

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 19th March, 2014

*The Senate met at the County Hall,
Parliament Buildings, at 2.30 p.m.*

*[The Temporary Speaker (Sen. (Dr.)
Machage) in the Chair]*

PRAYERS

NOTICES OF MOTIONS

DEVELOPMENT OF CLEAR POLICY GUIDELINES FOR ADULT EDUCATION

Sen. Karaba: Mr. Temporary Speaker, Sir, I beg to give notice of the following Motion:-

THAT, aware that Article 43(1)(f) of the Constitution of Kenya states that every person has a right to education; recognizing that Vision 2030 underscores the critical role of education in Kenya's social-economic development; appreciating that pursuant to Chapter 223 of the Laws of Kenya, the Government established the Board of Adult Education to coordinate adult education; concerned, however, that implementation of adult education programmes is hampered by absence of appropriate policies including policies on recruitment, training, deployment, discipline and termination of services; the Senate calls upon the National Government to take immediate measures to develop clear policy guidelines for adult education, staff recruitment, training, deployment and discipline in order to promote adult education.

Mr. Temporary Speaker, Sir, this notice is directed to the Ministry of Education, Science and Technology.

STRENGTHENING KENYA-UN RELATIONS IN
PEACE KEEPING MISSIONS

Sen. Elachi: Mr. Temporary Speaker, Sir, I beg to give notice of the following Motion:-

THAT, aware that Kenya is fully supportive of United Nations (UN) peace keeping initiatives and has contributed to many peace keeping operations both in Africa and beyond; appreciating that the Kenya Defence College offers very high quality training in peace keeping; concerned, however, that Kenya has missed many opportunities at the United Nations institutions that would enable Kenyans to benefit from the skills of our well trained officers and through which Kenya would benefit, especially by absorbing qualified military personnel in peace keeping missions; the Senate urges the national Government to strengthen relations with and engage the UN more with a view to ensuring that many young trained Kenyan military personnel get more opportunities to participate in peace keeping missions.

STATEMENTS

GOVERNMENT POLICY ON FEE STRUCTURE
FOR PUBLIC SCHOOLS

Sen. Karaba: Mr. Temporary Speaker, Sir, I rise to seek a statement from the Chairperson of the Standing Committee on Education relating to the national Government policy on public schools fee structure. I am trying to scout whether the Chairperson is here.

An hon. Senator: Which Committee?

Sen. Karaba: Committee on Education.

An. hon. Senator: But you are a Member.

Sen. Karaba: Yes, I am a Member.

The Temporary Speaker (Sen. (Dr.) Machage): Order, please! Read your request.

Sen. Karaba: Mr. Temporary Speaker, Sir, I would like the Chairperson to state:-

(a) Whether he is aware that guidelines provided by the Government on how much fees public schools should charge are not followed to the letter.

(b) What the Government is doing to ensure the guidelines are adhered to in order to make education more accessible to all students countrywide.

An hon. Senator: He is a Member of the Committee.

The Temporary Speaker (Sen. (Dr.) Machage): But he cannot take it for himself.

Sen. Elachi: Mr. Temporary Speaker, Sir, I know the various committees of the Senate are yet to be constituted, but we will take up the responsibility and ensure that after they are up and running, that we give an answer to hon. Senator's request.

However, I will tell the Senate Majority Leader to take up this matter and be responsible in terms of answering this statement in the next two weeks.

The Temporary Speaker (Sen. (Dr.) Machage): I expect Sen. Karaba to push for that statement in his own committee.

ACTION TAKEN AGAINST PERSONS RESPONSIBLE
FOR IRREGULARITIES IN NATIONAL EXAMINATIONS

Sen. (Prof.) Lonyangapuo: Mr. Temporary Speaker, Sir, I rise to seek a statement from the Chairperson of the Standing Committee on Education. Since there have been reports of individuals being caught with examination papers on the eve or during the examination period. I would like the chairperson to:-

- (a) Provide the identities of the persons who have been caught.
- (b) State where the persons are taken and what action has been taken on them.
- (c) State the individual who is responsible for the custody of marked examination papers for KCPE and KCSE before the results are released.

Sen. (Dr.) Khalwale: On a point of order, Mr. Temporary Speaker, Sir. With your permission, I would like to request further that when the chairperson is bringing that very important statement, to allay the fears of members of the public that corruption has now gone into the marking of the exams to the extent that principals of certain schools talk to the marking centres so that their schools are given better grades.

The Temporary Speaker (Sen. (Dr.) Machage): That is an interesting one.

Sen. Elachi: Mr. Temporary Speaker, Sir, I do take responsibility that the office of the Senate Majority Leader will ensure that in two weeks, the statement will be issued.

The Temporary Speaker (Sen. (Dr.) Machage): Sorry, Sen. Elachi. There is a Member of the Committee who is ready to take up the responsibility.

Sen. Karaba: Mr. Temporary Speaker, Sir, as a Member of the Committee on Education, I will make sure that the same is communicated to the chairperson.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Karaba, make sure both requests are communicated to the chairperson.

Sen. Karaba: Exactly, Mr. Temporary Speaker, Sir. I will make sure that is done.

The Temporary Speaker (Sen. (Dr.) Machage): Next Order.

MOTIONS

ADOPTION OF REPORT ON FAMILIARIZATION TOUR OF
KPA, KPRL AND KPC IN MOMBASA COUNTY

THAT, this House adopts the Report of the Standing Committee on Energy, Roads and Transportation on the Familiarization Tour of Kenya Ports Authority (KPA), Kenya Petroleum Refineries Limited (KPRL), and Kenya Pipeline Company Limited (KPC), in Mombasa County, between 5th and 8th August, 2013 laid on the Table of the House on Thursday, 27th February, 2014.

(Sen. Mwakulegwa on 6.3.2014)

(Resumption of debate interrupted on 18.3.2014)

The Temporary Speaker (Sen. (Dr.) Machage): Sen. (Prof.) Lonyangapuo, you have three minutes to conclude your debate.

Sen. (Prof.) Lonyangapuo: Mr. Temporary Speaker, Sir, while contributing to this Motion yesterday, I said that this Committee has done us proud by visiting various work stations to see what is taking place in the country. The visit was to let the members familiarize themselves with operations and be able to tell Kenyans what is taking place in those parastatals and whether their money is being utilized properly.

Mr. Temporary Speaker, Sir, yesterday, I quoted an example where I said there are some notorious corners which are known as black spots where every year we have problems happening. In West Pokot County, for example, there is a place called Kamatira Corner. Every year, the relevant Ministry sends engineers to find out a lasting solution. However, for the last 20 years, nothing has happened on that black spot. The more we continue delaying in correcting the designs, the more we continue losing lives.

I also talked about the pipeline depots in Eldoret and Nakuru. Yesterday, an hon. Senator suggested that we could have these pipeline depots all over the country. I expect a depot to be put up in Busia Town, so that tankers can collect their fuel from there and transport to Uganda and Rwanda. By so doing, it will be easier for them to collect their fuel and we avoid accidents of these tankers at Salgaa and Sachang'wan.

Mr. Temporary Speaker, Sir, noting that the geography and the way some of our roads were built, we may need to expand roads in areas and locations where we have rough terrain. For example, when you are climbing the stretch between Salgaa and Sachang'wan, you may encounter some challenges. It is a black spot. Therefore, there is need to expand it so that we have four lanes. It is easier to prevent accidents rather than cry foul when they happen. What does it cost us if we, as a nation, have a greater highway going to Ethiopia all the way from Nairobi? We could have a four lanes road.

We should also have depots along our borders with Sudan, Uganda and Tanzania for easier and cheaper transportation of fuel.

Mr. Temporary Speaker, Sir, with those remarks, I beg to support.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. (Prof.) Lonyangapuo, I would have expected you to question the terms "black spot". Why not dangerous spots? Maybe that is why we have problems because it is a black spot.

Sen. (Dr.) Kuti: Mr. Temporary Speaker, Sir, I want to join my colleagues in supporting this Motion and congratulating the Committee for doing a commendable job. They went round to see the status of our oil refinery and other energy sector facilities.

Mr. Temporary Speaker, Sir, yesterday, there came up an issue of suitability for placing oil refineries. I just want to quickly put some clarification to that point, not because I am from Isiolo County, but because it was a Government plan to open up the Northern Corridor which is a silent, high-potential corridor. It will also bring up to speed areas that were left out for a long time since Independence and even before.

Mr. Temporary Speaker, Sir, it so happened that in that programme there was a refinery which was meant to be at Lamu. But there was a lot of resistance to the placement of this refinery there because of the marine ecology and some activists together with the local community who actually rejected the placement of that refinery in Lamu. It so happened that naturally the northern Lamu Port and South Sudan Transport Corridor (LAPSSET) project which was going to be opened up and the one from Nairobi heading to Addis Ababa met at Isiolo, being actually the centre of Kenya. That is why I raised a point of information to the distinguished Senator from Bungoma, who was at that time a “jet-set” Foreign Affairs Minister. Maybe some of these things---

Sen. Hassan: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): What is it Sen. Hassan Omar?

Sen. Hassan: Mr. Temporary Speaker, Sir, Sen. (Dr.) Kuti has made serious allegations against the leader of this robust coalition as a “Jet-set” individual, I think, insinuating that he was never available. Could he substantiate or withdraw and apologise to our leader?

The Temporary Speaker (Sen. (Dr.) Machage): Very well. Sen. (Dr.) Kuti, you have been challenged.

Sen. (Dr.) Kuti: Mr. Temporary Speaker, Sir, all I meant is that being a Minister for Foreign Affairs, he had a lot of tasks to negotiate for Kenya.

The Temporary Speaker (Sen. (Dr.) Machage): Order! You have been challenged to substantiate or withdraw.

Sen. (Dr.) Kuti: Mr. Temporary Speaker, Sir, I am substantiating. A Foreign Affairs Minister’s job entails a lot of travel to attend to various fora. Therefore, it makes him naturally a “jet-set” Minister, to the extent that he was a hostage in a certain country!

(Laughter)

Sen. Khaniri: On a point of order, Mr. Temporary Speaker, Sir. The hon. Member on the Floor is very unfair to the leader of this side of the coalition. If you look at the definition of the word “jet-set”, these are people who travel for leisure to go to resorts and enjoy themselves unnecessarily. Is he insinuating that the hon. Senator for Bungoma County was travelling for leisure?

The Temporary Speaker (Sen. (Dr.) Machage): To my knowledge, I do not think the hon. Senator did attack the personality of the---

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Order, I am speaking! I do not think he attacked the personality of the Senate Minority Leader. He only tried to remember his past life. All he was supposed to do is either substantiate with evidence about the “jet-setting” or just withdraw and continue. Do you have the documents to prove that?

An hon. Senator: “Jet-setting” is not unparliamentary.

Sen. Haji: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Yes, Sen. Haji.

Sen. Haji: Mr. Temporary Speaker, Sir, I want to confirm the statement made by Sen. (Dr.) Kuti because I happen to have been his assistant and we did so many flights within one week. We were in the air for one week with him.

(Laughter)

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Haji! I did not call for witnesses.

Sen. (Dr.) Kuti, do you have documentary evidence or do you want me to give you more time to table that evidence? If you do not have the evidence and you do not need more time, just withdraw your remarks.

Sen. (Dr.) Kuti: Mr. Temporary Speaker, Sir, the definition of “jet-set” is just to state the numerous visits, which is natural with a Minister for Foreign Affairs. I withdraw and apologise.

The Temporary Speaker (Sen. (Dr.) Machage): Very good.

Sen. Ndiema: Mr. Temporary Speaker, Sir, is it in order for the hon. Senator to say that the refinery could not have been placed in Lamu because of the ecology and he wants it to be in Isiolo? Is there no ecology in Isiolo County to be taken care of?

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Ndiema! That is not a point of order!

Sen. (Dr.) Kuti, please, continue.

Sen. Orengo: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): What is it, Sen. Orengo?

Sen. Orengo: Mr. Temporary Speaker, Sir, I thought the distinguished Senator from Isiolo County compounded the insinuations in his remarks by saying that the Senate Minority Leader was held hostage. Now, being held hostage is very different from---

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Orengo! We have since proceeded to other issues. You have been overtaken by events.

Sen. Orengo: Mr. Temporary Speaker, Sir, I could not raise it because there was another point of order. But I think it is a very serious allegation. If you are held hostage, it means you are under arrest or confined.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Haji, what do you have to say about that? Could you also withdraw the remarks?

Sen. Haji: Mr. Temporary Speaker, Sir, it will be very unfair to ask me to withdraw. I have confirmed, as a then Minister for Defence, that I travelled with him from Kenya to Somalia, Ethiopia, Uganda, Burundi and Rwanda. So, we were all the time in the air!

(Laughter)

The Temporary Speaker (Sen. (Dr.) Machage): Were you held hostage?

Sen. Haji: Mr. Temporary Speaker, Sir, what I know is that the hon. Senator was late to catch a flight and because of a *coup d'etat* we were not able to come back on time.

The Temporary Speaker (Sen. (Dr.) Machage): Anyway it is public knowledge that at one time the Minister for Foreign Affairs was held hostage in Mali.

Sen. Orengo: On a point of order, Mr. Temporary Speaker, Sir. It is not true that he was ever held hostage. The point of the matter is that---

An hon. Senator: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Order, he is on a point of order. Give him time!

Sen. Orengo: Mr. Temporary Speaker, Sir, the point of the matter is that there was a *coup d'etat* in Mali. There were no flights out of Mali. At no time was he confined, arrested or held hostage by the authorities in Mali.

The Temporary Speaker (Sen. (Dr.) Machage): Thank you for that explanation. I think that should rest the whole discussion. I do not think it is really worth discussing it anymore.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Temporary Speaker, Sir. I will invite the Chair to take judicial notice of the fact that the distinguished Senator for Isiolo County spent all his time injecting dogs and other animals, and the English language is alien to him. That is why he is making such erroneous statements in a language he does not fully understand.

(Laughter)

Sen. (Dr.) Kuti: Well, Mr. Temporary Speaker, Sir, about the issue of the English language, it is neither here nor there, because I am a Borana. My first language is Borana, it is not English. Therefore, I do not take that as a challenge although I went to school to the extent that I am a medical doctor in this country.

Sen. Karaba: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Please, let us allow Sen. (Dr.) Kuti to continue.

Sen. Karaba: Mr. Temporary Speaker, Sir, this the last point of order on this issue.

The Temporary Speaker (Sen. (Dr.) Machage): Is it so important?

Sen. Karaba: It is so important, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Okay, can you execute it?

Sen. Karaba: Mr. Temporary Deputy Speaker, Sir, I taught Sen. (Dr.) Kuti in school. I made sure he learnt all that was necessary as far as the English language was concerned. He is a good English speaker.

(Laughter and applause)

The Temporary Speaker (Sen. (Dr.) Machage): Okay. You can see what you have done. You have actually disputed the ability of a teacher to his student.

Anyway, that is history. Sen. (Dr.) Kuti, please, continue.

Sen. (Dr.) Kuti: Mr. Temporary Speaker, Sir, before I was interrupted, I was trying to explain the fact that there was a bigger picture than just the issue of Isiolo. The

whole objective of the northern corridor project is to open up areas that were hitherto locked out, that have never been opened up, but would have contributed to the GDP of this country. The issue of the ecology mentioned by Sen. Ndiema was utilized by the environmental activists and the local community. I did not talk about ecology as a consideration. It was the consideration of those who were opposing the location of that refinery.

