

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 25th September, 2013

*The Senate met at the Kenyatta International
Conference Centre at 9.00 a.m.*

[The Speaker (Hon. Ethuro) in the Chair]

PRAYERS

QUORUM CALL AT COMMENCEMENT OF SITTING

The Speaker (Hon. Ethuro): Hon. Senators, we need to determine if we have a quorum.

(The Speaker consulted the Clerk-at-the-Table)

I am informed that we now have a quorum. Let us commence with this morning's business.

MOTION

CONNECTION OF ALL COUNTY HEADQUARTERS TO THE NATIONAL FIBRE OPTIC NETWORK

Sen. Kagwe: Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, considering the need for implementation of an Integrated Financial Management Information System (IFMIS) as required by the law; noting that most counties are not linked to the National Optic Fibre Broadband Infrastructure (NOFBI); aware that the rolling out of e-government will be hindered by lack of such infrastructure; recognizing the principles of good governance, integrity, transparency and accountability set out in the Constitution and the need for public participation and access to information; further recognizing that investment in ICT creates opportunities for youth employment; the Senate calls on the National Government to connect all county headquarters to the Fibre Optic National Network and to link all county headquarters to relevant national institutions such as the Senate and the Treasury through video conferencing capability to save unnecessary expenses, enhance

efficiency and accountability and improve the performance of county governments.

Mr. Speaker, Sir, the Committee on Education, Information and Technology has in the last couple of weeks and months traversed this country in many counties. The intention of the Committee was to oversight what is happening in the education sector. In addition to that, the Committee was trying to see how well we are connected in as far as ICT is concerned. In our opinion, we have a long way to go from where we would want to be. We believe that part of the building of county governments must include infrastructure, particularly roads and technology. That is represented by the fibre optic cables.

Mr. Speaker, Sir, in a previous meeting in Naivasha where we invited the Ministry of Information, Communication and Technology, we were told that 28 counties in Kenya have now been connected to the fibre optic. However, on further assessment of the so-called connection to those counties, we found out that as a matter of fact what we are talking about is either that there is a fibre cable that passes through the county or at best, there is a cable connected to the county commissioner's office. But almost in no county did we find that the Governor's office is connected via fibre. The closest was in Kisii County. The members of the county assemblies are connected to fibre. We passed such a Motion in this House. So, even with the 28 counties that are supposedly connected, within our list includes counties like Marsabit and Baringo. However, when we talk to the Senators from those areas, they tell us clearly that they are not aware of such connectivity.

Mr. Speaker, Sir, we are informed that, at the moment, Kenya has 4,300 kilometres of fibre cable. The project started with connectivity by TEAMS where I had the privilege of serving as Minister. Therefore, I know a little bit about the state of affairs as far as connectivity is concerned. But what this House is now telling the national Government is that this project must be fast-tracked. There is no way we will be able to create new governance in the new dispensation of a new Constitution without creating an enabling environment within the county governments. The only way we can do that is by making sure that counties are technically and technologically able to connect themselves with the national Government.

The Treasury has been operating IFMIS. A lot of the counties are using telephones because they are not able to connect themselves to the fibre network. In any event, even if we connect them, we still have another 65,000 kilometres to connect if we want our schools connected to the fibre optic, to be the same as a child operating in India or the UK. If we want all hospitals connected across the country, we need 65,000 kilometres of fibre. At the moment, we have 4,300 kilometres and another 1,600 kilometres that are currently underway. That is a long way to go, especially when we think about the 65,000 kilometres. Therefore, we need to think in a new way if we are going to connect Kenya in the manner that it should be connected.

Mr. Speaker, Sir, connecting fibre to the counties will create several advantages, including security benefits. As we watched television the other day, we saw, even in this chaotic situation at the Westgate Mall, pictures of people through CCTV. We saw terrorists being identified through CCTV. The other day, in Karatina Town, somebody using a mobile phone, was able to detect thugs who were about to rob people and sent

that photograph to the police. Already, we are using rudimentary ICT methods for security purposes.

Mr. Speaker, Sir, you will remember that in the previous government, there was talk of Nairobi being connected by fibre and a security system being put in place. We are aware this is an issue being debated all over with court cases upon court cases. There is a waste of time when we know that Kenyans are under threat. Therefore, when we talk about connection of fibre, we are not just talking about connection of the fibre cable as an end in itself. We are talking about fibre connectivity as a means to an end. That end includes the facilities that we will create in our schools and so on.

There is no better way of equalizing our society than the way we can use technology. If we connect a school in Marsabit County, for example, to the fibre optic cable, it will be exactly the same as a school somewhere in Nairobi County, no matter how nice the school is. If we connect the same to Kwale County, it will be equal to a school connected to fibre in Nyeri County. Therefore, considering that the role of the Senate is to try and equate counties as much as possible, then it behooves us to ensure that this project is completed.

Mr. Speaker, Sir, we are aware that hospital facilities in most parts of our nation leave a lot to be desired. We are also aware that if we connect fibre to those hospitals, it will be possible for a doctor at Kenyatta National Hospital (KNH) to assist in the operation of a patient at a Garissa hospital, if they are connected to the fibre via video conferencing. It is possible for a doctor to operate a child in Turkana County through receiving instructions from John Hopkins University Hospital in the United States of America (USA). This is no longer a luxury for us but a necessity. This is the only way that we can give advantage to far-flung areas long before we get road infrastructure there. Sometimes, long before we get water in some of those places, we can get them healthcare that is equal to any all over the world using this fibre network cable.

Mr. Speaker, Sir, as I mentioned earlier, I had the privilege of serving as Minister and launching the first international cable in Kenya, TEAMS. Since then, Kenya has developed other cables, including SEACOM. The capacity that we have at the Port in Mombasa is huge. It can serve this country and this part of the world, including the other countries that are in the hinterland of Africa. But there is no need to pass the fibre through Mombasa all the way to Rwanda and Uganda. They took advantage of the fibre connectivity better than us because they are now connecting their towns, schools and hospitals. It is up to us to ensure that is also done in Kenya.

Mr. Speaker, Sir, we have been talking about Konza, the ICT city, that we want to come up with in Machakos County. As you can see, the uptake is very slow. The champions of such a project need to be identified and asked to push for those projects. But one Konza City is not enough for Kenya. In India, they once had one area that had fibre cable. What that meant is that eventually the area became very expensive. We need a Konza City in Machakos County and another such city in other counties such as Nyeri and Kisumu, so that we can create and spread ICT jobs across the country. We will also be able to contain the rising costs that may arise as a result of centralizing an ICT city in only one area. That is what will happen if we connect fibre to all counties.

Mr. Speaker, Sir, the other good and great advantage of technology is that it will stifle rural-urban migration. There are people who say that in certain parts of this country,

people are not getting children and that some areas are depopulating. I know that Nyeri County is depopulating because of migration of our people to towns. It is not just about the alcohol that my brother, Sen. (Prof.) Anyang'-Nyong'o would like to imagine. People are moving to towns and leaving the rural areas very bare. Therefore, for us to attract young people to the rural areas and towns that are growing in our counties, we need to create jobs there. The fastest way that we can create these jobs is not just by value adding, as we have planned to do, but also by creating ICT jobs. The advantage of ICT jobs is that they are not just about a question of occupation or our youth having something to do, but they are good value jobs. They create opportunities for people to earn a lot more money than they can in jobs that we create in agriculture and so on.

Mr. Speaker, Sir, as we emphasis more on county governance in this country, it is crucial that we also emphasis on fibre connection. If you compare the current cost of broadband in our country with countries elsewhere, you will find that one of the objectives that we had as a Ministry when we created TEAMS has not yet been achieved. The cost continues to be very high. If I may compare the cost of bandwidth between ourselves and some of the countries that we compete with in creating ICT jobs, you will find that they are quite expensive. Kenya, for example, according to the research we have done charges US \$37.8 per month for the equivalent of bandwidth when India, the country that we must compete with, if we want to create ICT jobs, charges only US\$6.1.

So, if you compare US \$6.1 and US\$37.8, you will find that a company that wants to place its core centre somewhere in the world will consider India long before they consider Kenya. If you compare further with Sri Lanka, you find that they have lower charges of US\$5.5. If you are looking at a country that wants to position itself in a peaceful area, where they can create a core centre for their business, they are very likely to think about Sri Lanka, which is now peaceful or India, which has got a reputation for ICT at US\$6.1, long before they consider Kenya at US\$37.8.

Mr. Speaker, Sir, what we must ask ourselves is: Why is Kenya so expensive when the cable we built was for development and is owned by those whose interest it is to keep the cost of bandwidth as low as possible? There are several reasons this is the case. First is the method by which we are managing this cable as far as terrestrial cabling is concerned. The current situation where we are digging up trenches and connecting to our counties is not ideal. When we started TEAMS we did not give it to Telkom Kenya. We created a special purpose vehicle in order for the cost to be down. In the meantime, what has happened is that they have now taken back the management of NOFBI to Telkom Kenya Limited. This means that the efficiency of the NOFBI connectivity is equivalent to the efficiency of Telkom Kenya Limited. In my opinion, that is a mistake. What should happen is that they should create a new purpose vehicle. NOFBI should be managed separately from Telkom Kenya Limited, so that the cost can be kept lower.

Mr. Speaker, Sir, as the companies go digging there and trying to connect schools and hospitals, the counties are charging them. It is important for counties to appreciate that if they do not charge when a road is being connected to their headquarters, they should not also charge when fibre is being connected to their headquarters. Fibre is infrastructure like a road. What they should be charging is the business that is created when the fibre is connected to their counties. They should not charge the fibre itself. It is the same as saying that you charge those who are bringing water. You should charge for

the water usage, but not connection of the water. You should also charge for road or fibre usage, not the road or the fibre itself. That can help in keeping down the cost of connectivity.

Mr. Speaker, Sir, the other cause for the slow uptake that has been highlighted is that every person who connects fibre to the counties has to dig a separate path. This is total inefficiency. What should happen is one of two things. Either, when we are constructing roads, we must lay ducts to the design of a road, to allow fibre optic cables to pass through. In so doing, we can keep the cost of digging low. It is environmentally unfriendly and expensive when everybody starts digging the ground. The only way to avoid that is to make it mandatory that when you are digging any road of any kind, we must make sure that we put in place ducts.

Mr. Speaker, Sir, the other issue is the high cost of CCK licenses for 4G and other new technology that is coming up. It is also expensive. So, what we should be talking about is that, as we upgrade from 3G to the 4G spectrum, what we should do is discount to companies with frequencies for that technology so that even as we wait for the fibre optic cable to come, the companies can use 4G to be able to connect themselves to IFMIS and also to be able to create the jobs that they are talking about.

Therefore, I urge that this House supports these efforts. This House should not only support the effort, but also the Implementation Committee should ensure that the fibre optic cable has been connected.

With those few words, I beg to move and ask Sen. (Prof.) Lesan to second the Motion.

Sen. (Prof.) Lesan: Thank you, Mr. Speaker, Sir. First, I wish to be with the rest of the nation. I know we are still mourning and flags are at half mast. We are continuing to remember those whom we have lost in the last few difficult days in this country.

I stand here to second this Motion. First of all, I wish to thank Sen. Kagwe who is the Chairman of the Committee on Education, Information and Technology and who has a passion for Information Communication Technology (ICT). He has moved this Motion eloquently and adequately. He has given adequate reasons we should support this Motion.

Mr. Speaker, Sir, there are very good reasons we should support this Motion because the time has come for the establishment of a fibre optic cable nationally and internationally. There is every good reason to support the laying of the ICT cable throughout the country. There are three reasons. First, in this country, we are at a time where accountability is a factor that we should not ignore. We would be expecting that the counties that we are setting up which are serving the country to be accountable for their actions in time. Therefore, the availability of a system in which information can move faster will go a long way in supporting accountability throughout the country, particularly in the counties.

There is the question of performance where the country and all of us wish to continue to reduce the cost of offering services by performing efficiently. Therefore, the presence of a system like the one we are proposing and recommending that it is laid down in our counties, would improve performance and, therefore, lower the cost of offering services to the country. The other advantage is public participation. At the moment, there is a lot of concern by Kenyans to know what is happening within or around them. Therefore, the presence of a system like this disseminates and distributes information

faster and accurately. This is an urgent need for this country in order to allow the public to participate in either assessing the accountability of their officers or evaluating whether their performance has been to the expected standards.

