



*Approved for tabling
SNA
7/12/23*

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY


THIRTEENTH PARLIAMENT - SECOND SESSION - 2023

DEFENCE, INTELLIGENCE AND FOREIGN RELATIONS COMMITTEE

REPORT OF THE JOINT DELEGATION FROM DEFENCE, INTELLIGENCE AND FOREIGN RELATIONS COMMITTEE, DIASPORA AFFAIRS AND MIGRANT WORKERS AND DELEGATED LEGISLATION COMMITTEES

ON THEIR PARTICIPATION IN THE ONE VOICE CONSORTIUM (OVC) TRADE AND INVESTMENT EXPO IN WASHINGTON DC, USA FROM MAY 2-11, 2023

Clerks Chambers
Parliament buildings
NAIROBI

 THE NATIONAL ASSEMBLY	
P. _____	
DATE: 07 DEC 2023	
O.V. <i>Thwsky</i>	
TABLED BY:	<i>Hon. Thuku Kwenya MP Member</i>
CLERK-AT THE-TABLE:	<i>A-Shibuko</i>

December, 2023

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ABBREVIATIONS

AGOA	African Growth and Opportunity Act
COMESA	Common Market for Eastern and Southern Africa
DC	District of Columbia
EBS	Elder of the Burning Spear
EGH	Elder of the Golden Heart
GDDF	Global Diaspora One Voice Consortium
HE	His Excellency
MP	Member of Parliament
OVC	One Voice Consortium
SMEs	Small and Medium Enterprises
USA	United States of America

CHAIRPERSON'S FOREWORD

This Report covers the outcome of the interactions between a Delegation from the National Assembly and Kenyans living in the Diaspora (United States of America) during the One Voice Consortium (OVC) Trade and Investment Expo held in Washington DC, United States of America (USA). The Delegation comprised Membership from the Departmental Committee on Defence, Intelligence and Foreign Relations, Committee on Diaspora Affairs and Migrant Workers, and Committee on Delegated Legislation

The delegation had been invited to participate in the event through the State Department for Diaspora Affairs. The delegation had an opportunity to hold insightful deliberations with the officials at the Kenyan Embassy in Washington DC led by H.E. Amb. Lazarus Amayo on the trade balance investment opportunities between the two countries and the challenges of the Kenyan Diaspora in the United States.

The OVC Diaspora Expo was themed "*Investor and trade bridging opportunities between US and East & Central Africa*". The aim of the Expo was to provide an opportunity for various companies, from the Eastern African region, diaspora communities, exporters and importers from the USA including Diaspora OVC members to showcase and advance trade, exporting growth of various Agri- products, and other value chain goods in the US markets and beyond. The forum was structured as a marketplace of ideas, products, and services. Most importantly, it provided a forum to exchange ideas to connect the diaspora community member involved in economic development.

Through interactions with the various participants at the Expo, the delegation noted that the United States of America is one of the largest importers from Kenya in terms of agricultural produce, mainly tea, coffee and other products from Kenya that have impacted diaspora investment. This forum thus, granted an opportunity for the participating Members of Parliament in collaboration with invited attendees from County Governments to explore how they can connect farmers and other investors with markets in the United States.

This event was also crucial not only in helping the participating legislators to meet and explore collaborations with future investors/businesses, but also in granting them exposure to learn about international standardization of agricultural produce for export purposes, and the necessary legislative interventions they may need to undertake to enhance marketability of Kenyan products in the United States, as well as all other sectors in the global market

The delegation having engaged with Kenyans living in various states across the United States noted that Kenyans in the diaspora are eager to participate more actively in supporting the government effort in increasing trade and investment opportunities for Kenyan and American firms, as well as in rolling out some of programs in, real estate development and healthcare. Kenyans living their United States also expressed their interest to enhance collaboration and create linkages between companies in the two countries in agriculture and healthcare initiatives.

The Committee is thankful to the Office of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to the delegation.

Pursuant to the Standing Order 199, it is my pleasant duty to present the report of the joint delegation from the Diaspora Affairs and Migrant Workers Committee, the Departmental

Committee on Defence, Intelligence and Foreign Relations, and Committee on Delegated Legislation on their participation in the mobile consular service exercise held in the United States of America.

Hon. Nelson Koech, MP

Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations

1.0 PREFACE

1.1 Mandate

1. The Departmental Committees on Defence, Intelligence and Foreign Relations is established pursuant to the provisions of Standing Order 216 (4) and (5) and mandated to *inter alia* study the programme and policy objectives of ministries and departments and the effectiveness of the implementation and effectiveness of the implementation. The Second Schedule of the Standing Orders assigns the Committees the subjects they are mandated to consider which include among others; Defence, Intelligence, foreign relations, diplomatic and consular services, international boundaries and veteran affairs.
2. The Diaspora Affairs and Migrant Workers Committee is established pursuant to Standing Order 208B and is mandated to among others consider all matters directly relating to policies and programs for the protection of the rights and welfare of Kenyans in the diaspora, including Kenyan nationals with dual citizenship, Kenyan migrant workers and their families abroad and Kenyans undertaking studies overseas.
3. The Committee on Delegated Legislation is established under Standing Order 210 and is mandated to consider and scrutinize statutory instruments submitted to Parliament to ensure conformity with the Constitution, the Statutory Instruments Act (No. 23 of 2013), the Act under which they are made, or other relevant written laws.