Mr. Temporary Speaker, Sir, energy is a very important sector for development. Therefore, if we have to open the northern part which the whole LAPSET project intends to do, it is prudent that we place such facilities there and also open up the infrastructure and link up with Ethiopia which has surplus electrical energy that can be imported into this country through the same line. You will realise that the meeting point from all directions be it from Mombasa, Lamu, Addis Ababa, Nakuru through Lodwar, the meeting point is at Isiolo. Therefore, when you want to distribute to all those sites, it is important to consider Isiolo.

Mr. Temporary Speaker, Sir, I wanted to make sure that, that point was well understood and it is not pushed by anybody. It is just the strategic location of this county, which will be the New York of this country while Nairobi will be the Washington. We are heading in the direction where Isiolo County will be a commercial hub. After all this truncation of roads and infrastructure, including pipelines, meet at Isiolo, it will spur so much growth that it will be the commercial city of this country.

Mr. Temporary Speaker, Sir, I beg to support.

Sen. Ndiema: Mr. Temporary Deputy Speaker, Sir, I start by joining in thanking the Committee for the good work done. Listening to the debate on this issue, there have been very good contributions. I believe the Committee is taking notes to enrich the report.

Ports everywhere in the world have the potential of growing economies, creating wealth and employment. There are countries which could not be states if they had no ports. You cannot talk about Dubai, Singapore and Amsterdam without the ports. The Port of Mombasa has the potential to double the growth of our economy. If we harness the port effectively, do the necessary plans and invest prudently we will be able to create jobs for the people of Kenya. We will do away with unemployment in this country, particularly in Mombasa County. If we seriously take the issue of employment of the youth then we have to look at the port. The agricultural sector, which we have depended on for a long time has a limit to which we can extend. But there is a potential in the East African region. We are very well placed and, indeed, in the African region and the world. Foreigners see it; sometimes we do not seem to see it.

Mr. Temporary Speaker, Sir, the area we really need to look at is to see how to make the port handle big ships. Not only that, there are other economic activities that go along way with ports; for instance, a duty free port. This is an idea that has been discussed in the past. I remember in the 1990s, it was almost getting off. We do not understand why this step has not been taken. A duty free port means that any importer can bring his goods there provided they are not contraband and store them there without paying duty. He will wait for customers within this region or within the country to go and buy them. It is a cost effective way of warehousing. Currently, there are numerous bonded warehouses in the country. Administratively, they are very expensive to run for

the Customs Department. They are even very difficult to police. Sometimes we have had incidents where warehouses have been used to smuggle goods because they are scattered all over. We have heard of sugar, drugs and other items leaving the port and being stored in warehouses. A free port will be in a single location which could be easily policed.

There is a sight which has already been identified at Dongo Kundu. I believe it is still available. If we fast track that process then we stand to benefit. In terms of procurement of goods for the Government, these goods have to be imported through Mombasa. If there was a warehouse in Mombasa, the length of delivery would be shortened and the works would progress without delay. It is high time that we revisited this issue. I suspect that the free port has been frustrated by the same people who own ware houses. They would not want to lose the benefits that go with the numerous warehouses that are there. There should be no fear at all that a duty free port would cause loss of revenue in terms of customs duty. If anything, we should ensure that we collect all the revenue that is due unlike the bonded warehouses that we have.

There is another area that we do not seem to have exploited and which has potential to grow our economy and create employment. These are the shipping lines. We have a port, but we do not seem to have a ship that belongs to Kenya or the public. This is an area that the Government should look at, even if it means buying a few ships and registering them. There are countries in the world and even in Africa like Panama, Senegal and Liberia which have ships registered in their name. They earn a lot of money. Going along with that, there is also the issue of off-shore banking. It is time that this country had a facility for off-shore banking. There are countries that do it and they are benefiting from all the monies making rounds in the world. We should also have that.

Cruise ship business is good for us, being a tourist destination country. We should take care of our cruise ship business which cannot even compete with other countries like Zanzibar or South Africa. It is high time that we invested in this area. It has the potential to generate money. I recall that there was a time when there was a hoax that there were cruise jobs in the Middle East. There were very many young people who had volunteered to work there. Many of them were very qualified. We should use those opportunities to get jobs for our people.

The other area is fishing. We have an ocean, Lake Victoria and other lakes. There is a lot of potential for fishing in our economic zone. The Koreans, the Chinese and everybody else is fishing, except Kenya. We should look for a way of encouraging our youth and even procuring boats that can go out there for fishing. We should also invest in technology that can ascertain what ships are illegally fishing in our waters because this is happening.

When it comes to infrastructure, having a port alone is not enough. We must have an effective railway system that can deliver goods out of the port. Save for the procurement issues that should be sorted out as quickly as possible, it is important that we have an effective railway system even if it means going electric. Other countries are moving the electric way. Why should we continue using the locomotives? We understand that we do not have enough power, but we should exploit the geothermal. We have coal in Kitui. These are issues that we should address urgently and ensure that we get the best

of the railway system. We should have a railway system that will serve us in the next 50 or 100 years to come.

Mr. Temporary Speaker, Sir, we should also invest in improving the pipeline and increase its capacity in terms of the speed at which we can pump. With regard to the roads, if you visited Eldoret today, you will find many tankers parked there. For you to cross that town from east to west, it would take you one or two hours. There is a lot of congestion. We do not have a bypass or a railway system. That pipeline should be extended all the way, either to Busia or Malaba, so as to discharge fuel to the market where it is intended to go.

The refinery at Mombasa is old. The technology there is outdated. However, we still need the refinery. We should construct a modern one at a place which is economically viable and not politically decided. Feasibility studies should commence to find out the best place to place it.

(Loud consultations)

There are a lot of loud consultations; please, protect me, Mr. Temporary Speaker.

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Melly! Remember the rules of this House. The Standing Orders do not allow you to stand in the corridors of this Chamber. You should look for a seat and consult in low tones. I am addressing you, Sen. Melly.

Sen. Ndiema: Mr. Temporary Speaker, Sir, I would like to end by saying that I support this Motion.

Sen. Leshore: Thank you, Mr. Temporary Speaker, Sir. First, I would like to congratulate you for sitting on that hot seat. I thank the Committee led by the Senator from Baringo. I congratulate them for coming up with such a beautiful report that outlines issues about our refineries and the pipeline.

Mr. Temporary Speaker, Sir, the Port of Mombasa is one economic unit. If run and managed properly without corruption and with efficiency and effectiveness, it can contribute to the wealth of Kenya. If Kenyans will manage the Port of Mombasa the way Singaporeans and the people of Dubai have managed their ports, then we would not need to tax Kenyans at all. Kenyans would live in a country like the United Kingdom where they have the social welfare; where they do not buy medicines, where children go to school up to university without their parents being taxed and where majority of our people can be housed.

Mr. Temporary Speaker, Sir, I would like challenge the new Chairman who has been appointed to fast track the Port of Mombasa to be a free port. This has been said by hon. Ndiema. In 1990s, retired President Moi appointed a taskforce that went all the way to Singapore, Japan, Malaysia and Dubai to make Mombasa a free port. The Ministry that is concerned with this docket should fast track the information that was collected by the taskforce and make Mombasa a duty free port.

Mr. Temporary Speaker, Sir, I was there last month and the congestion I saw was too much. There was confusion on the main road from Mombasa to Nairobi. There were many trailers on the road. If we manage our railways properly, we will not see tankers

lining up 20 kilometres all the way to Mariakani. If we manage our pipeline properly and we extend it to Busia or Malaba, we will not see the oil tankers that have caused mayhem at Salgaa and many other areas around the country. We will not be seeing accidents at Salgaa if the pipeline was extended to Busia and Malaba. The Ministry concerned should come up with a decree so that the oil tankers that transverse Kenya can pick their products at border points.

Mr. Temporary Speaker, Sir, with regard to petroleum refineries, I would like to thank former President Kibaki for suggesting Isiolo is the most appropriate place to have another refinery. We already have one in Mombasa, but why should we have another one in Lamu which is the same region? We should have one in Isiolo which is the heart of Kenya. If you dissect Kenya into four, you will see that Isiolo is almost the heart. I can see Sen. Wetangula looking at me because they want it to be in Lamu. However, we also want to develop northern Kenya.

Mr. Temporary Speaker, Sir, the railway line which will be going to Southern Sudan and Ethiopia will join at Isiolo. Therefore, this will open up northern Kenya; not only Isiolo, but Ethiopia which is a landlocked country and with a lot of potential in oil. There is also Turkana, Southern Sudan, Marsabit and Samburu. I believe that we will have a lot of potential once the refinery is in place. Our people will be employed and our economy will be boosted. It is time that we took Kenya as one country. We do not have to concentrate all our industries in one place. It is time that the people of northern Kenya enjoyed tarmac roads and railway lines. Our children are born and grow up without seeing a railway line. I will be happy to see, in the near future, a railway line being built between Lamu, Isiolo, Samburu, Turkana and to Southern Sudan and from Isiolo again to Southern Ethiopia.

Mr. Temporary Speaker, Sir, once this report is implemented and the Ministry concerned adopts the recommendations of the Committee, I am sure we will be moving into the right direction. The people of Kenya will also benefit from the meaningful work that is done by this Committee.

With those few words, I support the sentiments in the report.

Sen. Boy Juma Boy: Asante sana, Bw. Spika wa Muda. Kama Mkenya mimi ninasema kwamba hii ni ripoti nzuri, lakini kama mtu wa kutoka pwani, haifai. Imeeleza vile Bandari ya Mombasa ni nzuri, lakini haikueleza maneno kama mtu wa pwani. Ripoti hii haituambii ni vijana wetu wangapi kutoka pwani ambao wameajiriwa kazi Kilindini. Ripoti hii inatueleza vile Bandari ya Mombasa inafaa Kenya nzima wala si pwani. Shida tunayoipata sisi kule pwani ni kwamba, tunatumika kama ngazi. Ukweli ni kwamba bandari hii iko pwani na haina haja ya kuelezwa na kuna nyingine kule Kisumu. Sasa utaona ya kwamba sisi kama watu wa kutoka pwani hatunufaiki. Idadi ya vijana wanaotoka pwani ambao wameandikwa kazi pwani kulingana na takwimu ni wachache muno. Huo ndio ukweli wa maneno na ndio maana tunasema kwamba Kenya ni nchi moja lakini kuna mambo mengine ambayo ni lazima yabadilike. Haifai watu wengine kubaguliwa wakati wengine wanapokula. Kulingana na takwimu zilioko wale ambao wamechukua nafasi za *management* katika hiyo bandari wanatoka wapi? Sina haja ya kusema.

The Temporary Speaker (Sen. (Dr. Machage): Order. Kama unataka kuongea kwa lugha ya Kiswahili, ongea kwa lugha hiyo. *Management* si neno la Kiswahili.

Sen. Boy Juma Boy: Bw. Spika wa Muda, ninashukuru maanake Kiswahili wakati mwingine kinachanganya.

Jambo ambalo linatupatia utata ni kwamba bandari iko Mji wa Mombasa. Sasa tujiulize, Kaunti ya Mombasa kando ya zile kaunti tano zinazozunguka Mombasa, zinafaidika vipi kutokana na Bandari hii? Tukiitwa Wakenya tunaona raha. Bandari hii inachangia pakubwa uchumi wa nchi hii kutokana na ushuru unaotowza wafanyabiashara. Bandari hii ni chanzo kubwa cha rasilmali ya Kenya hii. Sisi ambao tunachangia kikita rasilmali hiyo, kazi yetu kubwa ni kusema ‘amina’ huku watu wengine wakifaidika.

Mambo haya ni lazima yabadilike. Kamati itakapokwenda tena pwani, ni lazima itie hayo ndani ya mawazo yao na iseme kwamba hawa ndio wanaozalisha nyingi za rasilmali ya nchi hii. Itafaa zaidi ikiwa watu wa pwani watafaidika sana kutokana na bandari hii. Lakini sisi tukizungumza ni kama waombaji wa mali na ilhali sisi ni wazalishaji wa mali katika taifa hili.

Bw. Spika wa Muda, watu wa pwani tunajulikana au kusifika sana mara mbili kwa mwaka. Mara ya kwanza ni wakati wa maonyesho ya kilimo ya mkoa wa pwani. Tunajulikana sana wakati wa sikuu za Krismasi mwezi wa Desemba. Kuna baadhi ya wageni ambao huzuru maeneo ya pwani wakati wa Pasaka. Kwa hivyo, nikiwa kama Mkenya ninasema kwamba hii ripoti ni nzuri lakini kama mtu wa pwani, hakuna jambo lolote la kujivunia kuwa Mpwani na kuwa na nguvu na ari ya kusherehekea. Pengine msemu maarufu kuwa “Pwani si Kenya” unapata mizizi kwa sababu ya mambo haya. Vijana wa “digital generation” au kisasi cha kisasa wanajua haki zao. Kwa hivyo, ikiwa hawa vijana hawataona haki yao, basi itakuwa ni mtihani. Ukweli ndio huo, hata kama ni uchungu.

Bw. Spika wa Muda, swala la *bypass* ya Dongo Kundu limekuwa likizungumziwa miaka nenda miaka rudi. Jambo hili limekuwako hata kabla ya mradi wa Bandari ya Lamu kuzinduliwa. Barabara hii inaweza kuwasaidia watu wetu kuvuka upande wa pili wa Kwale na si lazima watumie feri. Miaka nenda, miaka rudi, tumesikia kuwa barabara hii itajengwa. Pengine ulegevu ni kwa sababu barabara hii itawafaidi watu wa pwani. Lakini ikifika wakati wa kuomba kura, jambo hili hupewa uzito sana na wanasiasa. Wanasiasa hawa huwahidi watu wa pwani maendeleo kochokocho ikiwa watachaguliwa. Wao husema barabara hii itajengwa ikiwa watapata kura zetu. Lakini maneno haya matamu huisha na kampeini. Baada ya uchaguzi, inakuwa ni ahadi baada ya ahadi. Miaka nenda, miaka rudi, hali haibadiliki. Ni kama hadithi za alfu lela ulela.

Bw. Spika wa Muda, kuna mapato mengi yanayotokana na Bandari ya Mombasa. Mfereji wa kupeleka mafuta katika maeneo mengine ya nchi unaanzia Mombasa. Lakini ni watu wangapi ambao wanafanyakazi katika bandari hii? Hili ni swali ambalo linahitaji majibu. Ni wenyeji wachache sana wanaofanya kazi katika bandari hii. Sitaki kusema sana kuhusu bandari hii.

Ukiangalia kampuni ya KPRL ni majonzi matupu. Kampuni hii imeachwa kufa kwa sababu iko pwani. Wakati huu tunazungumza kuhusu ujenzi wa kampuni nyingine kule Isiolo na kwengineko. Lakini hii ya pwani kama ingelikuwa mahali pengine popote

nchini, ingeshughulikiwa vilivyo. Lakini kwa sababu iko pwani haishughulikiwi na mtu yeyote.

Bw. Spika wa Muda, ninaunga mkono ripoti ingawa kama mpwani sioni maana yake. Ni lazima ukweli usemwe. Kuna “ukenya” na “upwani” kwa sababu Kenya ni yetu sisi sote na pwani ni moja ya sehemu za Kenya. Sisi tunaona si sawa kwa sababu tunaonewa. Hii ni hatari na huu ni ubaguzi mbaya sana. Ningetaka kuwaambia kwamba, hawa akina Sen. Hassan ni *dotcom* na hawatakubali mambo haya ya kunyanyaswa kila siku. Kwa hivyo, tukitaka kuishi na hawa watu wa Pwani vizuri na kwa amani ni lazima wapate haki yao. Si nyinyi peke yenu kuchukua huku, watu wa pwani wakitazama. Hii si hali halisi.