Mr. Speaker, Sir, further, the presence of a system like the one we are proposing at the moment will go a long way in decongesting some of those institutions that are currently packed. In this case, I think of public lecture halls in universities that are currently full and overflowing with students. These students can participate in those lectures far from the lecture halls. Therefore, they can take these lectures in virtual form. They can sit anywhere in this country and follow the lectures from their campuses using a system like this. Therefore, this goes a long way in decongesting some of the lecture halls that are there in this country. It is, therefore, a system that has come at the right time.

I want to urge the Government that as this system continues to be laid, it be done in an orderly system so that there are no gaps that exist within some counties. For example, the network system has been laid down in Kericho and Nyamira counties which are neighbouring Bomet County which does not have the system established and yet the cable passes through this county. I believe there are other counties where the cable runs through them and yet they have not been connected, when it was actually cheaper to do this when the system was passing through. We, therefore, want to urge the Government or the agency that is carrying out this project, to do it in a manner that ensures some counties are not bypassed. The cables should be connected to them.

Mr. Speaker, Sir, I also wish to urge the counties, that where the cable has reached within their limits, they should participate in the last mile which is the laying of the cables. This is the last few metres to their offices. This includes the laying of the cables within the offices of the counties to participate at no extra cost for the company that is doing the cabling, but at the cost of the counties because of the very enormous and significant benefits that will accrue as a result of their intimate participation. I hope that every county will fully participate in this exercise because the significance and the importance of this cable is enormous.

I would also be urging that this government has a foresight in factors that will affect the distribution of these cables. One of them is the space in which these cables will be laid. We, therefore, want to recommend that the laws governing the designs of roads in this country be modified in such a way that sufficient space is allowed for this cable to be laid. At the moment, we know that there is a three metre leeway for the laying down of the other services to be delivered like electricity, water and telephone cables. We also know that the cables for fibre optic are buried underground. Therefore, we would require a bit more space than the one we have at the moment. I would urge that the laws governing the construction of the road be amended in such a manner that it will provide for space in which these cables can be laid down in an orderly manner.

Mr. Speaker, Sir, as suggested by the Mover of the Motion, this space that is required is very significant. Some planning should be done in order for this cabling to be done in an orderly manner so that not every contractor must dig their own line on the ground. This can be coordinated, for example, by having a culvert or a drain in which all these cables can pass through without destroying the structures that have already been laid.

I want to support this Motion very strongly. I also urge Senators to support it because this is an infrastructure whose time has come and it has far reaching significance in the development of this country.

I beg to second.

(Question proposed)

Sen. (Prof.) Anyang'-Nyong'o: Thank you, Mr. Speaker, Sir. I would like to support this Motion moved by Sen. Kagwe. As I listened to him, I realized the downside of democracy in the sense that it is a very wasteful system because I think, having performed so well as the Minister for Communication and Information and having subsequently been the Chairman of the Communications University, he should actually have remained as the Chief Executive of the Communications Information in this country. Actually democratic systems like the one we have of rotating people so frequently has certain disadvantages because we end up wasting a lot of talent. We end up wasting skills, knowledge, collective memory and developmental resources.

The kind of library he has in his head on this problem is a library that he should use almost constantly in that Ministry. I really felt that our system has a downside to it. Even if you look at this House, you will find that Sen. G.G. Kariuki, for example, when he was the Minister for Internal Security, he did a good job, although to some of us he was very destructive. But in terms of knowledge and contributing to that department, he was very good. So, democracy has a downside to it which is really very unfortunate.

Mr. Speaker, Sir, Sen. Kagwe has brought out a very important thing; the technology of spreading the fibre optic cable. He has described it very well. My problem is the end users; whether Governors, the County Representatives or even ourselves. We need to recognize the fibre cable when it arrives at our door and even understand the urgency with which to make use of it. I was going to propose to Sen. Kagwe that one of the things we should urge, is for us to go to the Multi Media University for one or two weeks to be taught and be told something about this thing called fibre optics and ICT because people merely talk about it. However, listening to Sen. Kagwe, it is something that lay men like ourselves need to pay a lot of attention to in a university that knows what it is talking about in a manner that Sen. Kagwe has got to dig into it and know it.

One example which Sen. Kagwe gave and I got into it when I was the Minister for Medical Services, is this whole idea of tele-medicine. I think it is very important. You do realize that tele-medicine would revolutionize the cost of health care delivery. Tele-medicine would catapult us into the age of expertise in giving medical services beyond what we know today. We are complaining today that we have a shortage of doctors, but tele-medicine kind of jumps over that and makes us use the few human resources that we have in a much more cost effective manner.

Mr. Speaker, Sir, I will give you an example. By connecting the Nyeri Provincial Government Hospital with a hospital in Spain and Tenwek Missionary Hospital, the two hospitals would be connected to Spain. You realize that we have been doing eye surgery using Spanish experts without individuals having to be referred to Spain physically and having to spend lots of money on air tickets. Just through tele-medicine, two doctors, one sitting in Nyeri, another one sitting in Spain and a nurse sitting in Tenwek have been able

to do fantastic eye surgeries. This is just an example. So, what Sen. Kagwe was saying is true.

If we are going to catapult into the future in terms of development, one of the areas which we must consciously and effectively handle is this fibre optic. It is a shame that we only have 4,800 kilometres of fibre optic and yet what we need, as Sen. Kagwe says is 65,000 kilometres. We should collectively go into this with a lot of zeal which will enable us achieve our goal within no time.

Finally, the age of using pen and paper is actually coming to an end rather fast, especially in administration. Paperless management and paperless administration is something that is fast creeping into the world of management. As usual, the private sector is much faster in doing this. If you go to centralized managed economies like China, you will find that the government is much faster in using paperless administration than even the private sector. Therefore, the idea of the government taking the lead in development is something that we cannot run away from. There is some kind of belief and blind faith that development can only take place in the private sector. This is not necessarily true. A government whose managers are well-trained, conscious and entrepreneurial can do a lot of things.

Given that the government has so much resources and infrastructure at its hands, it is extremely important that we make our people in bureaucracies to be entrepreneurial and efficiency oriented. We really destroy this when we use petty tribalism to run government departments. I know of a parastatal in this country, the Kenya Industrial Research and Development Institute (KIRDI), which is now dismissing some of its scientists because they belong to certain ethnic groups. These are people with tremendous experience and knowledge, but we have become petty. If we do not watch it, this country will stagnate because of petty politics and petty considerations.

Knowledge and skills are very difficult and take time to cultivate. That is why I have been crying about Sen. Kagwe because he has tremendous knowledge, but because of the kind of political system that we have, today, he is in Parliament; the next day, he is a Minister; the next day, he is at home; the next day, he is a Senator. I think we should be more focused than this. People cannot just rotate like a rollercoaster in an economy where human resource is scarce. So, we should make use of these human resources when we get them and maximize on issues. That is the downside of democracy that I do not like because, somehow, it is wasteful. Nonetheless, we should recognize that downside and make amends to it so that we can use this thing more efficiently.

Mr. Speaker, Sir, in the final analysis, we cannot get away from catching up with the present world. The present world is going ICT, paperless, efficiency oriented and based on high productivity. Insisting on old ways of doing things will not help Kenya. It is important that we realize that in as much as equity is important in whatever we do, efficiency cannot be sacrificed at the altar of just equity. The two must be married and must come together. In Sen. Kagwe's very professional presentation of this issue this morning, that has been extremely well demonstrated. I do believe that what this Senate is very good at is giving this country ideas and road maps. It is so unfortunate that when it comes to implementation, we are not that well-endowed.

With those few remarks, I beg to support.

Sen. (Dr.) Kuti: Mr. Speaker, Sir, thank you for giving me this opportunity to contribute to this very important Motion which I stand to support.

The issue of ICT and moreso, the fibre optic is the fastest way that our country can realise Vision 2030. If we do not pay a lot of attention to ICT and especially the expansion of infrastructure, Vision 2030 will be Vision 3020. Since African countries, including Kenya, are not very good at inventing, but copying what has been invented in another world, I think we better fast-track our copying to the fast lane. The fast lane now is what we are talking about today. In fact, if we fast-track fibre optic, we will be able to develop so fast that we will catch up with countries that were at our level during Independence, but have so far left us behind. We can only catch up with those countries if we embrace fibre optic.

While I fully support the laptop project, I was wishing that the Jubilee Government should have taken the issue of fibre optic as its flagship project and then the laptop project be part of this. It would have been much broader because it is an infrastructure that would affected all spheres of life in both urban and rural Kenya.

Mr. Speaker, Sir, I am saying this because with the arrival of fibre optic, towns like Isiolo and Lodwar that are always considered marginalised will be developed. The fibre optic infrastructure has already been said to be effective in trying to modernize health services, education delivery, banking in rural areas, current affairs where local people would be aware of what is happening in the world because information is power. We would have empowered our rural folks because through this availability of mass information, we would bring our people up to speed in terms of knowing the current issues in every field whether you are an educationist, a doctor, an engineer and so on. In every field you are, you will be up to speed because information will be available to you wherever you are in the country.

Mr. Speaker, Sir, the issue of e-government is only now a reality in Nairobi and a few other cities, but if we expand our infrastructure in fibre optic, and they reach in those far flung districts, we will have e-government whereby the issues of people coming to Nairobi for identity cards, passports, benefits from the National Social Security Fund (NSSF), the National Hospital Insurance Fund (NHIF) will not arise because there will be connectivity in all those organizations.

(Loud consultations)

Mr. Speaker, Sir, could you protect me from the loud consultations?

The Speaker (Hon. Ethuro): Order, Senators! Sen. (Dr.) Kuti must be heard.

Sen. (Dr.) Kuti: Mr. Speaker, Sir, devolution is more effective when our governors, executive committee and members of the county assemblies are aware and are connected with the rest of the counties, the national government and even with the world. I agree with Sen. (Prof.) Anyang'-Nyong'o when he said that Senators, Governors and Members of the County Assembly and even Members of Parliament need to have the basic ICT knowledge as a requirement because the world is heading there. You will be illiterate to be using paper and pen. You will be like our fathers who could not read letters. We are now going to the third phase in terms of illiteracy. There was that time when we used to read letters for our fathers. Now we will be like our fathers where issues

will be explained to us. Even here, I am sure we have Senators who are in that stage and it is a fact. I am just half-baked myself in terms of these issues. Therefore, it is very critical that we focus on new learning where every leader must be ICT compliant, so that he is able to utilise this facility to enhance his development agenda. That is why it is important that the fibre optic reaches those far flung districts to enable the policy makers utilize it. I fully support this because this is where the world is. We are at that platform. If we are not there, then we will be lower than that platform.

Therefore, this is something that requires a marshal plan so that we purposefully focus on making our country receive this infrastructure and also enable the population to utilize it. It is one thing to have fibre optic connectivity to every corner of this country, but it is also another thing to enable the population to utilize it and maximize the utilisation and get the maximum benefit out of it. These two must go hand in hand so that we do not have something that we cannot use. For example, some time ago, roads were constructed and cows would come and warm themselves on them or women would spread maize on them.

The Speaker (Hon. Ethuro): Order, Sen. Kuti and Sen. Wetangula.

We need to give accurate information. Sen. Kuti, we need to be factual. I do not believe that there is a road that was built for cows or maize to be spread on.

Sen. (Dr.) Kuti: Mr. Speaker, Sir, that was a long time ago.

What I am trying to say is that it is one thing to have fibre optic in Lodwar and have the Governor there and his executives use it. The county will not move ahead if they are unable to utilize the infrastructure. That is what I was trying to imply. This is a very critical thing because it is very common even amongst us. It is available here. I now have fibre connected to my house. It is important that we all must have that connectivity and utilise it.

With those few remarks, I beg to support.

Sen. Billow: Thank you, Mr. Speaker, Sir. I also want to add my voice to this Motion which is timely. As my colleague has said, the future is in technology. Our lives will be governed by the use of technology. As we sit in this Chamber, we are also communicating with the world using I-pads, phones and other ways of accessing internet. Today, you can do your business and transactions of any type using technology. Tomorrow, the technology will even be more complicated. Our entire lives will be moved to that and it is important that the knowledge be exported to all the counties.

The second reason I think this is important is that when fibre optic came, there was a lot of excitement. The main excitement was that it would make internet connectivity easily available and cheaper. That seems to be a reality now. That can only be seen from the explosions in the social media. Today, our youth, including our elders, who have been in the analogue age are seen carrying I-pads. Today, the social media is the single most important tool that is causing, not only positive things but also revolutions around the African Continent. It is important that fibre optic technology is introduced.