1.2 Committee Membership

4. The Committees were constituted by the House on 27th October, 2022 after the General Election pursuant to Standing Orders 177. The National Assembly was represented in the Global One Voice Consortium Conference/Expo by three Committees. The Committee on Diaspora Affairs and Migrant Workers and the Departmental Committee on Defence, Intelligence and Foreign Relations each has a membership of 15 Members. The Committee on Delegated Legislation has a membership of 21 Members.
5. The Committees are supported by a Secretariat in execution of their diverse mandates as stipulated in the National Assembly's Standing Orders.

2.0 INTRODUCTION

2.1 Background

6. The Global Diaspora One Voice Consortium is an umbrella organization bringing together various entities in the Kenyan diaspora-based institutions and entities to “speak and act in one voice” on matters cross-cutting for all these organizations. The main aim of the organization is to uplift and improve livelihoods of its 120 members in the USA and over 150,000 members across the world.
7. Diaspora OVC member organizations are categorized into several sectors such as Education, Socio-Economics sub- sectors {Agriculture, Real Estate, Banking, Finance, Trade, Technology, Innovation, SMEs}, Governance, Gender and Youth Empowerment, Culture {Arts and Sports}, International Affairs, etc.
8. The Consortium has an Executive Leadership Board, Advisory Board, Sector Leaders, convenors and Co-Chairs of various Committees. The Organization is affiliated with many organizations such as Africa Diaspora Development Institute, PLO Lumumba Foundation, African-Caribbean Business Council, Global Standards Certification Group among others.
9. To achieve its objectives, the Global OVC organized a conference and Expo on 3rd to 10th May, 2023 in Washington DC in a bid to connect Kenyans businesses and diaspora communities. It is against this background the Global OVC invited the State Department for Diaspora and Migrant Workers Affairs, representation from the National Assembly, the Senate and the County Assemblies to the Conference/Trade Expo support Kenyan businesses and market opportunities through policy and regulatory framework.

2.2 Objectives of the Visit

10. The following were the objectives of the visit :
 - i. To grant exposure to the Members of the Delegation on the investment and business opportunities both for Kenyans living in the Diaspora and for American businessmen working with Kenyans living in America as well as for local traders;
 - ii. To showcase and advance trade opportunities, export growth of various Agri-products, and other value chain goods in the US markets and beyond;
 - iii. To exchange ideas and to connect with the diaspora community members involved in economic development;
 - iv. To engage with the Kenyans living in the diaspora on their welfare;
 - v. To identify areas that requires policy and legislative interventions and makes recommendations on the same.

2.3 Delegation

11. The delegation participated in the Global Diaspora One Voice Consortium (GDDF-OVC) Expo and informally held engagements with Kenyans living in the Diaspora between 3rd to 10th May, 2023 through the facilitation of the Kenyan Embassy in Washington DC led

by H.E. Amb. Lazarus Amayo and the Consul General, Kenyan Consulate in Los Angeles, Mr. Thomas Kwaka.

12. The Delegation comprised of the following Members: -

Departmental Committee on Defence, Intelligence and Foreign Relations

- 1) The Hon. Martha Wangari, M.P –Head of Delegation/ First Chairperson of Committees
- 2) The Hon. Odhiambo Millie Grace Akoth, MP- Member & Deputy Head of Delegation
- 3) The Hon. Elijah Memusi Kanchory, MP- Member
- 4) The Hon. Kwenya Thuku, MP- Member

Committee on Delegated Legislation:

- 1) The Hon. Robert Gichimu Githinji M.P – Member and Committee Vice Chair
- 2) The Hon. Julius Lekakeny Ole Sunkuli, EGH, EBS, MP-Member

Committee on Diaspora Affairs and Migrant Workers

- 1) The Hon. Ruweida Mohamed Obo, MP- Member
- 2) The Hon. Justice Kipsang Kimei, MP- Member
- 3) The Hon. Bedzimba Rashid Juma, MP- Member
- 4) The Hon. Phelix Odiwour Kodhe, MP – Member

13. The delegation was accompanied by the following staff/Delegation Secretaries: -

- 1) Ms. Esther Nginyo - Clerk Assistant I
- 2) Ms. Mary Luka Lemerelle- Clerk Assistant I
- 3) Mr. James M. Macharia – Media Relations Officer I