Bw. Spika wa Muda, leo hii kaunti yetu ya Mombasa, iwe pia inapewa pesa kutoka kwa Bandari ya Mombasa hata kama ni asilimia kidogo. Tukisema hivyo, tunaambia kwamba hii ni rasilimali ya kitaifa. Mbona msijenge yenu kule Nakuru ama Kericho? Hatukuomba Mwenyezi Mungu atuweke pwani bali tulijikuta huko. Tunachosema ni kwamba wewe kula, lakini muache mwenzako pia naye ale. Lakini sasa wewe wataka ule peke yako na mwengine akose. Maneno matamu bila chochote hayafai. Haya ni mambo ambayo katika hali hii inayokuja ya kisasa, haikubaliki kamwe.

Huu ugutuzi umekuja wakati uanaofaa sana. Ugutuzi ni kupeleka rasilimali mashinani. Kuna watu wanaotaka kuona baadhi ya mambo fulani yawe *devolved* na mengine yawe ya kitaifa kwa sababu yako kwenu. Ugutuzi ni lazima ufanyiwe mambo yote bila ubaguzi wowote. Ugutuzi utatusaidia sisi sote. Wengine wanafikiria kuwa ugutuzi ni kwa mambo au vitu vichache na vingine vibaki vya kitaifa. Sisi hatujakataa lakini vijana wa rika ya Sen. Hassan, hawatakubali mambo haya. Hili ni neno nasisitiza kulisema kila siku; kwamba rika ambayo iko kwa sasa ni ya wasomi---

Sen. (Dr.) Khawlale: On a point of order, Mr. Temporary Speaker, Sir. Is it in order for the distinguished Senator for Kwale to repeatedly give the impression that this Senate would endorse a situation whereby we incite our communities against national assets that might be in our counties? There are many other national assets in this country that also contribute to the same GDP that fights poverty in all the corners of this country.

Sen. Boy Juma Boy: Ninamshukuru Seneta nimpendaye mwenye maneno mazuri anayetetea haki za wanyonge. Lakini ninashangaa kwamba anaona hakuna haja ya haki ya Mpwani. Huyu ni Seneta mzuri na mtetezi wa haki. Lakini ninashangaa kwamba anaona hakuna haja kwa Mpwani kupata haki zake.

Bw. Spika wa Muda, hata kama baadhi ya viongozi wanapinga haki zetu ni lazima tupatate hata kama ni kwa asilimia ndogo. Tumewasikia Maseneta wakieleza kinaga ubaga faida zake Bandari ya Mombasa. Inafaa watu wa pwani nao waweze kuona bandari ikiwa na manufaa kwao. Hilo ndilo jambo tunalotetea. Sasa hapo pamezidi nini?

The Temporary Speaker (Sen. (Dr.) Machage): Order! I was looking for the relevant Standing Order for Sen. (Dr.) Khalwale's point of order. In the new Standing Orders, Standing Order No.109 - maybe the only thing that I can accuse Sen. Boy Juma Boy of is repetition. The Standing Orders are very explicit on ordering you not to keep on repeating. I think that you are repeating yourself.

Continue!

Sen. Boy Juma Boy: Bw. Spika wa Muda, nakushukuru kwa maneno yako mazuri. Angalau umeona upande wangu.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order!

Sen. Boy Juma Boy: Bw. Spika wa Muda, kwa hayo machache, ninaunga mkono Hoja.

Sen. Hassan: Mr. Temporary Speaker, Sir, I want to thank you for this opportunity. As much as I do comprehend the Kiswahili language, I think that my senior and elder, the Senator for Kwale, has actually given the context and he literally spoke to some of the points that I have put together.

Mr. Temporary Speaker, Sir, first and foremost, is just a cautionary or advisory note to the Committee. I think that that the Committees of this Senate must not operate like the traditional Committees that we have known. The Committees of this Senate must try to go deeper in terms of evaluating certain issues that surround the political, social and economic sphere of certain national resources wherever they might be. Even as I was fighting to come to the Senate, central to my campaigns were some of these national assets, including the Kenya Ports Authority (KPA). Some of us in our interpretation of the Constitution allude to a point that Sen. Boy Juma Boy has alluded to.

We reasonably believe that the provisions of this Constitution vest the management of the port authorities and ferries to the county governments. You can see, as we were debunking some of the areas of devolution - the transfer of functions - this Senate made a recommendation that ferries and harbours need to be devolved to Mombasa County and wherever else that they might exist. It is high time that we implemented those resolutions of the Senate. I do wish that this Committee would have provided for us a robust framework of how that devolution or transition period will be managed. These are painful decisions that must be made by the national Government and all other people who are concerned in the implementation of this Constitution.

Mr. Temporary Speaker, Sir, the battle in this country has been about resources. I have repeated this again. If the Governors or anybody else want to fly flags, they can fly a million of them if they so wish, but what we need is the resources in those counties. Devolution was not about escorts or flags for our Governors. It was about economic devolution. I think that we see it broadly today in the context of politics, that we are so comfortable with the plebiscite and jargon that goes with devolution without necessarily effecting the very elements of devolving resources. I can tell you that for as long as some of the issues are not resolved conclusively, the KPA will remain a central part of Mombasa politics and the economic and social strata of Mombasa's society.

As much as we might want to believe that we are a nation, as we so speak here, the truth here--- I recall once Sen. (Prof.) Anyang'-Nyong'o talking about the theory of the two publics. When you are on national platforms, you are the nationalist, but when you go home, you are the tribalist. So, we come here and urge each other to speak within these broad notions that are articulated in the Constitution, but when you go back to your counties or constituencies, you do exactly the opposite and incite your communities. I think it is more candid for those who come here and state the points as eloquently as the Senator for Kwale. He has nothing to hide because nothing he says is criminal or goes against the grain of this nation.

Mr. Temporary Speaker, Sir, this nation is an amalgamation of interests. We are not a homogeneous nation. We are a nation that has tribes, religions, races, colours and every kind of manifestation. People negotiate those interests. It happens in the United States and any democracy. We were elected to protect those interests; be they the interests of Kwale, Mombasa, Samburu or anywhere else. So, it is wrong constantly for people to bring and present the very emotions of those counties, for us to play this national plebiscite that we are a nation so homogeneous and in love. Even elections are determined on the numerical strengths of people in various counties or this nation altogether. So, we have to be candid.

Mr. Temporary Speaker, Sir, as Sen. Boy Juma Boy has indicated, for us it is a battle for the empowerment of our people and that is why I am sitting in this Senate and the people of Mombasa voted for us. We are here because our people want us to negotiate those interests; as insensitive and emotional as they might appear. You do not build the nation by cuddling and hugging. You build the nation by saying the truth. Even in your Christianity and our Islam we are told: "The truth shall set you free." In Islam we are told: "Say it no matter how bitter it is." The bitter truth is that this nation has not built itself into a unit. We have been dispossessed of resources that we own and legitimate expectations to earn a living from the resource that is closest to you. You do not tell that other person to love you when you dispossess him. Nations are built on two fundamental principles; justice and equity. It is as simple as that. Give us justice and equity and we will have a nation. Take that away and you have no nation. We are all fearful of one another because we know how much you are willing to pounce in favour of your very own. Give somebody an opportunity and you will see him manifest his true colours.

Mr. Temporary Speaker, Sir, I want to revisit another issue. We must now mitigate the transition, so that it is painless and this nation accepts the purview of the Constitution. I wish that this Committee can give guidance and leadership as to how we can devolve some of the assets without prejudicing Kenyans, so the interest of every Kenyan is protected and respected.

Mr. Temporary Speaker, Sir, this is a country that hardly builds infrastructure. We are reactionary and *ad hoc*. Today, the entire infrastructure of Mombasa is dilapidated as a consequence of the heavy load that is replicated by the port itself. From the port, we have hardly invested in infrastructure. Look at the congestion. Did we not see that these lorries were lining up for the last 20 or 30 years? Why was there no expansion of the infrastructure? Today the entire infrastructure in Mombasa has been put under pressure. These questions come to us, as the immediate leadership of Mombasa, yet we know that they are national functions. We urge the Government to ensure that whatever it reaps out of the KPA, it re-invests it, so that we can have the necessary infrastructure to support that business. You cannot appropriate everything, including breadcrumbs. You leave nothing even for the birds which wake up in the morning.

Mr. Temporary Speaker, Sir, the refinery is one of those manifestations of how we have neglected this country. Today hundreds of families face imminent danger of loss of livelihood. Did we not know that this country's capacity is increasing? Could we not reinvest in the refinery? The refinery would have cost us US\$5 billion over a period of

time, just about the same amount of money which was a commission in one of the big projects that we have seen in this country, to build a certain railway.

Sen. Keter: On a point of order, Mr. Temporary Speaker, Sir. Will due respect, I did not want to interrupt the Senator for Mombasa. But is it in order for him to say that there is Kshs5 billion which was paid to somebody as a result of the railway project? Could he elaborate because those are serious allegations?

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order! Could you refer to your Standing Order No.110 (b)? We will charge you for disorderly conduct because you have knowingly raised a false point of order.

Sen. Keter: Mr. Temporary Speaker, Sir, what do you mean by “knowingly?” That is why I was asking that he should elaborate. It is a serious allegation to say that Kshs5 billion was pocketed.

The Temporary Speaker (Sen. (Dr.) Machage): To my knowledge, he has not mentioned any Kshs5 billion.

Sen. Keter: He has mentioned it, Mr. Temporary Speaker, Sir. Could we check in the HANSARD? I am ready to pay for the fine, after we have checked in the HANSARD.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order! I have heard you.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Temporary Speaker, Sir. Is it in order for the distinguished Senator for Kericho to exchange with the Chair? When the Chair directs, orders or rules, everybody has a duty to obey, even when you do not agree. You cannot stand up, gesture and exchange with the Chair, against the rules of the House.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Keter, you will respect the Chair henceforth.

Sen. Keter: Mr. Temporary Speaker, Sir, I think that it is good for the record---

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Keter!

Sen. Keter: I respect the Chair, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Order! Order!

Sen. Keter: Mr. Temporary Speaker, Sir, these are facts which must be there.

The Temporary Speaker (Sen. (Dr.) Machage): Order, Mr. Keter! Just say “point of order” and I will give you. Can you do it now?

Sen. Keter: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Okay, continue!

Sen. Keter: Mr. Temporary Speaker, Sir, I still insist on my earlier point of order on the allegation made by the Senator for Mombasa that Kshs5 billion was paid off. He must elaborate or withdraw and apologize.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Omar, you have been challenged.

Sen. Hassan: Mr. Temporary Speaker, Sir, I did make an allegation to that effect, but did not say which railway it went into paying that commission. But that said and done, Sen. Keter, my initial point, if you were listening to me without the emotions of the Coalition, was that if similar investments can be made so sporadically to build some of the most modern infrastructure or means of communication, what stops any successive

Government, including this Government that is in power right now, to commit equal money to save the Kenya Refinery Limited?

Sen. Kagwe: On a point of order, Mr. Temporary Speaker, Sir. With all due respect to my friend, I think that we need some guidance here. A very serious point of order was raised by Sen. Keter. If it is correct that my friend, Sen. Omar, did say that Kshs5 billion was given to somebody as a bribe in this House, he cannot evade the question on the basis of which railway he was referring to. It is very clear which railway he is talking about, because there is no other railway in Kenya. Therefore, either Sen. Omar did not talk about the Kshs5 billion or he did say “Kshs5 billion.” If he did say so, he should substantiate. If he did not say so, then we should clear it in the HANSARD that he did not.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Temporary Speaker, Sir. Is it in order for the distinguished Senators for Kericho and Nyeri to exhibit short fuse on a matter that has not been canvassed when, in fact, the Chief Executive of this country has confessed that the Government is being chocked by corruption and the Controller and Auditor General has said that Kshs300 billion cannot be accounted for? The distinguished Senator for Mombasa simply said that we must guard against figures like the Kshs5 billion that we hear is being paid. I am sitting next to him and he never said that the Kshs5 billion has been paid to a Member of this House. We can check the HANSARD. He never said that and yet, the Senator for Nyeri is saying that he said that it was paid to a person in this House.

Sen. Kagwe: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): I have heard you, Sen. Kagwe. Sen. Hassan, do you accept the accusation?

Sen. Hassan: Mr. Temporary Speaker, Sir, I made reference to the fact that Kshs5 billion was allegedly paid as commission.

The Temporary Speaker (Sen. (Dr.) Machage): Could you, therefore, substantiate or withdraw?

Sen. Hassan: Mr. Temporary Speaker, Sir, at this point in time, I will withdraw those remarks and apologize. However, I shall substantiate in due course.

The Temporary Speaker (Sen. (Dr.) Machage): Order. No pre-qualifications. You have withdrawn and apologized, period!

Sen. Hassan: Therefore, the two Senators---

Sen. (Dr.) Kuti: On a point of guidance, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): I do not know any point of order that has that name.

Proceed.

Sen. Hassan: Mr. Temporary Speaker, Sir, I want to make cognizance that a lot of time was taken in that---

Sen. (Dr.) Kuti: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Yes, what is your point of order?

Sen. (Dr.) Kuti: Is Sen. Hassan in order to express himself in such a manner that is so intimidating and almost bordering on violence as he---

The Temporary Speaker (Sen. (Dr.) Machage): Order. That is his normal gait.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): What is it, Sen. Wetangula?

The Senate Minority Leader (Sen. Wetangula): Mr. Temporary Speaker, Sir, I am sitting next to Sen. Hassan and I am neither intimidated nor threatened. I have not even felt any vibrations as he speaks.

The Temporary Speaker (Sen. (Dr.) Machage): Proceed.

Sen. Hassan: Mr. Temporary Speaker, Sir, it unsettles me to know that it is very easy to intimidate Sen. (Dr.) Kuti. But that said and done, I would like to say that this Committee must address itself to how they can salvage Kenya from this sorry state we find ourselves in. I have seen certain robust proposals about the potential transformation of the usage of the Kenya Petroleum Refinery Limited (KPRL). However, my view is that there should be substantial investment to secure fully the operations of this refinery.

Sen. Melly, Sen. Wangare and the Speaker, Hon. Ethuro, and I, visited an oil reach country, the Islamic Republic of Iran very recently. Part of their interest is to invest in oil in the general chain of oil from the point of extraction to the point of sale. Kenya can invite oil rich countries to invest in this country and secure jobs.

With those few remarks, I beg to support.

Sen. Karaba: Mr. Temporary Speaker, Sir, few points here may help us in this House. The first one is that when Vasco Da Gama came through the Cape of Good Hope, he also went through Mombasa. He never found somebody there until he reached Malindi where he found somebody called Majid who took him all the way to India.

The second point, there was somebody Kraff who started his journey from Mombasa.

Sen. Hassan: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): What is not in order? Please, give him time to express his points. He is only on point number two.

Continue with your points!

Sen. Karaba: There was somebody called Kraff, a layman, who in 1897, also passed through a place called Rabai where they put up a school called Rabai Secondary School. Today that school has no desks. He came all the way to Ukambani where he found another Mkamba called Kiboi who showed them Mt. Kenya. That is how Kenya was created – *Kenya*. The Mkamba could pronounce “Kirinyaga”, but instead he wrote *Kenya*. So it was taken like “that is Mt. Kenya” That is how Kenya came to be known as Kenya. I am now telling you what happened. We are now going back to things that are deeply historical.

