Defence and Foreign Relations to table this report and commend it to the House for adoption pursuant to provisions of the National Assembly Standing Order 181.

Signed: .....



**THE HON. ADAN W. KEYNAN, MP  
CHAIRPERSON,  
DEPARTMENTAL COMMITTEE ON DEFENCE AND FOREIGN  
RELATIONS**

Date: .....

27/4/2011

**4.0 VISIT TO KENYA MISSION TO UNITED NATIONS OFFICES IN NAIROBI (UNON)**

**4.1 COURTESY CALL ON THE KENYA AMBASSADOR TO UNON**

The delegation paid a courtesy call to Kenya Ambassador to UNON Amb. Macharia Kamau. The Ambassador welcomed the delegation and thanked the Committee for visiting the Mission. The delegation was briefed on the operations of the Embassy.

**4.2 MEETING WITH STAFF AT THE KENYA MISSION TO UNON**

The Committee was briefed as follows:-

The Mission was established in January 2009. Three Missions (Kenya Mission to UN Habitat, Kenya Mission to UNEP and Kenya Mission to UNON) were combined to one so as to cut on costs. This has resulted in savings of KES 33 Million.

The Committee was briefed on the Core Values, Mission and Mandate of the Mission which is to perform diplomatic and representational and multilateral duties on behalf of the Government of Kenya with the secretaries of UNON, UNEP, UN-Habitat as well as Diplomatic Embassies and missions accredited to these secretariats and other International Organizations accredited to UNON with the aim of promoting environmental governance and human settlement.

**(i) Duties of UNON desk**

- UNON being the only UN Headquarters in Africa and among the developing countries, the mission facilitates the work of UNON in Nairobi.
- Attends to the locational needs of the UNON campus including infrastructure, security, and political backstopping in Nairobi, Geneva and New York.
- Serve as rapporteur for Ministry of Foreign Affairs within the African Diplomatic Corps (ADC).
- Serve as a liaison for Government of Kenya with UNON.



## *Departmental Committee on Defence and Foreign Relations*

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- Provide hosting support for UN missions to Kenya and related logistical backstopping.

### **(ii) Duties of UNEP desk**

- Facilitate lead ministries within government that work directly with the environment and UNEP.
- Work directly with UNEP secretariat through the Committee of Permanent Representatives (CPR) and other subsidiary bodies and committees.
- Participate in UN General Assembly (UNGA) on matters related to UNEP.
- Avails special dedicative support to UNEP.
- Provides technical backstopping in negotiations where technical ministry is not represented.

### **(iii) Duties of UN-HABITAT**

- Facilitates lead agencies within Government that work with the human settlement and UN-HABITAT.
- Participate in UN General Assembly meetings on matters related to UN HABITAT
- Liaise with the secretariat of UN HABITAT in the preparation and chairing of the CPR and subcommittee meetings and planning and organizing the habitat governing council and World Urban Forum.

## **Challenges**

- Need to capitalize on the fact that UNON, UNEP, and UN-HABITAT are the only UN Headquarters situated in Africa and in the developing world.
- Understaffing and need for competent and qualified personnel.
- Insufficient budgetary provisions.

**5.0 COMMITTEE OBSERVATIONS**

The Committee made the following observations:-

- (i) The Kenya Mission to UNON is understaffed considering the tasks that it is expected to perform.
- (ii) The Kenya Mission to UNON is underfunded considering the role that it plays in representing the country at the U.N. Offices in Nairobi (UNEP, UN-HABITAT and UNON).
- (iii) The finances of the Mission are managed at the Ministry Headquarters, this hampers efficient and effective service delivery by the Mission.
- (iv) The Mission staff are treated like officers at the Ministry Headquarters and can be recalled to the Headquarters to perform other duties at any time thus affecting their performance at the Mission.
- (v) The merger of three Missions, KMUNON, UNEP and UN- HABITAT in the Financial Year 2009/2010 led to savings of Kshs. 33,760,438.

## 6.0 RECOMMENDATIONS

The Committee recommends that:-

1. The Ministry of Foreign Affairs should adequately fund the Kenya Mission to UNON to enable it effectively perform its functions.
2. The Ministry should allow the Mission to open and operate independent bank accounts so that it can manage its finances as allocated in the Budget.
3. The Ministry of Foreign Affairs should ensure that the Kenya Mission to UNON is fully staffed with personnel with relevant skills and competences so as to perform.
4. The Government of the Republic of Kenya should capitalise on the presence of the United Nations Offices in Nairobi to spur economic growth.
5. The Ministry of Foreign Affairs should develop Domestic Missions service regulations specific to Kenya Missions located in Nairobi. This will enhance equity between Missions in line with international practice.

MINUTES OF THE 91<sup>ST</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON DEFENCE AND FOREIGN RELATIONS HELD ON MONDAY, 18<sup>TH</sup> APRIL, 2011 IN COMMITTEE ROOM, 5<sup>TH</sup> FLOOR, PARLIAMENT BUILDINGS AT 2.00 P.M.