Let me now talk about the counties which are our main concern. But before I do so, let me mention something about our security. The same technology of connectivity could have been used to prevent the kind of terrorist attack that we faced. It can also be used to boost security in the border counties. This can be done by making technology

readily available, installing CCTV cameras and using it the way it is being used in other parts of the world. This is technology whose time has come, but unfortunately, which we are not utilising across the counties.

With regard to the counties, the fibre optic was installed and laid out in most parts of the country. This is from Moyale, Mandera, Garissa and other parts of the country. It has been laid; it exists, but unfortunately, it has not been activated. Where it has been activated, it is not connected to the county headquarters or to the institutions that require the technology. It is unfortunate that the Government laid the cable all the way to all the regions of the country, but up to today, the connectivity has not been done because they have not activated it. The Motion is asking for fast-tracking, by the Government, of the activation of the fibre optic national network.

One of the challenges we have had in the county governments with regard to accounting for their finances is the issue of IFMIS. The IFMIS is an important requirement. However, the entire financial system, including budgeting, planning, expenditures, procurement, accounting and reporting, requires it. If the system is not available, it becomes very difficult for county governments to account for the monies we are allocating them. It becomes very difficult for county governments to budget. It also becomes more difficult for institutions like the Treasury, the Controller of Budget and others in Nairobi to monitor what is going on in those institutions. It becomes even more difficult for the Senate to get timely reports from the county governments with regard to accounting and expenditure. Therefore, it is very important that we have IFMIS in operation.

Unfortunately, the latest reports we have are that it is only 18 counties that have operationalised IFMIS and their connectivity is still not very good. However, for all the other counties, connectivity is a major challenge. Some counties are using modems which make it difficult to obtain stability of a system that is required to operate huge software like that one. Therefore, the dream of an e-government and of using IFMIS remains just a dream. This becomes a pipe dream if we do not get the infrastructure in place. That is the subject of this Motion. The national Government has a responsibility to build capacity. We urge the national Government to set up the infrastructure. Unless we do this, it will be wrong to continue pushing the county governments to use IFMIS since they do not have the connectivity for that.

The other advantage of this system as mentioned in the Motion, which I agree with, is public participation. It would become very easy if technology was available and if everyone in the counties was connected for the public to participate through emails which is now allowed under the law. It would be easy to communicate through the ICT rather than hold conferences and meetings. People can give their comments, ideas and views through county assemblies on any transaction that is related to the county governments and forward them to the appropriate office; either by email or by other communication. This is very important because it enhances accessibility and public participation. The other issue which is important is that it can lower the public expenditure of the county governments.

Today, county governments are placing advertisements every day in the newspapers. Almost one-third of the advertising space in the newspapers is being taken up by the counties. If county governments get better connectivity through this

infrastructure, they will publish all those things in their websites rather than putting them through advertisements. There, again, the cost factor goes down.

Fourth, the most important thing about having fibre optic, in my view, is to have electronic revenue collection. One of the biggest challenges facing the county governments is revenue collection. There is a lot of pilferage and revenue loss due to the manual systems which are used in collecting, receipting and accounting for these revenues. Many counties have advertised for software that will allow them to electronically collect revenue. For them to do so, they need to have a stable system. Fibre optic is one of those things that will provide that stability in the network.

Lastly, the point I want to emphasise and what the Motion talks about is; linking all county headquarters to relevant national institutions, including the Senate. That is important. We want to interrogate what is going on in the county governments and we want to deal with the county assemblies, but there is no connection. We are not in an age where you should be writing letters and posting them by mail. It becomes very difficult to share. Institutions that are supposed to have a close relationship with the county assemblies cannot do it due to lack of connectivity. Therefore, it is important for us to have a treasury that can disburse monies and monitor activities of the county governments. The county treasuries are facing the same challenges due to lack of connectivity.

I want to strongly support this Motion. We cannot continue to use the current network. We need to have fibre connectivity in all the county headquarters so that county governments can work as required.

I support.

The Senate Minority Leader (Sen. Wetangula): Thank you, Mr. Speaker, Sir. I also congratulate the distinguished Senator for bringing this far sighted Motion.

I listened to him as I was driving to the Senate. I was quite impressed with the good knowledge of the subject he has brought to the Floor and the benefits that will come out of the implementation of the Motion.

This country is properly wired, at least, with basic highway of fibre optic. The cable has been wired all the way to Malaba, Busia, Namanga and Moyale. This means in between, many critical areas can get connectivity. What we need is a positive deliberate programme to make sure that if county governments have to take over counties meaningfully, then they are connected to the fibre optic cable.

I remember in 2008 when Prof. Anyang'-Nyong'o and I visited Cuba, a country that has not been talked much about due to American propaganda; It has done so much with so little. In Cuba, 100 per cent of school-going children, from Standard One to university have computers on their desks provided by the state. Each child has a computer without exemption. This is also in areas without national grid power. They have provided alternative power to assist in teaching.

I heard Sen. Kagwe talk about someone from John Hopkins Hospital who is a top Mathematician. He has an hour or two each week with all students. He goes to the national connection and teaches Mathematics to relevant classes even if it is to doctors. It may be important to note that Cuba has the highest capacity of doctors in the world, more than the UK and America and any other country. In fact, they export. There are 5,000 doctors from Cuba working in Brazil alone. They have exported 58,000 doctors

worldwide, including to Tanzania, Ethiopia and Uganda. They all have Cuban doctors of very high calibre.

This is because Cuba exploited modern technology to develop their manpower and to make sure that there are continuous updates. This is a country that eliminated malaria in the 1970s. So, we can learn from them. We do not have to go to China, America or UK to learn some of these things. We can even go to countries that we think are at par with us and learn even more.

We have gone round with the Committee on Finance, Commerce and Economic Affairs Chaired by Sen. Billow Kerrow and regrettably found that in most counties, revenue collection is dwindling. Most of them are now collecting less than 60 per cent of the revenue that county councils were collecting. This is without exception. We saw this in Bungoma, Uasin Gishu and in many other places. We have to help these counties take off. We cannot blame them now. When you go to the counties, you will find a parallel structure called the Transition Authority (TA). There is also the county government and the left-overs of the county councils and each one is trying to outdo the other. As we move on, instead of having endless seminars and seeing people flying first class tickets to Mombasa to go and hold a meeting for six hours, ICT will be the answer. Somebody sitting in Maralal, Lodwar, Busia and Moyale can communicate with the centre and share information, experiences, among other things.

I tried to do this when I was the Minister for Foreign Affairs and it worked. I recalled many financial attaches and instructed all our missions to operate on a central payroll where somebody sitting in the Foreign Affairs Office would, by 20th of each month, wire salaries and allowances to each mission. This saved the country millions of shillings. Where it was necessary to have accounting officers in terms of revenue fellows, like I banded together the United Arab Emirates (UAE), Kuwait, Iran and Saudi with one person based in UAE--- I banded together Rwanda, Burundi and Uganda with one person based in Kampala, and it worked and saved the country a lot of money. That is why many of us have been voicing this issue that looks misguided, about laptops for children. I have given you deliberately the example of Cuba, to show that if you want to help the children of your country, you must start all of them at the same level.

Mr. Speaker, Sir, we are now being told that about 400 children will get laptops. What about the rest? Standard One children alone in this country are over 1.4 million. Now, if you are going to give 400 children laptops, where are you leaving the rest? It is better to organize and realize that a child living in Mathare, Rumuruti, Tenges or wherever must start at the same level. This is because, at the end of the day, these children will do the same exam. When one child is given a laptop and another one is busy crawling in the sand and fighting insects the whole day, and then, at the end of the day, you tell them to go and do the same exam, then we are not doing justice to our children. This is what we have been saying about the misguided laptop programme. The idea is good, but the execution is not good. It is not being done properly or to bring equity among our children.

Mr. Speaker, Sir, once these connections are done – and I can see that the Senator for Nyeri wants connectivity even in the Senate – you can sit at your Senate office here and be in active communication with your county. We can get and give information. Some of these Motions that we are passing, directly affect those counties. We can not

only work efficiently, but save time by not travelling 400 kilometres to our counties, just to hold a meeting for one hour and then come back, which we can do right from here. So, if this country has to move to the level that we are expected to move in order to achieve Vision 2030 – which is now looking more like a mirage than a vision - we need to embrace modernity and technology. We need to utilize and have technology work for us to cut down on the cost of our transactions.

Mr. Speaker, Sir, I want to agree with Prof. Anyang'-Nyong'o that there is a misguided belief that efficiency lies in the private sector and the Government cannot be efficient. This is a fallacy. In any country, the biggest enterprise is the government. The biggest business to be done is with the government. The biggest owner of resources is the government. We can ask ourselves: How has a country like China, with a command system or centrist management system, moved from a very backward country after the Second World War, to now the largest consumer of raw materials in the world? If today China presses a button and pulls out its money from the American economy, the American economy will crash within less than 24 hours. This has not been because of private enterprises. It is the Government that has done this. Read the story of Malaysia and the amazing Dr. Mahathir Mohamad, a man who left his stethoscope as a medical doctor, took up leadership and transformed an extremely backward Malaysia into what is now approaching a first world country. You can say the same of what is evolving in Vietnam, Cambodia and Indonesia. Where is the curse of Africa; a continent that has 60 per cent of the world's natural resources and has exported brains? The whole of Europe thrived on slavery and slave trade, imperialism and colonialism and unequal terms of trade; all exploiting Africa.

Mr. Speaker, Sir, even when you see the statistics churned out by the World Bank - which are always false - out of the ten fastest growing economies in the world, seven are in Africa. But this flawed economics are based on the Gross Domestic Product (GDP) and not social transformation. If you go to Angola, you will find that they are now pumping more oil than Nigeria. They are pumping 2.6 million barrels a day. So, their balance sheet looks very good. But look at the Angolans; are their lives changing? Look at Kenya today. We have some Kenyans who appear in the Forbes Magazines as the richest men on this continent, but go to Kibera, Mathare, Bungoma and Turkana and see the sea of poverty.

So, as we start embracing technology, we must not just look at it as Kenyan issue, it should cut across Africa. Countries with huge resources have remained stagnated in poverty. They have Ministers turning up at the World Bank and International Monetary Fund (IMF) carrying briefcases and being praised as reformers, but back home things are the same. We must embrace modernity, save our public resources and direct them to areas where it matters most. That is social transformation. That is the only way we will boast in future, that we left this world better than we found it.

Mr. Speaker, Sir, I beg to support.

Sen. Ong'era: Thank you, Mr. Speaker, Sir, for giving me this opportunity to support this Motion.

Mr. Speaker, Sir, this Motion has been eloquently stated and its benefits are very clear, by the very expert, the Senator for Nyeri, and other contributors. Therefore, I need

not belabour the point, except to talk about two issues. First, any investment that affects counties, particularly with regard to ICT, is most welcome.

Mr. Speaker, Sir, secondly and more important, I hope that when this investment will be implemented by the so-called digital Government, they will not do it by increasing taxes and affecting our ordinary Kenyans. Recently there was an increase in Value Added Tax (VAT), which was unilaterally passed by the Lower House without consulting us and yet, this affects many of our people in the counties. That Act has greatly led to increases in food prices and fuel costs. This has placed a heavy burden on our people.

Mr. Speaker, Sir, I support this Motion and hope that resources can be identified to ensure that we have ICT in the counties, without unnecessarily having a burden on the people of Kenya.

Sen. Karaba: Mr. Speaker, Sir, thank you very much for giving me the chance to contribute to this very crucial Motion.

Mr. Speaker, Sir, we are debating this Motion 50 years after Independence. Considering what is happening in the world today, you will note that without technology of this kind, any country will be regarded as backward. That is the position that we are in already. Since the time we were elected to this august House, we have visited many countries. When we compare those countries with what is here, we see Kenya as a backward country.

Mr. Speaker, Sir, I have a lot of interest in education and attended quite a number of seminars in the world. There is one seminar that I attended in Lithuania. We were discussing about corruption in education. What we learnt was that corruption is not only when it is said to involve money or transaction of goods. We discussed corruption in education as the key thing. There is corruption in the education sector.

Out of our discussions, we found out that some cadre of pupils or students receive different education from the rest because they are more informed in technology than others. That will make that set of students ahead of others. Even to date, we have quite a number of schools in the country, where students from Form One to Form Four have never seen a computer. We also have certain schools in Kenya where a computer is a normal tool. When they get to higher levels of education, for example, the university, students from such schools will always be ahead, while those who have never seen computers will be assumed to be learning. This is corruption. Corruption in education is when you corrupt the minds of the youths.