Tanzania had to shift its capital from Dar-es Salaam to Dodoma. Why? Ask yourself why during those days, the then British could not make Mombasa the capital city of Kenya. They had to move it to Nairobi in 1900. They tried Machakos in 1896, it was not possible so they had to move to Nairobi in 1900. What we are trying to say is that there must have been reasons which made these people not settle. This could be the same reasons those places were not made capitals. This could be the same reason we are still discussing about Changamwe or the pipeline. One of the reasons why Kilindini in

Mombasa is a very important harbour is because it is the only natural harbour along the East African coast from Cape Guandavui all the way to Cape Town.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Temporary Speaker, Sir.

Sen. Billow: On a point of order, Mr. Temporary Speaker, Sir.

Sen. Karaba: There are several points of order.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Kerrow, what is your point of order?

Sen. Billow: Mr. Temporary, Sir, you heard what the hon. Senator said that those *wazungus* failed to set themselves up in Mombasa, Ukambani, Rabai and everywhere and came to Nairobi. He did not tell us the reason behind it. He said there were reasons *wazungus* did not settle on those places. He needs to tell Kenyans, are there man-eating communities in those places? What exactly is he trying to say? He must say because we are all worried.

The Temporary Speaker (Sen. (Dr.) Machage): What is not in order?

Sen. Billow: Mr. Temporary Speaker, Sir, he kind of implied that there is something wrong with those communities in those areas that discouraged those *wazungus* from settling there. Could he clarify what he meant?

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Billow, I do not think there is any clarification. That is his opinion.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Wetangula, what is your point of order.

The Senate Minority Leader (Sen. Wetangula): Is it in order for the distinguished Senator for Kirinyaga to falsify facts of history and geography that Kilindini is the only natural deep water harbour along the entire East African coast when we know we have the natural deep water harbour of Daaban, Peira, Maputo, Nakala, Nambula, Dar-es Salaam, Tanga, Takaungu, Malindi, Lamu, Kismayu, Mogadishu and Djibouti. Is he in order?

Sen. Kagwe: On a point of information, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Do you need information?

Sen. Karaba: I do not require it, Mr. Temporary Speaker, Sir.

Hon. Senators: Ooh, it is you!

Sen. Karaba: Then I will accept.

Sen. Kagwe: Mr. Temporary Speaker, Sir, I want to inform, not just Sen. Karaba, but my brother Sen. Wetangula, that what is referred to as a natural port is a port where it is not necessary to dredge. The natural phenomenon has occurred so that you do not dredge. Dar-es Salaam is a dredged port, Durban is a dredged port and all the others that he mentioned are actually dredged ports. That is the information I wanted to give.

The Temporary Speaker (Sen. (Dr.) Machage): Order. Information might be good for the House consumption, but Sen. Wetangula was not on the Floor.

Proceed, Sen. Karaba.

Sen. Karaba: Mr. Temporary Speaker, Sir, there is a missing link in the knowledge of history and geography. In this case, I am very sure that some of the Members here are not learners. They need to know the reasons some of these things happened. Ask yourself why.

Sen. Okong'o: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): What is it, Sen. Okong'o?

Mr. Okong'o: I do not know whether I am the only one who heard my good friend, the *simba* from Kirinyaga mention that "some". Who are those some? Could he substantiate who are the "some" who are not quick to learn?

The Temporary Speaker (Sen. (Dr.) Machage): Sen. Karaba, indeed, you have imputed some bad motives or bad aspersions on Members of this House. Could you substantiate who is the slow learner in this House, otherwise, withdraw.

Sen. Karaba: Mr. Temporary Speaker, Sir, it is true that some people here are not aware about Majid from Malindi. For example, Sen. Keter may not be aware.

Sen. (Dr.) Khalwale: On a point of order, Mr. Temporary Speaker, Sir. The hon. Karaba knows how much I respect him. You remember I campaigned for you. Is he in order to suggest that the only measure of capacity to learn is to know something meaningless called Majid?

The Temporary Speaker (Sen. (Dr.) Machage): Indeed, Sen. Karaba, I ordered that you either substantiate or withdraw the fact that some Members of this House slow learners.

Sen. Karaba: Mr. Temporary Speaker, Sir, I have also in this House---

The Temporary Speaker (Sen. (Dr.) Machage): Order, Sen. Karaba! That is an order from the Chair.

Sen. Karaba: Okay. I withdraw so that I can continue.

With regard to the Port of Mombasa, it is not only national but an international port. According to what the Committee has done, they have done a good thing to tell us about Mombasa, but they should have gone further to tell us how this port can be expanded, how it can be used by Kenya or the hinterland countries like South Sudan, Uganda, Rwanda, Burundi and the Eastern Coast of Congo (DRC). That is the reason we need to expand Mombasa to a bigger port. So, what did they find out to make Mombasa what it is than it is now? One of the good things that they should have included is to recommend that the Port of Mombasa be a container port. We need to talk about what we have seen in other places like Singapore, Rotterdam and New York. For that port to develop, it relinquishes some of the position to other countries. This is because those countries will declare some regions to be theirs. That is what happened in Rotterdam.

You may not know this, but Rotterdam has become big. This is because it serves international quotas. For us to make Mombasa more than it is now, we need to expand it in light of having its hinterland served adequately. That is why we need to have a pipeline all the way from Mombasa. We also need to make Kisumu a terminal port. That way, we will have another refinery of by-products of crude oil. The pipeline we have from Mombasa to Malaba and other parts of Kenya transports refined products. So, we need to have another one, that will be parallel or one that will be facing another direction;

probably, northern countries, where we can refine oil at the place of destination. This would reduce the cost of transportation, for that matter.

We have seen how our roads are all dilapidated. The road which was done by the Chinese recently from Mombasa to Nairobi has potholes. This is because we do not give it enough care and we even allow big trucks to use the road. We should have another pipeline leading to Isiolo which is a better location that would be good thing to imagine. It is also important to know that Mombasa, due to its congested nature; either from human traffic or ships---- We need to know how the town can be modernized.

I remember moving a Motion on cable cars. There is a high possibility that the first cable cars may start from Ukunda all the way to the central part of Mombasa. If that happens, this will reduce the traffic flow from south coast to the mainland. That would ease congestion on the mainland and promote industries in town. That would also make Mombasa a free port. This can be a 24-hour port. That is what we keep on seeing when we visit places like Kuala Lumpur and other places.

Therefore, when you come back from those countries, please, come back and transfer the knowledge that you get from those countries to our country instead of coming to transfer things that incite people as I have heard in this room. If every person was to declare county interest in all issues that we speak about, then we would say that all the waters flowing from the Mt. Kenya region to the Coast Province should be diverted to the use of Kirinyaga County. However, we cannot do that. If everybody was to talk about Mombasa being a county port, then it would cease to be an international port the way Rotterdam is. So, let us not narrow this down to a county debate. Let us discuss things that are national. Let us think international and that is how we will get the much needed foreign exchange. That foreign exchange is what will develop our roads and schools. Let us be broader because it is not always the people who live in Mombasa who have the best ideas. It is always said that if you mix breeds, you get better than the original breed.

I support.

Sen. Kagwe: Thank you, Mr. Temporary Speaker, Sir. I rise to support this report and concur with quite a bit of what we have heard from distinguished Senators. Having done so, I would like to raise a couple of things that the House and the Committee can help in thinking about. When we visit the institutions that we do, as Committees of the Senate, one presumes that there is an exchange of views in two ways.

First, we learn something from the Committees' visits so that we stay informed about what they are doing and the plans that each institution or organization has. Secondly, we should impute some knowledge and make suggestions to those Committees about their operations and how we feel with regard to how they can improve the lives of Kenyans and their efficiency.

I want to start by congratulating the Kenya Ports Authority (KPA) because they have done quite a good job in spite of limited resources, from what we can see in this report. Recently, they opened a new shed, shed No.19. Shed 19 is one of the most modern that we have in the East African coastline. Not only is it on land that has been reclaimed from the sea, as it were---- I do not believe that there is another port on the East Africa coastline that reclaimed land to build a new port. I want to congratulate the KPA for the modern way of thinking.

I also want to urge that some of the issues that were raised here, particularly by Sen. Boy Juma Boy, regarding the matter of Corporate Social Responsibility (CSR) be extended in a manner that the people in the coast are aware, with regard to what KPA is doing for them, particularly with regard to institutions that they are helping to build. The training institutions that they are helping to build at the coast line like the Bahari Training Institute and other institutions that they are supporting should be publicized so that they are not accused of not having done anything.

Having said that, it is of no point if KPA on its own, became efficient while the road and railway networks are not efficient. If these were efficient, goods and services would move very quickly from the port. However, once they are cleared at the Kilindini Harbour, there would be clogging all the way. We have heard how, Busia, for example, is severely clogged. I spent four hours driving to Mombasa from Mazeras because of the trucks on the road. Unless and until we have an efficient railway transport system, those trucks will continue to give us hell, not only on Mombasa Road, but even here in Nairobi. At times, they are lined up all the way from Westlands towards Mlolongo.

We are saying that the KPA, on its own, cannot improve the system. We ought to have a system that we can use to improve the entire transport system in the country. In the short term, it is possible for the road network, at least, around Mazeras to have a short bypass so that trucks are cleared without necessarily following each other on that route. This is extremely expensive for motorists and for the truckers themselves.

The KPA - this is new thinking - should also think about how it will capture the imagination of people at the coast in terms of new areas of expertise. There is nothing to stop the KPA from diversifying their operations and starting a tourism firm for themselves. They should start ocean liners that can take people around the East African Coast or even just the Kenyan coast. People would be very keen to tour that area and KPA would make money out of that and assist in developing tourism in our country.

The KPA is also charged with the responsibility of working on the LAPSSSET project. I must say that we are not hearing enough on the matter of LAPPSET. We are not seeing enough being done with regard to this very important corridor and development as far as our country is concerned. We would like to hear that work on the railway has started.

I remember President Salva Kir, President Kibaki and I believe, the late Prime Minister for Ethiopia went to Mombasa to launch this project. Having done so, it is important for us to hear about the progress as far as LAPSSSET is concerned. We do not hear enough. We are making slow progress as far as KPA, LAPSSSET and the railway are concerned. One of the reasons for this is funding.

It is necessary for us, as Kenyans, to start thinking anew with regard to the way we fund our projects. There is nothing to stop KPA, LAPSSSET and Kenya Railways from issuing bonds and capitalizing themselves, provided they have Government guarantees. If we wait for the Exchequer to be given directly to the KPA when we have other institutions that are of social nature and which cannot issue bonds, then it will take a long time for us to get this idea on the road. It is time that we started thinking differently. We should let the KPA and the LAPSSSET projects issue bonds to capitalize themselves and to start moving forward. All these require Government guarantee and, perhaps, other

international organizations that can create the confidence. Money is there and the issue is how we can get it. If we wait for it to come through taxes because of revenue allocation, then we will wait for a very long time.

Secondly, there is the use of the private sector. The Mombasa-Nairobi Road is very busy. If you went to Thailand, you would find two roads heading to the airport. One of them is a national road while the other is a private road. There is nothing to stop us from giving sections of Mombasa road to private road developers so that those who feel that they are wasting too much time on the road can divert to the private roads, pay for the services and save time. Sometimes, it is our inward mentality that stops us from doing these things. There is absolutely nothing that stops us, as a House or as an Executive, today from simply saying that from tomorrow, people should build private roads.

People would complain and ask why we are giving roads to be constructed by private individuals when they should be owned by the Government. Why have we allowed individual people to own hospitals which should be owned by the Government? Why should we allow people to build primary and secondary schools which should be owned by the Government? Nowhere was it written in the Bible or the Quran that roads must be owned by the Government. Therefore, let us think anew. Let us open our minds to new possibilities of how things can be done without necessarily restricting ourselves to what we have always done.

The other issue is that the report is very clear. It emphasizes that the institutions reported on here have moved to the use of new technology. When you look at the efficiency that has been created at the port, you will notice that a lot of it has to do with the fact that they are using new technology. The clearing and forwarding agents who work at the port have been very clear to us. They have told us that these days; they work on the internet, communicate with the KPA and clear their goods very quickly. We urge these institutions, particularly the KPA to install very serious technology, particularly for security purposes.

We know that the KPA, with its ships arriving there and with all manner of people checking in and out goods, is an area that must be under very serious surveillance. We urge, especially given what we have been hearing in the last couple of days; that the KPA installs serious CCTV and technology that can ensure that at no time will we experience the sort of potential threats that we have had elsewhere. We must remember, as my brother, Sen. Karaba has said, the KPA is not just a Kenyan institution. It is a Kenyan institution that serves the entire region. We are not the only ones available for these services. There is developing competition. I can say that the Tanzanian Government has invested substantially to ensure that the Port of Dar es Salaam is an alternative for the KPA. There is also another one in Tanga and many others that are coming up.

We want to ensure that if somebody chooses another port, they will not do so because they could not get services in Mombasa, but because of other reasons. I am proposing to the Committee to make sure that it follows up on what it has said in the report and ensures that the investments that we were told are being made by those institutions are installed.

(The Temporary Speaker (Sen. (Dr.) Machage) left the Chair)

(The Temporary Speaker (Sen. Mositet) took the Chair)

Mr. Temporary Speaker, Sir, finally, what we are looking at is reducing the cost of doing business. One of the reasons why Kenya is falling behind as far as local and foreign direct investments are concerned is the cost of doing business. Therefore, when we increase the efficiency of KPA and the efficiency of the railway and we support it, we will reduce the cost of doing business. Personally I support 100 per cent the very quick construction of the new railway with a new gauge because this is the lifeline of our economy.

I am not proposing for any reason that we build it without clarity and without transparency; that must be there. We must ensure that whatever ills that are there are addressed very quickly and work starts on the project. It does not mean that if we wait for three years, it is going to get cheaper. It is actually going to become a lot more expensive. We want Kenyans to get value for money and there is no question about it. We hope that we do, and as a House, we should ensure that we do.

But we must also be aware of those who fight projects for their own personal reasons. There are cases where individuals win tenders and those who did not win the tenders continue to frustrate those who won for time immemorial. That is why, at some point, when we were working on the procurement rules in the Ninth Parliament, I recall there was a clause that had been proposed where, if you were clear enough that your evidence is good enough to stop a project from starting immediately, then you must put your money where your mouth is so that you cannot stop massive projects from going on and yet you know that it is at no cost to you whatsoever if the project continues or does not continue. You will lose nothing.

Mr. Temporary Deputy Speaker, Sir, this is something that we must, as a nation, be aware of because under the guise of checking and double checking, it is possible for us to lose a lot.

With those few remarks, I beg to support.

Sen. Keter: Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity to contribute on this Motion. I want to say, on the outset, that I am one of the Members of the Committee on Energy, Roads and Infrastructure, but I was not able to be on the familiarization tour to KPA, KPRL and KPC. However, I want to say that after going through the Report, it is a good and thorough Report. After listening to the contributions by Members, it is a good Report that we need to really adopt and go further to make sure that some of the recommendations which have been suggested are pushed ahead so that we can realize them.