3.0 DELEGATION ENGAGEMENTS

3.1 Global Diaspora One Voice Consortium

14. The delegation participated in various panel discussions of the Global Diaspora One Voice Consortium (GDDF-OVC) Expo as resource persons. The Delegation participated in a panel on Bridging Business Opportunities in Africa, USA and Globally in which they addressed matters on value addition on Agri-products, creating linkages through policy and regulatory framework for business opportunities, and job creation.
15. The event was also addressed by Mr. Bennet Harman, who represented the Office of the US Trade Representative for Africa. He underscored the importance of the diaspora community in supporting trade between the two countries through sustainable partnerships. He emphasized on the importance of Africa as being the largest global market.
16. Noting the role that AGOA has served in attracting business opportunities, and supporting women in SMEs in Sub-Saharan African Countries, it has created thousands of jobs in the region. The AGOA eligibility criteria is anchored on democratic governance and respect for human rights in the Sub-Saharan Africa. He reiterated on the US commitment to the US/Kenya Strategic Trade Initiatives that Kenya was engaged in and called on the diaspora community's voice to be heard during the negotiations.
17. The event was addressed by Amb. Anne Njogu representing the State Department for Diaspora and Migrant Workers Affairs. She emphasized on the Government's commitment in supporting the diaspora community through the creation of the State Department for Diaspora and Migrant Workers Affair that is dedicated to address the community's welfare.
18. The Delegation had an immersive participation during the four-day thought-provoking and well-initiated multinational engagement that sought to bring together political and business leaders from the Eastern Africa Region with an aim of enhancing cohesion and development within the region and the diaspora.
19. During the opening session of the Global Diaspora One Voice Consortium (GDDF-OVC) forum, the legislators underscored the need for regular engagement with market leaders across sectors in the United States, so they can influence policy making and make it conducive for the diaspora to have an impact on the economic development of the country.
20. The Delegation also invited the diaspora community to contribute to policy formulation through public engagements organised by Parliament so as to include their views during policy formulation. This is to ensure that any challenges and concerns that the Diaspora Community faces are addressed through policy perspective.
21. Various trading opportunities were identified that could be of mutual benefits to both Kenya and the US. With the advent of devolution, the Diaspora community sought for cooperation with the leadership to foster economic growth through inclusive participation and seizing the available opportunities to benefit the communities back at home. The Consortium was invited to organize Kenyans in the diaspora who would be willing to connect with the leadership for a structured Kenya's economic development from the Diaspora.

22. The panelists identified security challenges in Kenya as a hindrance to the diaspora community investing heavily back at home. However, the Delegation apprised the Diaspora Community on the measures that the Government was taking to enhance the safety and security of Kenyans. It further emphasized on the need to for a concerted effort between the Executive, Judiciary and Legislature to ensure that security matters are taken seriously.
23. The Delegation also informed Kenyans living in the US that the Government had established a fully-fledged State Department for Diaspora and Migrant workers Affairs. In addition, the National Assembly, through the Standing Orders established the Committee on Diaspora Affairs and Migrant Workers to among others, consider all matters directly relating to policies and programs for the protection of the rights and welfare of Kenyans in the diaspora;
24. The Members noted that as Parliament, their presence in the Expo was an effort towards promoting public participation in a move geared towards understanding the challenges that the diaspora communities face and generating ideas on how these challenges can be addressed through policy formulation and legislation. The Delegation observed that there is the need to identify trading opportunities while creating linkages for the betterment of Kenyans in the Diaspora and back at home.
25. Noting that there over three million Kenyans living in the diaspora with an annual remittance of over Kshs. 4 billion, out of which 60% comes from the United States of America, the delegation underscored the need to actively engage the diaspora community so as to promote their interests, and address any challenges they may be facing;
26. The delegation further observed that arising from earlier engagements, many laws including the Constitution of Kenya, Acts of Parliament such as the Children's Act, had been generated through exchange of best practices adopted through benchmarking with other jurisdictions. The diaspora community was encouraged to be active participants in the formulation of policies and laws in Kenya as Article 118 of the Constitution of Kenya has opened channels public participation. They were also encouraged to utilize avenues such as Public Petitions to parliament when seeking redress regarding issues of concern to the diaspora community;
27. The delegation expressed interest in discussing business opportunities in the country especially in the sugar-belt areas of Western Kenya and the Coast Region. They observed that the country imports sugar from the COMESA country to bridge the deficit. They noted that these opportunities would be areas that the diaspora communities could tap into as their contribution towards Kenya's economic growth and development.

3.2 Meeting with the OVC Leaders and the Kenyan Business Community, USA

28. The delegation also held engagements with the OVC Leadership, the Kenyan Community Leaders in Washington DC led by Robert W. Chiuri, the Founder Chair, Global Diaspora One Voice Consortium, Prof Ndiang'ui, a professor in the College of Education in Florida Gulf Coast University and Dr. Jacob Ongaki, also a University Professor in the USA among others;

29. The delegation appealed to the Kenyan Diaspora to take advantage of the Kenya Kwanza Government's goodwill towards the diaspora to tap into the numerous investment opportunities in the constituencies. The Members urged their constituents living abroad to come forward and engage with them through constructive partnership so to accelerate development in their home counties;
30. The delegation called on the Kenyan Business Community to accelerate engagement with legislators and other arms of government so they can influence policy making and make it conducive for the diaspora to have an impact on the economic development of the country;
31. The diaspora community urged the delegation to reach out to them for various programmes back in the country in which Kenyans would benefit. The community also urged the members to reach out to the executive to enhance security in the country so as to provide a conducive environment for investment and tourism. In conclusion, there was need for a concerted effort by the three arms of government to ensure that security matters were taken seriously and that each arm plays their respective roles for the betterment of security across the country and for all Kenyans.
32. Noting the level of unemployment in Kenya, and the opportunities available in the US, there was need for the Ministry of Foreign and Diaspora and Affairs to negotiate for the issuance of H2A/H2B Visas to the eligible youth in the country to tap into the job market in the USA.