Mr. Speaker, Sir, this kind of corruption can only be eliminated by the introduction of such technology in the name of fibre connectivity to various county governments. That will ensure that such connections reach schools in the neighbourhood, colleges, hospitals, police stations and even polling stations. This connection will pave way for the introduction of software, where computer labs can be used as teaching rooms.

A school in Turkana can receive the same software like a school in Nairobi. For example, whatever Lenana School is teaching, it can be connected to schools in Turkana, Lodwar and Mandera without sending many teachers in schools. When this infrastructure is developed in our country, I am sure even learning and teaching will be very easy and cheap. Every student will receive the same kind of material through this fibre connectivity.

[The Speaker (Hon. Ethuro) left the Chair]

[The Temporary Speaker (Sen. Ongoro) took the Chair]

Madam Temporary Speaker, we also need to think about our own security. Sometimes it is very hard to convey messages. For example, when there is theft of a cow from one area and there is no telephone; if that area was connected to fibre network, it would be very easy to communicate the information from one station to another. This would eliminate the kind of thefts being experienced in the Arid and Semi arid regions. The same can apply when we have terrorism like the one which we are now facing. If we were properly interconnected, it would be possible to use CCTV to identify the places where these terrorists were staying and get a film of what was exactly happening from wherever they were operating from. That would have reduced the kind of problems that we faced.

We should consider this Motion as very important, modern and progressive. It should not be seen to be a costly kind of venture. If this Motion is implemented, it would save us and develop our country. I remember in the Ninth Parliament I moved a Motion which was passed unanimously calling upon the Government to introduce computer literacy in schools as a must. This Motion has been partially implemented, but you can see the kind of effect the Motion will have in schools if it can be fully implemented and backed up with computer literacy in schools. This will forge ahead the knowledge of sciences which has been deemed to be difficult. It will be eased with the introduction of computer lessons through fibre connectivity.

Madam Temporary Speaker, the other issue we really need to think about is teleconferencing which has been talked about by a number of Senators. It is something which should be embraced. A lot of money is being wasted as we travel to go and meet and in the course of it, risking our lives while passing through very dangerous terrain. The moment we start video-conferencing, it will save time and it is secure. We will be able to reach as many people as possible within the counties through this method of fibre connection.

I thank Sen. Kagwe for coming up with this idea. This is an idea that should be embraced by everybody. It is a progressive idea. If we were to go by it, we will be talking about Kenya being among the countries which are industrialized. We should not lag behind and only talk about Malaysia, Korea and Japan; countries which were at the same level with Kenya in the 1960s and now they are ahead. This is the only way forward so that we can get closer to the centre of progress.

I support.

Sen. Kipchumba: Thank you, Madam Temporary Speaker. I take this opportunity to thank Sen. Kagwe for Moving this Motion. First of all, I just want to appreciate that ICT is the way of the times. I would wish to give a dimension on how this Motion would change the lives of many people who have been marginalized over the years by lack of access and inclusion. These are the persons with disabilities.

Persons with disabilities have continued to be relegated to a second level of citizenship because of lack of ability to compete favourably with the rest of the populace.

They lack access to education, skills development, employment, information and knowledge. This Motion gives me an opportunity to bring to the attention of this House the potential that is out there amongst persons with disabilities. Many of them, despite the handicaps, have very strong potentials among them. For example, there is this young man in one of the slums of Nairobi with the lower limbs only. He does not have the upper limbs, but he has been able to take advantage of the ability of his legs to run a small mobile service just using his finger.

Madam Temporary Speaker, Sir, we have so many other people with limited abilities, but who have taken advantage of and maximized on the little that remains. Therefore, ICT is the way forward. It will help this country achieve the constitutional threshold of inclusivity and participation by all. Inclusion will be achieved by dealing with issues of barriers that persons with disabilities have and particularly the physical barriers in our society. Many a times, in order for you to effectively participate in the activities of the society, you have to be physically located in the place of action while knowing very well that one of the greatest handicaps is a poor environment that is very unfriendly to people with disabilities.

For those who are physically handicapped, this will be a solution to avoid movement from one point to another. For those who are visually impaired, they do not have to be able to use their sight, but the knowledge in ICT to interact. For a new team of persons with disabilities--- they call them dwarfs, but we call them the people limited by height. Many times when you go to our banks, the teller is usually seated about five feet above. So, wheel chair users cannot be served unless they are wheeled into a room. This is very interesting. We do not need special rooms, but equal opportunity. These counters should be placed at some level that all of us can participate.

Madam Temporary Speaker, ICT will help equalize our society. I had an opportunity to train in Japan in one of the prefectures in Okinawa. They have a centre where people with extreme disabilities get training and employment. It is called Okinawa Colony. You will find a person with only one finger moving while the rest of the body is paralyzed and yet that person is able to be a caller at a market place. This person can be an editor of one of the most vibrant newspapers using one finger. The power of ICT gives opportunity to people with little potential that can be maximized.

I would call upon this Government to embrace it and work on it and even keep the laptop story aside for a while. We should first have fibre optic cable around this country because people with their own initiatives will improve their lives. We will achieve the 5 per cent the Constitution desires of people with disability at every level, especially at the county level. An example is hon. Wanyonyi, the Member of Parliament for Westlands. He could not have moved everywhere in Westlands, but he took advantage of ICT. He could not access the slums in Kangema, the tall buildings and the valleys of Westlands, but through ICT, he networked and effectively campaigned and beat many other competitors.

This is an opportunity for this Government to prove that inclusion and equalization can take place. In supporting this Motion, I want to rally that ICT is the way out for people with disabilities.

I beg to support.

Sen. Nobwola: Madam Speaker, I want to thank the Mover of this Motion who has given very good thoughts for our country because ICT is the way forward. I just want to commend him for bringing it up. One of the points that have really touched me is the fact that the fibre optic cable can be connected to hospitals so that you can have someone in Turkana operated from Nairobi through video conferencing. This is an important thing because not all counties have hospitals like Aga Khan or Nairobi Hospital. The connectivity of this fibre cables to the counties will be very good because it is efficient and transactions can be fast-tracked through networks.

If the Senate is linked to this network, we can know what is happening. During our visits to the counties, we found out that in most counties, their revenues are going down. Therefore, without a system in place, the Controller of Budget will not know what is happening in that particular county. If we are connected to the fibre cable and if the system is working, then they will know what is happening in a certain county. They will take remedial measure to stop the malpractice.

This system will link up the counties and create jobs. We have educated our children in ICT, but most of them are jobless. They cannot all come to Nairobi. But if we can link the rural areas, we will involve these children and make sure that they have jobs. After all, this is a digital government. I am sure implementing this will not be a problem because we already have the fibre optic cables in existence. So, it is only a matter of connectivity. Therefore, I call upon the national government to be more committed so that we can take off with this system because we are lagging behind. The rate of absorption of revenue by counties is slow because the IFMIS is not working. So, if we connect this network, we will move forward. This is a modern society. We are living in a globally integrated economy where everybody is connected. So, why would we leave our counties behind?

Therefore, I support the Motion and thank the Mover, especially the spirit with which he wrote the Motion.

Sen. Boy Juma Boy: Bi. Spika wa Muda, asante sana kwa kunipa nafasi niunge mkono Hoja hii ambayo imeletwa na mwenyekiti wangu, Bw. Kagwe. Kwanza, ningependa tuichambue Hoja hii. Hoja hii inasema kwamba yafaa mtandawazi *uconnectiwe* katika *headquater* ya county.

The Temporary Speaker (Sen. Ongoro): Order, Senator! If you want to give your contribution in Kiswahili language then let it be Kiswahili standard. The word “uconnectiwe” - I do not think is Kiswahili.

Sen. Boy Juma Boy: Bi. Spika wa Muda, unajua mahali pengine lazima uchanganyishe hata uwe Mswahili kutoka uswahilini. Kwa hivyo, hiyo ilikuwa ni kuchanganyisha kidogo tu.

Mtandawazi ndio mwelekeo wa kisasa. Hoja hii ina umuhimu kwa sababu kaunti ndio mwelekeo mkubwa ambapo sasa tunaenda katika Serikali za Ugatuzi. Makao makuu ya ugatuzi sasa yako katika kaunti. Hapa ndipo mahali ambapo huu mtandawazi utakapounganishwa, basi kaunti zitaweza kuunganishwa na Serikali kuu, Seneti, *Treasury* na ulimwengu kwa ujumla. Hivi sasa ulimwengu umekuwa nyumba moja na hatuwezi kukaa na kusema kwamba kaunti zetu zibaki vile zilivyo.

Hoja hii ni muhimu kwa sababu inaguzia swala la ugatuzi. Seneta ambaye ameleta Hoja hii amelenga pande mbili. Pande hizi ni kaunti na Serikali kuu. Serikali kuu

inafaa kuhakikisha ya kwamba kaunti zote zimeunganishwa na mtandawazi huu. Kwa hivyo, hapo ni lazima tumsifu mwenye kuleta Hoja hii. Alijua wazi kwamba serikali za kaunti hazina uwezo; ndio maana akasema kwamba Serikali kuu ihakikishe kwamba makao makuu ya serikali ndogo yameunganishwa.

Tukifanya hivyo mawasiliano yetu yatakuwa mazuri. Kwa mfano, mkuu wa wilaya anaweza kuwasiliana na Serikali kuu kupitia mtandao. Kutokana na hali hii, hebu tuangalie hali yetu vile ilivyo sasa. Wakati huu, mapato yote ambayo yanatoka katika serikali ya wilaya ni lazima yapelekwe katika hazina kuu ya Serikali. Watu wa wilaya wakitaka kutumia pesa hizo ni lazima wapate ruhusa kutoka hazina kuu ya Serikali. Kwa hivyo, mambo haya yanaweza kuunganishwa na mtandawazi. Hakutakuwa na haja ya kuandika barua. Wahusika watakuwa wakikaa kwenye tarakilishi zao na kuwasiliana moja kwa moja na Waziri wa Fedha katika Serikali kuu. Kazi itafanyika mara moja. Haina haja mtu kusafiri kutoka Kaunti ya Turkana ili kupata kibali cha matumizi huku Nairobi. Wakati wa kufanya hivyo umepita. Zaidi ya miaka 50 ni lazima tubadilishe vile tunafanya mambo hapa.

Bi. Spika wa Muda, kati ya kaunti 47 katika nchi yetu ni kama 20 ambazo zimeunganishwa na mtandawazi huu. Moja kati ya kaunti hizo ni ile ya Kwale. Kaunti hii ina matatizo. Kwale ina ufuo wa bahari ambapo kuna mahoteli. Kwa hivyo, mtandao huu umeletwa na ukapelekwa mpaka hotelini kwa sababu huko ndipo kuna matumizi mazuri. Ni kule ndipo wakubwa huenda kulala. Lakini kule kwa mlima ambapo wanakaa wananchi hohehahe na walalahoi au watu wa kawaida, mtandawazi haujafika. Mahali ambapo gavana anaishi hakuna tarakilishi. Mtandawazi huu umeunganishwa katika hoteli ya Leisure Lodge, Diani na Neptune. Mambo haya hayafai. Huu ni ubaguzi.

Tulizunguka na kamati hii mpaka Malindi. Kule wenyeji ni Wagiriamu. Hata hivyo, wengi wa wakaazi wa hapo ni Waitaliano. Hapa kuna tarakilishi lakini Kilifi ambapo kuna walalahoi wengi hukuna mambo haya. Hii ndio sababu mwenye kuleta Hoja hii alisema kwamba mambo haya yafanywe na Serikali kuu. Ndio maana mwenye Hoja alifafanua kwamba anahimiza Serikali kuu ihakikishe kwamba serikali za ugutuzi zote zimeunganishwa. Sisi kama Seneti ndio walinzi wa ugutuzi. Sisi tunalinda masilahi ya serikali ndogo za mashinani ambazo zinaitwa *county government*---

Sen. Obure: Hoja ya Nidhamu, Bi. Spika wa Muda. Ningependa kujua kweli kama kuna Serikali kuu na serikali ndogo. Nafikiri hiyo ni kupotosha wananchi. Ukweli ni kwamba kuna Serikali ya kitaifa na serikali ya ugutuzi.