I want to start with KPRL which is a very old facility. It is the only facility we have in terms of oil products to Kenya. It was a joint venture between some of the oil marketers; Shell and the others with the Government of Kenya. Sometimes back in 2009, the oil marketers sold off their shares and Essar from India bought all their shares to stand at 50/50. One of the conditions was to inject capital into this facility. It is very surprising that five years down the line, Essar never injected any capital into this facility. Instead

they imposed their own management; the Managing Director and the Financial Director all came from Essar, and hence they were running the facility, taking the profit and declaring that it was not profitable. Up to now as I speak, the contract of the shareholding issue has not been resolved.

Mr. Temporary Speaker, Sir, Essar should be kicked out like yesterday because they never injected capital into this facility. We are reading from the Report that KPRL is making losses and oil marketers have resorted to importing refined oil directly to this country. They are not importing crude oil so that the Government can get some revenue. The issue of shutting down KPRL *vis-à-vis* injecting capital, to me, I want to say that this is a very strategic facility. What needs to be done is to kick out Essar, pay them off, although they have not paid anything and let the Government inject capital into KPRL. We should change the technology which is being used there. Since there is very big land there, part of it can be used for storage tanks.

As I speak, if today, God forbid, that we cannot get oil supplies to this country, we cannot last for even three days. We do not have any storage facilities. What we have are products for oil marketers. The KPC is holding those products for them. The Government does not have and reserve products for any emergency. Every month, there is a tender which is floated two months in advance for oil marketers to come and pick their products. So, we have to make bold decisions as a country and say goodbye to Essar for not fulfilling their commitment and then the Government can inject money into KPRL.

On the KPC, which as the Report says, is doing very well; their finances are good, the issue which is worrying is that we are talking about a pipeline from Mombasa to Nairobi which was built 35 years ago. This was a very small pipeline *vis-à-vis* the consumption of the country right now especially regionally because there are products being taken to Rwanda, Burundi and parts of Tanzania. I saw a tender for a 20 inch pipeline to connect Mombasa and Nairobi, but that one was done a long time ago. I remember before I left the Ministry of Energy in 2010 that study was there and that project should have started by 2012 and we are now talking about 2014, two years down the line. So, this project should start now. I believe the 20 inch pipe will really evacuate our oil products from Mombasa to Nairobi very fast.

What needs to be improved is the power line. The cost incurred by KPC is due to the high cost of power. The Committee has mentioned that in the Report but I want to say that KPC should also look into alternative sources of power like the coal fired power plants and the L&G so that it can also assist in their operations so that the cost of fuel is lowered. If it is added on that, it becomes very expensive. There are different modes of communication because all these things are digitized. If KPC relies on third parties in terms of communication, it means that the evacuation of our products from Mombasa to other destinations will delay. I have seen in their proposal that KPC must also have their own communication which they can manage so that in case of anything, they cannot blame anybody and hence lowering the cost.

Mr. Temporary Speaker, Sir, the Mombasa-Nairobi project is on course but the Eldoret-Nairobi was done. I have also seen the Sinendet-Kisumu project which should have been done a long time ago. There was also a project from Nakuru to Isiolo. All these

pipelines must also be extended to reach a wider part of the country. It should not be left at Nakuru because there is also heavy traffic. We need to do another pipeline even to Kisii so that it can go all the way to Isebania and even serve some parts of Tanzania. We should also do a pipeline from Eldoret all the way to Turkana so that when the LAPPSET project starts from Lamu all the way to Turkana, Uganda and South Sudan and we have our interconnection pipelines within the country, it will really ease the evacuation of fuel and it will even lower the cost of our oil products. The KPC should not rely on GoK funds. For example, the pipeline which was done from Nairobi to Eldoret was funded by local banks and it was paid within two years. I also saw a tender advert for the Mombasa-Nairobi pipeline and the local banks can combine all these small pipelines so that all these projects can be started at once.

As a country, we need fuel storage facilities in Changanwe, Nairobi, Nakuru and Kisumu, because without those storage facilities, as I had indicated earlier on, we are really risking as a country. Therefore, I will propose that we move faster. There were negotiations going on between the East African Community (EAC) members that they want to build a refinery in Uganda and I was wondering whether it was viable. With the discovery of oil in Lamu, Turkana and other places, I thought if we can build a refinery in Lamu and revive the Mombasa one, it would really assist us because most of these products are going to be sold to other countries. So, for the Government to invest in a refinery in Uganda, to me, it does not make any economic sense because you are building a refinery there and after the product has been refined, where are you going to sell it to because you need a pipeline. The pipeline should be a-two way so that it gets crude oil out and also carries the finished product so that it can be used both ways.

Mr. Temporary Speaker, Sir, with regard to KPA, the sooner we expand our port, the sooner we will have our revenue as a country increased. We export a lot of tea through the Port of Mombasa. Tea earns this country a lot of foreign exchange. I want to join my colleagues by saying that the Port of Mombasa is a national resource and not for the people of Mombasa only. We are not the ones who get our goods through the Port of Mombasa. There are a lot of godowns which are in Mombasa – I thought Sen. Hassan should listen to this.

(Sen. Hassan consulted with another Senator)

There are godowns in Mombasa where we store our tea for export. So, the expansion of the Port of Mombasa will not only be good for the people of Mombasa, but even us, the people of Kericho. So, the Port of Mombasa belongs to all of us. The success of the Port of Mombasa is for all of us. Therefore, we must make sure that it is expanded.

Why do people go to Dubai, yet it does not have oil and a lot of things? You will find people going for holiday in Dubai just to relax, because of the facilities which are there. The tourism sector earns Dubai a lot of money. We can have our own Dubai in Kenya by making Mombasa a free port. We can then invest in hotels not only in Mombasa but also in Nairobi. People will fly to Nairobi and then go to do their business in Mombasa. It can open up the African region. Instead of people in Nigeria flying to Dubai to do business, they will come to Kenya. Our tourism sector will increase and we

will have a lot of money to develop this country. These are areas which have been elaborated in the Report. I think that Kenya needs a dictator to make things work, because if we keep on having reports like this and adopting them without implementation, we will not progress.

Mr. Temporary Speaker, Sir, finally, on the issue of the railway which has been talked about, I want to just add my voice and say that we need the railway like yesterday. We cannot be talking about a railway that was built even before we were born. We need to see a new railway being built now. The standard gauge railway must be built, because it will really assist in transporting goods from Mombasa to the region. I would like it even extended to Kericho all the way to Kisii. We will have tea from the Kisii County being loaded onto wagons and transported to Mombasa for export. It will also open up Mandera and the whole country. Even Prof. Anyang'-Nyong'o who is my neighbour will use the railway. It will make things move faster for this country.

Mr. Temporary Speaker, Sir, with those many remarks, I beg to support this Report.

Sen. Billow: Mr. Temporary Speaker, Sir, I rise to support the Report of the Standing Committee on Energy on the tour. This is the second such report that this Committee has submitted. The last report that they submitted was on the tour of the geothermal area. We are hopeful that the next report will not be focusing on familiarization, but they will go deeper into issues that affect this sector.

Mr. Temporary Speaker, Sir, this is one of the most important sectors in any nation's economy today. The next world war will be about energy. It is not going to be about land or equality. As a nation, we are lucky that we are strategically placed in the part of the world that is endowed with energy resources. I am talking of energy in its wider sense. The region in which we are – the Great Lakes or whatever – has resources ranging from uranium to oil and every mineral that you can think of. Natural gas is found in this part of the world in large quantities and is largely unexploited to date. So, it is very important that this Committee goes deeper into these issues.

Mr. Temporary Speaker, Sir, one of the challenges that we have had in this country is that these institutions which are listed here, in particular, the energy institutions, have suffered for lack of investment for many years. There is no Government – worse still those governments in Africa – which will have the financial capacity to actually invest adequately in energy. This is why when we were looking at the Report last month on geothermal, we had a situation where donors had to suspend counterpart funding running into tens of billions of shillings, because the Government does not have some Kshs4 billion or Kshs5 billion counterpart funding. This is a sector of the economy where we need participation by the private sector. But if there is a sector in this country where we have done poorly, as the Government, it is in this sector because we have literally locked out the private sector.

Mr. Temporary Speaker, Sir, look at the Kenya Pipeline Company. This pipeline is supposed to serve four or five landlocked countries that are dependent on the Mombasa Pipeline. It is supposed to serve Burundi, Rwanda, Uganda, South Sudan and eastern parts of the Democratic Republic of Congo (DRC), yet you will be shocked at the last investment that we made in terms of the storage at Kipevu and the pipeline. The

infrastructure is so constrained that literally it is rationed through a process of transportation, for example, that they call allage for storage. For all those five countries that I have mentioned, we can only give them an allage or allocate them 30 per cent, because the 70 per cent of the imports on the pipeline and storage is actually going to serve this country. That denies this country a huge opportunity to export petroleum products to that region.

What does this mean in terms of the Gross Domestic Product (GDP)? It means that we are actually losing significantly. This is an economy that would have performed at Kshs4 trillion or Kshs5 trillion, but today, we are struggling with half of that GDP, because we do not see the larger picture and need to invest resources here. Instead of pumping Kshs40 billion or Kshs50 billion into the laptop project, we should be pumping that money into the energy sector. That will give us the advantage of expanding our GDP significantly.

Mr. Temporary Speaker, Sir, I want to encourage this Committee to have a serious discussion around these issues of energy, particularly investment in this sector. We have a capital market that is highly developed and capable of raising Kshs100 billion, I am told by the last Estimates, from private sector investment within one quarter. So, if we structure our companies in this sector and privatize them, we can get huge investments in this sector. Why would the Government be struggling to raise a few billion shillings for geothermal and power transmission and generation?

Mr. Temporary Speaker, Sir, Sen. Keter mentioned earlier about storage. It is a serious matter, that we do not have any emergency reserves. The reason is because there is no capacity for investment by the Government. We have talked about it for years. We expect the Government to give the National Oil Corporation of Kenya (NOCK) money to put up--- We do not have resources. When you do not have teachers and nurses and your people are eating dogs because of hunger, when you are you going to invest billions of shillings to put up strategic oil reserves?

The Temporary Speaker (Sen. Mositet): Order, Sen. Billow! Did you say that our people eat dogs?

Sen. Billow: Mr. Temporary Speaker, Sir, it was reported widely last month that because of starvation, one family survived on dogs for a whole week in a place called Turkana. It was covered widely and the Government did not dispute that. That is the reference that I made.

Mr. Temporary Speaker, Sir, we need huge investments in this sector, particularly in the Kenya Pipeline Company and the energy sector as a whole. So, we need a complete paradigm shift in terms of the way we look at this sector and invest. We cannot talk of the state corporations running these things and yet, there are investors who are interested.

Mr. Temporary Speaker, Sir, let me come to the issue of the refinery. If there is any fraud that the successive governments of Kenya have perfected and made Kenyans suffer, it is on the Kenya Petroleum Refinery. This piece of antique – something that was built in 1960 – is the most inefficient facility that we can talk of on this continent today. I want to tell you that because I am a player in this industry. When you take products there today, even as it remains closed, the oil marketing companies have lost a combined amount of money of nearly US\$100 million, that the refinery owners are

unable to refund, because of the losses it has incurred over the last 20 to 30 years. For the last five years alone, for every litre of fuel that you take from the pump, we are actually paying up to Kshs14 more because of the inefficiency of this facility. But because we believe in some idea that this is a strategic asset, we retained that thing. The Government has been dilly dallying in shutting down this thing.

For the last month I have been hearing news, and it is a pity that the Committee did not raise this, that we have to pay some US\$2 million or US\$3 million. We sold 50 per cent of that company for a pittance – US\$ 5 million. They were to invest, according to the agreement, US\$400 million into that company, but did not spend a penny. Instead, for the many years that they have been running, their losses were covered 100 per cent, in a much skewed system of costing of the product. The Government of Kenya ensured that they were covered for the entire cost, plus the merging of profit, something that does not happen anywhere in the world. This is a commercial enterprise; they came here for business. So, you make your people suffer at the expense of giving profit to another party – a private sector that purports to have invested. They did not put a single penny and walked away with billions of shillings in profit.

That philosophy and mindset is still there in the Government. There are many like, for example, the concession on the Kenya Railway. This same Committee needs to look at the concession on the Kenya Railway. We signed off that concession years ago for Rift Valley Railways to pump in billions, but what has been done? We are still running the same antiquated facilities that you see.

Mr. Temporary Speaker, Sir, I am at least glad that the Kenya Petroleum Refineries has been shut down, but the Government has an obligation to pay the oil companies the losses that have been accumulated. To date, there are people who have paper stocks in that refinery that you cannot actually give to the oil marketing companies.

(Sen. Keter consulted loudly)

Mr. Temporary Speaker, Sir, I need protection from the Senator for Kericho, who knows about tea and not oil.

The Temporary Speaker (Sen. Mositot): Order, Sen. Keter!

Sen. Billow: Mr. Temporary Speaker, Sir, the same issue of energy, I agree with what the previous speakers have said that we need huge investment. I am glad that the Government is thinking of putting up a new pipeline from Nairobi to Mombasa. But, again, really the Government should look at the possibility of bringing on board the private sector into this industry, otherwise, we will also be operating at under-capacity and suffering constraints of infrastructure in the energy sector. This is one sector that is expanding more than any other. There is no way that you can talk of expanding the economy – whether it is agriculture, tourism or transport – if you do not have energy. The consumption of fuel is increasing across the region and we have got a strategic port. You want to serve all those countries, but you are telling them: Sorry, I can only allocate you a space of 30, when you can actually invite people to put billions into this thing. Because of certain interests, we are unable to expand the facility. We have talked about privatizing the Kenya Pipeline for the last 15 years. We cannot move because of interests all the

time. I think it is important that the Government really focuses on some of these areas, if we want to focus on the economy.

Lastly, Mr. Temporary Speaker, Sir, let me talk about the issue of energy, including power generation. The Ministry of Energy and Petroleum is very important but we keep hearing of various interests in this sector. If there is one area in this Government where there are a lot of conflicting interests that frustrate progress, development and investment, it is this sector. It is wrong to allow individuals to literally get people out of office because they want to create opportunities for themselves, their people or for others. We are seeing this now with the issue of the geothermal sector. We are reading in the newspapers of what is happening everyday, that a chairman wants to get a particular individual out of office, they want to put *mtu wao*. This kind of culture must stop. This Committee has an obligation to go beyond telling us they visited various places to actually going into issues that affect this sector. They should tell the Government what is not right and what needs to be done. This approach is very important. We, as a nation, cannot continue suffering due to the self-interests of individuals.

Mr. Temporary Speaker, Sir, I conclude by saying that we, as a nation, are strategically placed. We are lucky that there is oil that has been discovered in Turkana County. I hear it has also been found in Mandera and Lamu. I know we will discover oil in many other places. We need to think about the issue of a refinery. We need a discussion around these issues. We do not want a boardroom decision. Let the Committee table the energy policy as soon as possible so that we can look at it. They should also table the proposals regarding where to put an important infrastructure like the refinery. Is it going to be in Lamu? Let us have a debate around it. This House needs to be engaged in these matters because we are interested in resource allocation to the people and the counties of this country. Therefore, we must be involved in decision making over this matter. Those are the issues we want to see placed on the table by the Committee. Otherwise, they have done pretty well by giving us a report of their tour.

I support.

The Temporary Speaker (Sen. Mositet): Distinguished Senators, you have debated on this report very well. The Chairperson of the Committee was with us throughout the debate. The HANSARD report is also there. A lot of good points have been made to perfect the report the next time the committee goes to the field.

I now wish to call upon the Mover to reply.