3.3 Meeting with the Kenyan Ambassador in the United States of America

33. The delegation had an insightful engagement with the Kenyan Ambassador to the United States. The engagement was geared towards apprising the legislators on the trade balance between Kenya and the United States, the Status of the Trade Agreement between the two countries, investment opportunities and how the Kenyan Embassy facilitates the Kenyan Business Community and the Diaspora at large to invest back home. The following observations were made during the meeting:
 34. The delegation noted that though the AGOA Act provides over 6,000 job opportunities to African countries, information had led to under-utilization of these opportunities. They pointed out that as people's representatives, it was critical that they follow up on such information to ensure that these opportunities are seized by their constituents as employment opportunities and avenues for poverty eradication.
 35. The delegation observed that that there is a professional diversity in the diaspora which, with good coordination and good policies, would be tapped to work for the betterment of the country.
 36. Recognizing the challenges that the diaspora community faced while attempting to invest back at home, the Members noted that there was need to identify credible business/development partners so as to reduce the huge losses of money in attempt to invest locally
 37. The Members underscored the need to forge partnerships and cooperation with various, sporting, business, agricultural and livestock ventures and tap into the available labour market with Kenyans back at home. This synergy, with proper policies in place would bring about the much-desired partnership with the diaspora community for the betterment

of the country. There is however need to structure and develop partnerships that would create an impact to the larger community as the previous experience indicate that the current partnerships exist in a scattered manner.

4.0 FINDINGS FROM THE VISIT

38. From its interaction with Kenyans during the Expo and the side meetings, the delegation made the following observations-

- 1) Although business opportunities for developing countries in Africa like Kenya are abundant in the United States, the opportunities remain largely unexploited because of lack of information. The legislators expressed concerns that though some of the issues raised by the diaspora community in past forums had been addressed, the diaspora community had remained oblivious because of lack of feedback mechanisms. The delegation cited the recent rollout of the Mobile Consular Service Exercise by the Ministry of Foreign and diaspora Affairs which was as a result of previous engagements with the diaspora. The exercise did not cover some states like Utah and the Kenyans living there requested that the exercise be expanded to cover more states in future.
- 2) There is a large pool of resources from Kenyans in the Diaspora, not only in remittance but also skills transfer, creation of linkages with institutions back home, trade and investment opportunities etc. There is therefore need to strengthen the capacity of the Kenyan Embassies and consulates abroad through provision of adequate staff and resources to enable them tap into the existing opportunities.
- 3) That the government of Kenya should consider negotiating for a Bilateral Labour Agreements with the United States of America which is a potential labour market for Kenyans given that there are many opportunities, particularly in the healthcare sector and hospitality sectors.
- 4) The African Growth and Opportunity (AGOA) Act, provides over 6,000 opportunities for the African countries. However, there exists an information gap hence leading to under-utilization of these opportunities. It was critical to follow up on such information to advance causes for these opportunities to be seized by the constituents as employment opportunities for poverty eradication. The market exists for Kenyan products and produce like cashewnuts in the USA which is not exploited.
- 5) That although the government was quick to acknowledge the role remittances from the diaspora play in the growth in the economy, the diaspora remained largely excluded from the decision-making table. They noted that there is need to cut down on red tape so as to interest returnees who wish to participate in nation building.
- 6) That there were jurisdictions such as the Philippines, that had elaborate policies on the diaspora and migrant workers. They noted that Kenya requires to develop policies and legislative interventions that promote the welfare of the diaspora communities.
- 7) The diaspora community in the United States of America is willing to return back in the country to settle and invest. However, they find it difficult to settle back after many years abroad due to insecurity and also lack of information on safe investment opportunities. Further, the Kenyan diaspora is willing to collaborate to send supports inform of material donations and other charity items like books but they lack information on how to support and to facilitate the donations.
- 8) The current contributions of the USA diaspora to Kenya in terms of remittances are short of their full potential. They can contribute more with the right policies and

investment environment. For instance, during the expo, some Kenyans showed interest in investing in the sugar belt but there lacks a structured way of engaging them in such ventures.