Sen. Juma Boy Juma: Bi. Spika wa Muda, namshukuru kwa sababu nilifikiri haelewi kumbe anaelewa. Hivyo alivyo elewa ndio ilikuwa nia yangu na wala si nia yangu kupotosha wananchi. Kuna Serikali ya Kitaifa na serikali ya ugutuzi.

Kulingana na hali hii, nia na madhumuni ya hoja hii ni kuhakikisha ya kwamba nchi nzima, huu utandawazi ambao ni mwelekeo wa miaka hii, unaendelea. Kwa hivyo, namsifu aliyetoa Hoja hii. Yeye ni mwenyekiti wa kamati yetu. Naona kwamba yeye yuko na maono ya mbele. Nawaomba maseneta wote kuunga mkono Hoja hii kwa sababu inaeleza kinagaubaga nia na madhumuni yake. Pia ameeleza wazi wazi sababu za kuunga mkono Hoja hii na ifuatiliwe kikamilifu. Serikali ya Kitaifa yafaa ihakikishe kuwa jambo hili linakamilika kama ipasavyo.

Bi. Spika wa Muda, kwa hayo machache, naunga mkono.

The Senate Majority Leader (Sen. (Prof.) Kindiki): Thank you, Madam Temporary Speaker, for giving me this opportunity to contribute to this Motion which I support. I am making my contribution after a very eloquent Kiswahili speaker. I hope I will not interfere with the pace and mood that was set.

I want to join my colleagues in congratulating the Senator for Nyeri County, hon. Sen. Kagwe. Those who were here in the morning heard that this is a matter that the Senator for Nyeri is not only familiar with but very passionate about.

I am seeing a few colleagues, from my other life like Prof. Anyang' -Nyong'o and others but I think Sen. Kagwe is one of those Kenyans who deserve a Honorary Doctorate Degree for his contribution, passion and expertise in ICT. This is the way we should go as Kenyans so that we appreciate people like Sen. Mutahi. He is not here but I am sure he will be told that I am using the powers of my past life to recommend him for a doctorate degree, *Honoris Causa*, in ICT. Having said so, I would like to support this Motion.

My colleagues have talked about the benefits of ICT.

Sen. Hassan: Hoja ya Nidhamu, Bi. Spika wa Muda. Je, Kiongozi wa Seneti wa Wengi yuko katika nidhamu kusema ametumia nafasi yake na nguvu zake za kazi iliyopita kumkabidhi Sen. Kagwe Udaktari wa Filosofia? Naona hafai kuipotosha Seneti hii katika jambo kama hilo.

The Temporary Speaker (Sen. Ongoro): Senator, did you say that you were conferring that degree upon him or were you just recommending?

The Senate Majority Leader (Sen. Kindiki): Madam Temporary Speaker, I do not have the powers to confer. I wish I had. I just recommended and for the benefit of the Senator from Mombasa, my brother, Sen. Hassan, Honorary Degrees are conferred by university communities upon recommendation by the public. I think we should start linking up with universities like the University of Nairobi to recommend Kenyans. It does not have to be a politician. However, thank you for helping me respond to that point of order.

The benefits of the ICT in governance are huge. The benefits of ICT in revenue collection and management are demonstrable. I will use one example to demonstrate what this Motion can do if implemented. When our Committee on Health, Labour and Social Welfare visited the counties during the recess – this is commendable because I have received a lot of positive feedback that projects the Senate very well – we found out that most of our health sectors are stocking drugs which are not supposed to be there. Some drugs which are supposed to be in some health centres are not there.

When this came to the fore, we asked ourselves why it was happening and we discovered that the main problem is that once our health facilities receive these drugs, there is no way that the Director of Medical Services and other administrators in the health sector can ascertain or match the requirements that health centres have at any one given time. They cannot also supervise how the drugs are utilised. So, if we had this kind of connectivity, the Cabinet Secretary for Health would see that a health centre in Nyaribari Chache has this amount of drugs and requires a certain amount of the same drug. He does not have to wait for the nurse to fill a requisition form. They can track the usage of medicine using their computers. This is an important contribution because it will improve governance. It will also improve healthcare, by way of example.

The other issue that has been raised, telemedicine, is very important. Time has come when we can do complicated medical procedures without patients travelling overseas. India is one country that has done very well in telemedicine and that is why there are many people travelling to India. If we had those facilities here, whatever is happening to patients in India would also happen to patients within our country.

I want to emphasise the use of ICT connectivity in terms of equalizing this country in education. This cannot be overemphasized. The idea of university professors teaching in many universities without travelling is good. I have said that because I have been a teacher before at the university. I am worried that we are opening very many campuses all over the country. That is good. We even passed a Motion in this Senate urging that, at least, each county should have a university campus. However, my worry is that the high level expertise required, for instance, in sensitive disciplines like medicine, engineering, among others, is not there. How many law professors do we have in Kenya? They are very few. However, you will see that we have more than ten law schools offering law degrees at different levels including PhDs. Where will they get professors to supervise students? Where will they get professors to teach? If video conferencing was available, we would only need to have one professor and connect him to all the law schools. The professor can teach law students in ten law schools, simultaneously, without leaving his location. I think this thing can really transform education. It can mitigate the risk we face as a country.

As we expand education, we are likely to see the quality of education going down. Some rural campuses are hiring people who are not qualified or people who should not be teaching. They have no business in teaching. Some of them are purporting to supervise postgraduate qualifications which they do not have such qualifications themselves. I have seen cases before where Masters Degree people are in examination panels for PHD students. You cannot give what you do not have. I think ICT will help us a big deal.

With regard to business, if someone in Taita Taveta or Chogoria, Tharaka-Nithi, my county, is running an agri-business, they can order for inputs and even look for markets online. They do not have to board a bus to come to Nairobi to look for a market or inputs. Inputs can be delivered to them and they can pay without leaving their stations. That way, businesses will grow because profit margins will go up since the cost of doing business will come down.

The Mover of the Motion mentioned the need to standardize our infrastructural designs. In future, nobody should be allowed to construct a road without providing a passage or a route for fiber optic cables. Today, many companies are digging their own trenches. The law should require that anybody constructing a road should also include a duct for fiber. If it is a private company digging that trench or duct, then they should be required to leave enough space so that other companies use the same duct as we go forward.

Socially, the implementation of this Motion can transform our interactions. The days when people used to write letters to their parents and grandparents via P.O. Box, Runyenjes, are gone. Ten to fifteen years to come, I will be a grandfather. Today, I am a father. Do you expect my daughter to be writing letters after I have retired from my stint at the Senate? The kind of grandfather you will have in the next 20 years will be highly sophisticated. For instance, Sen. Hassan, Sen. Wangari and myself need to be prepared

so that once we retire, our children and grandchildren communicate with us in a modern way.

With those many remarks, I thank Sen. Kagwe. My recommendation for Doctor of Letters on *Honoris Causa*, ICT, still stands.

I support.

Sen. (Dr.) Zani: Thank you, Madam Temporary Speaker, for this opportunity to contribute to this important Motion. There is need to ensure that, in counties and the nation as a whole, appropriate development is enhanced. Most counties have their goals. We have goals at the national Government level. We also have various players both at the counties and at the national level. However, the level of communication and coordination within the county, among counties and between counties and the national Government can be enhanced if we enhance the use of ICT.

In fact, it would have been impossible to think about the level of order, efficiency and networking without this level of technology. I support this Motion that, indeed, a fibre optic national network needed to have been done like yesterday so that counties are networked and to communicate effectively. There are various levels of systems that can be put into place including general ledger systems. This may not be very technical and may have more to do with the financial aspect input and output. However, with regard to issues such as budgeting and collection of revenues, we have seen what has happened in the counties. The items in those budgets were an item of discussion in this Senate for a long time. Such a system would disseminate a model budget to assist the counties. We can also communicate with the counties. Right from the word go, the counties should have a model budget that has already been passed to them, at least, with certain key items that should not be missed and with some level of cooperation and coordination so that they know how the items will be enhanced.

The other key area is human resources, preparation of payrolls and preparing in advance. Many counties have suffered while trying to identify who the human resources persons are in those counties. They do not know the actual workers. Counties like Nairobi and Mombasa have engaged in actual audit to understand who the human resources are and how much they should be paid. If we had such a system in place, we would just enhance the work. We would only need a template to know who is working in those counties, how much is accrued to them and when payment should be made. That would make it very easy.

What I like about this Motion is the fact the execution speed of simple process and procedures that normally take a long time to be done will be limited. Therefore, counties will now have a more focused agenda rather than getting caught up in terms of the processes that help them achieve their goals. This will also enhance transparency in information. Just to put a highlight note, we have, as a country, to be prepared for that. This is where elements of corruption – I am thinking about issues that may motivate people to be against such systems – transparency in information may not be good for them. At the end of the day, other people will know what the corrupt individuals are doing.

So, transparency in the information system really helps all players to understand and know what is going on. The beauty of it also, depending on how it is done, is that it is

in real time. So, if it is accounting or budgeting, it is all done in real time and everybody reads from the same figures and understands them in the same way.

Madam Temporary Speaker, of course, it will be very critical to have common standards, rules and procedure for operating such Information Technology (IT) systems. It would be very critical to ensure that they are enhanced to the best capacity. We have challenges that have been mentioned, especially institutional challenges. There needs to be a clear objective for those organizations to know what they want to use the Information Communication Technology (ICT) for. There also has to be clear project designs, specifically where ICT will be applied to enhance those designs at the end of the day. The people coming up with those designs should know what it is that they are doing. They should be able, in the long-term, to have clear objectives for those designs, which they can then articulate and put in the system effectively, to ensure that the system works well for the goals that are required for that.

Madam Temporary Speaker, of course, training has already been mentioned. This will really open up the space for training, especially of the youth who, as was earlier mentioned, are a step ahead of us, the older generation. So, with the right capacity building for them, levels of education and outlook for technology, which has already begun in primary schools and indeed, been mentioned, it needs to be extended, so that we are not just focusing on the laptop project for only specific people. We should really begin to open up the space, so that any young Kenyan, at the press of a button, will know how to use ICT and effectively communicate and contribute to the development of this country.

Madam Temporary Speaker, therefore, one of the things that we will need is a real commitment. The implementation of this Motion will have financial implications and so, we need to have a real commitment and understanding of the necessity of such technology and its implementation. We need to have the appropriate levels of readiness, and that is what we are preparing. We also need to have clear project designs and the financial resources that are put aside for that. We also need to have a very clear legal framework under which such systems will operate, so that there is no way there will be a disagreement between the various sectors.

Madam Temporary Speaker, last but not least, we need to find out and make sure that there are clear acquisition systems for the technology that is going to be put into place. I think that one of the beauties of such systems is that it will make it possible for quick decision making to be done at the various levels. The level of networking between counties also will enhance, in the age of devolution, time within which counties are able to share information quickly and gauge where they are meant to be.

We have just come from county visits in the *ad hoc* Committee on Agriculture, Land and Natural Resources. We had a chance to visit Machakos, Kajiado and Narok. For example, we were impressed in Machakos County by the level of ICT that they have used and projection in terms of what they want to attain as a county. Even as we went to the other counties, we thought that this is a model that can actually be shared across the counties. This is because in the Inter-governmental Act one of the important things is also that counties are able to advise and help each other reach the levels of development that they have already attained. So, I think that, that was one example of integration of information and technology within the planning of the county that came through as

something that had been well-thought-out. It was something that was very informative for the county and for people to know what was happening.

Madam Temporary Speaker, of course, as we have alluded to before, the issue of participation will be enhanced. This is because, really, at a click of a button, you are able to know the plans for specific counties, what the interjections points might be and where opportunities really exist within the counties. This is one thing that we have been trying to battle with all the time; talking about how people are going to really be able to participate fully. Not everybody can be there physically, but through ICT, it is going to be possible for people, even those who are in the diaspora, to really make a very meaningful contribution to what is happening to this country. Therefore, I think that there is real transformation; moving on from where we have been historically to the present and using the available technology. I think that we have a chance.

Madam Temporary Speaker, I would really want to thank Sen. Kagwe because he has brought to us an idea that will really link together and create the operational dynamics of where we want counties to get to in this country.

Madam Temporary Speaker, I beg to support.

Sen. (Dr.) Machage: Madam Temporary Speaker, as I support this Motion, I would like to congratulate Sen. Kagwe for a well-thought Motion.