Sen. Mwakulegwa: Mr. Temporary Speaker, Sir, first and foremost, let me take this opportunity to sincerely thank the Senators who have contributed and supported this Motion. I want to assure them that the Committee will go through the HANSARD and make sure that the recommendations from the Members of this House are communicated not only to the corporations, but to the parent Ministries. A follow up will be needed by the Committee of Energy and the other Committee on Roads and Transportation to make sure that the good suggestions which have been made by the Members are actually implemented in due course.

Mr. Temporary Speaker, Sir, there are so many recommendations but key to note, as has been discussed by the Members, it is important to say that the Committee will take

the lead to hold discussions with the Government and the Ministry concerned to make sure that the private sector is invited to play a role in the energy and transport sectors.

It has also been suggested that the Committee will lead in bringing legislation to this House; we will take quick steps to make sure that we ban the trucking of oil from Mombasa to Nairobi and Kisumu because we have a pipeline. We shall, as a Committee, fast track some of the legislation. We will also make sure that we bring policy papers here to discuss about energy and transportation in this country because good discussions have been made on the Floor of the House. This Committee is going to Mombasa this weekend. There is an energy sector workshop that will discuss about energy. Any interested Member of this House who will be in Mombasa is most welcome to discuss issues related to the energy sector. We will discuss with other stakeholders some of the suggestions discussed here.

Mr. Temporary Speaker, Sir, I want to summarize a few remarks that have been discussed and canvassed in this House. As we wind up the Committee on Energy, Roads and Transportation and focus on the Committee on Energy, the new Committee on Roads and Transportation should take up the challenge that has been raised by the Members, to make sure that we innovate and come up with a strategy on transportation in this country, especially focusing on our two cities, Nairobi and Mombasa. On Mombasa, Members specifically discussed about the road from the airport to the city and the congestion that is there at the moment. We know that Mombasa is a gateway and tourist destination. We will summarise all this information and forward it to the Committee on Roads and Transportation, so that they can enhance and discuss further on how to innovate and improve transportation in totality. When I talk about transportation, they need to look at the rail, road and air transport.

Air transport plays a key role in developing our economy. We have been talking about a free air space. But as late as 2012 when I was the Minister for Tourism, three airlines wanted to fly to Mombasa and some to Kenya. Up to today, they have not been granted permission to do so. Therefore, the new Committee on Roads and Transportation needs to develop strategies with the other stakeholders on how to bring innovations to the transportation sector.

In terms of the energy sector, the key is basically to open up to private investors. Locally, we have talked about issuing of bonds so that we can develop capital to come up with infrastructure especially in the energy sector. We have adequate energy resources, geothermal, coal, gas and wind. All these are available and they need to be developed pretty fast, so that we can achieve Vision 2030. Energy and transportation will play a key role in the development of this country.

Mr. Temporary Speaker, Sir, the other thing that has been discussed in this report is the need for the Port of Mombasa to be declared a free port. This issue has been discussed for more than two decades. It is incumbent upon the Committee on Roads and Transportation to bring a Motion or Bill so that we fast track making the Port of Mombasa a free port. This issue has been discussed on very many occasions and various groups have visited Dubai and other ports around the world. However, nothing seems to be happening. But the most important thing is, if we really want to accelerate

development in the energy and transport sectors, we must open up and invite the private players to come and invest.

As we have been told, if you go to Kuala Lumpur, from the airport there are two roads, you can choose which one to use. If you want to use the public one, it will take you longer to get to where you are going. If you use the private one, you will take 10 minutes to get to where you are going while the other one will take one hour and 50 minutes. Therefore, we need to offer Kenyans choices. If one is willing to pay but get better services, so be it.

Mr. Temporary Speaker, Sir, this Committee sincerely appreciates all the feedback that has been given. We will comb the HANSARD and make sure that we develop a report that will be discussed not only with the corporations but with the parent Ministry. There are areas that have been emphasized whereby we need policy and legislation. The Committee on Energy and that of Roads and Transportation, again, will go through the HANSARD and make sure that through the parent Ministry, we fast track Bills to come to this House so that we can discuss, legislate and take steps in implementing some of these suggestions which have been discussed here.

When we were talking about the Port of Mombasa, my colleague from Kwale County emotionally talked about the people and the benefits from the port. The Dongo Kundu by-pass that is to connect Mombasa Island to the mainland south and also the Mshomoroni by-pass to connect the north are very important. However, the Dongo Kundu by-pass project has been shrouded in controversies. One of the controversies is that there are people, when they learnt that the Dongo Kundu by-pass was passing through there, they got title deeds. They want to sell the pieces of land to the Government at very exorbitant prices. We need to implore the Government to make sure that this issue is concluded and the Dongo Kundu project is implemented. This matter has been discussed in many fora for more than 20 years. These are the things that the Committee on Roads and Transportation will need to follow up, so that these key projects are implemented.

Mr. Temporary Speaker, Sir, in terms of the Kenya Petroleum Refineries Limited (KPRL), this is a strategic unit. It is the only refinery in East Africa. Therefore, even if we are looking at upgrading or replacing the current one which can only produce four million metric tonnes per year, but with modernization, we can get private investors to come and invest. They are willing to do so. We have had people from Iran and other interested groups. But our agreement with the Essar Group, unfortunately, has not been terminated as we speak. Therefore, the Government needs to have an exit strategy as we said in our recommendations, that is also favourable for investors. If it is seen to hurt, we might be sending a wrong message. But we need it done like yesterday so that we can get other investors to come and invest in this very strategic facility at the Coast.

Mr. Temporary Speaker, Sir, in terms of the Kenya Ports Authority (KPA), we wish the new chairman, hon. Danson Mungatana, well. But as it has been discussed on the Floor, he needs to streamline the port. He needs to phase out the cartels and make sure that we modernize the port, so that it becomes more efficient. We need to appreciate what they have done. Moving from 14 days in 2012 to 4.8 days in terms of moving products from the Port of Mombasa to Malaba and Busia is commendable. We need to

recommend the current Board of Management because they are focused on improving operations at the Port of Mombasa. They need encouragement but we also need to benchmark them with other institutions so that our corporations and units operate at world class standards.

We also need the Committee on Implementation to come to the House and report on all the Motions and reports that are debated and adopted. They need to make a follow up with the Government. They should come back to the House and tell us what has been implemented, what is pending and what is at what stage. Otherwise, we will have very good reports which will be adopted and if they are not implemented, that will not be good enough.

Lastly, I would like to assure my colleagues that this Report which many of them contributed to will be discussed with the corporations. We will go back with your recommendations. We will also discuss with other stakeholders and the parent Ministries.

In future, as we have been challenged, we should visit, tackle issues and make recommendations to solve issues that face many corporations. I would like, once again, to thank Members who have contributed to and supported the Motion.

I beg to move.

The Temporary Speaker (Sen. Mositet): Hon. Senators, this Motion does not affect counties. Therefore, I will not require hon. Senators to vote by delegation.

(Question put and agreed to)

DEVELOPMENT OF POLICY FOR
CARE OF THE AGED

Sen. (Prof.) Lesan: Mr. Speaker, Sir, I beg to move:-

THAT, aware that a good percentage of Kenya's population is made up of Kenyans aged 70 years and above and that some of them are affected by senile dementia but have no one to take care of them owing to the reality of changing circumstances; appreciating the introduction of social support programmes by the national Government; concerned, however, that the Government has not comprehensively addressed the challenges of the aged, further concerned that the magnitude of the problem of the aged is enormous; the Senate urges the national Government to develop a comprehensive policy for the aged and initiate innovative projects such as small-scale residential homes in each county to enable them access necessary care and live dignified lives.

Before I get involved in the actual debate, I would like to refer to the constitutional requirement. Article 57(c) and (d) says;

“The state shall take measures to ensure the rights of older persons-

(c) to live in dignity and respect and be free from abuse; and

(d) to receive reasonable care and assistance from their family and the State.”

The life expectancy in this country has risen marginally from around 56 years to 59 years and has gone up to between 58 to 63 years. Although this is a marginal rise in

the percentages of ages, it has substantially increased the number of old people in this country.

Owing to that, two things have happened; the number of Kenyans who are 75 years and above is about 1.2 million. Those who are over 85 years are close to 500,000 now. The numbers continue to swell. I am sure that in a shorter period, these numbers are likely to increase by 50 per cent.

There is something else that has happened recently. There has been a significant disruption in the social structure in the lives of our people and this has affected, in a very fundamental way, the older people. The older people are a very fragile lot. We know that there are certain things that affect the older people which are very obvious and which have very significant effects on how they live.

Senile dementia is one of those conditions that affect the older people and they go into a state of forgetfulness. They lose memory and, in fact, the problem with this is that it affects the nervous system of the person. Therefore, there are several disorders that affect the older people. We know them and some are the ones affecting the older persons with us at the moment. These are things like Parkinson's disease. There are also incidences of individuals who had traumatic injuries in their brains when they were younger who now suffer from sclerosis disease. These are individuals who were active in sports in their earlier lives. This starts manifesting in their later days.

There are several other things that affect the older persons. These are things that we see very often. We see, literally, every ageing person being slower in their capacity to move around as a result of ageing of the muscular skeleton system. The ailments I have mentioned are not known to us to be curable. The diseases hamper the capacity of self care. They hamper individuals from taking care of themselves and are not curable. These are factors of ageing that affect the quality of life. It is very important that we get concerned about them.

Recently, there have been Government interventions in these issues. There was a suggestion of a social support programme which individuals of a certain age would benefit by being given a mere Kshs2,000 to take care of these difficulties. These ailments resulting from old age do not only need cash but care. So, cash and care are required to manage this. The Kshs2,000 does not go far. This is such a small amount of money to take care of older individuals. The Kshs2,000 that has been allocated was not well planned for. It lacks policy guidelines and if we are not careful, this is another avenue where corrupt individuals will start to make a kill from monies set aside for ageing populations.

For us to see the seriousness in our aged people, we need to appreciate the dangers that they face as we continue to live with them in our community. The first big challenge that the old people are living with is security threats which are real. There is a real threat to the security of individuals who are aged in our country and we know that. We have recent examples where aged people have been exposed to and subjected to threats on their own lives.

We know that as recently as three months ago, parents of a Member of the National Assembly had their houses torched and they got burnt. They were not protected and these are the real challenges that our old people are facing. They are exposed and

their lives are threatened. This is because of their age and because they cannot protect themselves.

Recently, parents of a dentist colleague of mine, Mr. Maina Wanjigi, who was a Minister in a previous Government, were tortured in their house with iron boxes, among other things. These are not isolated cases. We are aware of many cases in which old people are subjected to torture, difficult situations just because they are aged.

We know of other threats that old people face and these are myriads of abuses. These may not be physical abuses. They may be psychological. We are aware and know of many cases. We read in the Press and experience in real life denial of resources to old people by their own relatives. We are aware of this and it is widespread. This is another form of abuse to the aged people. We also know of rape cases of old people simply because they are exposed and living on their own. These are some of the challenges that old people, who are defenseless, are facing.

We know that some old people have people who take care of them. In most cases, it is believed that the extended family would give the best care to the aged within our society. That may be true but there are significantly fewer of these people who are taken care of by their relatives. We know that old people are being taken care of by employees. These employees have no specific terms. Therefore, they are unreliable, lack interest and training. In most cases, they are a threat to the people they are taking care of.

There are other factors that affect the old people. Some of these are poverty and deprivation. We know that recently, we had serious cases of HIV/AIDs which have decimated a lot of the population that would take care of old people. The older people have been left with grandchildren to take care of them. This has made the lives of these old people much more difficult.

The housing of the old people is not conducive at all. Where there is housing, there are difficulties with the setting of the homes like stairs, toilets and other sanitary facilities which are not in proper places. There are no wheel chairs and trolleys. These are things that contribute to the discomfort of old people as they continue to live on their own.

We know of the pension schemes that exist in our country, however, they have not helped our people. Getting money from a pension scheme like the NSSF is very difficult and it is only for those who were previously employed whereas there are thousands of old people who were not in employment and, therefore, are not beneficiaries of these schemes. The delay and the amount of money involved is so small that it is not able to take care of them.

Mr. Temporary Speaker, Sir, I need not say that the elderly people do not have significant access to medical care. They do not get proper nutrition and this is made difficult in that most of this elderly population does not have teeth. When they have something to eat, they have issues with regard to chewing food.

Deprivation of property is one of those challenges that the elderly people are facing. The law as it is at the moment is not able to protect the elderly even from their own relatives. We are aware that there are many legal cases that are pending in courts where individuals who are much younger are depriving the elderly people of their

resources because of lack of stringent laws that would probably protect the elderly people.

Mr. Temporary Speaker, Sir, whenever there is retrenchment, the greatest victims of this exercise are the elderly in society and we think this is a discriminative process as a result of ageing. This is something that we must be able to take care of. At the moment, though couples live longer, we are aware of the factors that are obvious to us, for example, widowhood. The elderly people who are living alone are increasing in number and the women are more in this category basically because of the reasons we know; that men tend to marry younger girls and probably exit this universe earlier than women. This is a very significant proportion of our population which in this country is up to 16 per cent. These are women who are widowed at the age of above 70 years and probably need special care.

I want to make a plea here that as a society, we know that the aged people have done their bit; they have worked very hard and brought the society where it is. We really owe no other gratitude to these old people than if we were to develop a specific deliberate policy that can make their sunset years more comfortable than it is at the moment. It is for this reason that I urge this Senate to debate this Motion and find out ways in which we can actually behave like human beings unlike animals who do not care at all about their old.

We should be human and this is one of the ways in which we can show gratitude to the old population who are our parents. Let us not forget that we might not only be talking about today's old people, we are also in line and are actually talking about ourselves. We should set up institutions so that we can be well taken care of. In fact, the changed circumstances affect us more than anybody else. As we sit here, I know there are Senators here who have probably got their children in three or four continents; a son in Australia, a daughter in The Netherlands and another one in Los Angeles. These are the people we expect to make our lives comfortable. The aged should sleep in clean sheets every day and get good nutrition every day. Therefore, we would like to develop a policy anchored in law and proper regulations so that we are able to take care of these individuals.

Mr. Temporary Speaker, Sir, I want to urge the Senators who are going to debate this Motion to look at it very closely and be able to develop a policy in which we can take care of other old people and ourselves.

I beg to move and ask Sen. (Prof.) Lonyangapuo to second.

Sen. (Prof.) Lonyangapuo: Thank you, Mr. Temporary Speaker, Sir. I rise to second this Motion by Sen. (Prof.) Lesan. It is directed to a particular department in Government known as Labour, Social Security and Services in which as you have seen, the Senate urges the national Government to develop a comprehensive policy for the aged. My colleague has talked about a problem that is encountered in old age called senile dementia.

As a medical practitioner, he has defined what this problem is. Senile dementia comes from two terminologies; senile and dementia. I can define the two for the sake of the House as follows: Senile can refer to loss of physical abilities in old age, but it usually refers to decreased memory and mental faculties. Getting senile is a very serious

condition. As an old person, you might have trouble even remembering who your children are. Dementia is defined as a mental illness that causes someone to be unable to think clearly or to understand what is real and what is not real.

Therefore, the combination of the two words actually leads to a progressive abnormally accelerated deterioration of mental faculties and emotional stability in old age occurring especially in people who have a disease called Alzheimers. I am told that nobody knew what this type of disease was. It actually originated in 1906 after a doctor known as Alois Alzheimer. This is how it came into being. There is a doctor here called Sen. (Dr.) Khalwale and I hope he is listening. This was a German physician. He presented a case history before a medical meeting of a 51 year old lady who suffered from a rare brain disorder and finally they named this disease after him.

