



REPUBLIC OF KENYA
TWELFTH PARLIAMENT
THE SENATE
VOTES AND PROCEEDINGS
SPECIAL SITTING

MONDAY, FEBRUARY 10, 2020 AT 2.30 P.M.

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with a prayer said by the Speaker
3. **COMMUNICATION FROM THE CHAIR ON THE DEMISE OF HIS EXCELLENCY THE HONOURABLE DANIEL TOROITICH ARAP MOI, C.G.H, THE SECOND PRESIDENT OF THE REPUBLIC OF KENYA**

The Speaker conveyed the following communication from the Chair-

Honourable Senators,

Welcome back from the long recess to this special sitting that has been convened vide Gazette Notice No.970 of 7th February, 2020.

Honourable Senators,

On Tuesday, 4th February, 2020 the country woke up to the devastating news that the second President of Kenya, His Excellency the Honourable Daniel Toroitich Arap Moi, C.G.H had passed on. He breathed his last at about 5:20 a.m. on that fateful day, while undergoing treatment at the Nairobi Hospital, having been hospitalized there for a couple of weeks. Our country, the East African region and the African continent as a whole, has lost a true patriot, statesman and Pan-Africanist.

The late President Moi was born in Sacho, Baringo County on 2nd September, 1924. He was enrolled at the African Inland Mission School at Kabartonjo in 1934 where he converted to Christianity and adopted the name Daniel. After his early education, he attended Kapsabet Teachers Training College from 1945 to 1947 and later Kagumo Teachers College. After his training as a teacher, the Late Mzee

Moi taught at Tambach Teachers Training College and continued in this profession from 1946 to 1955 rising to the position of Headmaster.

Honourable Senators,

The Late Mzee Moi's entry to politics and public affairs begun in 1955, when he was elected Member of the Legislative Council (LEGCO) for Rift Valley Province, to replace Dr. John Ole Tameno. One of the hallmarks of his time as a Member of the Legislative Council was that he worked alongside other independence heroes to agitate for the release of Mzee Jomo Kenyatta, and for greater African representation. This, undoubtedly, set the stage for the clamour and eventual independence of Kenya in 1963. Honourable Senators will recall that the late Mzee Moi was part of the Kenyan delegation to the Lancaster House Conferences in London, which drafted the Country's pre-independence Constitution in 1960.

We cannot thank him and other independence heroes enough for the great sacrifices that they made, for the country to attain its independence.

In the early years of independent Kenya, the late Mzee Moi served as Minister for Home Affairs and later as the country's 3rd Vice President from 1967 to 1978. He later succeeded the late Mzee Jomo Kenyatta as President, following the latter's demise in August of 1978. As a Member of Parliament (MP), Mzee Moi served as MP for Baringo North from 1963 to 1966 and later as MP for Baringo Central from 1966 until his retirement as President in 2002.

Honourable Senators,

During his presidency, he made significant contribution to strengthen the education, health, environment, agriculture, transport and communication and, sports sectors. Of special importance was education, where he helped in establishing schools, colleges and universities across the country. His legacy in the education sector saw many schools across the country named after him in honour of his dedication and commitment to the education of the Kenyan child.

In elective politics, the former President, presided over a momentous albeit difficult chapter in Kenya's history, the democratization of the State, which saw increased political space, freedom of speech and association, the clamor for a new constitutional dispensation and the re-introduction of multiparty democracy. All these, culminated in the smooth transfer of power from one elected president to another in 2002, when he stepped down at the end of his two five-year presidential terms.

In an effort to address the myriad of challenges facing Kenyans during his presidency, the late Mzee Moi was at the forefront, conducting inspection visits, presiding over Harambee initiatives, initiating projects – notably among them, the building of gabions to control soil erosion and water projects across the country. He did not shy away on issues that concerned the common *Mwananchi*. He encouraged them to approach him and to present their challenges for government

intervention. Further, his Philosophy of “*Peace, Love and Unity*” contributed to stability and harmony in Kenya and Africa, at a time when most African countries were undergoing civil strife and political instability.

The late President indeed left Kenya a better place than he found it. For this, we say thank you Mzee!