Madam Temporary Speaker, indeed, a lot of facts have been raised on the Floor of this House, even by Members who are living their second or third lives. The Senate Majority Leader talked of his previous life and I wondered whose reincarnation he could be now. That is a nice joke, but what Sen. Kagwe has raised is not a joke but a reality.

Indeed, access to information is a constitutional right. The Integrated Financial Management Information System (IFMIS) is actually a requirement by law to all financial handling institutions in this country. Therefore, the national Government is obligated by law to make sure that there is no skewed distribution of the fibre optic national network, but to know that it is a requirement by the Constitution that this network is actually distributed equally to all areas in this country. We do not need to make requests and beg for this. They should have started it.

Madam Temporary Speaker, last week, the Cabinet Secretary for Education did announce the plans to distribute computers to primary schools and was surprised that only a few have been picked for the start of the project. That level of skewedness should be avoided at all costs. What were his parameters regarding the decision on which areas were to be given these facilities? If that is a Presidential directive and, indeed, a directive by the Jubilee Government, then they should do it *in toto* without avoiding the children of Ijara and Kuria. We will not accept that. It must be done properly, equally---

Sen. Karaba: On a point of information, Madam Temporary Speaker.

The Temporary Speaker (Sen. Ongoro): Do you wish to be informed, Senator?

Sen. (Dr.) Machage: Madam Temporary Speaker, he can go on.

Sen. Karaba: Madam Temporary Speaker, it is important for Dr. Machage to note that for you to start any project, there must be a pilot scheme. This is one of the pilot schemes which are there. So, eventually, the whole country will be covered. Let him be informed about that.

Sen. (Dr.) Machage: Madam Temporary Speaker, you can see who the beneficiaries are. They call it anything by any means, but the truth is that there is skewed

distribution of this project already and, at least, I have taken note. That is how it starts and by the end of five years, some regions will have been left out. By the end of 20 years, we will have children who cannot cope with the education system, as it has been designed from before, and they are put on the same labour force requirements. This is unfair.

Madam Temporary Speaker, Sen. Mutahi has thought it all through. Being a nationalist, as I think he is, and he demonstrated this in the few years that he was in the Cabinet, he thinks that this should be a national obligation with no hindrance whatsoever and prejudice. Every county government headquarters, should, as a necessity, receive a line of this national fibre optic distribution system. I think that he should have even gone further and said that all educational and administrative institutions to the sub-location level and all hospitals should also have distribution by law, so that all the facilitations that the Members have hitherto spoken about can be handled equitably in the whole country, including comparison on the development modalities and planning of one county *vis-à-vis* the other. This will ensure that no county is left behind because there is a lacuna in information distribution.

Madam Temporary Speaker, I beg to support.

Sen. Hassan: Madam Temporary Speaker, I want to thank you for this opportunity, to equally join hands with our friend and colleague, Sen. Mutahi Kagwe, in this well-thought-out Motion.

Madam Temporary Speaker, since the inception of most of the county governments, I do know that they have been grappling with the issue of ICT. In fact, a number of them have had an avalanche of ICT solution providers, trying to make all types of recommendations about what solutions they could have, particularly in terms of revenue collection and efficiency in their planning and accountability processes.

Madam Temporary Speaker, I think that what the Senate and Sen. Mutahi Kagwe have done is to initiate the process to provide a structure and raise a legal and constitutional obligation to ensure that this programme is effected uniformly in a manner that keeps pace with great accountability.

I have said it in this Senate before, that I think the evolution of the human genius, the trends in technological advancement and innovation necessitates this Senate to keep abreast with the global trends, or otherwise, we will perish as a nation. I think most of these obligations on us are no longer privileges as much as the majority of our country languishes in abject poverty. It is incumbent that we meet the desires or the expectations of technological advancement or otherwise perish.

Madam Temporary Speaker, the human genius has been miraculous in its discovery and innovation. Just a few years ago, most of the trends in communication and technology were almost unimaginable. They were only a footnote of science fiction but now they have become a reality of our time. I see a lot of science fiction movies and I can tell you for a fact that there will be a day we will all be having a small thing out here in the Senate and we will not need to drive home. You will just use your little plate and fly home. I think most of these things were, first, imagined in science fiction movies but they have become the realities of our time.

Therefore, I think it is incumbent upon us to keep up with these trends and shade the barbarian past where Order Papers are given in printout. I have said that this Senate should be capacitated and I hope that building will take into consideration part of this

advancement in technology. I want to ensure that when I am in the Senate, I can look at the Order Paper for the next one week, I can be able to retrieve documents of the Senate and that I do not need to come to the Clerk for the Constitution. It will be in a little small mirror that I can do all the things that are incumbent upon us. That is where the world is headed and that is where we must head.

Madam Temporary Speaker, I think it is a resource in this Senate that we have people who are distinguished in their various fields; ICT, law, engineering, Public Service *et cetera*. So, this Senate is an enormous resource. In fact, through some of your Motions and presentations, we continue to learn new trends every day. I think technology as a means of accountability must be effected in all our counties and to give our counties the necessary pace in terms of development.

I think what this Senate needs to do is to interpret the Constitution which we have done to ensure that those obligations that arise out of the Constitution to the national Government are captured in spirit and in letter by the Motions of this Senate. But also the Senate needs to go a step further and ensure that these Motions are then adopted into legislative frameworks that compel the Government to deliver on certain things. It would be an endless mirage in the Senate to constantly bring Motions and not see the fruitful consequence of these Motions.

Therefore, after we pass this Motion, I would urge Sen. Kagwe to bring a further Motion to suggest a select Committee of this Senate that can suggest legislation on a broad framework on ICT development in our counties. I think we need to compel the Government through the legislative functions of this Senate. We are not just a talking shop and an advisory council. We are a legislative organ and we must now start to pursue robustly our powers and legislation.

Madam Temporary Speaker, we used to say in the regime of rights that there are basic rights; the right to food, shelter and clothing. But it is coming to that point where technology will be a right of every Kenyan citizen because I think it is no longer a luxury. The desire of the Jubilee Coalition Government to give every class one pupil a laptop, as much as we might feel that it is not a priority, it expresses that popular aspiration that we have reached a world where technology is an inevitable reality. It is a broad aspiration that we need to ensure that everybody has access to technology and information.

Tied to the very aspect of freedom of information, this Senate must also pursue its legislative agenda to ensure that The Freedom of Information Bill is debated and passed. Open Government is fundamental to our democratic growth and accountability. Just a few days ago, we saw what happened at the Westgate Mall. If we had a freedom of information law, we would demand to get certain information either in camera or otherwise that would place responsibility where it belongs. Freedom of information in Government has become an inevitable right and every democratic Government applies the freedom of information as a means of open governance.

I do remember during the State opening of Parliament, President Kenyatta promised that the freedom of information law was going to be effected during his term. Every successive government has always promised that freedom of information law will be passed but have reneged on its enactment because it will open Government for us to be able to scrutinize what are called “confidential documents”, so that where rights and

obligations arise, that law will take effect to ensure that Kenyans are adequately and accurately informed.

Madam Temporary Speaker, therefore, there is no need to create a technological avenue without a facilitative legal framework to ensure that we get the information that we require. So, freedom of information must be tied to the enactment of freedom of information law so that if we have the technology but we cannot access certain information, it is an exercise in futility. So, we must ensure that this technology is facilitated by enabling legislation that ensures that whatever we aspire to in this broad category of information is then given effect through the rule of law.

Therefore, I do not know whether I am one of those persons who can recommend a doctoral degree because I also do not want to make those doctoral degrees too common. But I do believe that if I have studied carefully the Motions that have been proposed to this House by Sen. Kagwe, it has actually demonstrated an expertise similar to those Motions that have been brought to this House by Sen. (Prof.) Lonyangapuo. So, everybody has had his forte and therefore, we must continue to broaden the fortes of every individual so that we are able to tap into the rich capacity.

We have doctors in this House who must bring robust legislation. The lawyers are doing their bit and even as I speak, Sen. Wako is going through the Constitution. Therefore, I think everybody needs to bring that expertise so that we tap into the rich resource.

Sen. (Prof.) Anyang-Nyong'o: But he is not seeing!

The Temporary Speaker (Sen. Ongoro): Order, Sen. Anyang'-Nyong'o!

Sen. Hassan: Madam Temporary Speaker, I think Sen. Anyang'-Nyong'o has disrupted the flow of my debate and wrongly accused Sen. Wako of not seeing. I think Sen. Wako usually reads that Constitution. I have borrowed it once and it has a lot of stick-ons and underlines on a lot of places that were apparently referred to.

Sen. (Prof.) Anyang'-Nyong'o: By his son!

(Laughter)

The Temporary Speaker (Sen. Ongoro): Order Sen. (Prof.) Anyang'-Nyong'o! You are getting out of order.

Sen. Hassan: Madam Temporary Speaker, on that light moment, I wish to support this Motion. I can tell you, when the Professor comes up with a few remarks time and again, you could actually lose your train of thought, but I have remained steady despite that disruption.

I beg to support and ask Sen. Kagwe to bring the robust enabling legislation so that we can realize the aspirations of this Senate in this country.

Sen. Mohamud: Thank you Madam Temporary Speaker. I would like to support the Motion and thank Sen. Kagwe not only for bringing this inspiring Motion but also for mentoring some of us who are members of his Committee. Indeed, I regard myself as one of the luckiest senators because I am his Vice-Chairperson. This means that I am close to his aspirations since he is a patriotic citizen who is interested in others acquiring something for themselves. I thank the Senator for mentoring some of us and if we continue being close to him, in the next one year, we will be as perfect as he is.

If we connect the county headquarters to this fibre optic, it will make the counties be where they want to be. The issue of teleconferencing will make the county officers be informed and hence encourage informed decision-making. In addition to that, this will also improve their social lives because they will not be bored in their offices if they use the network which will be available. If the 47 counties are connected to the fibre optic cable, this will make the county officers share ideas. For instance, an executive officer from one county will be able to learn from the good practices by another county executive and hence acquire very good practices.

As a Senate, we have a role to play in the county Government and, therefore, if the counties are connected to the Senate and the Treasury, this will ease the process of oversight because we shall be able to know what will be going on in other counties. This will reduce wastage of resources used on travel. This interconnectivity will also enable the Jubilee Coalition Government deliver on the pledges that they made to their people, like the laptop project. Once this county headquarters have been connected, the Ministry of Education will simply connect them to the laptops. This will also encourage public participation and also increase access to information since we know information is a very powerful tool.

With those remarks, I beg to support.

Sen. Chelule: Madam Temporary Speaker, thank you for giving me this chance to contribute to this Motion. First, I must congratulate the Mover, Sen. Kagwe, for bringing the Motion and I would like to add my voice in support of it.

The fibre optic project was initially meant for rural areas because I know some people were trained five years ago on the fibre optic project. It was meant to connect the rural areas to the urban areas. Therefore, as much as I would want to support the Motion, I would also like to request the Mover to move from county headquarters to the village. This will promote e-services between the citizens of this country and their leadership. Sen. Kagwe has talked about connecting the county headquarters, to me, this should be obvious. They should be connected. What I am crying for is the majority who are at the community level. This project was initially meant for the rural areas and I would like to take this opportunity to request Sen. Kagwe to move from the county headquarters to the village.

With those few remarks, I beg to support.

Sen. Kanainza: Madam Temporary Speaker, thank you for giving me this opportunity to contribute to this Motion that has been brought by our Chairman of the Committee on Education, Information and Technology where we always call him pastor or bishop and I know this Motion is going to be implemented.

Madam Temporary Speaker, more importantly is that the young people have always been used as a statistical group not only in Kenya but in other countries. Through Information Communication and Technology (ICT), we are going to open up opportunities for them to get employment. Looking at examples of countries like Malaysia and Singapore, they have succeeded because of such a system. We are saying that the youths should be given an opportunity and, maybe, be put in charge of this network. We can only achieve this by promoting the best principles. For me, I have tried to outline a number of them and I will be able to share with you.

The first is promoting youth entrepreneurship by trying to make sure that the young people are able to generate income. When we talk about selling our goods and services through ICT, they will look at the market and even compare the prices for their goods. I can give an example of where I come from, Lugari Constituency, in a ward called Luandeti. They are able to produce tomatoes and onions but they sell them at a lower price at the roadside because we do not have ICT kiosks that they can use to market their goods and services.

