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**Maiden Scorecard for the 13<sup>th</sup> Parliament Shows Parliament's Priorities at odds with Citizens' Expectations**

**Nairobi, 8<sup>th</sup> August 2023:** Mzalendo Trust has today released the first Scorecard of the 13<sup>th</sup> Parliament.

Kenyans went to the polls on 9<sup>th</sup> August 2023, to elect amongst other positions, members of the 13<sup>th</sup> Parliament, with high expectations on the leadership to immediately address the high cost of living, the youth unemployment bulge and empowerment of lower-income businesses and earners. But has Parliament's agenda reflected these needs? An analysis of individual and institutional performance for the past year shows a mixed bag of outcomes.

The most active members of the National Assembly were **Dr. Makali Mulu** (Kitui Central), **Beatrice Elachi** (Dagoretti North), **James Nyikal** (Seme) and **Ken Chonga** (Kilifi South). Among the issues they raised were food security, drought and conservation of the environment. **15** Members of the National Assembly did not contribute on the floor of the House, some of whom have been highlighted in previous scorecards of the 12<sup>th</sup> Parliament as having not made a single contribution. They include **Oscar Sudi** (Kapseret), **George Aladwa** (Makadara) and **Samuel Arama** (Nakuru).

Members who are yet to make a maiden speech in the National Assembly include: **Ronald Karauri** (Kasarani), **Mohamed Soud** (Mvita), **Paul Chebor** (Rongai), **Ernest Kagesi** (Vihiga), **Joseph Iraya** (nominated), **Teresia Wanjiru** (nominated), **Elizabeth Kailemia** (Meru Woman Rep.) and **Muthoni Marubu** (Lamu Woman Rep.).

In the Senate, the top contributors were **Samson Cherargei** (Nandi), **Eddy Oketch** (Migori), **John Kinyua** (Laikipia) and **Mohamed Faki** (Mombasa). Some of the issues that they raised touched on land historical injustices, promotion of mental health and education for learners with disabilities.

During this period, key areas of concern among Kenyans were the high cost of living, high rate of unemployment, prolonged drought, insecurity, the Shakahola Massacre, cost of energy,

implementation of the Competency-Based Curriculum, public debt, sexual abuse in workplaces, welfare of migrant workers, state of healthcare and NHIF, food security, police brutality, climate concerns, state of mental health and land matters.

However, there were mixed reactions to Parliament's response to these issues, based on legislative outputs and members voting along party lines. In the consideration of legislative business, concerns were also raised over the significance of public participation. **According to Mzalendo Trust Executive Director, Caroline Gaita, "There has been a mismatch between citizens' expectations and Parliament's actions. Whereas citizens have invested heavily on public participation, the results have not been reflected in the most anticipated legislative proposals."**

For instance, despite public outcry on the high cost of living, members of the National Assembly did not heed to Kenyans' calls to reject certain punitive clauses of the Finance Bill, 2023. The exercise was marred by political chicanery and sharp partisan positions that obscured objectivity in debating the proposals of the Bill. In addition, the Senate voted down the Division of Revenue Bill 2023 that had proposed an additional allocation of KES 22 billion to counties.

The 2023 Parliamentary Scorecard which covers the period between 29<sup>th</sup> September 2022 to 30<sup>th</sup> June 2023 also shows that the two Houses considered a total of **66** Bills. An overview of the Bills passed indicates that the Houses' priority was on recurrent public finance legislation, a focus area of the Executive.

Other business considered by the National Assembly included: **191** Motions, **297** Questions, **59** Statements and **32** Petitions. In the Senate, **31** Bills were considered, with **2** originating from the National Assembly. The Bills that were passed into law from the Senate were the County Governments' Additional Allocation Bill, 2022, the Independent Electoral and Boundaries Commission (Amendment) Bill, 2022 and the Division of Revenue Bill, 2023. **61** motions were also filed at the Senate, **315** statements sought and **24** petitions filed.

In terms of members' contributions, a member of the National Assembly averagely spoke **10 times**, with a staggering **187 (68.14%)** members speaking less than that. Conversely, a Senator spoke an average of **41 times**, with only one Senator speaking less than 10 times. Unlike the National Assembly, all Senators also managed to contribute in plenary. This can be attributed

to the difference in numbers between the two Houses with the National Assembly (349 members) while 67 members sit in the Senate.

The most active counties in Parliament were **Nandi County** with (7.8%), **Nairobi County** with (6.0%), **Kisumu County** (4.8%), **Laikipia County** (3.9%) and **Bungoma County** (3.9%). On the other hand, the least active counties were **Tana River County** (0.30%), **Tharaka Nithi County** (0.30%), **Vihiga County** (0.50%), **Nyandarua County** (0.60%), **Samburu County** (0.70%) and **Garissa County** (0.70%).

Heading into the second year of this Parliament, Kenyans can anticipate a raft of constitutional amendments to give effect to the proposals contained in the Presidential memo dated 9th December 2022 which included: the implementation of the two-thirds gender rule, entrenchment of the National Government Constituency Development Fund (NG-CDF), National Government Affirmative Action Fund (NGAAF) and Senate Oversight Fund together with the establishment of the Office of the Leader of Official Opposition. As it stands, Parliament has already amended the Standing Orders to allow Cabinet Secretaries to appear before the Houses while the remaining proposals are yet to be effected.

The 13<sup>th</sup> Parliament's legislative agenda should reflect the expectations of Kenyans. **"This can be done by entrenching public participation, and ensuring it is not a mere procedural technicality," says Ms Gaita.**

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Mzalendo ([www.mzalendo.com](http://www.mzalendo.com)) Kenya's Premier Parliamentary Monitoring Organization has been releasing the scorecard since 2014. The scorecard is based on every member's (National Assembly and Senate) contribution as captured by the Hansard and is aimed at increasing legislative transparency while providing citizens with an opportunity for public participation and ensuring responsiveness and accountability from their representatives. The report recognizes the official role played by the leaders of Majority and Minority, Whips as well as members of the Speaker's Panel does not include their data in the report.

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