REPUBLIC OF KENYA

COUNTY GOVERNMENT OF GARISSA

GARISSA COUNTY ASSEMBLY

Third County Assembly **Fifth Session**
(NO.018) **(038)**

THIRD COUNTY ASSEMBLY – (FIFTH SESSION)

ORDER OF THE DAY

TUESDAY 5th MAY, 2026 AT 9.30 AM

ORDER OF BUSINESS

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of motion
7. Questions and **Statements** *

(STATEMENT SOUGHT FROM THE CHAIR COMMITTEE ON COUNTY AFFAIRS, PUBLIC SERVICE AND INTERGOVERNMENTAL RELATIONS)

Honourable Speaker, I rise pursuant to the Standing Orders 47 (2), (C), to make a Statement on a matter of urgent public importance, and to seek the intervention of the Chairperson of the Committee on County Affairs, Public Service and Intergovernmental Relations regarding the recent fatal shooting of a taxi driver by the name Aden Mohamed Hassan Omane in Modika area within Garissa County—an incident that has elicited grave public concern and calls for accountability.

Honourable Speaker, The Constitution of Kenya, 2010, firmly guarantees the sanctity of human life. Article 26(1) provides that "every person has the right to life," while Article 26(3) limits deprivation of life strictly to instances authorised by law.

……/7(cont'd)*

The circumstances under which this life was lost raise fundamental concerns as to whether the actions taken were consistent with the Constitution and established legal standards governing the use of force.

Further, Article 29 guarantees every person the right to freedom and security of the person, including the right not to be subjected to any form of violence from either public or private sources. These provisions impose a solemn obligation upon all State organs, particularly security agencies, to uphold and protect human dignity at all times.

Honourable Speaker, The National Police Service is bound by Article 244(c) of the Constitution to "comply with constitutional standards of human rights and fundamental freedoms." Any deviation from these standards calls for immediate scrutiny and appropriate remedial action within the framework of the law.

Honourable Speaker, while security remains a function of the National Government under the Fourth Schedule, this matter squarely invokes the framework of intergovernmental relations as provided under Article 189 of the Constitution, which obligates governments at both levels to "cooperate and assist, support and consult each other" in the exercise of their respective functions and powers.

In furtherance of this constitutional imperative, the Intergovernmental Relations Act, 2012 establishes mechanisms for consultation, coordination, and dispute resolution between the two levels of government. In particular:

Section 4(a) of the Act affirms that governments shall "respect the functional and institutional integrity of each level of government";

Section 4(c) obligates them to "provide assistance, support and consult with each other";

Section 5(2) requires that intergovernmental relations be conducted on the basis of consultation and cooperation; and

Section 7(1) establishes structured forums for engagement between the National and County Governments on matters of mutual concern.

Honourable Speaker, it is within this legal and constitutional context that the Committee on County Affairs, Public Service and Intergovernmental Relations is best placed to facilitate structured engagement with relevant National Government security agencies and oversight institutions, including the Independent Policing Oversight Authority, to ensure that this matter is addressed comprehensively.

……/7(cont'd)*

Honourable Speaker, I therefore request the Chairperson of the said Committee to:

1. Engage the relevant National Government security agencies through the established intergovernmental frameworks to obtain a detailed report on the circumstances surrounding this incident;
2. Liaise with oversight bodies, including the Independent Policing Oversight Authority, on the status and progress of investigations;
3. Facilitate intergovernmental consultations aimed at strengthening accountability and adherence to constitutional standards in the conduct of security operations within Garissa County; and
4. Report back to this House within a specified timeframe on the findings and actions taken.

As representatives of the people, we are duty-bound to ensure that the principles of justice, accountability, and the rule of law are upheld at all times. The people of Garissa County look to this Assembly not only for representation but also for leadership in moments such as this.

I urge that this matter be accorded the seriousness it deserves, in the spirit of cooperative governance and in fidelity to the Constitution.

(STATEMENT SOUGHT BY HON MAHAT ABDIKADIR IBRAHIM -MCA MODOGASHE WARD)

8*. Motions and Bills

1. **MOTION: <u>CONSIDERATION AND APPROVAL OF PUBLIC PETITION REPORT BY THE RESIDENTS OF WABERI WARD REGARDING LACK OF ECDE CLASSROOMS AT BULLA TOWFIQ WABERI WARD.</u>**

Hon Speaker, I beg to move the following motion;

That, this House Considers and approve the report of the committee on Education, ICT, Vocational training and Library Service on the Public Petition by the residents of Waberi Ward regarding lack of ECDE classrooms at Bulla Towfiq Waberi Ward

(HON ABDIWELI ADEN ABDULLAHI-COMMITTEE CHAIR)

……/8(cont'd)*

2. **MOTION: CONSIDERATION AND APPROVAL OF PUBLIC PETITION REPORT BY THE RESIDENTS OF GARISSA COUNTY REGARDING THE STREETS NAMING/RENAMING WITHIN GARISSA COUNTY.**

Hon Speaker, I beg to move the following motion;

That, this House Considers and approve the report of the committee on Lands, Physical planning and Urban Development on the Public petition by the residents of Garissa County regarding the streets naming/renaming within Garissa County.

(HON KHADIJA IDRIS MOHAMED -COMMITTEE CHAIR)