5.0 COMMITTEE RECOMMENDATIONS

39. The delegation recommends as follows:

- 1) That the National Assembly facilitates regular engagements between Kenyans in the Diaspora and the Committees mandated to deal with matters relating to policies and programs for the protection of the rights and welfare of Kenyans in the diaspora to enhance their participation in the Kenyan economic growth and development and so as to make the necessary legislative interventions that will promote their welfare and uphold their rights;
- 2) That in light of the many employment opportunities in the United States especially in the healthcare sector, the government considers pursuing a bilateral labour agreement with the United States to pave way for job placements in the US;
- 3) That the government considers facilitating Kenyan Missions across the world to scale up their efforts in sharing information on the existing policies and opportunities for Kenyans living abroad and, in a bid, to promote inclusivity, considers avenues for enhanced public participation by the members of the diaspora community.
- 4) The State department for Diaspora Affairs should in collaboration with other stakeholders develop return and re integration programmes for returning workers and Kenyans living in the diaspora willing to settle back home. Such programs should factor in aspects like transferability of social security to safeguard the workers benefits.
- 5) The State Department for Diaspora Affairs should sensitize Kenyans locally and in the Diaspora on existing opportunities for example under the African Growth and Opportunities Act.
- 6) That the National Assembly fast-tracks the processing of legislation regarding the welfare of the Diaspora Community and Migrant Workers in a bid to provide a legal framework that protects their interest.

SIGNED:  DATE: 07/12/23

THE HON. NELSON KOECH, M.P.
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON DEFENCE,
INTELLIGENCE AND FOREIGN RELATIONS

Annexure 1:

**Signed list of Members who attended the sitting which considered
and adopted the Report**



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
13TH PARLIAMENT - SECOND SESSION - 2023
DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE, AND
FOREIGN RELATIONS.
REPORT ADOPTION LIST

**REPORT ON PARTICIPATION IN THE ONE VOICE CONSORTIUM (OVC)
TRADE AND INVESTMENT EXPO IN WASHINGTON DC, USA FROM 2ND TO
11TH MAY, 2023**

We, Members of the Departmental Committee on Defence, Intelligence, and Foreign Relations, have pursuant to Standing Order 199, adopted this Report and affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity today, **Saturday 25th November, 2023.**

	NAME	SIGNATURE
1.	The Hon. Koech Nelson, M.P. (Chairperson)	
2.	The Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P. (Vice Chairperson)	
3.	The Hon. Hassan Abdi Yusuf, M.P	
4.	The Hon. Wanjira Martha Wangari, M.P	
5.	The Hon. Odhiambo Millie Grace Akoth, MP	
6.	The Hon. Kanchory Elijah Memusi, MP	
7.	The Hon. (Dr.) Kasalu Irene Muthoni, M.P	
8.	The Hon. Kirima Moses Nguchine, M.P	
9.	The Hon. Kandie Joshua Chepyegon, M.P	
10.	The Hon. Kwenya Thuku Zachary, M.P	
11.	The Hon. Luyai Caleb Amisi, M.P	
12.	The Hon. Teresia Wanjiru Mwangi, M.P	
13.	The Hon. Logova Sloya Clement, M.P	
14.	The Hon. Ikana Fredrick Lusuli, M.P	
15.	The Hon. Mohamed Abdikadir Hussein, M.P	

Annexure 2:
Committee Minutes



**THE NATIONAL ASSEMBLY
13TH PARLIAMENT - SECOND SESSION - 2023
DIRECTORATE OF DEPARTMENTAL COMMITTEES**

**MINUTES OF THE 82ND SITTING OF THE DEPARTMENTAL COMMITTEE ON
DEFENCE, INTELLIGENCE, AND FOREIGN RELATIONS HELD ON SATURDAY
25TH NOVEMBER, 2023 AT 9.00 AM AT TRADEMARK HOTEL, KIAMBU COUNTY.**

PRESENT

1. **The Hon. Koech Nelson, M.P.** - Chairperson
2. The Hon. Kanchory Elijah Memusi, MP
3. The Hon. Kandie Joshua Chepyegon, M.P
4. The Hon. Kwenya Thuku Zachary, M.P
5. The Hon. Luyai Caleb Amisi, M.P
6. The Hon. Logova Sloya Clement, M.P
7. The Hon. Ikana Fredrick Lusuli, M.P
8. The Hon. Mohamed Abdikadir Hussein, M.P

APOLOGIES

1. **The Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P.** - Vice Chairperson
2. The Hon. Wanjira Martha Wangari, M.P
3. The Hon. Hassan Abdi Yusuf, M.P
4. The Hon. Odhiambo Millie Grace Akoth, MP
5. The Hon. Kirima Moses Nguchine, M.P
6. The Hon. Logova Sloya Clement, M.P
7. The Hon. Teresia Wanjiru Mwangi, M.P

IN ATTENDANCE

THE NATIONAL ASSEMBLY

1. Mr. Dennis Mogare Ogechi - Clerk Assistant I
2. Ms. Winfred Kambua Kilonzo - Clerk Assistant III
3. Ms. Judy Kanyoko - Legal Counsel II
4. Ms. Rhoda Muchori - Hansard Officer III
5. Ms. Bernice Mali - Intern

AGENDA

1. Preliminaries – Prayers, Adoption of the Agenda
2. Confirmation of minutes of previous meeting
3. **Consideration and Adoption of the following Reports:**
 - a) **A Report on an Inspection Visit to the Kenyan High Commission in Ottawa, Canada.**
 - b) **A Report on Participation in the One Voice Consortium (OVC) Trade and Investment Expo in Washington DC, USA.**

c) A Report on Budget Implementation Oversight for the Financial Year 2022/23 for the following entities: Ministry of Defence; State Department for Foreign Affairs; State Department for Diaspora Affairs; State Department for East African Community; and the National Intelligence Service.