Mr. Temporary Speaker, Sir, as I continue presenting this history, I am told that in America after World War II in 1946 through to 1960, there came a time called the “baby boom” years. During that time, the fertility rate was so high and very many babies were born in the United States of America (US). Likewise, here in Kenya, those baby boomers are entering into retirement age. In the US, when they discovered that there were too many babies within that period, they decided to come up with birth control measures so as to control this trend. Here in Kenya, it is not unique because from history, if you are lucky, you must get old one day. We are lucky because God protects all of us. As many people as possible usually get lucky to reach old age.

The only drama that we have which is not very good for us, as Kenyans and Africans, is that we have never had any policy at all that takes care of the aged. From the community where I come from, there was a song that was designed for young people; that one day they will get old and so they should not laugh and imagine that they will also not be old. Sometimes we think that we are going to remain flowery always.

I am told that during the NARC regime, an idea was mooted that we should think of taking care of anybody who was 65 years and above. This is how this social welfare thing was started in Kenya to assist the people who were aged. The people who are aged have numerous problems that they undergo. One of them as was mentioned by the Mover is illness. This includes hearing loss, sight loss, memory loss and increased health problems. Another problem we have is with regard to income and economic welfare. This is where an elderly person is not able to go to the farm and they do not have a pension and social security.

Loneliness is another problem. Women suffer most because the men die earlier. Men have a shorter life expectancy than women. They also suffer theft and robbery. We have never known why we have never come up with a policy to think of what we should do with our people when they are aged. When they are young, we use them a lot. For example, if you look at the security officers defending this nation, the moment they become old, we do not bother about them.

Mr. Temporary Speaker, Sir, in the white highlands in the Rift Valley, we had very fine young men of those years just after the white man left, but as they aged, their beautiful farms are being divided quickly by the young generation and the old men are dying too fast. If we continue to keep those old people, it would be very easy to pass knowledge on how the communities should move on.

When the idea of the payment of Kshs2,000 to the aged was mooted, we should have expanded it. The Mover actually indicated that about 1.2 million people are 75 years and above. This means that if you come to 65 years, you may get the bracket of the most needy close to two million persons. What does it cost us to take care of these people even if you gave all of them the Kshs2,000? If you gave them the Kshs2,000, you will spend about Kshs40 billion to Kshs48 billion per year. These people would be walking libraries for the children that are being born so that they can pass some knowledge to the young people.

There are scandals that we can count, name and shame ourselves. There is the Goldenberg scandal. How much did we lose? We are talking about new ones that are coming up, like the laptops project. When we mention money, people get jittery. Most people in the rural areas do not have medical cover. I do not know if this will improve now that we have devolution.

Mr. Temporary Speaker, Sir, the problem is that communities vary. My colleague here is suggesting that we should build homes for them, but if it becomes very expensive to build homes for them, can we think of giving them something small that they will be able to say: "Yes, we are proud of ourselves?" I was in the university and everytime we trained older people or they retired, we would get an invitation after a short while that they had passed on because of stress. This is because they realize that nobody is going to take care of them. We also know that payment of pension in this country is very worrying. The moment you exit, getting that little money that is due to you is like climbing Mt. Kenya barefooted. This is not good because we torture these people when they exit. This Motion is timely and I call upon my colleagues to think big and find ways of asking the Government to come up with a policy that is comprehensive. We need to start with whatever is necessary early and the rest can follow later on.

Mr. Temporary Speaker, Sir, I beg to second.

(Question proposed)

Sen. Omondi: Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity to add my voice to this Motion. I strongly oppose this Motion with reasons.

Mr. Temporary Speaker, Sir, the Government should have an alternative and more sustainable ways of helping senior citizens of this country, rather than having them confined in a centre, which is like discrimination to these Kenyan citizens. I oppose this Motion because I see it as a difficult programme to the Government. It will be so difficult for the Government to identify qualified people to run these homes or centres. This is going to encourage more graft and misuse of Government revenue.

Mr. Temporary Speaker, Sir, in September, 2011, I was privileged to visit Japan which is a developed country, to undergo a programme on independent living. Japan and Thailand have a human care centre which promotes independent living. They train people as personal assistants to take care of older persons, people with disabilities and pregnant women. A woman who has a young child and is expectant is given personal assistants who work in shifts, according to the needs.

Mr. Temporary Speaker, Sir, I oppose this Motion because it will pose serious challenges to the Government, as it will be difficult to identify genuine beneficiaries of this programme. Even the cash transfer to the older persons will be a challenge. I have been serving the communities, and know the problem that Kenyans are experiencing with the cash transfer to older persons. The service provider who is a Government employee identifies a beneficiary, who is a close relative, to benefit from this programme. So, at the end of the day, the Government money is not serving the genuine people who deserve to get this money.

Mr. Temporary Speaker, Sir, the Mover of the Motion stated very well that some people have children who work outside the country, but they have neglected them. If you are neglected by your own child, whom you invested in by educating him, and now you want the Government to take care of you and there is a Kenyan citizen whose child never went to school and does not have anything to help that old person--- I oppose this move strongly because it will waste Kenya's revenue and will not support the genuine poor citizens of this country.

Mr. Temporary Speaker, Sir, I beg to oppose.

Sen. Karaba: Thank you, Mr. Temporary Speaker, Sir. We are considering a state with its own population. In developed countries, we have welfare states like Britain, France and Italy. Those countries have a system where the old, going by the nature of their economy, will have made so much money for the country such that the country concerned now feels obligated to make sure that, that person when he gets to over 70 years of age, will be protected by the government while at home. That is what we are trying to import from those devolved countries and it can happen.

Mr. Temporary Speaker, Sir, if we allowed our old men and women to just disappear because of age, I think that God also will not be on our side. I think that we will be committing suicide. Much as I respect my sister – and I hope that when she goes back to Japan, she will learn new tricks – I know that it is possible, in the sense that we have even tried it in Kenya. On Saturday, I attended a harambee. I wish I had invited her to attend. We raised Kshs4 million towards a home for old women who have been abandoned. The home is owned by Sagana Catholic Church. Most of these homes are owned by the churches, because they really know how to take care of people more than the Government.

There are some areas where the Government is not known to assist people. For example, in very dry areas like Turkana, you will realize that the church is stronger than the Government in terms of the role that it plays to the human kind. Therefore, people identify themselves with the church, because it is the church which always makes sure that, that human being will live longer. It is also good to see your mother, if it is possible, to live as long as 200 years, although nowadays we do not have people who live that long. You will still see people crying at the burial of a woman who was already over 200 years old. This is because they feel that their mother has left them. People have never believed that a time will come when they will die.

Sen. Abdirahman: On a point of order, Mr. Temporary Speaker, Sir. I have listened to hon. Karaba speak and tell us that the life expectancy rate in this country goes as far as 200 years. This is absurd. Could he substantiate this, because I do not think that

it will be right to say so, and Kenyans are listening to a very well known legislator from the Ninth Parliament?

The Temporary Speaker (Sen. Mositet): Senator, I think that you are out of order. He never said that the life expectancy of Kenyans is 200 years.

Sen. Abdirahman: Mr. Temporary Speaker, Sir, he said that it is possible to live for 200 years.

The Temporary Speaker (Sen. Mositet): He just gave an example and said that because of love, even if one could live for over 200 years, people will still cry.

Sen. Karaba: Mr. Temporary Speaker, Sir, you can also live up to 200 years if you trust in God. Everything is possible if you trust in God.

(Laughter)

Mr. Temporary Speaker, Sir, even at 100 years, people are old but they still want to live a good life. You would like the 100 years to continue to infinity. But history and geography have it that there is the theory of isostatic equilibrium, which will at one time make sure that the earth itself also holds the weight of a human being. That is why they have to die and the resurrection is somewhere else. That is what we call the end of that life. So, one has to die anyway at that age.

Mr. Temporary Speaker, Sir, some countries have come up with a theory, which I think the hon. Madam Senator is trying to borrow. At the age of 70 years, you are suspected to be a liability to the Government or to the people, so, they clear you before you get to 80 years. There are countries where after 80 years, you are suspected to be a liability and anything can happen to you. I believe that it happens even in some societies here in Kenya. There are some societies in Kenya where the moment you reach over 80 years, you become a liability and it is better if you were not alive. That is why there are times when people do not even cry over a dead person. That is why in some communities, you are buried on the same day that you die. There are some communities in Kenya where if you die, your body is burnt. They do not even bother to bury you.

Mr. Temporary Speaker, Sir, the Government should come up with certain programmes where those who retire are given their benefits on time. For example, when teachers get to 65 years, they should be given money to live up to maybe 80 years. The unfortunate bit is that at the age of 65 years old, you will not even be able to go to Nairobi to look for your benefits. So, we would urge the Government instead of even coming up with this Motion, which I also support, to make sure that after the retirement age, the pension dues should be paid quickly and promptly. There are those who get monthly pensions, this should even be lengthened so that people can benefit up to the age of 80 years.

The other thing is that we can have welfare facilities like the KAFCO. Those retiring army generals and soldiers have their canteens where they can go to relax and make merry. We have those canteens in the army. So we can extent the same to other professions. If the Government can plan the budget surplus which always comes up every year, if possible to have it accumulated to a time when one retires, they can enjoy the benefits. These are the principles of the Motion.

We can afford to have those people in a certain area. There are those old people who have been abandoned by those careless sons and daughters, and I think they should be arrested for abandoning a father or mother. That is like abandoning your child in Class One or Two. If you are not taking your child to school today, there is a law and action can be taken against you. The same law can be extended so that if somebody abandons the mother and the father when they are old, he or she should be arrested. This will encourage the siblings to take care of their parents.

Otherwise, it is important to imagine of a welfare society. Let us take care of the old and remember that even as young as we are, one day we will be old. I would also imagine that Parliament should come up with a scheme that will take care of us after we leave here because we are not going to be elected all the time. These people have done a lot for the country, that is, people in the Senate and in the National Assembly. So the Government should be able to take care of us at old age. That is why I am supporting this Motion though with amendments that those homes should be regulated because given a chance, they could become a dumping ground for every other person who would like to go to that home. Let us make sure that we interrogate and get to know who is supposed to be there. We should only identify people with problems.

With those few remarks, I beg to support.

Sen. (Prof.) Anyang'-Nyong'o: Mr. Temporary Speaker, Sir, I also rise to support this Motion.

Sen. (Dr.) Khalwale: How old are you?

Sen. (Prof.) Anyang'-Nyong'o: Of course, I am a senior citizen.

Sen. (Dr.) Khalwale was asking me my age and I told him that a man is as young as he feels.

First, let me clarify one thing which I think Sen. Omondi misunderstood. The Motion is asking the Senate to urge the Government to develop a comprehensive policy. It does not mean that the Government must do this work itself. The policy will stipulate how the taking care of the aged will be done if indeed that policy will find it better to enforce the systems which already exist, which are working like the old people's homes that the faith-based organizations have established. If the policy feels that the private sector should be encouraged to establish old people's homes and get tax deduction for what they have done, that could be part of the policy.

So, I think it is for us to survey certain aspects of this policy that is suitable for our country, our economy and our people. I think Sen. Karaba is right. In certain countries, in the West and also in the South because I know Mexico has a social welfare policy that takes care of the aged, and you know the City of Mexico is very polluted but just about 100 miles from the city, there is a huge centre called Westerbeck where workers can escape during the weekend and take there their families at a low cost so that they escape from pollution. That is one aspect of the social welfare for a city like Mexico that makes sure workers find holiday centres that they can afford to escape from the pollution in Mexico.

In our case too, we can adopt policies that suit our circumstances which will address problems of the old. Even in this country, where I live in Runda, my neighbour is Huruma Village and Sen. G. G. Kariuki will remember that the village was started by the

Nairobi City Council. It is a Government facility. In those days because we were under colonial rules, our masters knew that the problem of the aged is an important thing and the City of Nairobi headed by older men who were volunteers and were not earning any salary---- but they ran this city very well. So, if we have things like Huruma Village, we need to take those examples and see how we can reinforce them in line with the spirit of this Motion. This Motion has a very good spirit because it reminds us that our social welfare system leaves a lot to be desired.

Mr. Temporary Speaker, Sir, after Independence in 1960s, our nationals were much more foresighted than the people who came after. They started the National Hospital Insurance Fund (NHIF) in 1966 when there were no such programmes in the whole of Africa. Kenya was a pioneer. They started the National Social Security Fund (NSSF), there was no such fund in Africa except in South Africa. So, Kenya was ahead in terms of social welfare. Subsequently, the management of these funds fell into rogue hands who misused them through mis-investments and so on. Ideas were there from the first nationals.

I must congratulate Sen. G. G. Kariuki because he is aging very gracefully and, of course, he is a product of the nationalist era. I would like all of us to age like my friend, Sen. G. G. Kariuki; very gracefully and in a dignified manner. Shakespeare said that old age is like a second childhood but if we can age like Sen. G. G. Kariuki, we will delay our second childhood for quite long. My mother is 94 years old and going strong. She still looks after her cows and she is aging very gracefully. So, I believe we can go up to 100 years; which means that Sen. (Dr.) Khalwale will see me here for a very long time because I take the genes of my mother.

Mr. Temporary Speaker, Sir, I think we should take this issue seriously and support the policy. What I like about it is the fact that it is talking about a comprehensive policy and not institutions. The policy will define the institution. In a place like the United States of America (USA), we have such institutions like the National Institute on Aging, the Centre for Healthy Aging and in the USA Senate itself; we have the Senate Committee on Aging. This is because as a country becomes more prosperous, people begin to live longer and therefore a huge population becomes old. In the USA, those who are classified as senior citizens begin from 60 years. Therefore, I am a senior citizen, I am not that young. Since the senior citizen is a bigger part of the population, there must be a public policy and institutions regarding the lives of these people in as much as we also have a policy for the young.

At that age, these people are still very productive in society. They have their wealth, therefore they spent, they can still invest and still have knowledge to contribute to the national memory of the nation. So you cannot just neglect them. In any case, I agree with Sen. Karaba that it would be very ungodly to forget old people because they are the ones who gave birth to us. The civilization of the nation depended on them to create societies. So, I think it is upon those who are still strong in a social welfare society to take care of the old but also to know that while you are still working, there are institutions where you put your savings for future.

The reason for putting money in the NHIF and the NSSF is that, it is a collective pot, which, as you grow older and no longer earning a salary, you can earn from it in

terms of supporting your health expenses and other things. We cannot assume that people will always have money in their pockets to support themselves when they grow old. If we have a system where there are institutions where people can save for the purpose of the whole community then that pot is used to take care of the others.

That is why I have been very pained in this country to see the resistance against a comprehensive social health insurance. The resistance comes from very narrow minded selfish individuals who own insurance firms. They do so because they think that if you have a comprehensive social health insurance, you will take the market from them. This is not true because a comprehensive social health insurance will still allow private health insurance for those who want and for those who can afford it. That is why in this House, for example, we contribute to the NHIF but we also have another insurance for medical cover, AON Minet. We rarely use the NHIF but it is a way in which we contribute to welfare society.

So, we must understand that in order for individuals to survive in a society, that society must survive as a whole. That is why in a society where there is tremendous social inequality even those who are rich suffer because they fear that the people who do not have will come at night and chop off their heads, looking for some porridge; and the prize of that is your head. It is too expensive a prize to pay. If we invest in dealing with social inequality, we shall have an insurance against such kinds of incidents.