The second is promoting public-private partnership. This can only be done by accessibility of internet which is not limited to those people who only understand English. Third is targeting the vulnerable groups of the young people. This can only be done by networking and that is why we advocate for development of ICT not only in the cities or counties but also in the villages. Last is by bridging the gap between the digital economy and the informal sector. Actually, we know that the Government is able to do this and it is going to achieve this to bring development in our country.

With those few remarks, I beg to support.

Sen. Wako: Madam Temporary Speaker, thank you for giving me this opportunity to at least put on record what I know about Sen. Mutahi Kagwe because we served in the same government. I know as a fact that through his initiative, we started talking about fibre optic. When we began talking about it in the Cabinet, at that time, I was analogue, but from then I tried to be digital because he was speaking above my head but we are now more or less at par.

It was his idea to connect Kenya to the world. As at that time, we were not connected to the world. We had to go through other systems before connecting to the United States of America (USA) or elsewhere. Through the initiative of The East African Marine Systems (TEAMS) and through his initiative and drive; where he talked to governments in East Africa, we managed to bring the cable in Mombasa in 2008. That is what we call the under-sea cable. We are now talking about terrestrial cables which will now connect from that cable through Kenya to the other countries in East Africa such as Rwanda, Ethiopia, Uganda and Burundi.

Whereas these other countries like Rwanda and Ethiopia have more of these cables under the ground, they have now gone ahead of us but they still have to use us to connect to the rest of the world. When you talk about connecting to the world, the advantage is that no country can develop in the world today, in the global village we have today, without the use of communication which we are talking about.

Madam Temporary Speaker, leaving the world aside and coming to Kenya, this is what this Motion is all about. I want to thank him for the very well thought out Motion about the Fibre Optic National Network to link the county headquarters to relevant national institutions such as the Senate and the national Treasury. As you know, we now have a devolved system of government. Under our Constitution, the two governments will proceed on the basis of consultation, co-operation and consensus agreement. We cannot undertake all these things without proper communication at all levels.

When you go round the counties, as the Committees did during the recess, through various committees, you will find a counterpart committee at the county level. We were all anxious to develop some relationship between our committee and that

county committee for the purposes of implementing the Constitution. We shall not be able to do that without this being done.

Last week, we went with the Committee chaired by Sen. (Dr.) Zani and we could see that in order for us to have an ongoing dialogue and communication with them, exchange of information, the type of legislation that will be done at the national level and at the local level, connectivity of the fibre optic is necessary. Those who are in Machakos County can be coming here. What about those from Busia, my county, or those from the Coast? The time wasted to travel would be immense. This will be of benefit.

Madam Temporary Speaker, if you look at the Constitution, you will see that the two levels of government, in nearly all the fields, must work together. Even in the functions that are retained for the national Government, you will find that the county government has a role to play. Therefore, there is need for proper interaction not only at the national Treasury level but in all Ministries of Government between the national Government and the county Government. They must cooperate with the national Government in setting out policies and the county Government being the actual implementer specifically on the ground with regard to some of the policies.

Therefore, that communication is very important. One can talk about many other things. However, I see this as a Motion which is long overdue which will bring us a proper effective government at both levels. That will be better not only for the Kenyan Government but also for the East African Community (EAC). I speak here because I have been involved in the EAC community matters. I am glad that it is through Kenya that these other countries are being connected to the rest of the world. Let them not shoot ahead of us in terms of laying down the cable networks and so on. We should be ahead of them.

As someone said, in developed countries, the fiber optic cable is at the village level. When I retire to my village, I want to be communicating with someone in the United States of America (USA) and not spending too much time on my computer waiting for the information to download. That can only be done if we have proper national fibre optic network which goes up to the village level.

I am glad that the Jubilee Government is putting us at a digital age by ensuring that our children have laptops and so on. Let them ensure that some of the pilot projects cover areas like Busia. They should not just be in areas that are already connected. Let them come to our area and ensure that we have teachers, classrooms and electricity so that we benefit from the digital age.

With those remarks, I support my colleague, Sen. Kagwe. He has been very passionate about this issue, right from the days we were together in Cabinet and he continues to be very passionate about it. Just as I provided legal services to him when he was doing this, the Committee on Legal Affairs and Human Rights is prepared and ready to work with him on matters of legislation as it was suggested by Sen. Hassan. We need to back up this issue with proper legislation so that the Government implements the Motions we pass in this House.

I support.

Sen. Gwendu: Thank you, Madam Temporary Speaker, for giving me this chance to support the Motion by our Chairman. In our Committee, we also refer to him as “Pastor” because of his ability to explain matters for a very long time.

I stand here to support this Motion not only because it comes from my Chairman but because I realise the importance of having internet connectivity in our Senate, governors' offices and all over the country. We have been moving around the counties as a Committee and realised that fibre optic connection goes only to the county commissioners' offices and not to the governors' offices. This was a matter of concern.

I know that many of you have not realized that this Chamber is connected to a wireless network. If our Nairobi Governor's Office was connected to this network, then we would communicate directly with him and with the other county commissioners.

This can also cut down the time we use in summoning Cabinet Secretaries to our meetings. I believe that the issue of summoning Cabinet Secretaries is quite archaic since we can use digital methods of communicating with these people.

We can also use this as a tool for sourcing information. That is another importance of the fibre optic connection. The other importance is economic growth and development of this country. With this connection, we can carry out research and communicate better, both externally and internally. This will help our counties, communities and the people around us. Without information, we cannot do much in terms of what we have set our minds to do.

With regard to business opportunities, Senators like Mutahi Kagwe will train and understand more about the pros and cons of the fibre optic cable and what we need to know. This can only happen if we have the connection widespread in all our counties. We heard very good news from a representative of the Ministry of Information, Communications and Technology (ICT). He told us that they still have about 60,000 kilometres to connect in the country.

I beg to support by saying that we need to be connected since this is the digital era. We need to step away from the era where people got to know about internet and laptops when they were going to the university. Let us not take back our children and our generation to where we are coming from. Let us move forward and not backward.

The Temporary Speaker (Sen. Ongoro): Sen. Beth Mugo, you made a special request to give a special contribution. I have been waiting for you.

We will, kindly, allow Sen. Mugo, for some special, reason to make her contribution.

PERSONAL STATEMENT

THANKS TO THE SENATE FOR SUPPORTING VICTIMS OF THE TERRORIST ATTACK AT WESTGATE MALL

Sen. Mugo: Thank you Madam Temporary Speaker for allowing me to address the honourable Senators. I thank you very much from the bottom of my heart and on behalf of my family, my sister Catherine and other Kenyans who have gone through this terrible thing.

We were with you yesterday and received your contributions and condolences for all of us who were unlucky to be part of the families that suffered loss. It is very hard to explain how, not only what my family but all the other 60 something families who were

caught up in the tragedy, feel. I also thank the Government and our security forces because they moved fast and saved some lives.

On that fateful Saturday, my nephew, my sister's only child, came to my home to have breakfast with us. He brought along his girlfriend and his mother. They wanted to inform us that he has proposed to her. He told us when we would be going to see the parents of the girl. He told us that the father of the girl had allowed him to marry her. His words were;

“Rosemary's dad gave me Rosemary.”

Until 10.30 am, we were still together but shortly after that, they left. They were very happy throughout. We prayed together and thanked God. It was barely an hour later when they met the tragedy. I think death beckons because they were supposed to go to the Village Market but they ended up at the Westgate Mall. The rest is history.

The whole day, we expected them, like everyone else. We looked at the screens to see whether we would see a glimpse of them. We were not lucky and at about 8.00 p.m., in the night, we knew that they had been felled by the bullet. My own granddaughters, two of them were also there. Two of my granddaughters were also there. In fact, they are the ones who confirmed that the cousins were there and were among the first ones who were rescued after about three or four hours. Then the other niece, the daughter of one of my other sister, who is a professor at the Jomo Kenyatta University of Agriculture and Technology (JKUAT), Anne Muigai, was hit by three bullets through the head and stomach. She is at the Aga Khan and this morning she was having another operation to remove the bullet. She is out of danger.

Madam Temporary Speaker, Christina Pratt, the President's sister was also there. So, we had many members of the family. But, at least, we thank God that some of them escaped and were saved. But, unfortunately, we lost the one who is the only child to the mother. God found it fit to take him. Catherine was an Ambassador to Ireland and is doing well. She has taken heart. Some of you, including Sen. Kagwe, have really strengthened her. But I want to ask you to continue praying for us and the family, especially for the one who is still in hospital, so that she can come out well. Also pray for all the other Kenyans who were caught in this incident, because they are very many. I would like to take this opportunity also to console them and send our condolences to them. We thank His Excellency the President and the Government because a lot of work has been done to even secure the mall and the country. These are international terrorists and not just the ones based in Mogadishu.

Madam Temporary Speaker, I think that we all need to be vigilant. I also ask that our borders should be secured. How could these people bring in all these arms? I think that we need to look at our security system, especially on our borders. With all the refugees and porous borders, it is a tall order, but I think that Kenya is a great country. For a country like ours to be able to withstand international terrorism with our small resources, when we know that they have hit even the Pentagon, the most guarded building maybe on this earth, is commendable. We should praise God for what he has done for us. We are having prayers at St. Andrews today and tomorrow, but we have been holding prayers at home. We will lay my nephew to rest on Friday. Even if you cannot come for the burial, we know that you are together with us. We heard the

wonderful messages that you were sending yesterday through the Floor. We thank you for your love. God bless you.

The Temporary Speaker (Sen. Ongoro): Hon. Senators, the time that is allotted to this Motion has been exhausted. Therefore, I now call upon the Mover to reply.

Please, take five minutes, because we have to finish this.

Sen. Kagwe: Madam Temporary Speaker, with your permission, I would like to donate two of those minutes to Sen. Wangari.

The Temporary Speaker (Sen. Ongoro): Proceed, Sen. Wangari!

Sen. Wangari: Thank you, Madam Temporary Speaker, and the Professor-Reverend, as he has come to be known. It is really difficult---

The Temporary Speaker (Sen. Ongoro): Order! Sen. Kagwe, all the lady Senators in the House are referring to you as pastor, bishop and reverend. But that is for another day.

Proceed, Senator!

Sen. Wangari: Madam Temporary Speaker, it is really difficult to contribute after that really somber mood in the House. We want to just send our condolences yet again to Sen. Beth Mugo and her family.

Madam Temporary Speaker, I also want to add my voice to the Motion. I know that it is very easy to contribute to Sen. Kagwe's Motions. This is because, one, there is usually something that we relate to very well. I know that he had brought on this Floor another Motion on ICT. My prayer would be that these now will be consolidated and put in proper legislation so that execution can start immediately. So, from the outset, I support the Motion.

Madam Temporary Speaker, it is very hard to teach an old dog new tricks. Some of us in this House, I know, are really confined to the analogue life, but we must not deny our children that knowledge that we did not have. It is very easy to teach a child how to swim, but try doing that to an adult and do a comparison on the time. I can tell you that there will be a big discrepancy. For me, development does not mean that we stop what has been done already and start afresh. It means to go together. So, that laptop initiative, and I know that the Cabinet Secretary had already launched it, has to continue at the same time. Connectivity must be ensured not only at the county level, but also cascaded down to the ward level.

Madam Temporary Speaker, I beg to support.

The Temporary Speaker (Sen. Ongoro): Sen. Kagwe, you now have two minutes.

Sen. Kagwe: Madam Temporary Speaker, with all the contributions that have been made, there is not much to add, except to say that we will, indeed, implement what the hon. Senators have proposed. We have heard serious contributions from each and every person who spoke here. Indeed, you saw the interest in the House regarding this particular Motion, because of its importance.

Madam Temporary Speaker, I think that it is Sen. Wako who said that we should be the first in the many things that we wish to implement. We have been first before. We were the first country in the world to launch M-pesa and can be the first in many other things that this country can implement.

Madam Temporary Speaker, having said that, I wish to seek for your indulgence, in accordance to Standing Order No.51(3), that we postpone the voting on this Motion to a later date, as will be proposed by you.

Madam Temporary Speaker, I beg to move.

The Temporary Speaker (Sen. Ongoro): Very well! Your request is in order. According to Standing Order No.51, it is accepted. I propose that we put the question on Wednesday, next week when you have mobilized enough Members. We want this Motion to pass.

Are you okay with that?

Sen. Kagwe: That is okay, Madam Temporary Speaker.

The Temporary Speaker (Sen. Ongoro): We will put the question on Wednesday next week, at 2.30 p.m.

(Putting of the question on the Motion deferred)

Next Order!