4. Any Other Business

5. Adjournment/Date of the next Sitting

MIN.NO. DDC/DIFR/419/2023:

PRELIMINARIES

The meeting was called to order at 2:00 p.m. and a prayer was said. The Chairperson stated that the main agenda was consideration and adoption of the following Reports:

- a) A Report on an Inspection Visit to the Kenyan High Commission in Ottawa, Canada.
- b) A Report on Participation in the One Voice Consortium (OVC) Trade and Investment Expo in Washington DC, USA.
- c) A Report on Budget Implementation Oversight for the Financial Year 2022/23 for the following entities: Ministry of Defence; State Department for Foreign Affairs; State Department for Diaspora Affairs; State Department for East African Community; and the National Intelligence Service.

The agenda was unanimously adopted.

MIN.NO. DDC/DIFR/420/2023:

CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

Confirmation of the Minutes of the previous Sittings was deferred to the next sitting.

MIN.NO. DDC/DIFR/421/2023:

CONSIDERATION AND ADOPTION OF A REPORT ON AN INSPECTION VISIT TO THE KENYAN HIGH COMMISSION IN OTTAWA, CANADA.

The Report on an Inspection visit to the Kenya High Commission in Ottawa, Canada was adopted after being proposed by Hon. Hon. Ikana Fredrick Lusuli, M.P and seconded by Hon. Logova Sloya Clement, M.P.

It was adopted with the following recommendations:

- 1) The Ministry of Foreign and Diaspora Affairs in conjunction with the High Commission in Ottawa should work on budgetary requirements and ensure allocation of funds in the 2024/25 financial year to cater for maintenance of the two to avoid the need for major renovations in future.
- 2) Canada is the second-largest country in the world yet had only one High Commission in Ottawa and two Honorary Consuls. Further, there was only one Immigration Officer. In order to adequately serve the diaspora community, there, Ministry of Foreign and Diaspora Affairs should:
 - a) Establish additional Honorary Consuls in order to cater for Kenyans who are spread across Canada, beginning with Alberta where there were many Kenyans.
 - b) Work with the Directorate of Immigration Services to post at least two additional Immigration Officers to ease the work load.

- 3) The High Commission in Ottawa should collaborate with Kenyan Community Associations in Canada to establish a central database for the approximately 40,000 Kenyans living in Canada. Further, the Ministry of Foreign and Diaspora Affairs should collaborate with the Directorate of Immigration Services to establish modalities of capturing the data of Kenyans leaving the country destined for the diaspora and share it with the relevant diplomatic missions.
- 4) The Ministry of Foreign and Diaspora Affairs in conjunction with the National Transport and Safety Authority (NTSA) should work to ensure the NTSA starts issuing driving licenses that indicate the initial year of issuance of a driving license in order to enable Kenyans in the diaspora to benefit from their years of experience as drivers, an important aspect in the diaspora.
- 5) The State Department for Diaspora Affairs should operationalize a welfare kitty for Kenyans in the diaspora. This would help in catering for emergencies like deaths, deportation, and tickets back home for distress cases.
- 6) In order to improve the Mobile Consular Services Exercise, the State Department for Diaspora Affairs should ensure: timely disbursement of required funds to the relevant diplomatic missions; adequate notice is given to potential beneficiaries of the exercise; adequate planning and provision of adequate stations to offer the services in each location to avoid long queues, delays and fatigue to the officers offering the services.
- 7) The Ministry of Foreign and Diaspora Affairs in conjunction with the Independent Electoral and Boundaries Commission should device mechanisms to ensure the general elections in the diaspora are carried out on a weekend (non-working day) in order to capture as many Kenyans in the diaspora as possible.
- 8) The State Department for Diaspora Affairs should work closely with the State Department of Culture and Heritage and the State Department for Tourism in marketing the country abroad.
- 9) The Ministry of Foreign and Diaspora Affairs should work closely with the Kenya Investment Authority in establishing mechanisms to have safe investment vehicles in Kenya for the diaspora community. This will help them avoid swindlers who pose as investment advisors.

**MIN.NO. DDC/DIFR/422/2023: **CONSIDERATION AND ADOPTION OF A
REPORT ON PARTICIPATION IN THE ONE VOICE
CONSORTIUM (OVC)TRADE AND INVESTMENT
EXPO IN WASHINGTON DC, USA.****

The Report on participation in the One Voice Consortium (OVC) Trade and Investment Expo in Washington DC, USA was adopted after being proposed by Hon. Kwenya Thuku Zachary, M.P and seconded by Hon. Logova Sloya Clement, M.P.