Honourable Senators,

As an African Statesman, the former President served as Chairman of the Organization of African Unity (OAU) for two consecutive terms, in 1981 and in 1982. He was also involved in peace mission and mediation between various conflicting sides in Uganda, Congo, Somalia, Chad, Sudan, Namibia, Mozambique, Angola and the Democratic Republic of the Congo. He was also instrumental in the re-establishment of the East African Community in 2000, after the collapse of the initial organization in 1977.

The re-establishment of the East African Community, peace missions, notably the South Sudan peace process and mediation efforts, among others were testament to his commitment to Pan-Africanism, a vision that he held dear for all Africans.

Honourable Senators,

The late Mzee Moi established himself as a strong family man. He met and married Lena Moi in 1950 and they were blessed with 8 Children; 3 daughters– Jennifer, Doris and June; and 5 sons - the Late Jonathan, Raymond, John Mark, Philip and Gideon. He was also a doting grandfather to several grandchildren. His fatherly heart reflected on how he treated his friends and the needy in our society and in charity initiatives, that he founded and patronized, to help the less fortunate in society. We are comforted by the thought that he lives in the hearts of the millions of Kenyans who benefited from his selfless leadership that spanned over half a century in public affairs.

Today Honourable Senators, we honor his legacy and mourn his loss alongside his family and friends, the people of Kenya, Africa, and the world in general. On behalf of the Senate of Kenya and on my own behalf, I convey our heartfelt condolences to our colleagues, the Senator for Baringo County, Sen. Gideon Moi and the Member of Parliament for Rongai Constituency, Hon. Raymond Moi; the larger Moi family; and the people of Kenya.

Eternal rest grants to him, O Lord; and let perpetual light shine upon him. May his soul Rest in Peace!

Honourable Senators,

It is now my humble request that we all stand and observe a minute of silence in honour of His Excellency the late President Daniel Toroitich arap Moi, C.G.H.

(Thereafter all senators stood and observed a minute of silence)

I thank you!

4. **NOTICE OF MOTION** – (The Senate Majority Leader)

THAT notwithstanding the provisions of Standing Order 28 (1) and pursuant to the provisions of standing Order 28 (2), the Senate resolves to alter the commencement date for the Fourth Session from Tuesday, 11th February, 2020 to Thursday, 13th February, 2020.

5. **NOTICE OF MOTION** – (The Senate Majority Leader)

AWARE THAT the late Daniel Toroitich Arap Moi, CGH, was the second and longest serving President of the Republic of Kenya from 1978 to 2002 in addition to serving as the third Vice President from 1967 to 1978;

NOTING THAT the late former President Moi had a long and illustrious political career spanning 47 years where he served as a Member of Parliament from 1955 when he was elected Member of the Legislative Council for the Rift Valley and later as a Member of Parliament for Baringo Central Constituency from 1966 to 2002;

FURTHER NOTING the late President Moi's Philosophy of Peace, Love and Unity contributed to harmony in the country and the region, as well as his contribution in strengthening the education, health, agriculture, transport and communication and sports among other sectors in the country;

COGNIZANT of the Presidential Proclamation of 4th February, 2020 communicating the passing away of the Retired President Moi;

NOW THEREFORE, the Senate resolves that the condolences of the Senate be recorded in Honour of the late President's service as a Statesman, a Pan Africanist, a Member of Parliament, his contribution to nation building and promotion of peace in Africa and the world.

6. **MOTION-ALTERATION OF THE COMMENCEMENT DATE FOR THE FOURTH SESSION OF THE SENATE**

Order read;

Motion made and Question proposed-

THAT notwithstanding the provisions of Standing Order 28 (1) and pursuant to the provisions of standing Order 28 (2), the Senate resolves to alter the commencement date for the Fourth Session from Tuesday, 11th February, 2020 to Thursday, 13th February, 2020.

(The Senate Majority Leader)

There being no Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 79(1), the Speaker informed the House that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY:

THAT notwithstanding the provisions of Standing Order 28 (1) and pursuant to the provisions of standing Order 28 (2), the Senate resolves to alter the commencement date for the Fourth Session from Tuesday, 11th February, 2020 to Thursday, 13th February, 2020.