ADOPTION OF REPORT ON COUNTY GOVERNMENT CASH
DISBURSEMENT SCHEDULE FOR FISCAL YEAR 2013/2014

Sen. Kagwe: Madam Temporary Speaker, as mentioned, the Chairman of the Standing Committee on Finance, Commerce and Economic Affairs has requested that I move this Motion on his behalf.

I, therefore, beg to move:

THAT, pursuant to the provisions of Section 17 (7) of the Public Finance Management Act, the Senate adopts the report of the Standing Committee on Finance, Commerce and Economic Affairs on the County Government Cash Disbursement Schedule for Fiscal Year 2013/2014.

The document that has been distributed to the hon. Senators is with regard to the money that has been distributed to the counties as at August. If the hon. Senators were to look at the Schedules that have been given to them, they will note that there is a plan that has been given to us by the Treasury to show how that money is supposed to be distributed, and the money that is currently going to the counties.

Madam Temporary Speaker, pursuant to the provisions of Standing Order No.206 and Section 17 of the Public Finance Management Act, the said Committee considered the County Government Cash Disbursement Schedule and noted that the Schedule has been prepared in accordance with the Revenue Sharing Formula approved by Parliament. The Committee further noted that the Schedule was prepared and submitted to the Senate pursuant to the provisions of Section 17(6) of the Public Finance Management Act as amended by Section 14 of the County Allocation of Revenue Act, 2013.

The Committee also noted that the Schedule was submitted to the Office of the Clerk on 29th August, 2013 a day that the Senate was still in recess and thus the Cash Disbursement Schedule could not be laid on the Table of the Senate. The Committee, therefore, requests the Senate to consider the County Government Cash Disbursement Schedule in accordance with Section 17(7) of the Public Finance Management Act, 2012.

The Committee considered the Cash Disbursement Schedule for County Governments for Fiscal Year 2012/2013 and recommends that pursuant to the provisions of Section 17(7) of the Public Finance Management Act, the Senate approves the County Government Cash Disbursement Schedule for Fiscal Year 2013/2014.

I beg to move.

Madam Temporary Speaker, the cry for devolution and devolved functions has been heard very loudly across this beautiful country of ours. At the advent of implementation of the new Constitution, there have been a lot of discussions regarding what should be devolved to the County Governments and what should remain at the national Government. This first step that has been taken now, involves the disbursement of some of the money that should be taken to the counties for management. It is the first time that the national Government has actually disbursed money to the counties. If you look at the Schedule, it shows very clearly that some Kshs16 billion is above the average amount that is being disbursed on the average per month. Over the last two months, there have been about two times the amount, that is, Kshs32 billion and another Kshs19 billion about to be disbursed.

With those disbursements start the real issues regarding devolved governments. It is now time for the county governments to start showing that what they have been crying for can also be managed. It is one thing to ask for something and quite another to get it. Sometimes, you might just get what you ask for. In this particular case, the money has been given and devolved by the national Treasury. Now, it is time for the county governments to prove that those who have been saying that the county governments do not have capacity should be proved wrong. Now it is time because the national Treasury did its bit, the county executives responsible for finance in various counties must now do their bit.

Having said that, I want to remind the national Treasury of two things; the first one is that this House passed a Motion that the money that is supposed to go to counties must be disbursed on the 15th day of every month. Therefore, we hope that at no time is a 15th day going to come and a story is told, rather than the money being disbursed. The national Treasury has confirmed that they will continue to do this. Secondly, we also passed in this House an amendment to the Act to the effect that no function will be devolved to the county governments without the commensurate amounts necessary to implement that function at the county level.

We are aware that there are some counties that are operating at an annual deficit and at some point, the national Treasury is going to look at those things so that as they make monthly disbursements, they can slowly start disbursing monies to counties that have a deficit and which you will ultimately be requested for rather, than the national Treasury paying bulk amounts at the end of the year. It would be best for them to start that compensation early enough, piecemeal by piecemeal, to avoid cash-flow challenges.

What we are asking is that, as a House, we need in our oversight capacity, to see the planning that the counties are engaged in. We need to be part of that planning that is being done at the county level. We need to ensure that proper procedures are followed in procurement; we need to ensure that counties are prioritizing expenditures in the manner that they are supposed to. For example, we have seen and heard counties that are working in a rather unexplainable manner. When you propose that you want to put Kshs200

million in a governor's house when the Early Childhood Development Education (ECDE) in the counties have nothing in them; children are learning under trees and yet you want to put up Kshs200 million for the governor's house, then something is amiss.

That is why this House, which is an oversighting House, must never allow such things to happen. Members of the County Assembly are also an oversighting institution and must ensure that such a thing does not happen. Expenditure at the county level must be approved by the county assemblies. Therefore, we are saying that the expenditure should have been prioritized by all arms of the government at the county level. We have already seen that the Director of Budget and the Controller of Budget are raising alarm about procurement procedures used at the county level. We are again saying that the budget process must be strictly followed. The expenditure process must be strictly followed and that we do not want to hear of situations where expenditure was authorized without due process. There has been requisition of services without due process being followed by the county governments. That is very clear.

One of the main challenges, as people have said in the previous Motion, is the Integrated Financial Management Information System (IFMIS). If we were to implement IFMIS in its proper format, then you would find that many counties would have higher capacity for implementation than they currently have.

They are supposed to submit quarterly reports to this House and to the national Treasury so that we vet and see how money is being spent at the county level. Similarly, we are urging county governments to invest in the future. Let us not be people who know about spending. Let us also invest in areas which can give us revenue. Let us invest in building human capacity and resource.

As the Chairman of the Committee on Education, Information and Technology, I am also urging that county governments put in sufficient amounts of money to look after the smallest children in our schools. We have seen, in our visits, situations where four year old pupils are spending a whole day sitting somewhere under a tree with no water or food, in a place where they call a school. Those children hate school. When we are in a nation where a four or five year old hates school, then we are sitting on a time bomb.

Therefore, in terms of priorities, counties ought to be giving a meaning to devolved governments and to taking over devolved governments. This can be well demonstrated if the counties were to start building institutions for the youngest people in our nation.

Therefore, we launched, as a Committee, what we are calling "the best classroom in the school" meaning that the best classroom ought to belong to the youngest members of that school; that is the kindergarten and the Early Childhood Development (ECD) learning facilities that exist in every school in our country.

With those few remarks, I beg to move and ask Sen. (Prof.) Anyang'-Nyong'o to second the Motion.

Sen. (Prof.) Anyang'-Nyong'o: Madam Temporary Speaker, I would like to second this Motion which has been ably moved by Sen. Kagwe.

First, I would like to urge county governments, particularly, the Executive branch of the county governments to realise that we are putting before them the means to implement policies and programmes in the counties in accordance with the Constitution and the County Government Act.

While doing that, I urge the county governments to take one very important step; that is the step of ensuring that checks and balances in Government work both at the national and at the county level. At the county level, we have the executive headed by the governor and the legislature headed by the Speaker. We know that at the moment, we have two accounting officers, the Clerk to the County Council on the Legislative side and various Ministries and Departments under the governors. Each head of a Ministry is a member of the executive committee or accounting officers.

The Public Finance Management Act expects that monies disbursed to accounting officers shall be governed by specific regulations. But before monies are disbursed, particularly to the accounting officers in the legislative side of the Government, those accounting officers must exist, and the letters must reach the national Treasury saying exactly who the accounting officer is, that is, the county clerk. In most counties, this has been done, but monies have not yet been given to the legislative side of the Government. This, of course, undermines checks and balances, and the oversight function of the legislature, that is, the county assembly in the county. We have discussed this with the Controller of Budget and the Auditor-General and it is agreed that the once proper procedure is followed, the treasuries at county level and the Treasury of the Legislature should both receive their resources and function accordingly. This is very important and I hope that it will be done. We should not devolve bad manners to the counties in terms of management of finances.

Madam Temporary Speaker, secondly, Chapter Six of the Constitution emphasizes leadership and integrity. Indeed, this is one of the most important chapters in the Constitution as far as transparency and accountability in the Government is concerned. Some bad practices are emerging among certain counties, where either legislatures or members of the executive begin doing business with their own governments or wives for that matter. This is because where a tender is being evaluated, for example, by the assembly service board and then it occurs that some members who are in the county assembly are the ones that are peddling tenders, is conflict of interest and contrary to Chapter Six of the Constitution.

Maybe during this first stage of county governments - and people are not aware of this - it should be made crystal clear that it should not happen, otherwise, we shall begin devolving corruption to the county governments. As a result, the money that Sen. Kagwe has just talked about will not be properly used.

Madam Temporary Speaker, thirdly – a point that Sen. Kagwe has mentioned – we know that our brother, Sen. Sang, is bringing a Bill to this Senate, to discuss how we can have a proper planning process at the county level. This Bill proposes, among other things, the involvement of Senators in this planning process. This is important because it will make it much more efficient for us to know what priorities have been agreed to at the county level. So, when our various Committees begin to discuss here, we are very informed, so that there is no to and fro communication between us and the counties.

Madam Temporary Speaker, I do not want to anticipate debate, but I know that there has been some anxiety that governors are made secretaries in that Bill. It is not governor the person, but office of the governor. That is important in every kind of corporation that the chief executive must take care of the records of committees or commission and so on. It must be understood in that light. I hope that when we come to

discuss that, it will not be a point of misunderstanding between us and the county governments.

Madam Temporary Speaker, planning is a very important process of policy making and policy execution. It is always said that if you do not have a good plan, you do not know where you are going. *Wahenga walisema, penye nia hapakosi njia*. So, the plan gives you the road where you are going. Therefore, so far, the county governments have all been engaged in integrated development plans for their counties, but in this first attempt, we must understand and excuse the process because there was no prior practice and they did not have any best practices to look at. So, it was something that was being done to satisfy the requirements of getting money. In French, it is called *bricolage*, which is a mason trying to build a wall without knowing the architecture, but trying to put their best to put things together.

I do believe that these integrated plans that the counties have so far been making have not been informed by a proper architecture because this is the first time. But I do believe that what the law that we are trying to propose is going to do is to provide proper architecture for planning at the county level, so that the integrated development plans that will subsequently come from the counties will be better informed and, therefore, when money is being given to counties, they are being given on the basis of proper plans that come from the counties.

Madam Temporary Speaker, you realize that even the national Government - if you look at the history of this country – at Independence time, we had to grope for quite some time before we agreed on what type of planning was going to guide the nation and hence the importance of Sessional Paper No.10 of 1965 of African Socialism and its application to planning in Kenya. That title was very important. There was no need talking about an ideology without applying it to planning. At the same time, there is no need talking about devolution without applying it to planning. I do believe that we are now set on a very good stage to begin putting devolved government on a sound footing by having proper planning for devolved government.

I think these resources that we have given to the counties, if you look at the figures, you will find that they differ from one county to the other. The whole idea of giving resources is not so much everybody should be the same. That would not even make sense of the concept like the Equalisation Fund. It is that the money given should meet the felt needs of a particular county that addresses concrete problems whose solution would make a difference in transforming the life of people in that particular county. So, the challenges to our Committee and, indeed, the challenges to this House would be for us, as Senators, not to begin comparing and complaining that my county has got so much less than the other counties, but begin thinking critically in terms of; what does my county need to solve certain problems in order to transform positively lives in our various counties.

Of course, to begin with, the resources are not going to be enough in Government because they are never enough. But what is available? How it is critically used to address the critical needs of each county and over a period of time and how the efficient use of those resources actually transforms lives positively? I think this should be the approach of this Senate in discussing the various allocations of funds that differ from one county to the other.

Madam Temporary Speaker, it requires, therefore, that each one of us, Senators, should know sufficiently about our counties to address this kind of allocation of resources well. I think that is the logic behind having us involved in that blooming process. If we are bold in that blooming process, we shall be in a position to know more about our counties. At the moment, we may claim we know a lot about our counties, but we have not even sat down with representatives from all over the county to look at those opportunities and resources available and see how, when we have a budget like this, we shall make use of it cost effectively in developing our counties.

With those few remarks, I would like to second.

The Temporary Speaker (Sen. Ongoro): Hon. Senator, I actually wanted to tell you that you still have 20 minutes to conclude your contribution when this Motion next appears on the Order Paper.

ADJOURNMENT

The Temporary Speaker (Sen. Ongoro): Hon. Senators, it is now time for the interruption of business. The House, therefore, stands adjourned until 2.30 p.m. this afternoon.

The Senate rose at 12.30 p.m.