It was adopted with the following recommendations:

- 1) That the National Assembly facilitates regular engagements between Kenyans in the Diaspora and the Committees mandated to deal with matters relating to policies and programs for the protection of the rights and welfare of Kenyans in the diaspora to enhance their participation in the Kenyan economic growth and development and so as to make the necessary legislative interventions that will promote their welfare and uphold their rights;
- 2) That in light of the many employment opportunities in the United States especially in the healthcare sector, the government considers pursuing a bilateral labour agreement with the United States to pave way for job placements in the US;
- 3) That the government considers facilitating Kenyan Missions across the world to scale up their efforts in sharing information on the existing policies and opportunities for Kenyans living

abroad and, in a bid, to promote inclusivity, considers avenues for enhanced public participation by the members of the diaspora community.

- 4) The State department for Diaspora Affairs should in collaboration with other stakeholders develop return and re integration programmes for returning workers and Kenyans living in the diaspora willing to settle back home. Such programs should factor in aspects like transferability of social security to safeguard the workers benefits.
- 5) The State Department for Diaspora Affairs should sensitize Kenyans locally and in the Diaspora on existing opportunities for example under the African Growth and Opportunities Act.
- 6) That the National Assembly fast-tracks the processing of legislation regarding the welfare of the Diaspora Community and Migrant Workers in a bid to provide a legal framework that protects their interest.

MIN.NO. DDC/DIFR/423/2023: **CONSIDERATION AND ADOPTION OF A REPORT ON BUDGET IMPLEMENTATION OVERSIGHT FOR THE FINANCIAL YEAR 2022/23 FOR THE MINISTRY OF DEFENCE; STATE DEPARTMENT FOR FOREIGN AFFAIRS; STATE DEPARTMENT FOR DIASPORA AFFAIRS; STATE DEPARTMENT FOR EAST AFRICAN COMMUNITY; AND THE NATIONAL INTELLIGENCE SERVICE.**

The Report on Budget Implementation Oversight for the Financial Year 2022/23 for the following entities: Ministry of Defence; State Department for Foreign Affairs; State Department for Diaspora Affairs; State Department for East African Community; and the National Intelligence Service was considered and adopted after being proposed by Hon. Ikana Fredrick Lusuli, M.P. and seconded by Hon. Logova Sloya Clement, M.P.

It was adopted with the following recommendations:

A. Ministry of Defence (MoD)

- 1) To appreciate the achievements made by the modernization programme (equipment and systems), the Ministry of Defence should provide to the Committee a status report, within 30 days from the date of adoption of this report by the House, detailing the equipment and systems bought/replaced and the projected needs in the medium term based on what needs to be bought/replaced. Within 30 days of receipt of the said report, the Committee will carry out an inspection exercise for the equipment and systems acquired via the modernization programme to ascertain their existence and condition and assess the value for the funds allocated towards this programme.
- 2) The Ministry of Defence should submit to the Committee a status report regarding the deployment of KDF to the DRC as part of the EACRF-DRC in November 2022 within 30 days from the date of adoption of this report by the House. The report should detail the expenditure incurred to date together with a justification regarding the continued stay of KDF in DRC for a longer period than anticipated because a further extension of six months lapsed in September 2023.
- 3) The Ministry of Defence should submit to the Committee a report detailing how it plans to strike a balance between the KDF's involvement in national projects and the discharge of its primary mandate within 30 days from the date of adoption of this report by the House.

4) The Ministry of Defence should submit to the Committee, within 30 days from the date of adoption of this report by the House, a report detailing the likely economic (resources required) and security implications of the ATMIS drawdown on Kenya and what measures it has in place to ensure the protection of life and property of Kenyans from Al Shabaab attacks that have been on the rise in the recent past.

B. State Department for Foreign Affairs (SDFA)

5) To properly manage the problem of high rental and leasing costs for Missions abroad, the State Department for Foreign Affairs should submit to the Committee, within 30 days from the date of adoption of this report by the House, a detailed asset acquisition plan (rent-to-own scheme) to ensure that in the long run it owns the properties.

6) For all the Missions abroad, the State Department for Foreign Affairs should submit a report to the Committee, within 30 days from the date of adoption of this report by the House, documenting all the properties owned (the report should indicate the following: *date of purchase, location, current estimated value of the property, usage of the property, i.e., office/residential, and condition of the property*).

C. State Department for Diaspora Affairs (SDDA)

7) The State Department for Diaspora Affairs should submit to the Committee, within 30 days from the date of adoption of this report by the House, a report showing the statistics of the Kenyan diaspora in the various countries and, for those not registered, the plans they have put in place to ensure they are registered for effective service delivery and assistance in case of an emergency requiring evacuation.

D. State Department for East African Community (SDEAC)

8) The State Department for East African Community to submit to the Committee, within 30 days from the date of adoption of this report by the House, detailing how inadequate funding has inhibited it from fully discharging its mandate, and how its budgetary allocation compares with the equivalent Ministries/State Department of the other EAC Partner States, and how EAC has benefited Kenya viz-vis its contribution to EAC in the last 3 financial years.


E. National Intelligence Service (NIS)

9) The NIS to submit a report to the Committee, within 30 days from the date of adoption of this report by the House, with a detailed breakdown of the expenditures of KES.1.35 billion, KES.5.9 billion and KES.3.9 billion for Operational Support Infrastructure Projects, Modernization (Surveillance, Equipment, and Systems), and Project Research and Development, respectively, and how the Agency had benefited from the three projects.