So, Sen. Omondi, what we are addressing is the responsibility of the society as a whole; and not individual families to take care of the old. Of course, children who are educated will take care of their parents but not everybody will be in that category. I can have the ability to take care of my mother and indeed, I do but I know that there are some other people who may not have some kind of income and, therefore, cannot afford. So, we cannot neglect that family simply because they do not have individuals with income to support them.

Mr. Temporary Speaker, Sir, I am glad we have stayed here to support this Motion. That is a very good intention. We have identified just one problem of the aged, that is, senile dementia but the aged have many other problems especially if at one point in your life you have gone through certain treatments. Although you were treated, when you get older, the ailments revisit you. So, if they revisit you at a point when you have no income, there must be a system by which you can be helped.

Finally, I think Sen. Omondi mentioned something very important. We tend to approach social welfare issues in a haphazard manner. Something like *Uwezo* Fund will never work especially by giving the Members of Parliament the responsibility to collect the fund. It is a disaster in waiting. So, we are going to put money in a pool that will never close. It is like what was done last time about *Kazi Kwa Vijana*. It was very well intentioned but you cannot really manage it and it became difficult to manage. So, why do we keep on going towards that direction?

Another fund that we have at the moment which is very difficult to manage is this thing called the old people's transfer fund. I agree with Sen. Omondi that giving it to civil servants to give to people is just another hole of corruption. We better have institutions which are already established to handle such funds. It can handle such funds and that is

why it was established in the first place. It worked well in the 1960s, and I think we should revisit such institutions.

With those few remarks, I beg to support.

Sen. Elachi: Thank you, Mr. Temporary Speaker, Sir. I rise to support this Motion and to thank the Mover for bringing it.

During retired President Kibaki's administration, a Fund was established for the elderly. Within their policies; they said that they would be giving each elderly person Kshs2,500 per month. Some of the challenges with the Fund which we were trying to question at that time were how to identify the elderly person and how to ensure that there is equity across the constituencies. This was a big challenge and I remember the then Minister, Ms. Esther Murugi Mathenge, tried her best to map out how one region would get and next time another region. However, at the end of the day, people would still complain.

When you talk about a comprehensive policy, you should look at what South Africa and the Scandinavian countries are doing because they have very good social support programmes. These countries take care of their old because they also have a challenge of not having young people owing to the controlled birth programme which makes them have more elderly persons than the young people.

I like what Sen. Karaba said. Let us be honest with ourselves. Today, in our country, we have communities which have decided to build homes so that at one time when they are too busy to take care of their parents, they can take them to a home and that is where they would visit them. However, in the African culture, we believe in staying with our own so that they get blessings before they go back to their creator. However, due to change of culture and the western culture that is taking over us, we are also changing.

At Kasarani, there is the Nyumba ya Wazee where we took our grandfather who fought for the Millennium Development Goals (MDGs) in terms of education. When he was taken to the home, he became more miserable. This is because he was used to a certain environment in Eldoret. This is the late Kimani Maruge. We thought that it was a good initiative to take him to the home and when we visited him at the home, he told us he wished he was in Eldoret where he could walk and look after his farm.

This comprehensive policy will allow them to stay in their homes until they go to their creator. My grandmother died when she was 115. My maternal grandmother died at 98. These people were still strong because they would stay at home and even go to church. The other day, I saw on Citizen Television Channel, a lady who has never gone to hospital but who is now approaching 100. She appeared to be very strong. That means that we need to take care of them.

These are resources from the public but who is the public? The public came from the old people. They are the ones who have given birth to us and, therefore, it is time that we took care of them. When you look at our lives, you will see that at one point, you will grow old and become like a baby. When you are undergoing your middle age, you are a strong human being. However, as you age, you start doing the things you were doing as a baby.

The Jubilee Government, in their manifesto, promised to give us this support. We told Kenyans that we would look at this aspect. The number of old people may not be more than 1.5 million in this country. The Senate must ensure that there is a comprehensive policy. We should look at what was proposed for the elderly, put a comprehensive policy and see how that can work.

As I conclude, we have one thing in this country that the Senate should start looking at; that is, the unclaimed assets. Among the unclaimed assets are billions of shillings that are held by insurance companies and banks. It also appears as if the legislature is afraid of dealing with unclaimed assets. These are monies that institutions have taken to be their own while many Kenyans do not know where the resources of their old people are.

The other day, we attended the burial of Prof. Wanjiru Kabira's mother who was also over 100 years. You could see the brothers asking the *chamas* that their mum used to go to. They wanted to know where her resources were because she continued to contribute to social support programme in her old age. If we do not take care of them, some of them will end up not sharing with us what they had before they go. The families end up wrangling for nothing. However, if they are given time and something to support them, they become strong and they depart in peace. Everything they had is shared equally and, therefore, everybody becomes happy.

As the Senate, we must look at the policies and ensure that all the monies we are wasting come to this Fund. This Fund will help you and me in future. You will be somewhere and nobody will be there with you. However, you will remember that one day you fought for this fund. Look at the likes of Githu Kahengeri today. If we had a Fund, this would be one person to benefit having fought as part of Mau Mau. I do not think he has anything to be proud of. I do not think that there is anything that he draws from the Government as a benefit for bringing this country to where it is today.

We also have John Keen. I know that people will always say that these people have properties. Yes, they have properties but there is something they did for this country. They fought for this country. Therefore, the Government should look after them in a different way. Let us not remember how the late Martin Shikuku and others passed on. There was no Fund to assist them to go to hospital for treatment. This Fund will assist in many ways. We have hunger and many other problems and they are the victims.

The other question we need to ask is: Who will manage the Fund. We do not see the profits of the elderly because it goes through the local administration, the District Commissioner and you wonder whether it got to the right people or whether it was eaten. We have said that we have to talk openly on corruption and we have that challenge as Kenya.

I support.

Sen. (Dr.) Khalwale): Mr. Temporary Speaker, Sir, I must congratulate Sen. (Prof.) Lesan. It is not surprising that such an important Motion is coming from a man of his calibre. I think this is the first time we are having a Motion touching on the matter of population of Kenya in the Senate. As of July last year, the population of this country had become 44,037,656 people and it can only grow. I remember when I was a young doctor, the life expectancy due to the advent of HIV/AIDS had dropped to about 48 years. Things

have improved so much that today the life expectancy of an average Kenyan is 63.3 years old. This can only mean that we are going to have more and more of the people in this bracket that the professor is trying to capture. If the Government was aggressive, there would be no problem here. In fact, I have just googled the world population and I have found that our population that is 65 years and above is only 2.7 per cent. Five years from 65 years to 70 years is so huge by way of mortality that you will find that the people who are over 70 years old are actually very few. They must be less than 500,000.

Mr. Temporary Speaker, Sir, dealing with that kind of population should not be any serious challenge, and the Government is expected to give them a decent living. I just want to move away from the thinking of Sen. (Prof.) Lesan about homes for the aged. I want all of you to pray that you will never ever be taken to such a home by your family because it is a terrible place. I make a business of visiting such places. If you go there, you will find some of the old people crying. They do not cry because that place is bad, but because they want to go home. Any decent self respecting African man or woman who is aged, when they are in hospital about to die, the thing they always say is; take me home. Home is the best. So, whatever comprehensive programme that I support should include strategies of moving away---

Sen. Omondi: On a point of information, Mr. Temporary Speaker, Sir.

Sen. (Dr.) Khalwale: Yes, I would like to be informed.

Sen. Omondi: Mr. Temporary Speaker, Sir, I would like to inform Sen. (Dr.) Khalwale that that was at the back of my mind when I was declining to support the Motion. I was not declining to support the Motion *per se*, but I was against the centres for the aged because I know they will not help much. People should remain in their homes and get financial support and personal assistance.

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, my sister, Sen. Omondi, comes from my county and votes for me in Matungu.

We should move away from the *mzungu* culture of wanting to be alone surrounded by only your personal problems. The culture of taking children to children's home and taking the aged to aged people's homes is un-African by itself. We should develop strategies to ensure that we support the families; the bread winners to be able to take care of these aged people. As I was googling, I found that the dependency ratio due to old people in Kenya is merely 4.9 per cent. It is not a big deal and we can handle it very well.

Mr. Temporary Speaker, Sir, what is it really that the aged people want? They do not want too much. This is why I think the drafters of the Constitution captured it very well under Article 43 of our Constitution that speaks to the issue of social and economic rights of Kenyans. They only need food and water, some form of shelter in the name of reasonable housing, clothing and medical care. When you dissect these things, the biggest challenge is actually medical care. Under medical care, the Government should not just focus on the old people. We should also focus on training more doctors.

Today, the Government can only afford one doctor for every 10,000 Kenyans and this is when you are taking the global picture, but in practice, most of these doctors work in urban centres, mainly Nairobi, Mombasa, Machakos, Nakuru and Kisumu. We need to go there because the reasons why old people die in the rural areas is not because of

diabetes, high blood pressure, cancer or road traffic accidents. Yes, they do, but that is not the main killer. They die from treatable things. You will find that most of them die from water borne diseases, mainly bacterial and protozoan infections all of which can be taken care of by antibiotics. A few of them die from diseases like hepatitis and typhoid fever. Then we have those who die from vector borne diseases like malaria. I am sure when Sen. (Prof.) Lesan and I form our Government, we will ensure that the only thing that we can give Kenyans is to eradicate malaria the way they did it in Brazil. It is quite possible.

Having realized that it is this easy, as we support this Motion, I want us to be realistic. Even if we make the money available, who is going to be responsible? The Government disburses money to counties and that money is messed up by the Provincial Administration. We have assistant chiefs who seek bribes from these old persons. They deduct the little money that they are given. In some cases, an old man or an old woman who is on this particular welfare fund, the grandchildren have migrated from their homes to the grandmother's home where there is some little money so that when the child is chased away from school for school fees, they then go to get the money from their grandfathers or grandmothers. So, the aged end up not using this money to take care of themselves but to educate, feed and clothe those children.

Mr. Temporary Speaker, Sir, the problem will not be solved by focusing on the old people alone. The problem will also be solved by addressing the 42.4 per cent Kenyans who are below the age of 25 years. The Government must have a programme of educating them. I do not know what is going on in Kenya. Today, it is easier for you to go for a parallel degree in all our universities than to go and attend school from Form One to Form Four at Alliance High School. Even Kakamega High School where I schooled, they are asking for Kshs80,000 per year. Now our children have run away from our national schools.

I have a school I built as a Member of Parliament; Shikunga High School, and it is a remarkable school. I went there and found that from the village, 30 students had been admitted, but only six of them reported. The other ones ran away because they cannot afford school fees. The problem is that serious. Unfortunately, some of our leaders and not many of you have the big man, rich man mindset so that you feel that if you speak to the issues that affect the poor, you will give the impression that you are either small minded or you have the mindset of the poor. We speak to these issues because the majority of the Kenyans are going through these problems.

Ooh President Uhuru, why do you not lower the school fees in national schools so that the children who come from the kind of background some of us came from can also have an opportunity one day of coming to this Senate and advancing the frontier of good governance of the Republic of Kenya?

I support.

Sen. Chelule: Thank you, Mr. Temporary Speaker, Sir. I also rise to support this Motion that was brought to the Floor by Sen. Lesan. I agree that he must have done some research.

Mr. Temporary Speaker, Sir, what is very important is to develop a very good policy. This is because different homes have different views. There are those who would

like to be put in a particular place for them to have good care and there are those who would not like to move out of their families. The same thing applies to their children. I know very well that there are old people who are not being taken care of by their own biological children, because they do not have time for them. They end up being taken care of by other people.

Mr. Temporary Speaker, Sir, I think that this country needs to come up with a very good policy after doing proper research. This is a very nice idea, but I wonder if the old will really get quality care in those homes. I want to liken this with the programme that the Government is running right now. There are so many senior citizens who are suffering because they are not getting the Kshs2,000 or Kshs4,000 that is allocated by the Government for senior citizens. This is because there is no proper criteria for identifying those who should benefit from these funds. Therefore, the problem is really who is going to manage these funds and the process of identifying the beneficiaries.

I pity the senior citizens because of the suffering that they go through. Most of their children are not around and even those that are with their parents, again, are not economically empowered. So, you will find that a child of a particular senior citizen is also busy taking care of his or her children, and the senior citizen will be a burden. So, it is a good idea, but it really needs a very good policy that can be implemented after thorough research.

Mr. Temporary Speaker, Sir, Sen. Elachi talked about different homes and cultures in communities. Some people would not like their parents to be taken care of in a home, because it will be seen like blessings are being taken away from the children. But, again, these senior citizens are suffering and we really need to consider this. I support this Motion with a proper policy.

Mr. Temporary Speaker, Sir, I beg to support.

Sen. G.G. Kariuki: Mr. Temporary Speaker, Sir, I was not prepared to speak, but since we still have the time, I will speak for some minutes.

Mr. Temporary Speaker, Sir, first of all, I need to thank the Mover of this Motion. It does not take a lot of time to think about a Motion and see the effects of that Motion in case it goes through. But I have been in Parliament for sometime and know that it is not a simple job to draft a Motion. You have to gather material and understand the mission that you are going to undertake.

Mr. Temporary Speaker, Sir, this Motion is merely seeking to remind the Government that there is a group of people in this country that needs the support of the entire country as well. That group is of the old people. Someone mentioned about Members of Parliament and said that when they leave Parliament, they appear broke throughout, but I want to remind the hon. Members that there is a pension scheme for Members of Parliament after they have served for two terms. It is a good pension because I have gone through it before I came to the Senate.

Mr. Temporary Speaker, Sir, I am happy to note that the hon. Senators who spoke on this Motion were less emotional. They had a lot of sense in what they were saying in terms of thinking of how to take care of the old in this country.

The Senate has many educated men and women. I want to state that when this Motion was moved, somebody or a Committee, for example, the Committee on Health,

should have come up with comprehensive statement of figures to give us, for example, the number of people aged above 70 years. This is so that as we are contributing to this Motion, we are directed by figures and facts. But we normally just speak on what may or may not be there. We needed to know about these figures. This would have enabled us to make estimates and calculate, for example, if you give out Kshs3,000 each to every aged person per month, how will this affect the economy of this country in the next one year? However, I hope the Government will read in details what is being said here by Senators.

The Government needs to accept that there is an immediate need to assist these people. On the issue of being senile and other facts which are being placed here, this is a sickness. We are not dealing with the issue of sickness here. We are dealing with people who are aged, who cannot, on their own, do anything for themselves. They need this country to support them because they brought the country to where it is. I find this Senate doing a commendable job by considering and thinking about the aged people.

We should have a comprehensive policy which should be brought as a sessional paper. It should be prepared by the Ministry of Health and the Government as a whole. This sessional paper should be debated in this House and at the lower House. This will be a useful thing that our people will inherit from both the Senate and the National Assembly.

Mr. Temporary Speaker, Sir, with those remarks, I beg to support.

The Temporary Speaker (Sen. Mositet): Sen. G.G. Kariuki, you still had about six minutes to conclude your contribution to this Motion. If you wish to continue, you can do so tomorrow.

ADJOURNMENT

The Temporary Speaker (Sen. Mositet): Hon. Senators, it is now time for interruption of business. The Senate, therefore, stands adjourned until tomorrow, Thursday, 20th March, 2014, at 2.30 p.m.

The Senate rose at 6.30 p.m.