7. **COMMUNICATION FROM THE CHAIR ON THE LAST PARLIAMENTARY HONOUR TO THE LATE RETIRED PRESIDENT H.E. DANIEL ARAP MOI, CGH**

The Speaker conveyed the following communication from the Chair-

Honourable Senators, as you are aware, the body of the late retired President Moi is lying in state in Parliament Buildings for the third and final day. In this regard, today's sitting is scheduled to end at exactly 4.45 pm to allow certain steps attendant to the departure of the body of the late retired President to take place by 5.00 pm.

Arrangements have been put in place to ensure that all Members accord the late retired President a befitting parliamentary honour. In this regard, the sequence of events will be as follows-

- i. Debate in respect of the motion under Order No. 3, will end exactly at 4.30 pm to allow the House proceed to Order No. 4 in today's Order Paper and thereafter adjourn at 4.45 pm.
- ii. Immediately after that, the Speaker's Procession will leave the Chamber as usual.
- iii. Thereafter, all Members will leave the Chamber and converge at the main Parliament gate facing KICC and await the body of the late retired President as it exits Parliament Buildings. The Chief Sergeant-at-Arms will guide Members on the designated waiting place.
- iv. The Speaker, the two Leaders of Majority and Minority Party, the two Majority and Minority Whips, and the Clerks of Parliament will converge at the National Assembly Speaker's Walk to accompany the procession of the Body, together with the Leadership of the National Assembly.
- v. On arrival of the casket of the late retired President at the Gate facing KICC, all Members are requested to await the playing of the National Anthem and the EAC Anthem before the casket is loaded onto the carriage to exit Parliament Buildings.

- vi. The parliamentary procession will symbolize the House paying its last respect and honouring the late retired President for his service to the House.

8. **MOTION – TRIBUTE ON THE DEMISE OF RETIRED PRESIDENT DANIEL TOROITICH ARAP MOI, CGH**

Order read;

Motion made and Question proposed-

AWARE THAT the late Daniel Toroitich Arap Moi, CGH, was the second and longest serving President of the Republic of Kenya from 1978 to 2002 in addition to serving as the third Vice President from 1967 to 1978;

NOTING THAT the late former President Moi had a long and illustrious political career spanning 47 years where he served as a Member of Parliament from 1955 when he was elected Member of the Legislative Council for the Rift Valley and later as a Member of Parliament for Baringo Central Constituency from 1966 to 2002;

FURTHER NOTING the late President Moi's Philosophy of Peace, Love and Unity contributed to harmony in the country and the region, as well as his contribution in strengthening the education, health, agriculture, transport and communication and sports among other sectors in the country;

COGNIZANT of the Presidential Proclamation of 4th February, 2020 communicating the passing away of the Retired President Moi;

NOW THEREFORE, the Senate resolves that the condolences of the Senate be recorded in Honour of the late President's service as a Statesman, a Pan Africanist, a Member of Parliament, his contribution to nation building and promotion of peace in Africa and the world.

(The Senate Majority Leader)

Debate arising;

There being no Senator wishing to contribute;

The Mover replied;

Before the Question was put, and pursuant to Standing Order No. 79(1), the Speaker informed the House that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY:

AWARE THAT the late Daniel Toroitich Arap Moi, CGH, was the second and longest serving President of the Republic of Kenya from 1978 to 2002 in addition to serving as the third Vice President from 1967 to 1978;

NOTING THAT the late former President Moi had a long and illustrious political career spanning 47 years where he served as a Member of Parliament from 1955 when he was elected Member of the Legislative Council for the Rift Valley and later as a Member of Parliament for Baringo Central Constituency from 1966 to 2002;

FURTHER NOTING the late President Moi's Philosophy of Peace, Love and Unity contributed to harmony in the country and the region, as well as his contribution in strengthening the education, health, agriculture, transport and communication and sports among other sectors in the country;

COGNIZANT of the Presidential Proclamation of 4th February, 2020 communicating the passing away of the Retired President Moi;

NOW THEREFORE, the Senate resolves that the condolences of the Senate be recorded in Honour of the late President's service as a Statesman, a Pan Africanist, a Member of Parliament, his contribution to nation building and promotion of peace in Africa and the world.

And there being no other business, the Speaker adjourned the Senate at Six O'clock without Question put, pursuant to the Standing Orders.

9. **SENATE ROSE** - at Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Thursday, February 13, 2020 at 2.30 p.m.*

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