MIN.NO. DDC/DIFR/424/2023:

ADJOURNMENT

There being no other business, the meeting was adjourned at 2.25 p.m.

SIGNED:  DATE: 07/12/23

**THE HON. NELSON KOECH, M.P.
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE
AND FOREIGN RELATIONS**

- c) **A Report on Budget Implementation Oversight for the Financial Year 2022/23 for the following entities: Ministry of Defence; State Department for Foreign Affairs; State Department for Diaspora Affairs; State Department for East African Community; and the National Intelligence Service.**

4. Any Other Business

5. Adjournment/Date of the next Sitting

MIN.NO. DDC/DIFR/419/2023:

PRELIMINARIES

The meeting was called to order at 2:00 p.m. and a prayer was said. The Chairperson stated that the main agenda was consideration and adoption of the following Reports:

- a) A Report on an Inspection Visit to the Kenyan High Commission in Ottawa, Canada.
- b) A Report on Participation in the One Voice Consortium (OVC) Trade and Investment Expo in Washington DC, USA.
- c) A Report on Budget Implementation Oversight for the Financial Year 2022/23 for the following entities: Ministry of Defence; State Department for Foreign Affairs; State Department for Diaspora Affairs; State Department for East African Community; and the National Intelligence Service.

The agenda was unanimously adopted.

MIN.NO. DDC/DIFR/420/2023:

CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

Confirmation of the Minutes of the previous Sittings was deferred to the next sitting.

MIN.NO. DDC/DIFR/421/2023:

CONSIDERATION AND ADOPTION OF A REPORT ON AN INSPECTION VISIT TO THE KENYAN HIGH COMMISSION IN OTTAWA, CANADA.

The Report on an Inspection visit to the Kenya High Commission in Ottawa, Canada was adopted after being proposed by Hon. Hon. Ikana Fredrick Lusuli, M.P and seconded by Hon. Logova Sloya Clement, M.P.

It was adopted with the following recommendations:

- 1) The Ministry of Foreign and Diaspora Affairs in conjunction with the High Commission in Ottawa should work on budgetary requirements and ensure allocation of funds in the 2024/25 financial year to cater for maintenance of the two to avoid the need for major renovations in future.
- 2) Canada is the second-largest country in the world yet had only one High Commission in Ottawa and two Honorary Consuls. Further, there was only one Immigration Officer. In order to adequately serve the diaspora community, there, Ministry of Foreign and Diaspora Affairs should:
 - a) Establish additional Honorary Consuls in order to cater for Kenyans who are spread across Canada, beginning with Alberta where there were many Kenyans.
 - b) Work with the Directorate of Immigration Services to post at least two additional Immigration Officers to ease the work load.



**THE NATIONAL ASSEMBLY
13TH PARLIAMENT - SECOND SESSION - 2023
DIRECTORATE OF DEPARTMENTAL COMMITTEES**

**MINUTES OF THE 82ND SITTING OF THE DEPARTMENTAL COMMITTEE ON
DEFENCE, INTELLIGENCE, AND FOREIGN RELATIONS HELD ON SATURDAY
25TH NOVEMBER, 2023 AT 9.00 AM AT TRADEMARK HOTEL, KIAMBU COUNTY.**

PRESENT

1. **The Hon. Koech Nelson, M.P.** - Chairperson
2. The Hon. Kanchory Elijah Memusi, MP
3. The Hon. Kandie Joshua Chepyegon, M.P
4. The Hon. Kwenya Thuku Zachary, M.P
5. The Hon. Luyai Caleb Amisi, M.P
6. The Hon. Logova Sloya Clement, M.P
7. The Hon. Ikana Fredrick Lusuli, M.P
8. The Hon. Mohamed Abdikadir Hussein, M.P

APOLOGIES

1. **The Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P.** - Vice Chairperson
2. The Hon. Wanjira Martha Wangari, M.P
3. The Hon. Hassan Abdi Yusuf, M.P
4. The Hon. Odhiambo Millie Grace Akoth, MP
5. The Hon. Kirima Moses Nguchine, M.P
6. The Hon. Logova Sloya Clement, M.P
7. The Hon. Teresia Wanjiru Mwangi, M.P

IN ATTENDANCE

THE NATIONAL ASSEMBLY

1. Mr. Dennis Mogare Ogechi - Clerk Assistant I
2. Ms. Winfred Kambua Kilonzo - Clerk Assistant III
3. Ms. Judy Kanyoko - Legal Counsel II
4. Ms. Rhoda Muchori - Hansard Officer III
5. Ms. Bernice Mali - Intern

AGENDA

1. Preliminaries – Prayers, Adoption of the Agenda
2. Confirmation of minutes of previous meeting
3. **Consideration and Adoption of the following Reports:**
 - a) **A Report on an Inspection Visit to the Kenyan High Commission in Ottawa, Canada.**
 - b) **A Report on Participation in the One Voice Consortium (OVC) Trade and Investment Expo in Washington DC, USA.**