PRESENT

The Hon. Adan Keynan, MP - Chairperson  
The Hon. Benedict Gunda, MP - Vice Chair  
The Hon. George Omari Nyamweya, MBS, MP  
The Hon. Martin Ogindo, MP  
The Hon. Peter E. O. Anyanga, MP  
The Hon. Wilson Litole, MP  
The Hon. Kiema Kilonzo, MP

ABSENT WITH APOLOGY

The Hon. Hussein Mohamed Ali, MP  
The Hon. Charles Kilonzo, MP  
The Hon. Eugene Wamalwa, MP  
The Hon. Jeremiah Kioni, MP

IN ATTENDANCE: KENYA NATIONAL ASSEMBLY

Emejem Nicholas - Clerk Assistant II  
Salad Guyo - Clerk Assistant III  
Jackline Wairimu - Parliamentary Intern

MINISTRY FOR JUSTICE, NATIONAL COHESION AND CONSTITUTIONAL AFFAIRS

Hon. Mutula Kilonzo, EGH, MP - Minister  
Mr. Allan Meso - Senior State Counsel

PRELIMINARIES

Meeting started with a word of prayer and followed by brief introductions.

MINUTE NO. 376/2011: CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

Minutes of previous sittings were confirmed as follows.-

- Minutes of the 57<sup>th</sup> sitting - proposed and seconded by Hons. George Omari Nyamweya, MP and Benedict Gunda, MP respectively.
- Minutes of the 58<sup>th</sup> sitting - proposed and seconded by Hons. Benedict Gunda, MP and George Omari Nyamweya, MP respectively.

- Minutes of the 82<sup>nd</sup> sitting - proposed and seconded by Hons. Benedict Gunda, MP and George Omari Nyamweya, MP respectively
- Minutes of the 83<sup>rd</sup> sitting - proposed and seconded by Hons. George Omari Nyamweya, MP and Benedict Gunda, MP respectively
- Minutes of the 84<sup>th</sup> sitting - proposed and seconded by Hons. Peter E. O. Anyanga, MP and Benedict Gunda, MP respectively
- Minutes of the 85<sup>th</sup> sitting - proposed and seconded by Hons. George Omari Nyamweya, MP and Benedict Gunda, MP respectively.
- Minutes of the 86<sup>th</sup> sitting - proposed and seconded by Hons. Peter E. O. Anyanga, MP and George Omari Nyamweya, MP respectively.
- Minutes of the 87<sup>th</sup> sitting - proposed and seconded by Hons. George Omari Nyamweya, MP and Peter E. O. Anyanga, MP respectively.
- Minutes of the 88<sup>th</sup> sitting - proposed and seconded by Hons. George Omari Nyamweya, MP and Benedict Gunda, MP respectively.

Confirmation of Minutes of the 59<sup>th</sup>, 65<sup>th</sup> and 70<sup>th</sup> sittings was postponed to the next meeting.

#### MINUTE NO. 377/2011: MATTERS ARISING

##### Study Visit to United States Congress

The Chairperson informed the Committee that the State University of New York and the United States Congress were willing to sponsor the Committee for a capacity building visit in the US Congress. The Chairperson undertook to revisit the matter with SUNY Kenya with the aim of fasttracking the study visit

##### Kenya Turkish Friendship group

Members raised concern that the Kenya Turkish friendship group was dormant in spite the fact that it had been established. The members resolved to revitalize the friendship groups. The members further underlined the importance of establishing a fully fledged diplomatic Mission in Turkey due to the economic gains that will be realized.

##### Inspection of modernization programmes

The Committee directed that the inspection visit to military modernization programmes be expedited. The Committee resolved that the inspections should include the following projects:-

- (i) Air Force – inspect the 15 Fighter Jets purchased from Jordan

- (vii) He was surprised by the arrest and deportation of Kenya National Human Rights Commissioner, Mr Hassan Omar, by Ugandan authorities while on a mission to visit Kenyans detained in Uganda
- (viii) The Kenyans arrested and detained in Uganda can seek legal redress through the East African Court of Justice.

#### MINUTE. NO. 380/2011: ADOPTION OF REPORTS

The Committee adopted the following reports:-

- (i) Report on the disqualification of Ms. Gladys Jepkechei Tarus from Military training.
- (ii) Report on the familiarization visit to Kenya Embassy to Somalia.
- (iii) Report on the familiarization visit to Kenya Mission to United Nations Offices in Nairobi (UNON).
- (iv) Report on Diplomatic Appointments

#### MINUTE NO: 381/2011: ANY OTHER BUSINESS

##### Diplomatic passports

The Committee deliberated on the matter of issuance of diplomatic passports to members of the Committee. The members noted that the in other democracies members of the foreign relations committee are issued with diplomatic passports to facilitate and ease their performance of duties while overseeing Diplomatic Missions abroad.

The Committee resolved that the Chair takes up the matter with the Secretary to the Cabinet requesting that the members of the Committee be issued with diplomatic passports.

##### Delegations to international trips

The Hon. Kiema Kilonzo, MP expressed concern that the delegation that travelled to South Africa and Brazil did not reflect political party and regional interests. The Chairperson informed the Committee that the delegation was nominated on the basis of attendance and that some of the members originally nominated opted out due to party and Constituency engagements. They were thus replaced with those who undertook the visit as follows:-

- (i) The Hon. Charles Kilonzo, MP was replaced by the Hon. Peter E.O. Anyanga, MP
- (ii) The Hon. George O. Nyamweya, MP was replaced by Hon. Martin Ogindo, MP.

The Committee deliberated further on the matter and resolved that nomination for foreign travel will be determined by:-

- (i) Attendance

MINUTES OF THE 65<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON DEFENCE AND FOREIGN RELATIONS HELD ON TUESDAY, 16<sup>TH</sup> NOVEMBER, 2010 IN CONFERENCE ROOM, KENYA MISSION TO THE UNITED NATIONS OFFICES IN NAIROBI AT 11.30 AM.

PRESENT

The Hon. Adan Keynan, M.P. – Chairperson  
The Hon. Eugene Wamalwa, M.P.  
The Hon. Jeremiah Ngayu Kioni, M.P.  
The Hon. Wilson Mwotiny Litole, M.P.

ABSENT WITH APOLOGY

The Hon. Benedict Fondo Gunda, M.P. – Vice Chairperson  
The Hon. Charles Kilonzo, M.P.  
The Hon. George Nyamweya, MBS, M.P.  
The Hon. Peter Edick O. Anyanga, M.P.

IN ATTENDANCE : NATIONAL ASSEMBLY

Mr. Nicholas Emejen – Second Clerk Assistant

KENYA MISSION TO UNITED NATIONS OFFICES IN NAIROBI (UNON)

Amb. Macharia – Kenya representative to UNON  
Mrs. Yvonne Khamati Kilonzo – Deputy Ambassador  
Mr. Guyo – Political Officer

PRELIMINARIES

The Chairperson called the meeting to order, and thereafter the meeting started with a word of prayer.

MINUTE NO. 274/2010: CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

Confirmation of Minutes of previous sittings was postponed to the next sitting.

MINUTE NO. 275 /2010: BRIEFING BY THE AMBASSADOR

The Mission was established in January 2009. Three missions (Kenya Mission to UN Habitat, Kenya Mission to UNEP and Kenya Mission to UNON) were combined to one so as to cut on costs. This has resulted in savings of Kshs. 33 million.

The Committee was briefed on the Core Values, mission and Mandate of the Mission which is to perform diplomatic, representational and multilateral duties on behalf of the Government of Kenya with the secretaries of UNON, UNEP, UNHABITAT as well as diplomatic Embassies and Missions accredited to these secretariats and other international organizations accredited to UNON with the aim of promoting environmental governance and human settlement.

The Committee was briefed on the duties/roles of the various desks at the Mission as follows:-

(i) Duties of UNON desk

- UNON being the only UN Headquarters in Africa and among the developing countries, the mission facilitates the work of UNON in Nairobi.
- Attends to the locational needs of the UNON campus including infrastructure, security, and political backstopping in Nairobi, Geneva and New York.
- Serve as rapporteur for Ministry of Foreign Affairs within the African Diplomatic Corps (ADC).
- Serve as a liaison for Government of Kenya with UNON.
- Provide hosting support for UN missions to Kenya and related logistical backstopping.

(ii) Duties of UNEP desk

- Facilitate lead ministries within government that work directly with the environment and UNEP.
- Work directly with UNEP secretariat through the Committee of Permanent Representatives (CPR) and other subsidiary bodies and committees.
- Participate in UN General Assembly (UNGA) on matters related to UNEP.
- Avails special dedicative support to UNEP.
- Provides technical backstopping in negotiations where technical Ministry is not represented.

(iii) Duties of UNHABITAT

- Facilitates lead agencies within Government that work with the human settlement and UN-HABITAT.
- Participate in UN General Assembly meetings on matters related to UN HABITAT.
- Liaise with the secretariat of UN HABITAT in the preparation and chairing of the CPR and subcommittee meetings and planning and organizing the habitat governing council and World Urban Forum.

## Challenges

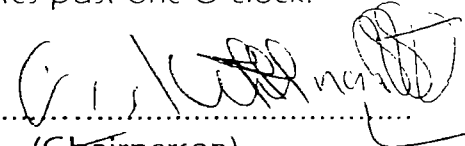
- Need to capitalize on the fact that UNON, UNEP, and UN HABITAT as the only UN Headquarters location in Africa and in developing world.



- Understaffing and need for competent and qualified personnel.
- Insufficient budgetary provisions

MINUTE NO. 276 /2010: ADJOURNMENT

There being no other business for consideration the meeting was adjourned at Ten Minutes past one O'clock.

Sign:  Date: 18/4/2011  
(Chairperson)